Planning Committee

Tuesday 23 June 2015

A meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Tuesday 23 June 2015 at 6.00pm.

Councillor Cooke (Chairman)
Councillor Ashford (Vice Chairman)

Councillor Boad	Councillor Mrs Knight
Councillor Mrs Bunker	Councillor Morris
Councillor Cain	Councillor Mrs Stevens
Councillor Mrs Falp	Councillor Weed
Councillor Mrs Hill	

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. **Substitutes**

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 27 May 2015

(Item 4/Page 1)

Part B – Planning Applications

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

*5. **W15/0634 – Sydenham Industrial Estate, Royal Leamington Spa** **(Item 5/Page 1)**

****Major Application****

*6. **W15/0674 – Hatton Country World, Hatton, Warwick** **(Item 6/Page 1)**

*7. **W15/0523 – 8 Percy Road, Kenilworth** **(Item 7/Page 1)**

(*Denotes those items upon which decisions will be made under delegated powers, as previously granted by Council).

Part C – Other matters

*8. **Current 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 being put before the Committee. If you wish to do so, please call 01926 353362 (Monday to Thursday 8:00am to 7:00pm, Friday 8:00am to 6:00pm and Saturday 9:00am to 1pm) 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 via telephone.

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General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

Telephone: 01926 353362
Facsimile: 01926 456121
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

Please note that the majority of meetings are held on the first floor of the Town Hall. If you feel that this may restrict you attending this meeting, please telephone (01926) 353362 prior to the meeting, so that we can assist you and make any necessary arrangements to help you to attend the meeting.

The agenda is available in large print on request, prior to the meeting, by telephoning (01926) 353362

Planning Committee

Minutes of the meeting held on Wednesday 27 May 2015 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillors Ashford, Boad, Mrs Bunker, Cain, Cooke, Mrs Falp, Miss Grainger, Mrs Hill, Mrs Knight, Morris and Weed.

1. **Substitutes**

Councillor Miss Grainger substituted for Councillor Mrs Stevens.

2. **Appointment of Chairman**

It was moved by Councillor Mrs Knight, and duly seconded that Councillor Boad be appointed Chairman of Planning Committee.

It was also moved by Councillor Ashford, and duly seconded that Councillor Cooke be appointed Chairman of Planning Committee.

Resolved that Councillor Cooke be elected Chairman of Warwick District Council's Planning Committee for the municipal year 2015/16.

The Chairman welcomed returning councillors and new councillors onto the Planning Committee.

3. **Appointment of Vice-Chairman**

It was moved by Councillor Mrs Knight, and duly seconded that Councillor Boad be appointed Vice-Chairman of Planning Committee.

It was also moved by Councillor Mrs Bunker, and duly seconded that Councillor Ashford be appointed Vice-Chairman of Planning Committee.

Resolved that Councillor Ashford be elected Vice-Chairman of Warwick District Council's Planning Committee for the municipal year 2015/16.

4. **Declarations of Interest**

Minute Number 7 – W15/0297 – Land East of Radford Semele, North of Southey Road, Radford Semele

Councillor Boad declared an interest on realising that one of the objectors was known to him after the first public speaker had spoken. He left the room immediately and returned once the decision was made.

Councillor Mrs Knight declared an interest because she knew people living at "The Greswoldes".

Minute Number 8 – W15/0305 Woodside Farm, Harbury Lane, Bishop's Tachbrook

Councillor Ashford declared an interest because he was Chairman of Warwick Town Council's Planning Committee when this had been discussed. He left the room whilst this application was discussed.

Councillor Mrs Falp informed the Committee that she was on Whitnash Town Council's Planning Committee, but had not been present when the Town Council had discussed the application.

Minute Number 9 – W15/0256 – Units 3 and 5A Princes Drive, Kenilworth

Councillor Mrs Bunker declared an interest because she was a Kenilworth Town Councillor and the application site was in her Ward as a District Councillor.

Councillor Cooke declared an interest because he was present at Kenilworth Town Council when this application was discussed. However, he was not involved with the decision and had an open mind.

Councillor Mrs Hill declared an interest because she lived near to the application site.

Minute Number 11 – W15/0449 – Between 25-27 Shakespeare Avenue, Warwick

Councillor Ashford declared an interest because he was Chairman of Warwick Town Council's Planning Committee when this had been discussed. He left the room whilst this application was discussed.

Minute Number 12 – W15/0528 – 36 Berenska Drive, Royal Leamington Spa

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

Minute Number 13 – W15/0570 – 36 Berenska Drive, Royal Leamington Spa

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

Minute Number 14 – W15/3054 – Site 4200/4300 Poseidon Way, Trident Park, Warwick

Councillor Ashford declared an interest because he was Chairman of Warwick Town Council's Planning Committee when this had been discussed. He left the room whilst this application was discussed.

Minute Number 16 – W15/0334 – 62 The Fairways, Royal Leamington Spa

Councillor Miss Grainger declared an interest because the application site was in her Ward. She also declared that she had been appointed to the Planning Committee for Royal Leamington Spa Town Council, but had not yet attended one of its meetings.

5. **Site Visits**

To assist with decision making, Councillors Ashford, Mrs Bunker, Cain, Cooke, Mrs Falp, Mrs Hill, Mrs Knight and Ms Weed had visited the following application sites on Saturday 23 May 2015:

W15/0297 – Land East of Radford Semele, North of Southey Road, Radford Semele
W15/3054 – Site 4200/4300 Poseidon Way, Trident Park, Warwick
W15/0305 – Woodside Farm, Harbury Lane, Bishop's Tachbrook
W15/0256 – Units 3 and 5A Princes Drive, Kenilworth
W15/0178 – 24 Church Hill, Bishop's Tachbrook
W15/0334 – 62 The Fairways, Royal Leamington Spa

6. **Minutes**

The minutes of the meeting held on 28 April 2015 were agreed and signed by the Chairman as a correct record.

7. **W15/0297 – Land East of Radford Semele, North of Southam Road, Radford Semele**

The Committee considered a reserved matters application from Bovis Homes Limited for the approval of appearance, landscaping, layout and scale for 60 dwellings granted under Outline Application W14/0322.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan
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)
RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
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)
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)

The Emerging Local Plan
FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H2 - Affordable Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H4 - Securing a Mix or Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
BE2 - Developing Strategic Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR3 - Transport Improvements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
It was the officer's opinion that the proposed development provided a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market and affordable housing and acceptable dwelling house and layout design solutions, including public open space. The scheme therefore complied with the policies listed.

An addendum provided at the meeting stated that both Radford Semele Parish Council and Councillor Doody had not raised any objections to the meeting but had requested a number of conditions be applied. Officers had confirmed to both the parish council and Councillor Doody that these conditions had already been addressed at outline application stage and did not need to be imposed again. Construction working hours were not imposed at the outline stage; however these could be controlled through separate Environmental Health legislation.

In terms of the tenure mix for the 40% affordable housing, this would either be shared ownership (intermediate), social rent or affordable rent. This needed to be agreed with the Council as required by the Section 106 legal agreement.

The following people addressed the Committee:

Mrs Steele, a local resident spoke in opposition to the application followed by Mr Gatfield who also spoke in opposition. Mrs Steele had been incorrectly registered to speak as a parish councillor.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, the Committee

Resolved that application W15/0297 be **granted** subject to the following conditions:

(1) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) HTPD_P501VT TYPE F - RENDER Rev A, HTPD_C3003 TYPE D 2 of 2 Rev A, HTPD_P306 TYPE C REV A, HTPD_P301VT TYPE B REV A, HTPD_2B BUNG TYPE A REV AHTPD_C200V_S5 REV A, HTPD_S351_TYPE S3 REV A, HTPD_s241_TYPE S2 REV A, HTPS_S1 REV A, RADF-02-300 A, RADF-02-200 B, RADF-02-100 C, RADF-03-100 REV B (1 of 2), RADF-03-100 REV B (2 of 2), Radford Semele LEAP and specification contained therein, submitted on 13th May 2015 and 18th May 2014. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(2) 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. **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;

(3) the landscaping scheme submitted as part of the application hereby permitted shall be completed, in all respects, not later than the first planting season following the completion of each phase of the development hereby permitted. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally required to be planted. **Reason:** To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011;

(4) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows or openings, including dormer windows (apart from any shown on the approved drawings) shall be formed in the rear roof slopes of Plots 40 and 49-50 hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **Reason:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011;

(5) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be

carried out on Plot 40, which comes within Class A of Part 1 of Schedule 2 of this Order, without the prior permission of the Local Planning Authority. **Reason:** To retain control over future development of this property in the interests of residential amenity, given its close relationship with the adjoining property Amberwood and to help meet the objectives of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(6) the fence height be increased from 1.8 metres to 2 metres; and

(7) the level of the site nearest the existing neighbours to the west be controlled.

8. **W15/0305 – Woodside Farm, Harbury Lane, Bishop's Tachbrook**

The Committee considered an application from Permisson Homes South Midlands on reserved matters for the erection of 234 units (Phase 2) associated with the outline planning consent for up to 280 units, public open space, landscaping, new access and highways and associated and ancillary development.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan
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)
RAP1 - 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)

The Emerging Local Plan
DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H2 - Affordable Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
H4 - Securing a Mix or Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
BE2 - Developing Strategic Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR3 - Transport Improvements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that the proposed development was considered to provide a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market (subject to amendments) and affordable housing and acceptable dwelling house and layout design solutions, including public open space, relevant to this particular phase of the development. The scheme therefore complied with the policies listed.

An addendum provided at the meeting gave comments from the County Ecologist who was concerned that the proposed layout had the potential to disturb or destroy the habitat of a protected species (further survey work was required to establish this). The notes in the addendum from Warwick District Council Planning Officers explained the mechanisms in place for protection. The addendum also gave details of the amended plans to provide an appropriate mix of houses on the site plus details of further comments received from the public.

Mr Weber, representing Cycleways, addressed the Committee with suggested additional conditions for the proposal; he pointed out that he had observations to make and was not speaking in opposition.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, the Committee

Resolved that application W15/0305 be **granted** subject to the following conditions:

(1) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) P-2-01 REV A, 03, 04, 05, 06, 07, 08, 09, P-2-10, P-2-10-1, P-2-10-2, P-2-10-3, P-2-11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, P-2-22, P-2-22-1, P-2-23, P-2-24-1, P-2-24-2, P-2-24-3, P-2-24-4, P-2-25, P-2-26, P-2-28, P-2-29, P-2-31, P-2-32, and specification contained therein, submitted on 27/02/15 and 13/05/15. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(2) 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. **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;

(3) the landscaping scheme submitted as part of the application hereby permitted shall be completed, in all respects, not later than the first planting season following the completion of each phase of the development hereby permitted. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally required to be planted. **Reason:** To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011;

(4) vehicular access to the allotments and two car parking spots at the allotments;

(5) a scheme for a shed per plot on the allotments; and

(6) A scheme for cycleway provision with the site.

9. **W15/0256 – Units 3 and 5A Princes Drive, Kenilworth**

The Committee considered an application from Grafton Merchanting Green Belt Limited for the demolition of the existing warehouse (Class B8) and the replacement with a storage yard, storage building, access vehicle parking and conversion of the existing building to provide builders merchants (Sui Generis).

The application was presented to the Committee because of the number of objections received. The application was deferred at the previous Planning Committee on 28 April to allow for a site visit by Members.

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS8 - Employment Land (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents
Sustainable Buildings (Supplementary Planning Document - December 2008)
Vehicle Parking Standards (Supplementary Planning Document)

It was the officer's opinion that the proposed development involving the retention of local employment and the reuse of vacant buildings within the Kenilworth area was acceptable and that sufficient evidence had been provided to weigh in favour of granting planning permission.

An addendum provided at the meeting stated that Warwickshire County Council Highways did not object to the proposals. The addendum advised that the opening times of the site for Saturdays should have stated 8.00am to 4.00pm in the report. The applicant had clarified that the change in levels within the site between the storage area and the delivery access was 0.5 metres, the retaining walls within the site would be faced with concrete modular blocks; palisade security fencing of 2.4 metres in height would be used; and that a 5 metre high lighting column would be provided in the centre of the storage area timed to switch off 30 minutes after closing.

The following people addressed the Committee:

Mr Mead, representing residents of Crackley, spoke in opposition to the proposals; and

Mr Welchman, representing the planning agents for the applicant.

Councillor Miss Grainger advised that she had conducted a site visit on her own that day.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, the Committee

Resolved that application W15/0256 be **granted** subject to the following conditions:

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

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing numbers 004B; 007H, 009A and 010B, and specification contained therein, submitted on 19 February 2015 and 12 May 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

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

(4) prior to the commencement of development hereby permitted, details of landscaping for the rear (south-east) boundary of the site showing means of enclosure, new planting and retained trees shall be submitted to and approved in writing by the Local Planning Authority. Any trees or shrubs removed without consent of the local planning authority or which die, become seriously damaged or diseased within a period of 5 years from the completion of the development, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority first gives written consent to any variation. **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 and DP3 of the Warwick District Local Plan 1996-2011;

(5) there shall be no deliveries (incoming or leaving) between the hours of 17.00pm and 7.30am Monday to Friday. There shall be no deliveries (incoming or leaving) on Saturdays, Sundays or Bank Holidays. **Reason:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011;

(6) the opening hours of the premises shall be limited to: Monday to Friday: 0730 – 1700, Saturday 0730-1600. No opening on Sundays or Bank Holidays. **Reason:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011;

(7) the storage area identified on drawing number 007H shall not exceed 5 metres in height. **Reason:** To protect the visual amenities of the area in accordance with Policy DP1 in the Warwick District Local Plan 1996-2011;

(8) lighting on site being switched off 30 minutes after closure; and

(9) reinforcing planting along the south-east boundary of the site.

10. **W15/0178 – 24 Church Hill, Bishop's Tachbrook**

The Committee considered an application from Mr Edworthy for the demolition of an existing attached garage and the construction of a two storey side extension.

The application was presented to the Committee because an objection from Bishop's Tachbrook Parish Council had been received. This application was deferred from the previous committee meeting held on 28 April 2015 pending a site visit from Members.

The officer considered the following policies to be relevant:

National Planning Policy Framework

Current Local Plan
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)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

Emerging Local Plan
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents
The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)
Sustainable Buildings (Supplementary Planning Document - December 2008)
Vehicle Parking Standards (Supplementary Planning Document)
Residential Design Guide (Supplementary Planning Guidance - April 2008)

It was the officer's opinion that the proposed two storey side extension was considered to be of acceptable design and scale which would not impact adversely on the character or appearance of the street scene and did not substantially impact on the amenity of neighbouring properties which would support a reason for refusal.

Councillor Bullen from Bishop's Tachbrook Parish Council, addressed the Committee in opposition to the application. The parish council sought a change to the ridge line of the proposal, but as the proposal was in line with District Council policy, this request was not considered.

Following consideration of the report, presentation, and the representation made at the meeting, the Committee

Resolved that application W15/0178 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 P001, and specification contained therein, submitted on 9th March 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

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

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

(5) if an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to

the measured level. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011; and

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

11. **W15/0449 – Between 25-27 Shakespeare Avenue, Warwick**

The Committee considered an application from Mr Dhesi for a two bedroomed dwelling with land of No. 25 and 27 Shakespeare Avenue.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework (NPPF)

The Current Local Plan
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)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
DP6 - Access (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)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

Guidance Documents
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Vehicle Parking Standards (Supplementary Planning Document)
Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents or highway safety. The proposal was therefore considered to comply with the policies listed.

An addendum provided at the meeting stated that the Environment Agency did not object to the application.

Councillor Littlejohn, representing Warwick Town Council, addressed the Committee in opposition to the application.

Councillor Morris stated that he knew the road reasonably well and questioned whether the proposal was fitting too much in but the Committee noted that the proposal complied with the District Council's space requirements.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, the Committee

Resolved that application W15/0449 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) 003 Rev B, 004 Rev A, and specification contained therein, submitted on 23/03/15 and 18/04/15. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building No.25 Shakespeare Avenue. **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 either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

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

(6) the development hereby approved shall not be occupied unless and until the existing vehicle access has been widened and the approved off-street car parking spaces have been provided in accordance with the approved details on drawing No.003 Rev B. Thereafter car parking facilities shall remain available for use at all times. **Reason:** To ensure that a satisfactory provision of off-street car parking is maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.

12. **W15/0528 – 36 Berenska Drive, Royal Leamington Spa**

The Committee considered an application from Mr Smoult for the erection of a two storey dwelling to the side of the existing property.

The application was presented to the Committee at the request of Councillor Ms Goode and because of the number of objections received.

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan
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)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (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)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
NE4 - Landscape (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Vehicle Parking Standards (Supplementary Planning Document)
The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)
Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the proposal would retain the open character of the existing plot and the size and design of the proposed dwelling was in keeping with that of the existing dwelling and the site and overall character of the surrounding area and provided an acceptable level of amenity for existing and future occupants and therefore complied with the Policies listed and the NPPF.

An addendum provided at the meeting advised that Royal Leamington Spa Town Council had not objected to the application. A resident in Lillington Road requested that any trees that were lost to the proposal were replaced and an amended plan showing vehicle tracking had been received.

The following people addressed the Committee:

Mr Suther, representing residents living in the cul-de-sac, in opposition to the application; and

Mr Smoult, the applicant.

Councillor Cain stated that he had visited the site and was happy that it was a very large plot and was concealed.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, the Committee

Resolved that application W15/0528 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 ref:1068-0200, and specification contained therein, submitted on 8th April 2015 and approved drawing ref:1068-

0505-A, and specification contained therein, submitted on 6th May 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;

(4) no development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken 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 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 DP3 of the Warwick District Local Plan 1996-2011;

(5) 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 manufacturer's 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;

(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 DP1 of the Warwick District Local Plan 1996-2011;

(7) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows or openings (apart from any shown on the approved drawings) shall be formed at first floor level in the southern facing elevation of the dwelling hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **Reason:** To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011; and

(8) the development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.

13. **W15/0570 – 36 Berenska Drive, Royal Leamington Spa**

The Committee considered an application from Mr Smoult for the erection of a detached bungalow.

The application was presented to the Committee at the request of Councillor Ms Goode.

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan
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)
DP6 - Access (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (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)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan
H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
NE4 - Landscape (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Vehicle Parking Standards (Supplementary Planning Document)
The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)
Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the proposed dwelling would be visible from the road and due to its size, design and layout would be out of keeping with its surrounds and would fail to improve the character and quality of the area and was therefore considered to be contrary to the aforementioned policies.

An addendum provided at the meeting informed that Royal Leamington Spa Town Council had not objected to the application. One objection had been received from a resident in Wathen Road which stated that the proposal was contrived and was contrary to Policies DP1, DP2 and DAP8.

The following people addressed the Committee:

Mr Suther, representing residents living in the cul-de-sac, in opposition to the application; and

Mr Smoult, the applicant.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, the Committee

Resolved that application W15/0570 be **refused** for the following reasons:

(1) Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 state that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design.

The application property lies within a carefully planned residential estate consisting predominately of similarly designed two-storey, semi-detached properties that are regularly spaced in a staggered arrangement forming a regular rhythm and character of development. The proposed dwelling fails to recognise or respond to this established character and due to its siting, design, scale and form will appear as an an alien and incongruous addition to the streetscene to the detriment of the character of the surrounding area.

The development is thereby considered to be contrary to the aforementioned policies; and

(2) policy DAP8 of the Warwick District Local Plan 1996-2011 requires development to preserve or enhance the special architectural and historic interest of the District's Conservation Areas.

The application site is situated on the boundary with the Royal Leamington Spa Conservation Area. The proposed development, due to its siting and design would infringe into the existing undeveloped buffer between the modern estate and the traditional character of the terraced houses within the conservation area, failing to preserve or enhance its setting.

The development is thereby considered to be contrary to the aforementioned policy.

14. **W15/0354 – Site 4200/4300 Poseidon Way, Trident Park, Warwick**

The Committee considered an application from A.C. Lloyd (Holdings) Limited for the erection of a bus depot to include a workshop, chassis wash, bus wash / fuelling lane, offices, stores and ancillary accommodation with associated landscaping and parking.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

The Current Local Plan
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)
DP6 - Access (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (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)
SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan
DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
EC3 - Protecting Employment Land and Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents
Vehicle Parking Standards (Supplementary Planning Document)
Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that this employment area was an appropriate location for a bus depot. The proposals would have an acceptable impact on the living conditions of nearby dwellings and on the character and appearance of the area. The proposals were also considered to be acceptable in terms of car parking and highway safety. Furthermore, the proposals would have an acceptable ecological impact and suitable conditions would address any other issues. Therefore, it was recommended that planning permission was granted.

An addendum provided at the meeting stated that Environmental Health did not object to the application, but it had recommended an additional condition to require that the external building fabric of the depot building provided a sound reduction of 35dB and the workshop shutter doors provided a sound reduction of 20dB when closed. The applicant had also submitted further information in relation to air quality, which was subject to one of the recommended conditions in the report. An objector had pointed out that the fence for the existing bus depot was 2.2 metres high.

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

Resolved that application W15/0354 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) 2183/4H, 2183/5G, 2183/6G, 2183/7F, 2183/8D, 2183/9H, 2183/10B, 2183/11B, 2183/13D, 2183/14D & 6516-100 Rev P0, and specification contained therein, submitted on 6 March 2015 & 1 May 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

(3) the development shall be carried out only in full accordance with sample details of all facing

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

(4) the development hereby permitted shall not commence until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details or any subsequently approved amendments. **Reason:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011;

(5) the development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **Reason:** In the interests of fire safety;

(6) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the

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

(7) no development shall commence unless and until a CCTV condition survey of the existing culverted watercourse through the site has been submitted to and approved in writing by the local planning authority. Within 1 month of the first occupation of the development a further CCTV condition survey of the culverted watercourse together with details of any repair works, if necessary, shall be submitted to and approved in writing by the local planning authority. Any repair works shall be completed in strict accordance with the approved details within 6 months of the first occupation of the development. **Reason:** To safeguard against damage to the existing watercourse culvert, in accordance with Policy DP11 of the Warwick District Local Plan;

(8) prior to the commencement of development a scheme for the offsetting of biodiversity impacts at the site shall be submitted to the Local Planning Authority. The offsetting scheme shall include:

1. The identification of receptor site(s);
2. Details of the offset requirements of the development in accordance with the recognised offsetting metrics standard;
3. The provision of contractual terms to secure the delivery of the offsetting measures; and
4. A management and monitoring plan (to include for the provision and maintenance of such offsetting measures for not less than 25

years from the date of this permission).

The development shall not commence until the Local Planning Authority has approved the scheme in writing. The applicant shall secure and implement such offsetting measures in accordance with the requirements of the approved scheme.

Reason: To ensure no net loss of biodiversity in accordance with NPPF paragraph 118, principles and guidance documents;

(9) the development hereby permitted shall either:

a) be timetabled and carried out to avoid the bird nesting season (March to September inclusive); or

b) not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation to be cleared on site for evidence of nesting birds (immediately prior to works commencing). If evidence of nesting birds is found works shall not proceed within 20m of the nesting site until outside of the bird nesting season (March to September inclusive).

Reason: To prevent possible disturbance to nesting birds, in accordance with Policy DP3 of the Warwick District Local Plan;

(10) all ground clearance works shall be supervised by a qualified ecologist. **Reason:** To ensure that protected species are not harmed by the development, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;

(11) the development hereby permitted shall not be first occupied unless and until the renewable energy / energy efficiency 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;

(12) best practical means shall be employed at all times to control noise and dust during construction works. There shall be no demolition or construction works likely to give rise to noise nuisance before 0730 hours or after 1700 hours on Monday to Friday nor before 0730 hours or after 1300 hours on Saturdays nor at any time on Sundays, or Bank Holidays. **Reason:** To protect the living conditions of nearby residents, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;

(13) delivery vehicles shall not be permitted to arrive on site before 0900 hours or after 1600 hours on Monday to Friday nor before 0800 hours or after 1300 hours on Saturday and not at any time on Sundays or Bank Holidays. **Reason:** In the interests of highway safety and to protect the living conditions of nearby residents, in accordance with Policies DP2, DP6 & DP9 of the Warwick District Local Plan 1996-2011;

(14) noise arising from any plant or equipment, 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 Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011;

(15) in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. The remediation scheme must thereafter be completed in full. Following completion of

measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing of the local planning authority. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011;

(16) the development hereby permitted shall not be occupied until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The approved Low Emission Strategy shall be implemented in strict accordance with the approved details and shall remain in force at all times thereafter. **Reason:** To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012;

(17) no part of the development shall be occupied unless and until the bus parking, car parking, cycle 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 that a satisfactory provision of parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011;

(18) the development hereby permitted shall not be occupied until gates have been installed across the access to Poseidon Way in accordance with drawing nos. 2183/4 Rev H and 2183/14 Rev D. The gates shall be retained at all times thereafter and this access shall only be used as an emergency access. **Reason:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011; and

(19) the external building fabric of the depot building provides a sound reduction of 35dB and the workshop shutter doors provide a sound reduction of 20dB when closed.

15. **W15/0335 – Former Honiley Airfield, Oldwich Lane East, Wroxall**

This item was taken off the agenda because the parish council withdrew its objection as a result of amendments to the application. Following this, the application was granted under delegated authority.

16. **W15/0334 – 62 The Fairways, Royal Leamington Spa**

The Committee considered an application from Mr Singh Malhi for the erection of a two storey rear extension, erection of a front porch and roof alterations including the erection of a pitched roof front dormer to replace existing.

The application was presented to the Committee because of the number of objections received and because an objection had been received from Royal Leamington Spa Town Council had been received. The application was deferred at the previous planning committee on 28 April 2015 to allow for a site visit by Members.

The officer considered the following policies to be relevant:

National Planning Policy Framework
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

The Current Local Plan
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)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
The Emerging Local Plan
BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

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

Distance Separation (Supplementary Planning Guidance)
Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the proposed two storey rear extension, pitched roof dormer window extension to the front roof slope and front porch extension were considered to be of acceptable design and scale which would not impact adversely on the character or appearance of the street scene and did not substantially impact on the amenity of neighbouring properties which would support a reason for refusal.

Following consideration of the report, and presentation, the Committee

Resolved that application W15/0334 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 GD1486/02, and specification contained therein, submitted on 4th March 2015. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

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

(4) the development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO^2 emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the

approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **Reason:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011; and

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

17. **Current Appeals Report**

The Committee received a written update from Development Services which advised of the current list of planning and enforcement appeals either awaiting decision or where a decision had been received.

Resolved that the report is noted.

(The meeting ended at 8.39 pm)

Planning Committee: 23 June 2015 **Item Number: 5**

Application No: W15/0634

Registration Date: 28/04/15
Town/Parish Council: Leamington Spa **Expiry Date:** 28/07/15
Case Officer: Rob Young
01926 456535 rob.young@warwickdc.gov.uk

Sydenham Industrial Estate Sydenham Drive & St Mary`s Road Leamington Spa, CV31 1PH

Outline planning application for the erection of up to 66 no. affordable dwellings and up to 36 no. low cost dwellings (Use Class C3) to include siting and vehicular access from St Mary's Road with all other matters reserved for subsequent approval including landscaping; car parking and all other ancillary and enabling works. FOR Orbit Group Ltd & CHS Developments Ltd

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This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions and subject to the submission of a satisfactory Unilateral Undertaking to restrict the use of the units on Ramsey Road that are within the control of the applicant.

DETAILS OF THE DEVELOPMENT

This is an outline application for the redevelopment of the site for residential purposes to provide a total of up to 102 dwellings. This would consist of up to 66 affordable dwellings and up to 36 low cost market dwellings. The affordable dwellings would comprise 53 affordable rented units and 13 shared ownership units.

Whilst this is an outline application, details of access and layout have been provided. Details of appearance, landscaping and scale are reserved matters and so are not provided at this stage.

The proposed development would comprise predominantly terraced and semi-detached houses, with a small proportion of bungalows and flats. The application indicates a mix of 1, 2, 3 and 4 bedroom houses, flats and bungalows. The detailed housing mix would be confirmed at reserved matters stage. The Design and Access Statement submitted with the application indicates that the development will be predominantly two storey, with a small number of bungalows and three storey flats.

The development would be accessed off St. Mary’s Road. The proposed layout includes an area of public open space alongside the canal.

The key differences between this revised scheme and the scheme that was refused planning permission in November 2014 are as follows:

- the revised application is an outline application whereas the refused scheme was a full detailed application;
- the site has been reduced in size to omit the areas alongside Ramsey Road, notably those areas adjacent to and opposite the Bellagio Stone premises;
- there has been a corresponding reduction in the number of dwellings from 143 down to 102;
- there is now a single vehicular access from St. Mary's Road, with no vehicular access from Ramsey Road; and
- the existing commercial units on Ramsey Road that are within the control of the applicant are now proposed to be retained and restricted to light industrial or warehousing use (Use Classes B1 or B8).

THE SITE AND ITS LOCATION

The application relates to land forming the north-eastern corner of the Sydenham Industrial Estate. The site comprises an amalgamation of various different parcels of land and buildings that are now vacant. When occupied the buildings were used for a variety of purposes included light industrial, general industrial, warehousing and car sales and repairs. The existing buildings on the site are industrial buildings that are utilitarian in appearance.

The Grand Union Canal runs along the northern boundary of the site. There are houses on the opposite side of the canal. The land on the opposite side of the canal is situated within the Leamington Spa Conservation Area. Sydenham Drive runs along the eastern boundary of the site. There are houses, flats and the designated Stanley Court Local Shopping Centre on the opposite side of Sydenham Drive. There is a wide grass verge separating the site from Sydenham Drive. St. Mary's Road runs along the southern boundary of the site. There are warehouse premises on the opposite side of St. Mary's Road.

The western boundary of the site runs along the rear and side boundaries of the commercial premises on the eastern side of Ramsey Road. The majority of these adjoining commercial premises are vacant and are within the control of the applicant. The exception is Magnet, which is in use as a trade warehouse (Use Class B8).

There are further commercial premises on the western side of Ramsey Road. These premises are separated from the application site by the premises on the eastern side of the road that are referred to in the preceding paragraph. This includes the Bellagio Stone premises, which are used for general industrial purposes (Use Class B2). The Sydenham Industrial Estate continues on the opposite side of St. Mary's Road.

There are a number of trees and shrubs along the boundary with the canal. There are also a number of trees in front of the site on St. Mary's Road and Sydenham Drive (within the highway verge).

PLANNING HISTORY

In November 2014 Planning Committee refused planning permission contrary to officer's recommendation for a residential development comprising 143 dwellings. This related to a larger site, incorporating further commercial premises along Ramsey Road. That larger site included land adjacent to and opposite the Bellagio Stone premises. The reason for refusal was as follows:

> *"In the opinion of the Local Planning Authority, the proposed development would result in a detrimental impact on the amenities of the future occupants of the new residential units by virtue of their positioning close to commercial premises and the associated use of Ramsey Road and would impact upon the use of those commercial premises for employment purposes to their full extent contrary to the National Planning Policy Framework and the following Development Plan policies:*
>
> *The Warwick District Local Plan 1996 - 2011*
>
> - *Policy DP1: Layout and Design;*
> - *Policy DP2: Amenity;*
> - *Policy DP6: Access; and*
> - *Policy SC2: Protecting Employment Land and Buildings*
>
> *The Emerging Warwick District Local Plan 2011 - 2029*
>
> - *Policy BE1: Layout and Design;*
> - *Policy BE3: Amenity;*
> - *Policy TR1: Access and Choice; and*
> - *Policy EC3: Protecting Employment Land and Buildings."*

An appeal against the refusal has been submitted and that will be the subject of a public inquiry scheduled for October 2015.

Prior to the above application there had been a significant number of previous planning applications relating to the various industrial and car sales premises across the application site. However, none of these are relevant to the consideration of the current proposals.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- 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)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- 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)
- 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)
- SC2 - Protecting Employment Land and Buildings (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)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS8 - Employment Land (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS10 - Broad Location of Allocated Sites for Housing (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS11 - Allocated Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS17 - Supporting Canalside Regeneration and Enhancement (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- EC3 - Protecting Employment Land and Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H4 - Securing a Mix or Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE1 - Green Infrastructure (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE7 - Use of Waterways (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DM2 - Assessing Viability (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Distance Separation (Supplementary Planning Guidance)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- 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)

SUMMARY OF REPRESENTATIONS

Town Council: No objection. The Town Council welcomes the revised proposal, but would like to see the inclusion of provision for allotments.

Public Response: 10 objections and 1 representation in support have been received.

The objections are from nearby residents as well as from the occupier of the nearby Bellagio Stone industrial premises.

Local residents have raised the following concerns:

- harm to the character and appearance of the adjacent Conservation Area;
- more bungalows and lifetime homes are needed;
- concerns about the mix of housing;
- increased traffic, particularly along St. Mary's Road;
- detrimental to highway safety;
- loss of trees and other vegetation along the canal;
- harmful ecological impact;
- overdevelopment;
- harm to the character and appearance of the area;
- flood risk;
- detrimental impact on the future operation of adjacent businesses;
- existing services cannot cope with this number of new dwellings;
- the development should make financial contributions towards local services;
- the viability appraisal used to justify non-payment of financial contributions should be scrutinised further; and
- concerns about the lack of a well-defined border between the industrial estate and the new residential area.

The occupier of the Bellagio Stone premises has raised the following concerns:

- the company is growing and is making an important contribution to the local economy, employing 30 people;
- the company is keen to expand further;
- their premises benefit from unrestricted B2 use (general industrial);
- typical working hours are 6am to midnight weekdays but it has been increasingly necessary to continue production at weekends and bank holidays and in the early hours of the morning;
- a B2 use is, by definition, unacceptable in a residential area;
- the proposals represent inappropriate piecemeal development;
- the industrial estate should be redeveloped in a comprehensive manner;
- the applicant's noise report is flawed;
- the noise generated by Bellagio Stone would have a serious and adverse impact upon residential amenity;
- the Council required Bellagio Stone to relocate from their previous property due to noise complaints from neighbouring residents; and
- if the proposed houses are built this will result in the company having restrictions imposed on them by Environmental Health and this will have a severe and detrimental impact on their business and their employees.

The supporter has made the following comments in support of the development:

- more housing is needed in the town;
- the site is convenient for shops and schools and is close to the town centre; and
- the improvement to the area is welcomed.

Natural England: No comment.

Environment Agency: No objection, subject to conditions.

Severn Trent Water: No objection, subject to a condition to require drainage details.

Warwickshire Police: No objection. Make detailed recommendations in relation to security measures.

Canal and River Trust: No objection, subject to conditions.

Inland Waterways Association: No objection, provided the screening and green areas shown on the plans along the canal frontage are retained and enhanced as indicated on the site plans.

South Warwickshire NHS Trust: Request a contribution of £1,678 per dwelling towards acute and community healthcare facilities.

WCC Highways: No objection, subject to conditions and a contribution of £75 per dwelling towards the provision of sustainable travel packs. Confirm that the proposed development will result in a decrease in traffic compared with the current lawful use of the site (if fully occupied).

WCC Fire & Rescue: No objection, subject to a condition to require details of water supplies and fire hydrants.

WCC Ecology: The site is adjacent to Ecosite 22/36 and the Grand Union Canal potential Local Wildlife Site. Recommend that the development is set back at least 8m from the canal. Other than that, the findings of the applicant's Ecological Surveys report are accepted. Various conditions and informative notes are recommended in relation to protected species and ecological enhancements.

WCC Archaeology: No comment.

WCC Flood Risk & Water Management: Object on the grounds that the Flood Risk Assessment does not comply with Severn Trent Water's revised requirement for a 30% reduction in drainage flows compared with the previous 20% requirement.

WDC Environmental Health: No objection, subject to conditions in relation to noise, air quality, contamination and subject to the submission of a Unilateral Undertaking to restrict the use of the commercial units in Ramsey Road that are in the control of the applicants to B1 or B8 use (i.e. light industrial or

warehousing). Also recommend that the Unilateral Undertaking restricts the hours of use of those units to between 0700 hours and 1900 hours.

WDC Housing Strategy: Fully support this substantial proposal for affordable housing from one of the Council's preferred Registered Provider partners.

WDC Waste Management: No objection. Make detailed comments about provision for refuse and recycling storage and collection.

WDC Tree Officer: No objection.

ASSESSMENT

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

- loss of employment land and the principle of development;
- the impact on the living conditions of nearby dwellings;
- provision of a satisfactory living environment for future occupants of the proposed dwellings;
- impact on the character and appearance of the area and the setting of the nearby Conservation Area;
- car parking and highway safety;
- the mix of market and affordable housing;
- Section 106 contributions;
- public open space;
- impact on trees;
- ecological impact; and
- health and wellbeing.

Loss of employment land and the principle of development

Local Plan Policy SC2 states that redevelopment or change of use of existing and committed employment land and buildings for other uses will not be permitted unless one of four criteria are met. Criterion (d) is not relevant because it relates to proposed non-housing uses. The other criteria are:

(a) the location and / or nature of the present employment activity has an unacceptable adverse impact upon adjacent residential uses, and an applicant can demonstrate that it would not be desirable to seek to replace this with any other employment use; or

(b) the applicant can demonstrate that there are valid reasons why the use of a site for the existing or another employment use is not economically viable; or

(c) the proposal is for affordable housing provided in accordance with the definition contained in policy SC11.

In assessing the proposals against Policy SC2, it is first important to note that a large part of the site has a lawful use for car sales, which is not an employment use. Therefore Policy SC2 does not strictly apply to that part of the site.

Criterion (c) of Policy SC2 allows for affordable housing schemes to be constructed on employment sites. However, whilst the applicant is an affordable housing provider, the scheme proposed is not 100% affordable housing as defined in the NPPF. A proportion of the units are market housing, albeit these will be relatively low cost market houses. Therefore the proposals do not fully comply with the exemption in Criterion (c).

The Council's Employment Land Review in 2013 identified the northern part of the Sydenham Industrial Estate (including the current application site) as being potentially suitable for a housing-led redevelopment. This stated as follows:

"The estate appears tired and has a high level of vacancies, most notably the northern half of the estate. Residential areas adjoin to the north and east. Potential for rationalisation and consolidation of the estate and redevelopment of the northern half of the estate for residential led development".

The proposals outlined in the Employment Land Review have been taken forward in the Draft Local Plan. Under Policy DS8, paragraph 2.28 states that the Council has undertaken a review of industrial estates within the District and identified certain areas as being less capable of providing the right type or location of employment land to meet future business needs. The Sydenham Industrial Estate is referred to as one such area. In addition to this, the application site is included as a housing allocation under Policy DS11 of the Draft Local Plan.

Whilst only limited weight can be attached to the Draft Local Plan at this stage, the proposals that it contains in relation to the Sydenham Industrial Estate and the current application site in particular do indicate that this area should be considered suitable for a residential redevelopment. The findings of the Employment Land Review are also a material consideration that should inform any assessment against Policy SC2.

Taking all of the above factors into account, and considering the fact that the majority of the proposed dwellings would meet the NPPF definition of affordable housing, it is concluded that the proposals would comply with criterion (b) of policy SC2 as well as partially complying with Criterion (c).

Now that compliance with Policy SC2 has been established, the proposals must be assessed against Local Plan Policy UAP1.

The application site comprises previously developed land within the urban area. Therefore the proposals would be in accordance with Local Plan Policy UAP1.

In considering the principle of development, it is also important to have regard to the significant benefits that the proposals would generate. The development would provide a substantial amount of affordable housing.

Impact on the living conditions of nearby dwellings

The proposed dwellings would be situated well away from the nearest existing dwellings. The separation distances from existing dwellings would be well in excess of the minimum distances required by the Council's Distance Separation Guidelines SPG. Therefore the proposed development will not cause

unacceptable loss of light, loss of outlook or loss of privacy for nearby dwellings. As a result, it is concluded that the proposals would have an acceptable impact on the living conditions of neighbouring dwellings.

Provision of a satisfactory living environment for future occupants of the proposed dwellings

With this being an established industrial estate, there are industrial and warehouse premises in close proximity to the site. Many of the premises adjoining the site are currently vacant and are in the control of the applicant. The applicant has agreed to complete a Unilateral Undertaking to restrict the use of these premises to light industrial or warehouse use (Use Classes B1 and B8) and to restrict the hours of use of these premises to between 0700 hours and 1900 hours.

That leaves one adjoining commercial unit that is not within the control of the applicant. That unit is occupied by Magnet, a trade warehouse. In addition to this, whilst not adjoining the boundary of this revised application site, the nearby Bellagio Stone unit has been identified as the most significant source of noise in the vicinity of the site. Bellagio Stone is a stone surface manufacturer.

As a general rule, it would normally be considered undesirable to have housing in close proximity to noisy industrial premises such as Bellagio Stone. This matter also requires particularly careful assessment in the current case due to the history of noise complaints associated with the business in question.

Bellagio Stone previously occupied premises elsewhere on Sydenham Industrial Estate, at Units 6 and 7 St. Mary's Road. That resulted in noise complaints from nearby residents. Environmental Health issued a Noise Abatement Notice. Also, as those premises only had planning permission for light industrial use (Use Class B1), the Council took planning enforcement action to require them to vacate that site in 2009. As a result, they relocated to their current premises, which had the necessary planning permission for general industrial use and is situated further away from dwellings.

Bellagio Stone have objected to the current application. Their concerns are summarised in the "Summary of Representations" section above. This includes concerns about the impact of noise from their operation on future residents and concerns about the restrictions that would be imposed on the operation of their business due to dwellings being constructed so close.

Whilst one can sympathise with Bellagio Stone's position, the site boundary for this revised application has been pulled well away from their boundary. This will significantly reduce the potential for conflict. The previous scheme that was refused planning permission included dwellings adjoining the boundary with Bellagio Stone and directly opposite. The nearest dwellings in the revised scheme are now separated from Bellagio Stone by other commercial units within the control of the applicant. Furthermore, vehicular access to the dwellings in the revised scheme is solely from St. Mary's Road; there are no dwellings fronting onto Ramsey Road or accessed from that road. This provides more separation between commercial and residential traffic and activities.

Consequently the impact of noise from Bellagio Stone will be significantly reduced with this revised scheme.

A Noise Assessment has been submitted with the application. This demonstrates that the proposed dwellings would not suffer unacceptable noise from the nearby commercial premises, including Bellagio Stone. The findings of the Noise Assessment have been accepted by Environmental Health, who have raised no objection to the application.

Whilst the revised scheme still includes dwellings adjoining the rear and part of the side boundary of the Magnet premises, this too is an improved relationship. The revised site does not "wrap around" three sides of Magnet as the previous site did. The Noise Assessment demonstrates that Magnet generates much less noise than Bellagio Stone and so noise itself is less of an issue. That is to be expected given that Magnet is a warehouse use (Use Class B8), rather than general industrial (Use Class B2). Furthermore, with no dwellings now proposed to the front of Magnet, deliveries and commercial activities will be kept more separate from the dwellings than on the refused scheme.

In conclusion on this issue, it is considered that the significant changes to the extent of the application site have satisfactorily addressed the concerns that resulted in the refusal of the previous application. Most notably, the proposed dwellings are much further away from Bellagio Stone which means that the relevant noise criteria are met more comfortably. There is also a much clearer delineation between the areas to be retained in commercial use and the new residential area, including a greater degree of separation between the residential and commercial access routes. Therefore it is considered that the proposals would create a satisfactory living environment for future occupants of the proposed dwellings.

Impact on the character and appearance of the area and the setting of the nearby Conservation Area

The reduction in the site area has also improved the relationship with the adjacent commercial development in design terms. As the revised site no longer "wraps around" three sides of the Magnet unit, there is now a better defined boundary between the new residential development and the parts of the industrial estate that are to remain in commercial use.

In other respects the layout is largely the same as in the previous application and this is considered to be to an appropriate standard of design. The layout shows houses largely fronting onto the streets around and within the development as well as the canal. The design of the houses is a reserved matter.

The proposals would represent a significant improvement in the environment alongside the canal. At present the hard surfaced yard areas of the industrial premises are hard up against the boundary with the canal. In contrast, the proposed layout shows public open space alongside the canal. All of the existing trees along the boundary with the canal are proposed to be retained.

Objectors have raised concerns about the impact of the development on the setting of the Leamington Spa Conservation Area. However, the site is separated

from the Conservation Area by the canal and the associated trees along its bank. Furthermore, a large part of the development adjacent to the canal would comprise open space. Therefore the development would not have a significant visual impact on the Conservation Area. In fact, compared with the existing industrial buildings, the proposals would enhance the setting of the Conservation Area.

Car parking and highway safety

The proposed car parking provision accords with the Council's Parking Standards SPD. Therefore the proposals will not cause unacceptable overflow parking on surrounding streets.

Turning to highway safety, it is noted that local residents have raised concerns about increased traffic as a result of the proposed development. However, the Highway Authority have confirmed that there would in fact be a reduction in traffic compared with the existing lawful use of the site (if fully occupied). Consequently there are no grounds for requiring any highway mitigation measures as a condition of this development. Therefore the proposals are considered to be acceptable from a highway safety point of view.

The mix of market and affordable housing

The scheme will provide well in excess of 40% affordable housing and consequently the proposals are in accordance with Local Plan Policy SC11. In terms of the location and spread of market and affordable housing across the site, this would be a matter to be considered at reserved matters stage.

Objectors have raised concerns about the overall mix of housing proposed and in particular the amount of affordable housing (i.e. too much) and the predominance of low cost market housing. However, the proposed mix is considered to be appropriate for this location, for the reasons stated below.

Looking first at the market units, the Council's Guidance on the Mix of Market Housing identifies the greatest need as being for smaller (2 and 3 bedroom) houses with gardens. The market housing proposed in the current application includes predominantly that type of housing. The Council has no policies that require larger market dwellings.

Turning to the affordable housing, it is true that there are some limited concentrations of affordable housing not too far from the application site, notably around the Fallow Hill flats on the opposite side of Sydenham Drive. However, looking at the wider area, there is a reasonable mix of tenures. It is also important to note that the affordable housing proposed for the application site comprises affordable rented units and shared ownership units. This would serve to broaden the mix of affordable housing units in the locality, which currently comprises predominantly social rented units. Therefore the proposals would not create a harmful over-concentration of affordable housing in this locality.

Section 106 contributions

Consultees have requested various contributions towards community facilities, including hospitals, education facilities and measures to promote sustainable travel. However, the applicant has argued that these contributions would render the scheme unviable because they are reliant on grant funding to finance the development. The applicant has submitted a viability appraisal in support of their case.

The Council appointed independent viability consultants to review the applicant's appraisal. The Council's consultants have confirmed that the applicant's viability case is robust and that the payment of any Section 106 contributions would render the scheme unviable.

Public open space

The application proposes to create an area of public open space alongside the canal. In total this would amount to an area of approximately 0.36 hectares. This would be short of the amount of public open space that is required by the Council's Open Space Supplementary Planning Document (1.36 hectares). Due to the viability issues that have been referred to above the provision of an off-site contribution to compensate for this under-provision is not feasible. Furthermore, increasing the amount of public open space on site would further adversely affect viability. It is also of note that there are a number of existing public open spaces not too far from the application site. Therefore, considering the significant benefits associated with the provision of a substantial amount of affordable housing, together with the viability issue, it is considered that the open space provision is acceptable in this case.

The Town Council have requested the provision of allotments. However, given the limited amount of open space and its configuration, the provision of allotments would not be practical on this site. There are substantial existing allotments a short distance away on Radford Road.

Impact on trees

The application proposes to retain all of the significant trees around the site. The most important of these are those trees along the boundary with the canal. In terms of the impact of the development on these trees, the Council's Tree Officer has raised no objection to the application. Therefore it is considered that the development would not harm the health of the retained trees, including those within the highway verge in St. Mary's Road and Sydenham Drive.

Ecological impact

An Ecological Survey report was submitted with the application. WCC Ecology have accepted the findings of this report and have advised that the proposals would have an acceptable ecological impact, provided conditions are put in place to impose certain safeguards.

The site is adjacent to Ecosite 22/36 and the Grand Union Canal potential Local Wildlife Site. Therefore, one of the safeguards recommended by WCC Ecology is

that the development is set back at least 8m from the canal. This is achieved with the proposed layout, with this area being protected as part of the public open space.

Health and Well-being

The proposals would provide affordable housing for people in housing need. This is a significant benefit that contributes to health and well-being.

Other Matters

With regard to the issue of contamination, a phase 1 and 2 risk assessment of the site has been undertaken by the applicant. This has identified some potential pollutant linkages which require further detailed investigation and/or remedial action. Environmental Health have recommended a condition to require this work to be undertaken.

Environmental Health have advised that the scheme should include measures to mitigate the impact of the development on air quality. A condition is recommended to deal with this issue.

Objectors to the previous application raised concerns about construction noise. In accordance with the advice of Environmental Health, a condition is recommended to require the submission of a Construction Management Plan to address this issue.

There has been no objection from the Canal and River Trust, subject to certain conditions being imposed. Therefore it is considered that the proposals would have an acceptable impact on the adjacent canal.

There has been no objection from the Council's Waste Management team. The layout of the development is therefore considered to be acceptable from a Waste Management point of view.

It is proposed that the dwellings will be constructed to Level 3 of the Code for Sustainable Homes. This will ensure that the requirements of Local Plan Policy DP13 are met and a condition is recommended accordingly.

With regard to drainage and flood risk, a revised Flood Risk Assessment has been submitted to address the concerns raised by WCC Flood Risk & Water Management. Further comments are awaited from WCC on this issue and will be included in the addendum report to Committee. Subject to this detailed matter being resolved the site is considered to be suitable for residential development in principle because it is situated within Flood Zone 1 (i.e. land at lowest risk for flooding).

SUMMARY/CONCLUSION

The redevelopment of this part of the industrial estate for residential purposes is considered to be acceptable in principle, in accordance with the 2013 Employment Land Review and the Draft Local Plan. The proposals would have an acceptable impact on the living conditions of neighbouring dwellings and on the

character and appearance of the area and the setting of the nearby Conservation Area. The proposals would also provide a satisfactory living environment for future occupants and would not unduly impact on the operation of existing businesses adjacent to the site. The benefits of the scheme also outweigh any concerns about the under-provision of public open space and it has been demonstrated that the provision of any form of Section 106 contributions would render the scheme unviable. The proposals are considered to be acceptable in terms of car parking, highway safety, ecological impact and in terms of the impact on trees. Finally, the proposals would generate significant benefits in terms of providing a significant amount of affordable housing and improving the environment alongside the canal. Therefore it is recommended that planning permission is granted.

CONDITIONS

1 This permission is granted under the provisions of Article 4(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 as amended, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-

(a) scale
(b) appearance
(c) landscaping

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 as amended.

2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3 The development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

4 The development hereby permitted shall be carried out strictly in accordance with the details shown on the application form, site location plan and approved drawing 2894-100D and specification contained therein, submitted on 27 April 2015. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

5 No development shall commence until details of surface and foul water drainage have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with such approved details. **REASON:** To ensure that adequate drainage facilities are available and to minimise flood risk, in

accordance with the National Planning Policy Framework and Policy DP11 of the Warwick District Local Plan 1996-2011.

6 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced unless and until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken 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. 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 retained tree(s); no equipment, machinery or structure shall be attached to or supported by any retained 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 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 DP3 of the Warwick District Local Plan 1996-2011.

7 The development shall not begin until a scheme detailing the affordable housing provisions has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- the tenure split;
(a) the arrangements for the management of the affordable housing;
(b) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
(c) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON: To meet the requirements of Policy SC11 of the Warwick District Local Plan 1996-2011.

8 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been

implemented to the satisfaction of the District Planning Authority.
REASON: In the interests of fire safety.

9 No development shall commence until a detailed lighting scheme for the site has been submitted to and agreed in writing by the local planning authority. In discharging this condition the local planning authority expects lighting to be restricted around the boundary edges, particularly along hedgerows, where protected species are likely to be found, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:

(a) low energy LED lighting should be used in preference to high pressure sodium or mercury lamps;
(b) the brightness of lights should be as low as legally possible;
(c) lighting should be timed to provide some dark periods; and
(d) connections to areas important for foraging should contain unlit stretches.

No lighting shall be installed other than in strict accordance with the scheme approved under this condition. The lighting shall be maintained and operated in strict accordance with the approved scheme at all times thereafter.

REASON: To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties and to ensure that appropriate measures are taken in relation to protected species in accordance with Policies DP2, DP3, DP9 and DAP3 of the Warwick District Local Plan 1996-2011.

10 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the District Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1) A preliminary risk assessment which has identified:

(d) all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they

are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the District Planning Authority. The scheme shall be implemented strictly as approved.

REASON: To ensure the protection of controlled waters and to prevent pollution in accordance with Policy DP9 in the Warwick District Local Plan 1996-2011.

11 No development shall commence until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The Low Emission Strategy shall thereafter be implemented in strict accordance with the approved details. **REASON**: To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012.

12 The development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the office building to the rear of Building 7 (as annotated in the Ecological Surveys report produced by Crestwood Environmental Ltd and dated 18 December 2013). All roofing material on this building is to be removed carefully by hand. Appropriate precautions must be taken in case bats are found, such as the erection of at least one bat box on a suitable tree or building. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice. Any subsequent recommendations or remedial works shall be implemented within the timescales agreed between the bat worker and the Warwickshire County Council Ecology / Natural England. 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.

13 No development shall commence until a scheme detailing arrangements to protect residents of the development from excessive traffic and industrial noise entering habitable rooms and the provision of quiet garden areas shielded from road noise has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be

retained at all times thereafter. **REASON:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

14 No development shall take place until details of the design; appearance and exact location of the proposed bollards/barriers to prevent vehicles entering the canal have first been submitted to and agreed in writing by the local planning authority. This shall include details of the timing of installation of the bollards/barriers. The bollards/barriers shall be installed in strict accordance with the approved details and timescales and shall be retained at all times thereafter. **REASON:** To ensure the provision of suitably designed barriers in the interests of safety and to protect users on the canal, the integrity of the canal infrastructure and to prevent a detrimental impact on the appearance of the canal, in accordance with Policy DP1 of Warwick District Local Plan.

15 The development shall not begin until a scheme detailing the laying out and future management of the public open space within the site has been submitted to and approved in writing by the local planning authority. The public open space shall be laid out and maintained in accordance with the approved scheme. The scheme shall include:

(a) arrangements for the future management and maintenance of the public open space; and
(b) details of how public access will be provided to the public open space in perpetuity.

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

16 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which shall have 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 anticipated movements of vehicles; 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; 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; measures to limit noise and disturbance; a construction phasing plan; and a HGV routing plan. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

17 No infiltration of surface water drainage into the ground is permitted

other than with the express written consent of the District Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. **REASON**: To ensure preferential pathways are not created to mobilise contaminants into the underlying groundwater, in accordance with the Policy DP9 in the Warwick District Local Plan 1996-2011.

18 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. **REASON:** To protect Controlled Waters and linked receptors, in accordance with Policy DP9 of the Warwick District Local Plan.

19 The development shall be carried out in accordance with the Flood Risk Assessment ref. C6247-01 Rev C by Couch Consulting Engineers that was submitted on 5 June 2015. **REASON:** To minimise the risk of flooding on site and elsewhere, in accordance with the National Planning Policy Framework.

20 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which shall have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

21 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or

being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

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

23 The development hereby permitted shall be built to Code for Sustainable Homes Level 3. **REASON:** Since the application has been approved without 10% renewable energy production on the basis that the development is built to Code for Sustainable Homes Level 3, in accordance with the requirements of Local Plan Policy DP13.

24 The dwellings hereby permitted shall be designed and constructed to ensure that internal noise levels do not exceed the following levels between 0700 hours and 2300 hours:

- 35 dB LAeq,16hour within living rooms;
- 40 dB LAeq,16hour within dining rooms; and
- 35 dB LAeq,16hour within bedrooms.

The dwellings hereby permitted shall be designed and constructed to ensure that internal noise levels do not exceed the following levels between 2300 hours and 0700 hours:

- 30dB LAeq,8hour within bedrooms, with the maximum instantaneous noise level not exceeding 45dB LAmax,fast (Night-time LAmax as prescribed by WHO Guidelines for Community Noise, 1999).

The external noise level in all private gardens of the dwellings hereby permitted shall not exceed 50dB LAeq,t between 0700 hours and 2300 hours.

REASON: To provide a satisfactory living environment for future occupants of the proposed dwellings, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

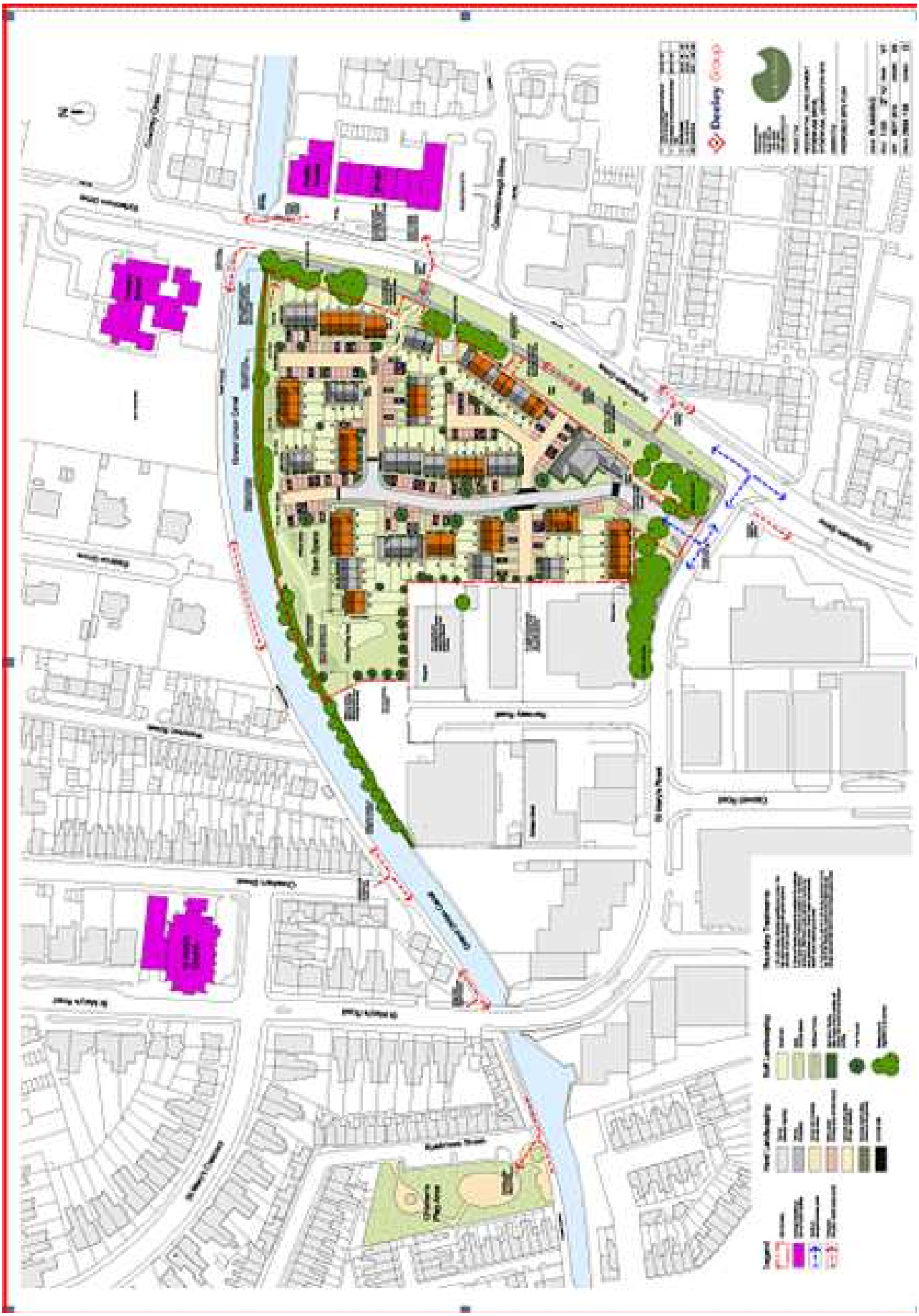
25 Best practicable means shall be employed at all times to control noise and dust on the site. Work which is likely to give rise to noise nuisance shall not take place before 0730 hours or after 1700 hours on Mondays to Fridays or before 0730 hours or after 1300 hours on Saturdays. No construction work shall take place on Sundays or Bank Holidays. Delivery vehicles shall not be permitted to arrive on site before 0800 hours or after 1630 hours on Mondays to Fridays or before 0800 hours or after 1300 hours on Saturdays. No deliveries shall be permitted to arrive on site on Sundays or Bank Holidays. **REASON :** To protect the living conditions of nearby residents, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan.

26 None of the dwellings hereby permitted shall be occupied until the car parking and manoeuvring areas indicated on the approved drawings for that dwelling have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.

27 No heavy goods vehicles associated with the construction of the development hereby permitted shall be permitted to enter or leave the site between 0700 hours and 0930 hours or between 1500 hours and 1700 hours on Mondays to Fridays. **REASON:** In the interests of highway safety, in accordance with Policy DP6 of the Warwick District Local Plan.

28 None of the dwellings hereby permitted shall be occupied until a Green Travel Plan to promote sustainable travel to and from the site has been submitted to and approved in writing by the local planning authority. The approved Green Travel Plan shall thereafter be implemented in full and shall not be withdrawn or amended in any way without the prior written approval of the local planning authority. **REASON:** In the interest of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies SC12 & SC4 of the Warwick District Local Plan 1996-2011.

N
Key:
Site ownership
Site boundary
Deeley Group
RESIDENTIAL DEVELOPMENT
SYDENHAM DRIVE
SYDENHAM, LEAMINGTON SPA
SITE LOCATION PLAN
PLANNING
1:1250
A2
APRIL 2015
2864-03
B



Planning Committee: 23 June 2015 **Item Number: 6**

Application No: W15/0674

Registration Date: 01/05/15

Town/Parish Council: Hatton **Expiry Date:** 26/06/15

Case Officer: Helena Obremski
01926 456531 Helena.Obremski@warwickdc.gov.uk

Hatton Country World, Dark Lane, Hatton, Warwick, CV35 8XA

Formation of earth mound incorporating steps, platform, and 2no. tubes to provide an outdoor slide facility (49m wide x 76.5m long and 10.5m high, with a 1.5m deep subterranean section), after removal of existing maze and spiral slide

FOR Hatton Country World

This application is being presented to Committee as there have been more than 5 letters of support for the application and it is recommended for refusal and Councillor Rhead has called in the application.

RECOMMENDATION

Planning Committee are recommended to REFUSE planning permission.

DETAILS OF THE DEVELOPMENT

The proposal involves the removal of the existing maze and 10.5 metre high spiral slide and the construction of a grassy mound 49 metres wide x 76.5 metres long and 10.5 metres high (with 1.5 metre deep subterranean section) incorporating steps, platform decking and two tubes to provide an outdoor slide attraction. The proposed development has been reduced in height by 1.5 metres since the previous application was refused in February 2015.

THE SITE AND IT'S LOCATION

Hatton Country World is a visitor attraction comprising a farm park and shopping village located in the open countryside on the east side of Dark Lane, Hatton. The site is located entirely within the Green Belt.

It forms an 11 acre site, made up of separate areas, including the open land which lies around the main group of buildings, the original brick and tile farm buildings of Georges Farm currently used to accommodate a range of craft and retail units and the steel framed former farm building adjacent to the silo which is occupied by a range of uses.

The proposed development will be located between the original farm buildings and steel framed building and will replace the existing maze and spiral slide.

PLANNING HISTORY

Hatton Country World has evolved and grown in size since the original temporary planning permission was granted in 1982. It now includes over 40 units, some of which operate as craft outlets, shops, a farm shop, restaurant and farm park.

Following growing concerns about the activities taking place at Hatton Country World, particularly over the level of shopping and growth of overall visitor numbers, the Council produced Supplementary Planning Guidance which was adopted in 2000. The purpose of the Guidance was to set out the Council's policy in respect of the site, whilst recognising the needs of Hatton Country World to be able to continue to trade and develop as market conditions changed.

Prior to the Guidance being adopted, there had been 20 planning applications, 13 of which had been approved, 3 refused and 4 withdrawn. Since 2000 there have been the following applications:

- W/00/1143 - application granted for the retention of existing buildings to Area 2; use of buildings for A1 (retail), A3 (restaurant and ancillary soft play area), and garden centre.
- W/00/1144 - application granted for the retention of existing buildings to Area 1; use of buildings for A1 (retail), A3 (restaurant and ancillary soft play area), and garden centre.
- W/00/1145 - application granted for the retention of car parks and Farm Park, landscaping / moulding, construction of underground BBQ storage container and timber bridge.
- W/09/0187 - application granted for the erection of extensions to the existing indoor play barn, restaurant and retail area; the erection of a covered walkway; the erection of a covered pergola; the erection of a canopy; the demolition of buildings /structures; the formation of a car park; the change of use from car park to restricted retail; landscaping to site.
- W/09/1055 - application granted for the erection of two signs.

The applications granted in 2000 enabled the site be regularized and the Supplementary Planning Guidance provides a way forward for development at the site, whilst ensuring that current Local Plan policies and the National Planning Policy Framework are followed.

In December 2014 a planning application (ref: W/14/1743) was submitted for the formation of an earth mound incorporating steps, platform, and 2no. tubes to provide an outdoor slide facility (52 metres wide x 78 metres long x 12 metres high) after removal of the existing maze. This application was refused by the Planning Committee in accordance with officer's recommendation for the following reason:

"The National Planning Policy Framework states that inappropriate development in the Green Belt is harmful by definition and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The National Planning Policy

Framework identifies that LPAs should regard the construction of new buildings as inappropriate in the Green Belt.

Hatton Country World is located within the Green Belt. In the opinion of the Local Planning Authority, the proposed mound, platform, steps and tubes taken as a whole are considered to constitute a building which is considered to be inappropriate development in the Green Belt, which is harmful by definition and by reason of harm to openness due to the size, bulk and mass of the structure. The proposed development does not fall within any of the exceptions to inappropriate development listed in the NPPF and no very special circumstances have been submitted which would outweigh the harm to the Green Belt

The development is thereby considered to be contrary to the NPPF".

RELEVANT POLICIES

- National Planning Policy Framework
- SSP8 - Hatton Country World (Warwick District Local Plan 1996 - 2011)

Future Use and Development of Hatton Country World - Supplementary Planning

- Guidance (2000)

SUMMARY OF REPRESENTATIONS

Hatton Parish Council: No objection.

Cllr Rhead: Request that this application is called in to Planning Committee for its consideration.

WCC Ecology: No objection. Recommend that the works are carried out outside of the nesting bird season (April - September). The proposed mound is close to an existing hedgerow and therefore an appropriate buffer should be put in place to ensure the development does not impact on the root protection zone of the hedgerow. Also recommend a bat and bird note be attached to any approval granted.

WCC Highways: No objection.

Public Response: 116 comments of support have been received on grounds that proposal would provide benefits to outdoor recreation facilities for children; protection of jobs; an incentive to encourage more visitors to the site; improvement of facilities; increased growth of the site; benefits to local businesses; removal of the blue slide creates less impact on the Green Belt and there would be no harm to the Green Belt as a result of the proposed development.

ASSESSMENT

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

- Whether the proposal constitutes appropriate development in the Green Belt, and if not, whether there are very special circumstances to outweigh the harm by reason of inappropriateness and harm to openness.

Green Belt

Policy SSP8 of the adopted Warwick District Local Plan (1996 - 2011) provides a framework for new development at Hatton Country World. The policy emphasises the importance of developing the site in a manner which recognises the very sensitive nature of the site and clarifies that all proposals must be assessed against all other relevant policies. The policy specifically states that any new building at Hatton Country World would be classed as inappropriate development within the Green Belt.

Furthermore, the Supplementary Planning Guidance (SPG) for Hatton Country World states that the LPA should seek to prevent any further built development on the site. The SPG identifies that Hatton Country World should be supported, provided that it operates within the framework of all relevant local and national policies and seeks to conserve the natural environment, landscape and countryside.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green belt and should not be approved except in very special circumstances. Para 88 goes onto add that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Para 89 of the NPPF states that the construction of new buildings is inappropriate development in the Green Belt. It goes on to set out exceptions to this. The agent for this application has made the case that the proposal falls within the exception which relates to the limited infilling or the partial or complete redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. However, I am of the view that given the sheer size of the proposal, there is no doubt that it would have a greater impact on openness compared to the existing maze and spiral slide. The agent suggests that the scale, mass and area of the proposal are relatively small, such that the extent of the Green Belt is affected and that the harm is negligible. However, I cannot agree that this is the case. Furthermore, the NPPF defines 'previously developed land' as land which is or was occupied by a permanent structure. Given that this has not been the case, I am of the view that the application site is not previously developed land and therefore this exception is not applicable and the proposal constitutes inappropriate development in the Green Belt. The same argument applies against the exception relating to appropriate facilities for outdoor recreation.

The agent also suggests that the mound could fall within the exception to inappropriate development contained under para 90 of the NPPF, which states that engineering operations are not inappropriate provided they preserve the openness of the Green Belt. However, I am of the view that the mound, platform, steps and tubes taken as a while amount to a building (defined as any structure or erection) rather than an engineering operation. In addition, due to the size, bulk and mass of the proposal it is not possible to agree that it would preserve the openness of the Green Belt.

The agent suggests that the proposed development will not conflict with any of the purposes of the protection of Green Belt land. It is agreed that the proposed development would not increase urban sprawl, allow neighbouring towns to merge into one another, would not damage the setting and special character of historic towns or have a detrimental impact in assisting urban regeneration. However, it is considered that the proposed development would encroach on the open countryside due to the scale and mass of the slide and mound. The agent states that the proposed development would be located within a field within the envelope of a large wide development and would represent a modest intensification of the application site, but it is my view that due to the size of the proposal, it is clear that there would be a significant impact on the openness of the Green Belt which would encroach on the open countryside.

I am therefore of the view that the proposal would be inappropriate development in the Green Belt which would be harmful by definition and by reason of harm to openness due to the size of the proposal and its siting in an open part of the site.

The applicant has also submitted a case which they consider to constitute very special circumstances which outweigh the harm to the Green Belt:

The need for development

The agent suggests that falling visitor numbers present a need for a new attraction in order to boost visitors and prevent Hatton Country World from closing. The agent has provided two graphs to show visitor numbers between 2002 and 2014. One graph shows visitor numbers taken just from the month of August between 2002 and 2014 and shows a relatively consistent fall in numbers over this period. It is notable that the general downward trend shown on this graph has not been countered by approvals of planning permission for developments to enhance the facilities. It is considered that a focus on one month alone does not provide a good overview of the situation.

The other graph showing total visitor numbers (retail and farm park) between 2002 and 2014 shows a decline in visitors to the retail area but notably does not show a decline in the number of visitors to the farm park for at least the last four years. The graph indicates that visitor numbers to the farm village (where the proposed slide will be located) have remained relatively consistent for a number of years. It is also noted that the visitor numbers to the farm park are approximately the same as they were in 2002. It is therefore considered that a need for the development has not been demonstrated.

The agent also states that the proposed slide will play a vital role in the future sustainability and success of the site which provides employment and benefits for the wider economy. The agent states that visitor numbers to the Shopping Village have substantially declined and is unsustainable, thus presenting a need for the proposed development. It is noted that there was a significant decline between 2002/03 and 2009/10, however, since this time there has been an increase in visitor numbers and numbers are now reasonably static. As discussed, there has been no evidence provided to show that visitor numbers to the farm park are declining. Furthermore, there is no evidence to demonstrate

that the proposed slide would in fact increase visitor numbers to the farm park or the shopping village.

Employment and Socio-Economic benefits

The agent states that the proposed slide is considered vital to the future success of Hatton Country World which provides jobs. The agent suggests that the proposal would create a further 6 full time equivalent jobs which would support the wider rural economy. There is no evidence to support this claim and, as previously discussed, there is no evidence to demonstrate that the proposed development would necessarily increase visitor numbers to create additional jobs.

While the NPPF does state that there should be support of rural economies to create jobs and take a positive approach to sustainable development, it also specifically identifies that during the decision making process, specific policies in the Framework indicate that development should be restricted and highlights Green Belt land as an example of this. Therefore, this cannot outweigh the harm to the Green Belt. Inappropriate development in the Green Belt is not considered to be sustainable development under the NPPF.

There are no alternative sites for the proposed development

This cannot be considered as a special circumstance and this does not outweigh the harm to the Green Belt which the proposed development would cause.

Reduction in height of the slide

The slide has been reduced by 1.5m (by sinking the proposed slide into the ground) from the previous application. The agent states that as the slide is pre-fabricated, an amendment to the design would render the project financially unviable and therefore the height cannot be reduced further. Notwithstanding the limited reduction in overall height, the proposed slide is still considered to be of significant height and mass which would have a detrimental impact on the Green Belt. It is considered that there has not been a substantial reduction in scale which outweighs the harm to the Green Belt.

Removal of another attraction

In addition to the removal of the existing maze which was included as part of the previous application, the agent has now also proposed to remove the existing blue spiral slide in an attempt to offset the harm caused to the Green Belt as a result of the erection of the proposed mound and slide. While the spiral slide is the same height as the proposed development when measured from ground level, it is considerably smaller in terms of overall bulk, mass and scale. Para 89 of the NPPF states that an exception to inappropriate development would be the replacement of a building (which the proposed slide is considered to be), providing the new building is in the same use and not materially larger than the one it replaces. The proposed slide will have the same use, but there is no doubt that it would be materially larger than the existing spiral slide and the existing maze. Therefore, this cannot be given significant weight as very special circumstances.

Other LPAs across the UK support similar development within the Green Belt

The examples provided have been noted, but each application must be assessed individually and on its merits.

Health and Wellbeing

N/A

CONCLUSION

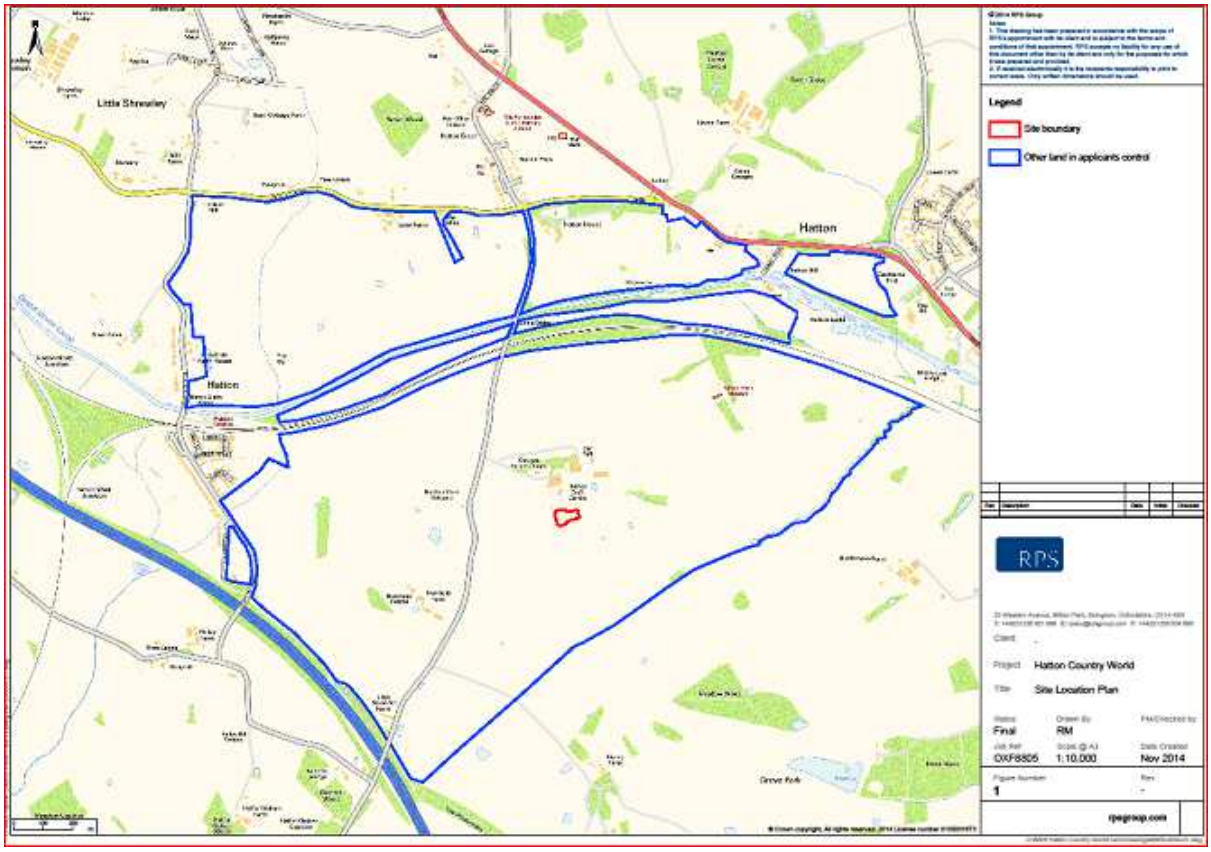
In conclusion, the proposed development will represent inappropriate development harmful by definition and by reason of harm to openness. In my opinion no very special circumstances have been provided which could be considered to outweigh the harm to the Green Belt identified and therefore the application is contrary to the aforementioned policies and the NPPF and should therefore be refused.

REFUSAL REASONS

1 The National Planning Policy Framework states that inappropriate development in the Green Belt is harmful by definition and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The National Planning Policy Framework identifies that LPAs should regard the construction of new buildings as inappropriate in the Green Belt.

Hatton Country World is located within the Green Belt. In the opinion of the Local Planning Authority, the proposed mound, platform, steps and tubes taken as a whole are considered to constitute a building which is considered to be inappropriate development in the Green Belt, which is harmful by definition and by reason of harm to openness due to the size, bulk and mass of the structure. The proposed development does not fall within any of the exceptions to inappropriate development listed in the NPPF and no very special circumstances have been submitted which would outweigh the harm to the Green Belt

The development is thereby considered to be contrary to the NPPF.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Hatton
Hatton
Legend
Site boundary
Other land in applicants control
RPS
Hatton Country World
Site Location Plan
Final
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Nov 2014
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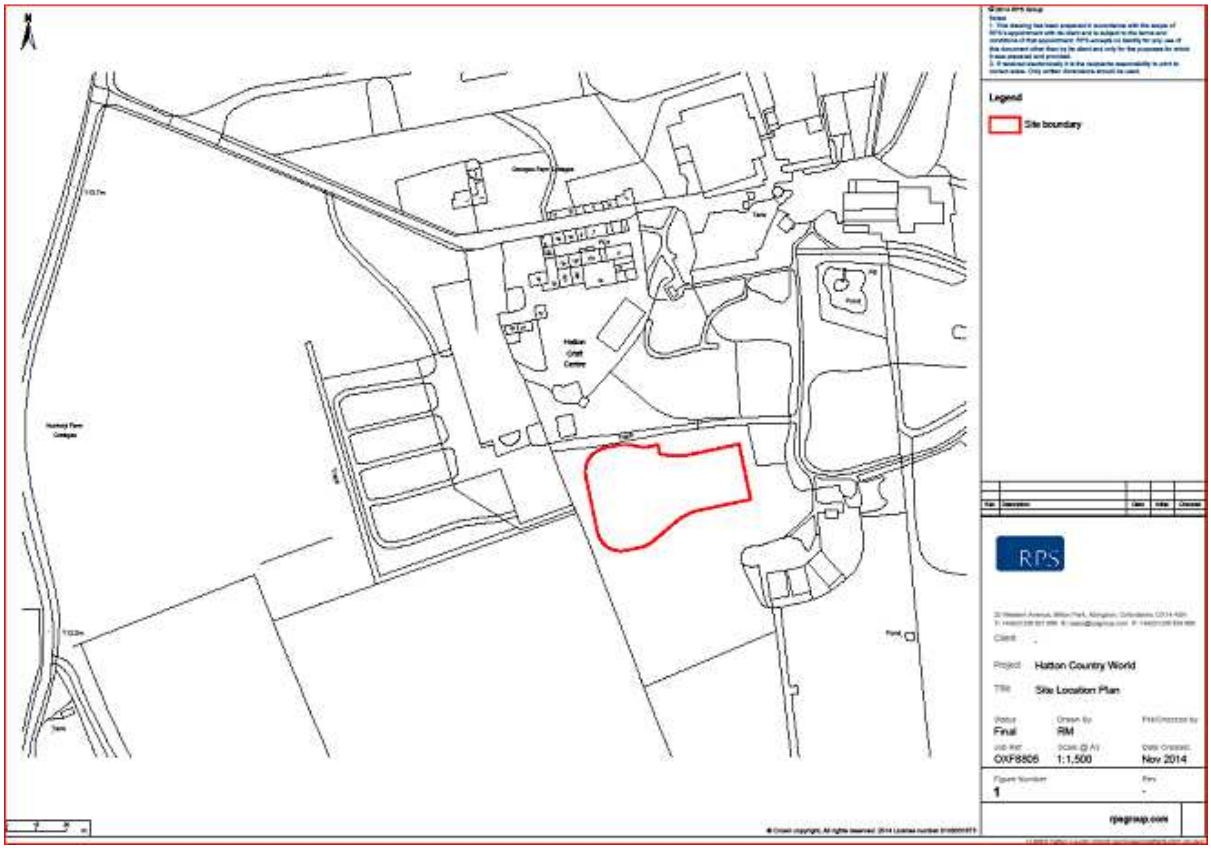
rpsgroup.com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Hatton Country World
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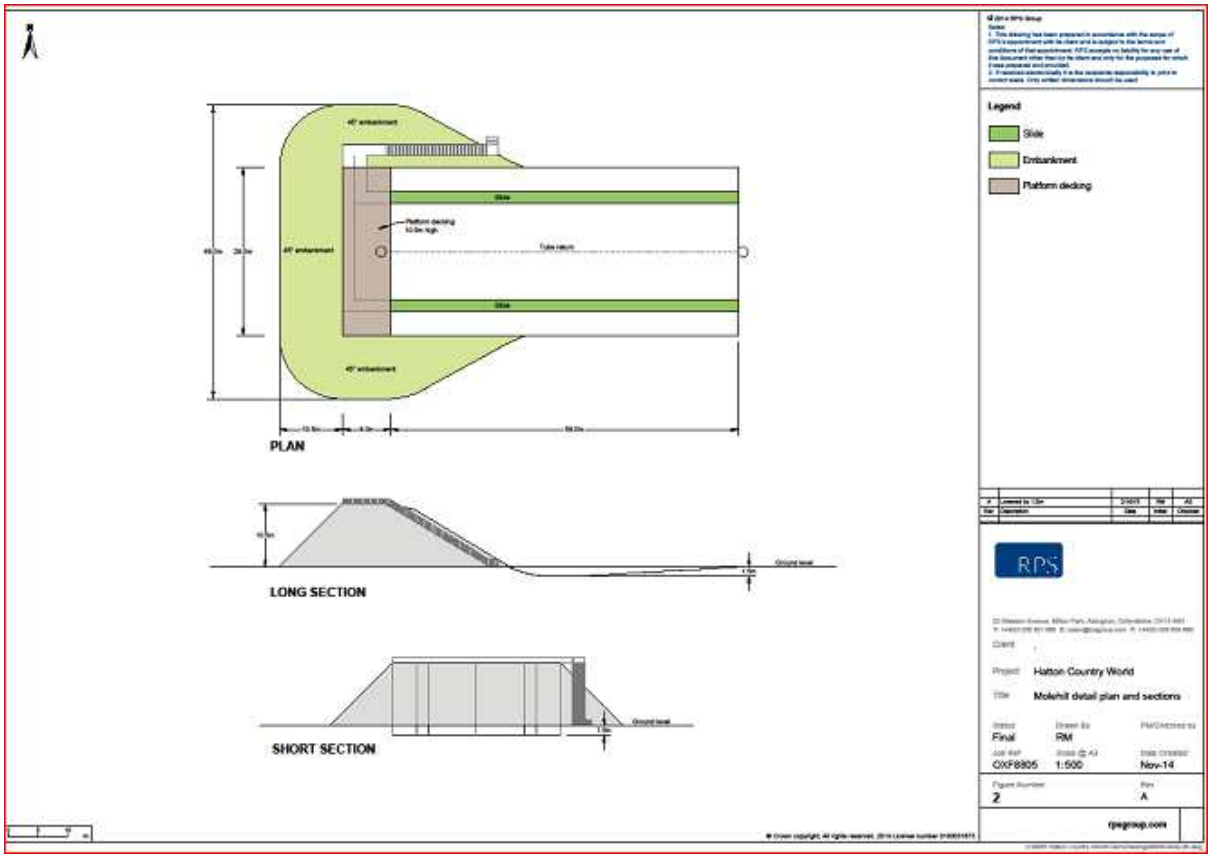
Legend
Slide
Embankment
Platform decking
PLAN
LONG SECTION
SHORT SECTION
RPS
Hatton Country World
Molehill detail plan and sections
Final
RM
Nov-14
2
A
rpsgroup.com

Planning Committee: 23 June 2015 **Item Number: 7**

Application No: W15/0523

Registration Date: 18/05/15
Town/Parish Council: Kenilworth **Expiry Date:** 13/07/15
Case Officer: Helena Obremski
01926 456531 Helena.Obremski@warwickdc.gov.uk

8 Percy Road, Kenilworth, CV8 1DR
Proposed erection of a two storey side, a two storey rear extension and single storey front extension. FOR Mr Lee

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This application is being presented to Committee due to an objection from the Town Council having been received and Councillor Davies has also called in the application.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The applicant seeks to demolish the existing detached garage, construct a two storey side extension to incorporate a new single garage, construct a two storey rear extension and a single storey mono-pitched extension to the front elevation of the application property.

THE SITE AND ITS LOCATION

The application property is a two storey, semi-detached dwelling, positioned to the North West of Percy Road. The application property benefits from a detached single garage positioned to the side of the main dwelling and driveway parking to the front of the property. The street scene is characterised by semi-detached pairs of dwellings of differing designs. There are also some detached dwellings and some of the semi-detached pairs have been extended.

PLANNING HISTORY

There is no relevant planning history relating to this site.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- 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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Object to the proposed development as it would be unneighbourly, cumulatively as an overall package but particularly at the front of the property, out of keeping with the street scene and detrimentally unbalancing to a semi-detached property.

Councillor Davies: Objects to the proposed development due to the detrimental impact on living conditions of the occupiers of No. 6 Percy Road as a result of the proposed single storey front extension. Requests the application be presented to Planning Committee for determination.

WCC Ecology: No objection, subject to the inclusion of bat, amphibian and reptile notes.

Public Response: The occupier of 6 Percy Road has raised objection to the proposed development on the following grounds: Loss of light, the development would be unneighbourly, there are no other semi-detached properties with only one half of the pair with a single storey front extension, the proposed development is out of character with the area, it will set a precedent for Percy Road and the proposed development will cause noise and disturbance during the construction.

ASSESSMENT

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

- The impact on the character and appearance of the area
- The impact on the living conditions of nearby dwellings

- parking
- sustainability
- ecological impact
- health and wellbeing
- other matters

The Impact on the Character and Appearance of the 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 adopted Local Plan 1996 - 2011 policy DP1 and emerging 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 and should harmonise and enhance the existing settlement. The Local Plans call for development to be constructed using the appropriate materials and seek 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 guidance directed at achieving good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

The proposed side and front extensions will be visible within the street scene. The extensions have been designed so that the proposed pitched roof mirrors the gradient of the existing roof slope of the application property in order to respect the character of the original dwelling. The roof line of the proposed development is set down from the main ridge line of the application property and the principle elevation of the extension is set in from the front elevation of the main dwelling, which creates a subservient form of extension and is accordance with the Residential Design Guide SPG. No. 6 Percy Road has objected to the proposed development on the basis that there are no other examples within the street scene where only one half of the semi-detached pair has a single storey front extension and it is therefore out of character with the area, which will set a precedent. However, as there are many properties within the street scene which have similar, mono-pitched lean-to style front extensions, it is considered that the proposed extension to the principle elevation will not appear out of character or incongruous within the street scene. Furthermore, each application is considered on its own merits and it is considered in this case that the proposed extensions would not cause harm to the street scene.

All of the proposed extensions will be constructed from materials to match those of the existing dwelling which is considered to respect the character of the application property. Kenilworth Town Council have objected to the proposed development on the basis that it is out of keeping with the street scene and would detrimentally unbalance a semi-detached property. However, there are many examples of extensions and a variety of styles of properties within the existing street scene and it is therefore considered that the proposed

development would not appear incongruous as there is no established singular characteristic within the street scene. The two storey side extension will alter the character of the semi-detached pair, but it is set down from the main ridge line of the application property, creating a subordinate form of development which is in accordance with the Residential Design Guide SPG and the original property can be easily read against the proposed development.

Therefore, it is considered that the proposed development complies with the Council's adopted Local Plan policy DP1, emerging Local Plan policy BE1 and the Residential Design Guide SPG.

The Impact on Living Conditions of Nearby Dwellings

Warwick District adopted Local Plan policy DP2 and emerging Local Plan policy BE3 require 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. The Residential Design Guide provides a framework for policy DP2, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

Number 6 Percy Road is positioned to the North Eastern boundary of the application site and is the other half of this pair of semi-detached dwellings. There would be no impact to this neighbour as a result of the proposed two storey side extension as it is positioned on the opposite side of the application property to this neighbour. No. 6 has objected to the proposed development on the basis that it is unneighbourly and would cause a loss of light to this their front facing ground floor habitable room. Furthermore, Kenilworth Town Council have objected to the proposed development as cumulatively the extensions form unneighbourly development, particularly the single storey front extension. The agent has plotted the 45 degree guideline on the drawings associated with the application for both the front and rear extensions which show that there is no breach. This has been verified by the case officer on site and therefore it is not considered that there would be a detrimental impact to the living conditions of the occupiers of No. 6 which would warrant a refusal of the application.

Number 10 is positioned to the South Western boundary of the application site. This neighbour benefits from a single detached garage which sits on the boundary shared with the application site. There would be no conflict with the Council's adopted 45 degree guidance at the front or rear due to the combined boundary gap between the properties. The window which serves this neighbour's kitchen and is the primary light source is positioned on the side of the property to the ground floor. As this neighbour's garage is positioned next to this window and the wider view from the window is the application property, the two storey side extension and rear extension will not have a greater impact on the outlook and light than the existing. The proposed first floor side facing window to the South Western elevation of the application property will be conditioned to be permanently obscure glazed and non-opening unless above 1.7 metres in height in order to avoid any perception of loss of privacy. It is therefore considered that

there would be no detrimental impact to the living conditions of the occupiers of No. 10 as a result of the proposed development which would warrant refusal of the application.

There are no rear neighbours which could be impacted as a result of the proposed development.

Therefore, it is considered that the proposed development complies with adopted Local Plan policy DP2, emerging Local Plan policy BE3 and the Residential Design Guide.

Parking

The addition of a bedroom to create a four bedroom property does not create a requirement for increased parking provision in line with the Council's adopted Vehicle Parking Standards SPD. It is considered that there is sufficient off street parking to the front of the property and that the proposal complies with adopted Local Plan policy DP8 and emerging Local Plan Policy TR4.

Sustainability

Due to the scale of the proposed extensions the applicant has submitted a report detailing how 10% of the energy is to be provided by solar panels. Further drawings are required in order to show where the solar panels will be positioned on the application which will be secured by condition. As such, the proposals are considered to be in accordance with the Warwick District Councils adopted Local Plan Policies DP12 and DP13 and the associated SPD as well as emerging Local Plan policy CC2.

Ecological Impact

WCC Ecology have commented on this application site, however, they consider that cautionary bat, reptile and amphibian notes would be sufficient and that this application in its present form is acceptable and complies with Warwick District Council adopted Local Policy DP3 and emerging Local Plan policy NE2.

Health and Wellbeing

N/A.

Other Matters

No. 6 Percy Road has objected to the proposed development due to the potential noise and disturbance which this could cause during the construction of the extensions. However, this is not a material planning consideration and is therefore not considered as part of this application.

CONCLUSION

In conclusion, the proposed two storey side extension, two storey rear extension and single storey front extension are considered to be of acceptable design and scale which would not impact adversely on the on the character or appearance of

the street scene and do not substantially impact on the amenity of neighbouring properties which would support a reason for refusal.

CONDITIONS

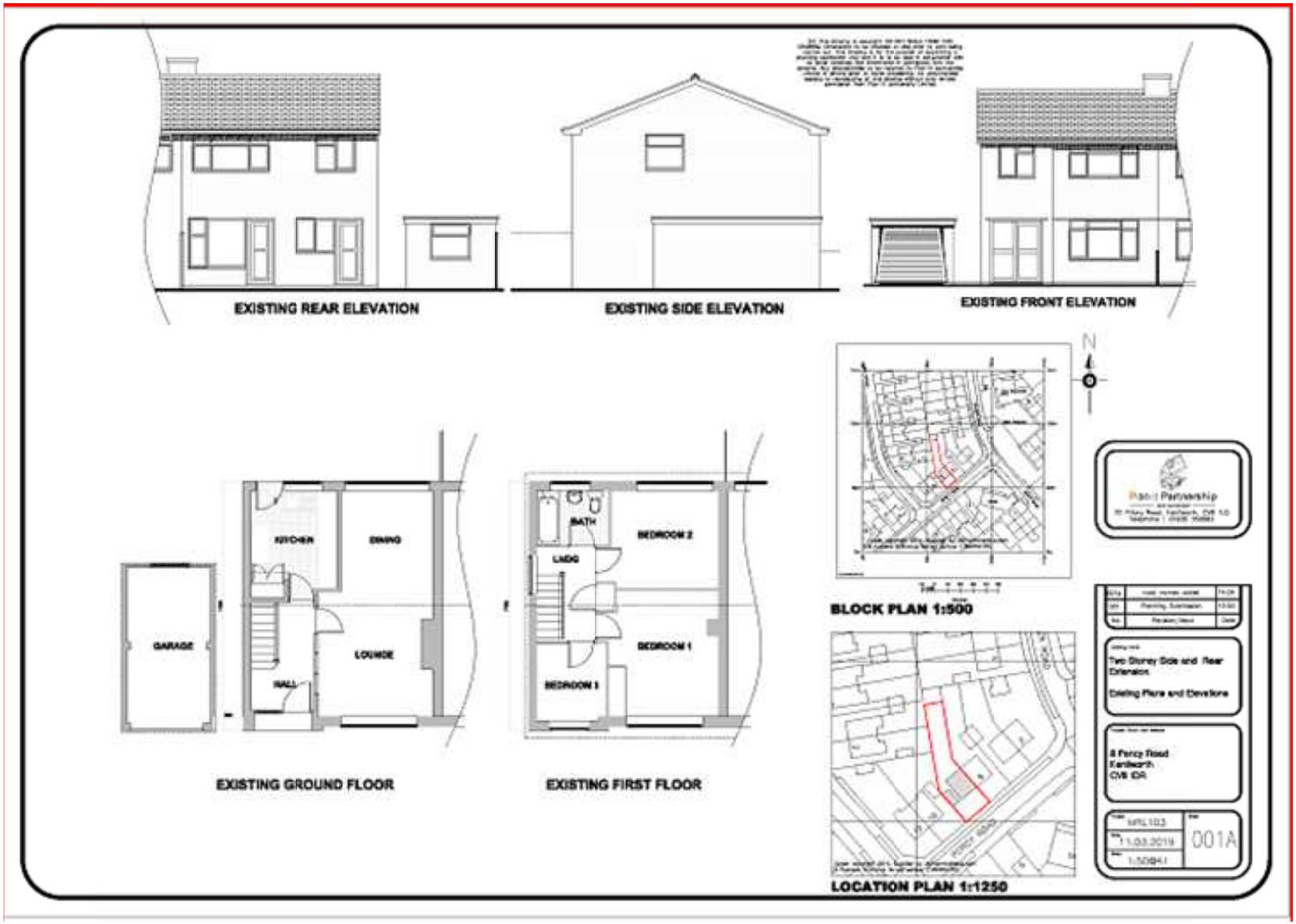
1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 003A, and specification contained therein, submitted on 11th May 2015. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

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

4 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.

5 Prior to the occupation of the development hereby permitted, the first floor side facing window in the South Western elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON**: To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.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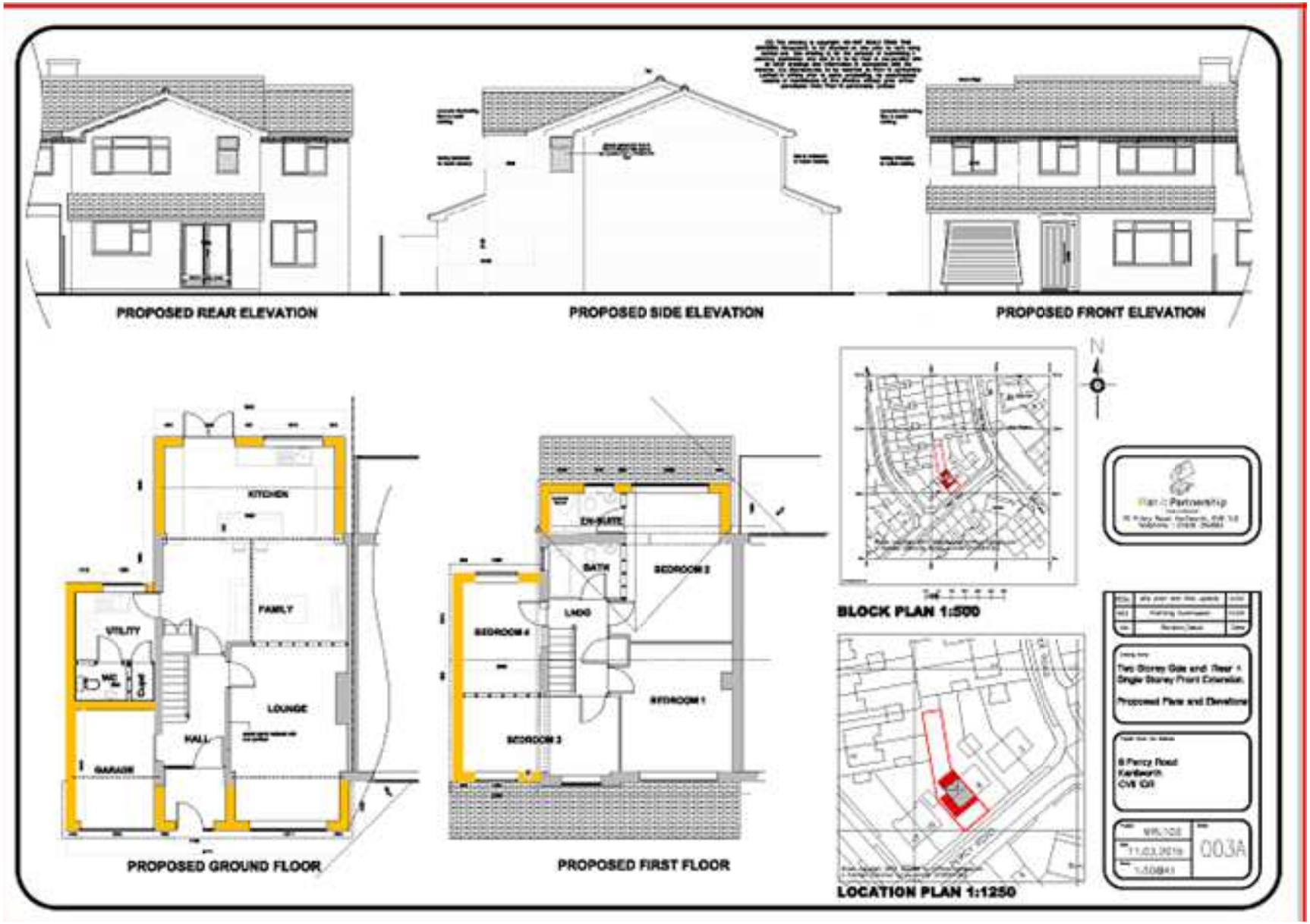
EXISTING SIDE ELEVATION
EXISTING FRONT ELEVATION
KITCHEN
DINING
LOUNGE
HALL
GARAGE
EXISTING GROUND FLOOR
BATH
LNDG
BEDROOM 2
BEDROOM 1
BEDROOM 3
EXISTING FIRST FLOOR
N
BLOCK PLAN 1:500
Two Storey Side and Rear Extension
Existing Plans and Elevations
8 Percy Road
Kenilworth
CV8 IDR
001A
LOCATION PLAN 1:1250


PROPOSED REAR ELEVATION
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FAMILY
UTILITY
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PROPOSED GROUND FLOOR
EN-SUITE
BATH
BEDROOM 2
LNDG
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BEDROOM 1
BEDROOM 3
PROPOSED FIRST FLOOR
N
BLOCK PLAN 1:500
LOCATION PLAN 1:1250
Two Storey Side and Rear &
Single Storey Front Extension.
Proposed Plans and Elevations
8 Percy Road
Kenilworth
CV8 1DI
003A

List of Current Planning and Enforcement Appeals
23 June 2015

Public Inquiries

Reference	Address	Proposal	Officer	Key Deadlines	Date of Hearing/Inquiry	Current Position
W/14/0300	Land at Asps Farm, Bishops Tachbrook	Outline application for up to 900 dwellings; primary school, local centre, etc	Emma Spandley/Gary Fisher	Questionnaire: 8/8/14 Statement of Case: 5/9/14 Evidence: 17/3/15	14/4/15 (8 + Days)	Awaiting decision.
W/14/0681	Land south of Gallows Hill/West of Europa Way, Warwick	Outline application for up to a maximum of 450 dwellings	Jo Hogarth	Questionnaire: 30/12/14 Statement of Case: 27/1/15 Evidence: 28/7/15	25/8/15 (5 days)	Evidence in preparation
ACT/166/13	Pheasant Lakes Organic Farm	Appeal against issue of an Enforcement Notice concerning the change of use of an outbuilding to a residential dwelling	Rajinder Lalli	Questionnaire: 3/11/14 Statement of Case: 1/12/14 Evidence: 4/5/15	15/12/15 (3 days)	Evidence in preparation

W/14/0618	Land north of Common Lane, Kenilworth	Outline application for up to 93 dwellings	Jo Hogarth	TBA	-	In abeyance whilst the applicant considers their position.
W/14/0083	Glenthorne, Fiveways Road, Shrewley	Use of land as part of residential curtilage (Lawful Development Certificate appeal)	Liam D'Onofrio	Questionnaire: 11/2/15 Statement: 11/3/ 15 Evidence: 12/8/15	8/9/15 (1 day)	Evidence in preparation
W/14/1132	Land at Sydenham Industrial Estate	Full Application for 143 dwellings	Rob Young	Questionnaire: 7/5/15 Statement of Case: 4/6/15 Evidence: 22/9/15	20/10/15 (4 days)	Evidence in preparation
W/14/1293	Land at Foxes Study, Warwick Castle	Lodges, tree houses and glamping	Liam D'Onofrio	TBC	TBC	

Informal Hearings

Reference	Address	Proposal	Officer	Key Deadlines	Date of Hearing/ Inquiry	Current Position

Written Representations

Reference	Address	Proposal	Officer	Key Deadlines	Current Position
W/14/0189	The Falcon Inn, Haseley	Retention of external canopy and enclosure	Robert Mason	Questionnaire: 12/11/14 Statement: 10/12/14	Awaiting decision
W/14/0728	Land to the side of 29 Leam Street and to the rear of 113 Radford Road (formerly the Red House), Leamington Spa	Conversion of annexe into a self contained residential unit and erection of two semi-detached dwellings	Rob Young	Questionnaire: 10/2/15 Statement: 10/3/15	Awaiting decision
W/14/1465	Greenthatch, Coventry Road, Baginton	Erection of a two storey side extension, two storey rear extension, raising of roof and creation of lower ground floor after demolition of existing garage.	Sally Panayi	Questionnaire: 4/3/15 Statement: 26/3/15	**Decision received: appeal dismissed.**
W/14/1763	Wappenbury Hall Barns, Main Street, Wappenbury	Prior approval for change of use to dwelling house.	Jo Hogarth	Questionnaire: 11/3/15 Statement: 8/4/15	Awaiting decision
W/14/1555	98 Bridge End, Warwick	Replacement dwelling	Emma Spandley	Questionnaire: 1/4/15 Statement: 29/4/15	Awaiting decision

W/14/1618	Catesby Farm House, Lapworth Street, Lapworth	Conversion of Barn to dwelling	Jo Hogarth	Questionnaire: 11/3/15 Statement: 8/4/15	Awaiting decision
W/14/1505	2 Chantry Heath Cottages, Stoneleigh	Lawful development certificate for extensions	Liz Galloway	Questionnaire: 11/3/15 Statement: 8/4/15	Awaiting decision
W/14/1582/ LB	9 Mill Street, Warwick	Rear extension	Liz Galloway	Questionnaire: 6/3/15 Statement: 3/4/15	**Decision received: appeal allowed. Claim for costs dismissed.**
W/14/1583	9 Mill Street, Warwick	Rear extension	Liz Galloway	Questionnaire: /3/15 Statement: 3/4/15	**Decision received: appeal allowed. Claim for costs dismissed.**
W/14/0706	South of Westham Lane, Barford	Outline application for 6 houses.	Rob Young	Questionnaire:47/3/15 Statement: 1/4/15	Awaiting decision
W/14/1668/ LB	Leamington Spa Railway Station	Digital Advertising Display	TBC	Questionnaire: 9/4/15 Statement: 7/5/15	Awaiting decision
W/14/1597	13 Warwick Road, Kenilworth	New shopfront	Jo Hogarth	Questionnaire: 7/4/15 Statement: 30/4/15	Awaiting decision

W/14/1240	8 Hitchman Road, Leamington	Change of Use to HIMO	Sarah Willetts	Questionnaire: 15/5/15 Statement: 12/6/15	Awaiting decision
W/15/0231/ HR	Five Ways Road, Haseley	Removal of Hedgerow	Rajinder Lalli	Questionnaire: 14/5/15 Statement: 11/6/15	Awaiting decision
New W/14/1840	89 Leam Terrace, Leamington	1 and 2 storey extensions	Helena Obremski	Questionnaire: 22/6/15 Statement: 14/7/15	In preparation
New W/14/1772	Brockley Farm Cottage, Spring Lane, Lapworth	Workshop and Garden Store	Liz Galloway	Questionnaire: 2/6/15 Statement: 24/7/15	In preparation
New W/14/1714	66 Mercia Way, Warwick	Gravel Hardstanding	Sally Panayi	Questionnaire: 8/6/15 Statement: 30/6/15	In preparation

PLANNING COMMITTEE 23rd June 2015

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

Item 6: W/15/0674 – Hatton Country World: 5 additional public responses have been received.

4 of these were in support of the application for the following reasons: it will add to the enjoyment of children; will not look out of place; will be an improvement to the facilities on site; there will be no adverse aspects; and the proposal will lead to the creation of jobs.

1 objected to the proposal for the following reasons: the proposed development will be seen in the landscape, from public footpaths etc and will have a detrimental impact. This could lead to further development which would be inappropriate. The evidence presented is fragmented and inconclusive.

Questions the proposed additional employment of six people which the proposed development would create given that the maze and slide will be removed. The evidence provided in relation to visitor numbers is contradictory.

Consultation Response from Archaeology: no objection.

Item 5: W/15/0634 – Sydenham Industrial Estate

Change to condition

There has been a minor change to the wording of Condition 28 (Green Travel Plan) in response to comments from the Council's Solicitor.

Further public response

Bellagio Stone have submitted a further objection enclosing a report from their own acoustic consultant. This criticises the noise assessment that was submitted with the application and concludes that noise from Bellagio Stone would have a significant adverse impact on the new dwellings.

Bellagio Stone also draw attention to the recent Inspector's letter regarding the Draft Local Plan. As a result of this letter, they consider that the Draft Local Plan can only carry very limited weight at best.

WCC Flood Risk Management comments on revised Flood Risk Assessment

WCC Flood Risk Management have confirmed that they have no objection following the submission of a revised FRA. They have recommended conditions in relation to drainage which will be added to the recommended conditions.