



WARWICK DISTRICT COUNCIL

Notice of Decision of District Planning Authority

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
THE TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015

Mrs Jones
Delta Planning
1 Chester Court
1677A High Street
Knowle
Solihull
B93 0LL

Reserved Matters : GRANTED

Application Reference: W/15/2129
liam.donofrio@warwickdc.gov.uk

Notice is hereby given that the following Reserved Matters are Approved:

Reserved Matters in relation to outline application ref: W/14/0433 for up to 65 dwellings - to discharge matters of appearance, landscaping, layout and scale.

at Land at, Spring Lane, Radford Semele, Leamington Spa

for AC Lloyd Homes Ltd in accordance with the application submitted on 18/12/15 and the outline planning permission W.

This approval is subject to the outstanding conditions on the outline permission and 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) P101 REV C, 2046-PL006 REV D, 2048-PL007 REV E, P250, P200, P201, P202, P203, P204 (I), P204 (II), P205, P206 (I), P206 (II), P207A, P208, P209, P210A, P211 (I), P211 (II), P212A and specification contained therein, submitted on 18/12/15, 22/02/16 and 16/03/16. **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.

Pre-Commencement Condition:

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

Pre-Commencement Condition:

- 3 The development hereby permitted shall only be undertaken in strict accordance with details of boundary treatment design, materials and colour coatings, which have been submitted to and approved in writing by the local planning authority. Approved details shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted. **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 The development hereby permitted shall not be occupied unless and until full details of the scale, external appearance and facing and roofing materials of the pumping station have been submitted to and approved in writing by the local planning authority. The development shall be carried out only in full accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011.
- 6 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.

Your attention is drawn to the following notes:

- Note 1 Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

In dealing with this application, Warwick District Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Dated: 18/03/2016

Development Management Team Leader
(Authorised Officer of the Council)



Date Dispatched: 18/03/2016

Any pre-commencement conditions listed on this decision notice must be discharged **before works commence on site**. Failure to do this may mean implementation of planning permission is unlawful.

IT IS IMPORTANT THAT YOU READ THE ATTACHED ADVICE TO APPLICANTS.



DEVELOPMENT SERVICES

DEVELOPMENT CONTROL SECTION

Advice Notes to Applicants following grant of permission

These notes clarify the further requirements you may need to comply with before a permission is implemented and explain any relevant appeal procedures. Please read these notes carefully.

1. **Discharge of Conditions**

It is necessary to comply with all conditions on the Notice of Decision. Failure to do so may result in formal action being taken against you by the Council. If you wish to discuss the conditions, please contact the Case Officer who dealt with the application. If you don't have the contact details to hand, the relevant name and direct line telephone number can be found by using the planning application search facility provided on our website www.warwickdc.gov.uk.

- Where the request relates to a permission for development which falls within category 6 or 7(a) of Part 2 to Schedule 1, £28 for each request.
- Where the request relates to a permission for development which falls within any other category of that Schedule, £97 for each request.

Any fee paid under this regulation shall be refunded if the local planning authority fails to give the written confirmation requested within a period of twelve weeks from the date on which the authority received the request.

2. **Variations to Approved Plans**

This decision relates only to development in complete accordance with the plans hereby approved and any conditions imposed. Should you wish to make any variation to these plans for any reason (including the need to comply with Building Regulations) you should discuss the matter with the Case Officer before carrying out the work affected by the variation, as a further application may be required however small the amendment may appear to be. Failure to comply may result in Enforcement Action, or Prosecution in the case of unauthorised works to Listed Buildings.

- £28.00 if the application is a householder application
- £195.00 in any other case

3. **Separate Building Regulations Approval**

The approval does not imply permission under the building regulations. A separate application may be required and you should obtain any appropriate consent before carrying out the work. For advice regarding this, please contact the Building Control Section during normal office hours. Tel. (01926) 456516 or 456517.

4. **Appeals to the Secretary of State**

You can submit your appeal electronically via the Planning Portal

<http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

This also allows you to track progress of your appeal online.

You can also obtain the appeal forms from: The Planning Inspectorate,
Temple Quay House,
2 The Square,
Temple Quay, Bristol.
BS1 6PN
Tel: 0303 444 5000

- In relation to applications for Householder development, you have **TWELVE WEEKS** from the date of the decision notice.
- In relation to applications for *i. Planning Permission (non-householder)*, *ii. Reserved Matters* and *iii. Discharge of Conditions* you have up to **SIX MONTHS** from the date of the notice of the decision or determination giving rise to the appeal.
- Advertisement Consent appeals should be made within **EIGHT WEEKS** from the date of the decision notice.
- In relation to Listed Building or Conservation Consent you have up to **SIX MONTHS** from the date of receipt of the decision notice.
- In relation to applications for minor commercial development, you have **TWELVE WEEKS** from the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

If you wish to discuss the appeal procedure then contact the Case Officer. If you wish to discuss whether there is any opportunity to resolve the issue, for example, by the submission of a further application then contact the Case Officer who dealt with the application.

5. **Disabled Access and Facilities**

The provisions of Part M of the Building Regulations 1991 (as amended) applies to all new buildings including dwellings and, in certain instances, extensions to buildings. You are advised to contact the Building Control Section for further advice.

6. **Purchase Notices**

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that the land has become incapable of a reasonably beneficial use. In these circumstances, the owner may serve a purchase notice on the Council seeking to require the Council to purchase the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

7. **Demolition of all Buildings**

Any persons wishing to undertake demolition should notify the Council as required by Section 80 of the Building Act 1984. Such applications should be made to the Building Control Section 6 weeks prior to any demolition taking place.

8. **Listed Building Demolition**

Attention is drawn to Section 8 of the Planning (Listed Buildings and

Conservation Areas) Act 1990, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the District Planning Authority) until notice of the proposal has been given to English Heritage, Architectural Investigation Section, The National Monuments Record Centre, Kemble Drive, Swindon, SN2 2GZ - Tel. 01793 414715, and officers of English Heritage subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A copy of form STAT.E, on which you may notify English Heritage of the proposal to demolish the building, is enclosed, where needed.

9. **Works within the Public Highway**

It is pointed out that if construction work will involve excavation in the highway for the construction of a vehicular access crossing or for the connection of services it will be necessary to obtain the approval of the County Highway Authority before work commences in the highway. Permissions are also necessary for the erection of scaffolding, or a hoarding, or the storage of materials on the highway. The County Highways Customer Advice Centre can be contacted on 01926 412515. Particularly in Conservation Areas and on busy traffic routes, apart from in exceptional cases, permissions for the storage of materials or the closure or partial closure of roads for construction purposes will be resisted. The design of the building and subsequent programme of construction should therefore be based on the need to make provision for all materials and construction plant to be contained within the curtilage of the site.

10. **The Party Wall etc. Act 1996**

If you intend to carry out building work which involves:-

- work on an existing wall shared with another neighbour
- building on the boundary with a neighbouring property
- excavating near a neighbouring building

you must find out whether that work falls within the Act. If it does, you must notify all affected neighbours. A booklet setting out further guidance on the Party Wall Act is available at Reception in Riverside House.

11. **Flues/Vents/Extraction Systems on Domestic Dwelling Houses**

Whilst planning permission may not be required for minor items such as modest flues, outlets for gas installations, kitchen extract systems or ventilation outlets to equipment such as tumble dryers, in order to avoid the potential for causing nuisance to neighbours you should ensure, together with your installation engineer or builder, that any newly installed or relocated outlets are directed so that the plume produced – often only visible during very cold weather – is not discharging over neighbouring property. The Council has powers to address a statutory nuisance from fumes and/or odour if this advice is not followed, which could result in significant post installation costs from the relocation or redirection of the outlet to your system. It is also always best to check first with the relevant Area Team (numbers previously given in 2) whether planning permission is required for such an installation. Building Regulations permission may also be required.

12. **Construction Site Working**

Construction works have the potential to cause nuisance to neighbouring residents such as noise from use of plant and equipment, activity at unsociable hours, delivery vehicles blocking roads, dust from site working, bonfire and deposit of mud and/or dust on the roads. To minimise nuisance, it is

recommended that:-

- Work which is likely to give rise to noise off-site should be restricted to the following hours:- Mon-Fri 7.30 am – 5 pm, Sat 7.30 am – 1 pm. No working Sundays or Bank Holidays.
- Delivery vehicles should not be allowed to arrive on site before 8 am or after 4.30 pm Mon-Fri, 8 am – 1 pm Sat and not on Sundays or Bank Holidays.
- “Best practicable means” shall be employed at all times to control noise and dust on site.

If you require more specific advice on the above two matters please contact the Environmental Health Department on 456725 or email ehpollution@warwickdc.gov.uk.

13. **Street Naming and Numbering**

All new developments, infills of additional properties and property conversions require new addresses to be issued by the District Council, in accordance with the Public Health Act 1925 and the Town Improvements Clauses Act 1847. To arrange for an address to be issued contact Street Naming and Numbering on 01926 456510 or email at snn@warwickdc.gov.uk after construction work has commenced and before completion.

14. **Pest Infestation & Disease Transmission**

In order to minimise the risks of pest infestation and disease transmission during the demolition and construction of buildings, please be aware of the importance of ensuring that the planning and design of new projects do not create additional avoidable problems, and to recognise and minimise risk to ensure that they do not create conditions that encourage and support pest infestation. The Local Authority would expect property design to include avoidance of harbourage, water filled drainage ditches and the blocking off of drainage systems and other structural components when necessary. A document has been produced by the Chartered Institute of Environmental Health called *Pest Minimisation* as a guide for best practice for the construction industry.

Issue Date: Revised May 2015