



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

Mr Chris O'Hanlon
Bellway Homes Limited
1 Centurion Court
Centurion Way
Wilnecote
Tamworth, Staffordshire
B77 5PN

Variation of Condition : REFUSED

Application Reference: W/25/1214
dan.charles@warwickdc.gov.uk

Notice is hereby given that Variation of Condition is REFUSED for:

Variation of Conditions 30 (Site Access Provision) and 31 (Traffic Management Scheme) of outline planning permission W/20/0617 (outline application for up to 200 dwellings with all matters reserved apart from access) to amend the triggers relating to the delivery of the completed site access and traffic management scheme.

at Land On The South Side Of, Chesterton Drive, Leamington Spa

for Bellway Homes Limited in accordance with the application submitted on 04/09/25.

The reason(s) for the Council's decision for refusal is/are:

- 1 Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety.

In the opinion of the Local Planning Authority, the revised trigger for delivery of the new site access and traffic calming measures would have a detrimental impact on the highway safety in the surrounding area as a result of the lack of an appropriate access point for all site users, particularly site occupiers during the construction works on the site.

The proposal is therefore considered contrary to the aforementioned policy.

The Council positively encourages potential applicants and their representatives to take up the pre-application services offered by the Council. In reaching this decision the Council has sought, via the offer of the provision of pre-application advice, to work proactively with the applicant(s) and their representatives in order to foster the delivery of sustainable development, in accordance with the requirements of the National Planning Policy Framework.

Dated: 06/11/2025

Development Manager
(Authorised Officer of the Council)



Date Dispatched: 06/11/2025

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



DEVELOPMENT SERVICES DEVELOPMENT CONTROL SECTION

APPEALS TO THE SECRETARY OF STATE

An appeal to the Secretary of State can be made if this Council has:-

- Refused your application for either:
 - i. Planning Permission
 - ii. Approval of reserved matters
 - iii. Listed Building
 - iv. Details to meet a condition
 - v. Advertisement Consent
- OR given a permission or a reserved matters approval but with conditions which you think are unreasonable.

HOW TO APPEAL

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

WHEN TO APPEAL

- 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 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.
- In relation to a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an Enforcement Notice you have up to 28 days 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.

For general information about the appeal procedure or if you wish to discuss whether there is any opportunity to overcome the objection, for example, by the submission of a revised proposal then contact the Case Officer who dealt with the application. If you do not 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. Alternatively, you can phone our Customer Services Centre on 01926 353367.

Purchase Notices

If either the Local Planning Authority or the Secretary of State 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 in whose area the land is situated, 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.

Revised November 2015