

4 October 2023

**Submitted via Planning Portal**

Warwick District Council  
Riverside House  
Milverton Hill  
Leamington Spa  
CV32 5HZ

Dear Sir / Madam

**ABBEY FIELDS: VARIATION OF CONDITION NO. 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION REF W/21/0170 TO REFLECT DESIGN CHANGES TO THE SCHEME**

**PLANNING PORTAL REF: PP-12491406**

We write on behalf of our client, Warwick District Council (“WDC” / “The Applicant”) in connection with the submission of an application being made under Section 73 of the Town and Country Planning Act 1990 to vary Condition 2 (“Approved Plans”) attached to planning permission ref: W/21/0170 for the development of a new leisure centre at Abbey Fields, Swimming Pool, Bridge Street, Kenilworth, CV8 1BP.

Full planning permission for the demolition of the existing Abbey Fields Swimming Pool and redevelopment to provide a new facility was granted on 16 September 2021 (ref: W/21/0170). The description of development was as follows:

*“Demolition of existing swimming pool and outdoor pool and redevelopment to provide two new indoor swimming pools and associated changing facilities with ancillary cafe, boundary treatment and landscaping.”*

Since the permission was granted, the Abbey Fields Swimming Pool facility has since been demolished in line with the planning permission to make way for the approved development.

**Proposed Amendments**

During the demolition of the swimming pool building, archaeological remains were discovered. This Section 73 application seeks to secure an amendment to the approved plans to raise the building 500mm to ensure that any physical impacts on the remains are minimised. As set out in the submitted application documents, engagement with Historic England has taken place through the demolition process and foundation redesign.

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Minor changes to the approved hard and soft landscaping scheme and several other minor design amendments are also sought. The proposed amendments are summarised in detail within the Planning Statement accompanying this application. As part of this Section 73 application, we also submit updated details to re-discharge several of the pre-commencement conditions attached to W/21/0170, where the approved condition details are affected by the proposed amendments.

Please note that this application does not seek to alter the fundamental principles of the approved development or propose any other change to the original planning permission that is not referred to in this application. The use and proposed internal facilities and overall design of the building, including all materials remain as permitted under planning permission ref W/21/0170.

The description of development is as follows:

*“Variation of condition no. 2 (Approved Plans) attached to planning permission Ref. W/21/0170 to reflect the proposed changes to the scheme”.*

Further detail is provided within the accompanying Planning Statement and Design and Access Statement, with Appendix 1 and 2 of this letter setting out the submitted documentation and plans/drawings supporting this application.

The Supporting Planning Statement confirms that the proposed amendments do not change the ‘in principle’ acceptability of the scheme, and that the proposals put forward as part of this Section 73 application remain in accordance with the Development Plan and the NPPF, and that no other material considerations indicate that the proposed development should not be approved.

The requisite fee for this type of application of £234.00 (two hundred and thirty four pounds) alongside the £64.00 (including VAT) service charge has been submitted online via Planning Portal.

We trust that the above and enclosed provide sufficient information to enable you to validate and determine the application. Should you require any additional information, or wish to discuss any items in further detail, please do not hesitate to contact myself or Diane Bowers ([diane.bowers@turley.co.uk](mailto:diane.bowers@turley.co.uk))

Yours sincerely

Nathan Bowater  
**Assistant Planner**

[nathan.bowater@turley.co.uk](mailto:nathan.bowater@turley.co.uk)

## Appendix 1: List of Submitted Application Documents

**Table 1.1**      **Application Documents**

Document	Author
Application Form and Certificates	Turley
CIL Additional Information Form	Turley
Covering Letter	Turley
Planning Statement	Turley
Design and Access Statement	DB3
Heritage Statement	Hampton Heritage
Flood Risk Assessment	Weetwood

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## Appendix 2: List of Submitted Planning Drawings

**Table 2.1 Amended Plans**

Approved Drawing Title	Approved Drawing Number and Revision	Proposed Amended Drawing Title	Proposed Amended Drawing Number and Revision
Proposed Elevations 1	12943-DB3-B01-ZZ-DR-A-20201 Rev F	Proposed Elevations 1	12943-DB3-B01-ZZ-DR-A-20201 Rev P02
Proposed Elevations 2	12943-DB3-B01-ZZ-DR-A-20202 Rev C	Proposed Elevations 2	12943-DB3-B01-ZZ-DR-A-20202 Rev P02
Sub-Station Enclosure	12943-DB3-B01-XX-DR-A-90007 Rev A	Sub-Station Enclosure	12943-DB3-B01-XX-DR-A-90007 Rev P02
Proposed Site Sections	12943-DB3-B01-XX-DR-A-90004 Rev C	Proposed Site Sections	12943-DB3-B01-XX-DR-A-90004 Rev P01
Proposed General Sections	12943-DB3-B01-ZZ-DR-A-20301 Rev E	Proposed General Sections	12943-DB3-B01-ZZ-DR-A-20301 Rev P02
Proposed Site Plan	12943-DB3-B01-XX-DR-A-90002 Rev H	Proposed Site Plan	12943-DB3-B01-XX-DR-A-90002 Rev P04
Proposed Roof Plan	12943-DB3-B01-RF-DR-A-20003 Rev C	Proposed Roof Plan	12943-DB3-B01-RF-DR-A-20003 Rev P02
Proposed Ground Floor Plan	12943-DB3-B01-00-DR-A-20001 Rev B	Proposed Ground Floor Plan	12943-DB3-B01-00-DR-A-20001 Rev P02

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**Table 2.2 Photomontages**

Proposed Amended Drawing Title	Proposed Amended Drawing Number and Revision	Comment
Photomontage B/A Sht 1	12943-DB3-B01-ZZ-VF-A-00001 Rev P01	
Photomontage B/A Sht 2	12943-DB3-B01-ZZ-VF-A-00002 Rev P01	
Photomontage B/A Sht 3	12943-DB3-B01-ZZ-VF-A-00003 Rev P01	
Photomontage B/A Sht 4	12943-DB3-B01-ZZ-VF-A-00004 Rev P01	The submitted photomontages are intended to supersede all the current approved photomontages.
Photomontage B/A Sht 5	12943-DB3-B01-ZZ-VF-A-00005 Rev P01	
Photomontage B/A Sht 6	12943-DB3-B01-ZZ-VF-A-00006 Rev P01	
Photomontage B/A Sht 7	12943-DB3-B01-ZZ-VF-A-00007 Rev P01	

**Table 2.3 Re-discharge of Condition 7**

Approved Drawing Title	Approved Drawing Number and Revision	Proposed Amended Drawing Title	Proposed Amended Drawing Number and Revision	Comment
Drainage Strategy	c7380 310 Rev T2	Private Drainage Layout	AFK-CCE-00-00-D-C-0310 Rev P04	There are no changes to the other details approved under this condition.
External Works Layout	c7380-322 P0	External Works Layout	AFK-CCE-00-00-D-C-0322 Rev P02	

**Table 2.4 Re-discharge of Condition 8**

Additional Report Title	Additional Report Reference	Comment
Additional Ground Investigation Report	September 2023	The submitted report supersedes the previous ground gas monitoring assessment included in the previous reports approved under condition 8. The remainder of these reports remain valid.

**Table 2.5 Re-discharge of Condition 9**

Approved Drawing Title	Approved Drawing Number and Revision	Proposed Amended Drawing Title	Proposed Amended Drawing Number and Revision
Proposed Site Plan	12943-DB3-B01-XX-DR-A-90002 Rev J	Proposed Site Plan	12943-DB3-B01-XX-DR-A-90002 Rev P04
Overall Landscape Layout	211216 0884 Land V10 L001	Overall Landscape Layout	211216 0884 Land V12 L001
Detailed Soft Landscape Layout	211216 0884 Land V6 L002	Detailed Soft Landscape Layout	211216 0884 Land V8 L002
Proposed boundary treatments plan and details	211221 0882 Land V1 L003	Proposed boundary treatments plan and details	211221 0882 LAND V3 L003
Fencing and Furniture	21_198_SP01B	Fencing and Furniture	21_198_SP01B

**Table 2.6 Re-discharge of Condition 11**

Approved Drawing Title	Approved Drawing Number and Revision	Proposed Amended Drawing Title	Proposed Amended Drawing Number and Revision
Proposed Site Sections	12943-DB3-B01-XX-DR-A-90004 Rev D	Proposed Site Sections	12943-DB3-B01-XX-DR-A-90004 Rev P01
Proposed General Sections	12943-DB3-B01-ZZ-DR-A-20301 Rev G	Proposed General Sections	12943-DB3-B01-ZZ-DR-A-20301 Rev P02