

# Planning Committee

Minutes of the meeting held on Tuesday 20 June 2023 at the Town Hall, Royal Leamington Spa at 6.00pm.

**Present:** Councillor Boad (Chairman); Councillors Collins, Cron, R Dickson, Dray, B Gifford, Luckhurst, Margrave, Noonan, Tangri and Williams.

**Also Present:** Principal Committee Services Officer – Lesley Dury; Legal Advisor – Ross Chambers; Business Manager – Sandip Sahota; Principal Planning Officers Dan Charles and Lucy Hammond; Senior Planning Policy Officer – Tony Ward and Warwickshire County Council Highways Officer – Dave Pilcher.

## 15. Apologies and Substitutes

- (a) Councillor Matecki had been asked to substitute for Councillor Day but sent his apologies for the Tuesday evening and had said that he would attend on the Wednesday evening if all business on the agenda was not completed on the Tuesday.
- (b) Councillor Collins substituted for Councillor Sinnott and Councillor Matecki was announced as a substitute for Councillor Day, but he did not attend.

## 16. Declarations of Interest

There were no declarations of interest.

## 17. Site Visits

To assist with decision making, Councillor Dickson made independent site visits to:

W/22/1877 – Land at Warwickshire Police HQ, Woodcote Lane, Leek Wootton; and

W/23/0334 – 24 Albion Street, Kenilworth.

## 18. Minutes

It was confirmed that the minutes of the meeting 25 April 2023 would be amended. Minute number 144, Appeals Report, would be amended to minute number 163.

## 19. **W/22/1877 - Land at Warwickshire Police HQ, Woodcote Lane, Leek Wootton**

The Committee considered an outline application from Cala Homes (Cotswolds) Limited for up to 83 dwellings (including affordable housing), access, internal roads and footpaths, car parking, public open space, landscaping, drainage and other associated works and infrastructure (all matters reserved except for the vehicular access to the site).

## **PLANNING COMMITTEE MINUTES (Continued)**

The application was presented to Committee because of an appeal against the non-determination of the application within the statutory 13-week period being lodged with the Planning Inspectorate.

This meant that the Committee was not being asked to determine the application as this was now in the hands of the Planning Inspectorate. The proposal was for consideration of the decision that would likely have been made by the Council if it had been in a position to formally determine the application.

The decision made by the Committee would thereafter guide the submissions on the appeal and would form the basis of the Council's case at the Public Inquiry which was scheduled for July 2023.

The officer was of the opinion that the proposed development was subject to an appeal against non-determination and Officers had to present the item to Members to obtain a resolution of how to proceed with the application.

The principle of development had been considered acceptable as the site formed part of a wider allocation where circumstances had now changed that would preclude bringing the whole site forwards for a comprehensive re-development. As the parcels of land associated with this development were separate entities, officers were satisfied that some housing could be realised on these land parcels and the balance of the allocated site area would remain within the control of Warwickshire Police who would maintain the existing Heritage Asset of Woodcote House, which was a driving factor behind the requirement for a comprehensive redevelopment project.

In certain areas, information was still outstanding and therefore, officers had recommended that should these matters not be satisfactorily addressed by the due date for the submission of the Council's Statement of Case, then the Council would utilise this information to form the basis of its defence of the appeal. In such a case, the reasons for refusal were set out in the report.

Should the outstanding information be submitted to the satisfaction of the relevant consultees, officers recommended that the Council's Statement of Case would recommend no objection to the proposed development the subject of the appeal and would recommend the conditions listed at the bottom of the report together with the completion of a Section 106 Agreement to secure the required obligations.

An addendum circulated prior to the meeting gave the County Archaeologist's opinion and this had led to the Applicants agreeing a Written Scheme of Investigation with the County Archaeologist for trial trenching on the site to further investigate the archaeological potential of the site in much greater detail; the work was ongoing. In the opinion of officers, this ongoing work could be secured by condition and worded in such a way that the results were submitted prior to the submission of any reserved matters so that the extent of any deposits identified, and any necessary mitigation could inform the layout of any reserved matters submission.

## **PLANNING COMMITTEE MINUTES (Continued)**

The addendum also advised that Condition 2 had been amended and that further consultation responses had been received as well as further public responses. There was also summaries of correspondence sent directly to Planning Committee Members.

The following people addressed the Committee:

- Mr Rigby, Mr Wilson, Miss Midgley and Mr Cooper, objectors;
- Councillor Eldridge, Leek Wootton Parish Council objecting; and
- Councillor Payne, District Councillor objecting.

Concerns were raised by the Committee about the proposals to build in a historic garden next to a Grade II listed manor house. It was felt that the application compromised the listed building. Now that the police were going to remain and retain part of the site, it meant that the proposals centred on a smaller parcel of land and the anticipated benefits of additional open space would no longer be delivered and would not help the setting of the listed building. It was noted that the range of requirements set out in Policy DS22 could not be realised because of the decision by the Police to remain at Woodcote House.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Gifford and seconded by Councillor Dickson that the Council would object to the granting of permission at the Appeal because the applicants had not satisfactorily overcome the outstanding issues set out in the Officer's report and because of the harm to heritage assets .

The Committee therefore

**Resolved** that with respect to W/22/1877, the Council will object to the granting of permission at the Appeal for the following reasons:

- | <b>No.</b> | <b>Refusal Reasons</b>  |
|------------|---|
| (1)        | Policy TR1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted that provides safe, suitable and attractive access routes for pedestrians, cyclists, public transport users, emergency vehicles, delivery vehicles, refuse vehicles and other users of motor vehicles, as appropriate. |

In the opinion of the Local Planning Authority, insufficient information has been submitted to demonstrate that the development would not result in harm to highway safety on the local highway network. In addition, the submitted information does not include information to demonstrate that appropriate consideration has been given to the provision and improvement of footpaths and cycle paths into the application site to facilitate the

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Refusal Reasons</b>  |
|------------|---|
|            | <p>practical use of sustainable transport options. The proposed scheme does not provide a safe route for pedestrians and cyclists to access the highway footpath.</p> <p>The development is thereby considered to be contrary to the aforementioned policy;</p>   |
| (2)        | <p>Policy NE2 of the Warwick District Local Plan 2011-2029 states that development will not be permitted that will destroy or adversely affect protected, rare, endangered or priority species unless it can be demonstrated that the benefits of the development clearly outweigh the nature conservation value or scientific interest of the site and its contribution to wider biodiversity objectives and connectivity.</p> <p>Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.</p> <p>Circular 06/2005 sets out the statutory obligations for considering protected species within the planning system and sets out a range of criteria for ensuring protected species are not harmed by development.</p> <p>In the opinion of the Local Planning Authority, insufficient information has been submitted to demonstrate that protected species will not be harmed as a result of the development or that appropriate mitigation can be provided to overcome any identified harm.</p> <p>Therefore, in the opinion of the Local Planning Authority the proposed development would cause unacceptable harm to protected species. The development is thereby considered to be contrary to the aforementioned policies and associated Government Guidance;</p> |
| (3)        | <p>Policy FW2 of the Warwick District Local Plan 2011-2029 states that all new major developments must incorporate SuDS that provide biodiversity, water quality and amenity benefits and be in accordance with</p>   |

## PLANNING COMMITTEE MINUTES (Continued)

<b>No.</b>	<b>Refusal Reasons</b>
	the Warwickshire Surface Water Management Plan.
	In the opinion of the Local Planning Authority, insufficient information has been submitted to demonstrate the proposed drainage scheme is acceptable and would not result in increased flood risk elsewhere.
	The development is thereby considered to be contrary to the aforementioned policies; and
(4)	the harm to heritage assets.

The Legal Advisor explained to the Committee that with an appeal, there would be a requirement to negotiate a Section 106 agreement. He asked the Committee to consider an additional delegation that was not in the report. The negotiation of the Section 106 agreement was done in all cases so that if the appeal was granted, there was an agreement in place. The details of what needed to be within the agreement was in the officer's report. He asked that the Committee should delegate the finalisation of the agreement to the Head of Service in consultation with the Chairman of Planning Committee. Councillors Gifford and Dickson agreed to this addition and on being put to the vote it was:

**Resolved** that the finalisation of the Section 106 agreement be delegated to the Head of Place, Arts and Economy in consultation with the Chairman of Planning Committee.

(The meeting was adjourned at 7.45pm for 10 minutes.)

### 20. **W/23/0334 – 24 Albion Street, Kenilworth**

The Committee considered an application from Mr Mason for a proposed driveway.

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

The officer was of the opinion that the proposed development was considered to be acceptable in terms of design, as assessed under Local Plan Policy BE1 and Neighbourhood Plan Policy KP13, impact on neighbouring amenity, as assessed under Local Plan Policy BE3 and Neighbourhood Plan Policy KP13 and parking and highway safety, as assessed under Local Plan Policy TR3. The officer had therefore recommended that the application should be granted.

Councillor Jones representing Kenilworth Town Council which had objected to the application addressed the Committee.

The speaker had stated a concern about recent localised flooding not helped by the practice of using tarmac or paving on driveways causing run-

## **PLANNING COMMITTEE MINUTES (Continued)**

off onto roads. The Committee requested that the brick-finished driveway should be porous.

Following consideration of the report, presentation and the representation made at the meeting, it was proposed by Councillor Gifford and seconded by Councillor Margrave that the application should be granted with an additional condition that the brick-finished driveway had to be porous.

The Committee therefore

**Resolved** that W/23/0334 be **granted** subject to the following conditions:

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
| (1)        | the development hereby permitted shall begin not later than three years from the date of this permission. <b>Reason:</b> 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) 1286 02 A, and specification contained therein, submitted on 27/03/2023. <b>Reason:</b> For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and |
| (3)        | the brick-finished driveway must be porous.   |

### **21. W/21/1165 – Land at the corner of Ramsey Road and St Mary’s Road, Royal Leamington Spa**

The Committee considered an application from Deeley Homes for the demolition of existing industrial units, the erection of 15 dwellings (use class C3) together with associated vehicular access, parking, and landscaping.

The application was presented to Committee because of a change in circumstances relating to the Section 106 agreement following the submission of a Viability Assessment.

The application site had permission for 15 houses of which six were proposed to be affordable. The officer was of the opinion that whilst a modest number of units, the site was considered to make a small but ultimately positive contribution to the Council’s housing numbers.

Following the implementation of the scheme, the applicants encountered adverse ground conditions on site that had resulted in significant adverse costs being incurred above and beyond those budgeted for in the original application.

## PLANNING COMMITTEE MINUTES (Continued)

The applicants had therefore submitted a detailed Viability Assessment which demonstrated that the scheme would still be viable and deliverable, subject to a reduced number of affordable units and no financial contributions.

The viability of the scheme had been independently assessed by a specialist consultant and the scheme had been considered to not be viable if subject to the existing s.106 contributions and provision of six affordable houses. The omission of the financial contributions and the reduction of affordable units from six to four units was therefore agreed.

Members were therefore requested to approve the revisions to the Section 106 agreement to be secured through a Deed of Variation to the original agreement.

Members were also requested to delegate authority to officers to agree the final wording of the Deed of Variation, subject to there being no material changes to those set out within the report.

Previously unidentified contamination was found present at the site following initial site mobilisation and enabling works on top of that already identified. The costs of remediating the contamination significantly affected the viability of the current scheme. The applicant had been unable to identify all of the contamination prior to planning consent because there were still a lot of buildings in situ, some of which were occupied.

The Chair informed Members that he would request a training module for them on viability.

Following consideration of the report and presentation, it was proposed by Councillor Dickson and seconded by Councillor Tangri that the changes to the Section 106 agreement should be approved as set out in the report.

The Committee therefore

**Resolved** that in respect of W/21/1165, the changes to the Section 106 agreement be approved, secured through a Deed of Variation to the original agreement. Authority is delegated to officers to agree the final wording of the Deed of Variation, subject to there being no material changes to those set out within the report and stated as follows:

- (1) all of the financial contribution requirements are removed from the s.106 agreement; and
- (2) plots 8 and 9 are converted into market sale properties thereby reducing the overall provision of affordable housing from six units to four units which reduces the provision from 40% to 27%.

## PLANNING COMMITTEE MINUTES (Continued)

### 22. **W/23/0346 – 7 Walnut Drive, Royal Leamington Spa**

The Committee considered an application from Mr Huxley for the erection of a single storey side extension.

The application was presented to Committee because the applicant was an employee of Warwick District Council.

The officer was of the opinion that the proposal was considered to constitute good design and had an acceptable impact on amenity. The development was considered to comply with all aforementioned policies and therefore the recommendation was that permission should be granted.

Following consideration of the report and presentation, it was proposed by Councillor Gifford and seconded by Councillor Williams that the application should be granted in accordance with the recommendation in the report.

The Committee therefore

**Resolved** that W/23/0346 be **granted** subject to the following conditions:

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
| (1)        | the development hereby permitted shall begin not later than three years from the date of this permission. <b>Reason:</b> 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) titled 'Proposed Floor Plan', 'Northeast Elevation Proposed', 'Northwest Elevation Proposed', and specification contained therein, submitted on 17th April 2023. <b>Reason:</b> For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and |
| (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. <b>Reason:</b> To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.  |



## PLANNING COMMITTEE MINUTES (Continued)

### 23. **W/23/0362 – 401 Birmingham Road, Budbrooke**

The Committee considered an application from Mr Eales for the erection of a single-storey side extension to provide an ensuite and dressing room, and use of off-white render to existing property.

The application was presented to Committee because the applicant was a former employee of Warwick District Council.

The officer was of the opinion that although the proposal would have acceptable impacts under BE1, HE1 and BE3, there would be conflict with Local Plan Policy H14, and national policy on Green Belts. The proposed side extension would result in a disproportionate addition to a building in the Green Belt, and no very special circumstances had been identified that would outweigh the resulting harm. It was therefore recommended that the application should be refused.

Following consideration of the report and presentation, it was proposed by Councillor Gifford and seconded by Councillor Noonan that the application should be refused for the reasons set out in the report.

The Committee therefore

**Resolved** that W/23/0362 be **refused** for the following reason:

- | <b>No.</b> | <b>Refusal Reason</b>  |
|------------|--|
| (1)        | the NPPF and Policy DS18 of the Warwick District Local Plan state that the extension of a building that results in disproportionate additions over and above the size of the original building will constitute inappropriate development within the Green Belt. Policy H14 states that extensions that represent an increase of more than 30% to the gross floorspace of the original building are likely to be considered disproportionate. |

In the opinion of the Local Planning Authority, the proposed development represents a disproportionate addition to the original building and therefore constitutes inappropriate development in the Green Belt which is harmful by definition and by reason of harm to openness. No very special circumstances are considered to exist which outweigh the harm identified.

The proposed development is therefore contrary to the aforementioned policies.

## **PLANNING COMMITTEE MINUTES (Continued)**

### **24. W/23/0381 – Town Hall, Parade, Royal Leamington Spa**

(The Committee considered this application alongside the listed building consent application W23/0382 LB. The officer gave one presentation which dealt with both applications and the Committee's discussions on both applications were dealt with together. The decisions on both applications were done one after the other.)

The Committee considered an application from Warwick District Council for the use of the Town Hall as a "creative hub", including new steps and ramps to the building's main entrance together with the demolition and reconstruction of an existing two-storey structure at the rear to provide upgraded toilets and new lift.

The application was presented to Committee because the application was made by the District Council about a building it owned.

The officer was of the opinion that the principle of development which involved the change of use of the Town Hall to form a "creative hub" through predominantly internal works to facilitate multi-functional spaces together with improved access to the building's frontage and a re-built two storey extension at the rear to accommodate improved toilet facilities and a lift was considered acceptable having regard to the relevant provisions of Local Plan Policies HS8, CT1 and TC1 as well as RLSNDP Policies RLS6 and RLS17.

The majority of the works were internal and where external works were proposed, officers were satisfied that these would not result in any visual harm to the character or appearance of the area, nor would there be any harm to neighbouring amenity. The heritage impacts of the proposed works had been carefully considered and following amendments being made to the plans showing the omission of the originally proposed Livery Street entrance, officers were now satisfied that the improvements to the main entrance together with the works proposed to the rear would represent a sympathetic addition to the building and consequently would result in no harm to the significance of the heritage assets; principally the fabric of the Grade II listed building and also to the character and appearance of the Royal Leamington Spa Conservation Area.

There were no access or parking concerns with the proposed development, given the central town centre location of the building and the ample provision of on-street and car park spaces available in close proximity, together with the availability of connections and routes to public transport.

There would be no harm to features of ecological importance; matters of drainage had been satisfactorily addressed through the course of the application and in view of the listed status of the building together with the minimal scale and nature of the physical works involved to facilitate the change of use, opportunities for sustainability measures to be incorporated were considered extremely limited.

Overall, and having regard to all of the above considerations, officers recommended that planning permission should be granted.

## PLANNING COMMITTEE MINUTES (Continued)

An addendum circulated prior the meeting advised that one neutral response had been received from a third party which raised no material planning considerations.

Following consideration of the report, presentation and information contained in the addendum, it was proposed by Councillor Dickson and seconded by Councillor Margrave that the application should be granted.

The Committee therefore

**Resolved** that W/23/0381 be **granted** subject to the following conditions:

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
| (1)        | the development hereby permitted shall begin not later than three years from the date of this permission. <b>Reason:</b> 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 the following approved drawings:-<br><br>241990-PUR-00-01-DR-A-3002 Rev.P03;<br>241990-PUR-00-01-DR-A-3003 Rev.P03;<br>241990-PUR-00-01-DR-A-3004 Rev.P03;<br>241990-PUR-00-01-DR-A-3006 Rev.P03;<br>241990-PUR-00-B1-DR-A-1010 Rev.P03;<br>241990-PUR-00-B1-DR-A-2000 Rev.P03;<br>241990-PUR-00-GF-DR-A-3000 Rev.P03;<br>241990-PUR-00-GF-DR-A-3001 Rev.P03;<br>241990-PUR-00-RF-DR-A-1014 Rev.P03;<br>241990-PUR-00-RF-DR-A-2004 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-1110 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-1112 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-1113 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-2100 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-2102 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-2103 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-5001 Rev.P03; and<br>241990-PUR-00-ZZ-DR-A-5002 Rev.P03, and<br>specification contained therein, submitted on<br>13 March 2023;<br><br>241990-PUR-00-01-DR-A-1012 Rev.P05;<br>241990-PUR-00-01-DR-A-2002 Rev.P05;<br>241990-PUR-00-01-DR-A-2302 Rev.P04;<br>241990-PUR-00-01-DR-A-2402 Rev.P04;<br>241990-PUR-00-02-DR-A-1013 Rev.P05; and<br>241990-PUR-00-02-DR-A-2003 Rev.P05; and<br>specification contained therein, submitted on<br>27 April 2023; and |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
|            | 241990-PUR-00-GF-DR-A-1011 Rev.P06;<br>241990-PUR-00-GF-DR-A-2001 Rev.P06;<br>241990-PUR-00-GF-DR-A-2301 Rev.P05;<br>241990-PUR-00-GF-DR-A-2401 Rev.P05;<br>241990-PUR-00-GF-DR-A-3005 Rev.P04;<br>241990-PUR-00-GF-DR-A-3007 Rev.P04;<br>241990-PUR-00-ZZ-DR-A-1111 Rev.P04;<br>241990-PUR-00-ZZ-DR-A-1210 Rev.P04;<br>241990-PUR-00-ZZ-DR-A-2101 Rev.P04; and<br>241990-PUR-00-ZZ-DR-A-2200 Rev.P05; and<br>specification contained therein, submitted on<br>24 May 2023.   |
|            | <b>Reason:</b> For the avoidance of doubt and to<br>secure a satisfactory form of development in<br>accordance with Policies BE1 and BE3 of the<br>Warwick District Local Plan 2011-2029;   |
| (3)        | the development hereby permitted shall not<br>commence unless and until a Construction<br>Management Plan (CMP) has been submitted<br>to and approved in writing by the local<br>planning authority. The CMP shall provide for:<br>the parking of vehicles of site operatives and<br>visitors; site working hours and delivery<br>times; the loading and unloading of plant and<br>materials; the storage of plant and materials<br>used in constructing the development; the<br>erection and maintenance of a security<br>hoarding including decorative displays and<br>facilities for public viewing where<br>appropriate; wheel washing facilities and<br>other measures to ensure that any vehicle,<br>plant or equipment leaving the application<br>site does not carry mud or deposit other<br>materials onto the public highway; measures<br>to control the emission of dust and dirt during<br>construction, together with any details in<br>relation to noise and vibration; and a scheme<br>for recycling / disposing of waste resulting<br>from demolition and construction works. A<br>model CMP can be found on the Council's<br>website<br>( <a href="https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan">https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan</a> ) or<br>by searching 'Construction Management<br>Plan'. The development hereby permitted<br>shall only proceed in strict accordance with<br>the approved CMP. <b>Reason:</b> In the interests<br>of highway safety and the amenities of the<br>occupiers of nearby properties, the free flow<br>of traffic and the visual amenities of the |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
|            | locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029;  |
| (4)        | no part of the development hereby permitted shall be commenced until a scheme for the provision of 2 suitable nesting boxes/bricks for swifts to be erected on buildings within the site has been submitted to and approved in writing by the County Planning Authority. The scheme to include details of box type, location, and timing of works. Thereafter, the boxes/bricks shall be installed and maintained in perpetuity. <b>Reason:</b> To enhance the nature conservation value of the site and ensure biodiversity net gain in accordance with the NPPF and Policy NE3 of the Warwick District Local Plan 2011-2029; |
| (5)        | no development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. <b>Reason:</b> 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 BE1 of the Warwick District Local Plan 2011-2029;  |
| (6)        | no development shall be carried out above slab level unless and until large scale details of internal doors, at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details. <b>Reason:</b> To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029;  |
| (7)        | during the works, if hidden original stone steps to the front entrance are revealed they should be retained in-situ. If these are deemed to be beyond repair, the steps should be recorded and suitable replacement steps agreed with the Conservation Officer. <b>Reason:</b> To secure and safeguard the   |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
|            | provision for inspection and recording of matters of historical importance associated with the building that may be lost in the course of works in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029;   |
| (8)        | the development hereby permitted shall be carried out in accordance with the measures to safeguard the nesting peregrine falcons identified within the Preliminary Bat Roost and Nesting Bird Assessment dated 22 February 2023 Ref: C3077-1. <b>Reason:</b> To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029;  |
| (9)        | noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured (or calculated to) one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T). 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.' <b>Reason:</b> To ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029. |

### 25. **W/23/0382 LB – Town Hall, Parade, Royal Leamington Spa**

(The Committee considered this application alongside application W23/0381. The officer gave one presentation which dealt with both applications and the Committee's discussions on both applications were dealt with together. The decisions on both applications were done one after the other.)

The Committee considered an application from Warwick District Council for proposed new steps and ramps to the building's main entrance; adaptation of internal areas, corridor spaces, main staircase and reception; demolition and reconstruction of an existing two-storey structure at the rear.

## **PLANNING COMMITTEE MINUTES (Continued)**

The application was presented to Committee because the application was made by the District Council about a building it owned.

The officer was of the opinion that the principle of development which involved the change of use of the Town Hall to form a "creative hub" through predominantly internal works to facilitate multi-functional spaces together with improved access to the building's frontage and a re-built two storey extension at the rear to accommodate improved toilet facilities and a lift was considered acceptable having regard to the relevant provisions of Local Plan Policy HE1.

The impacts on the heritage asset, both internally and externally, had been carefully considered and following amendments being made to the plans showing the omission of the originally proposed Livery Street entrance, officers were now satisfied that the improvements to the main entrance together with the works proposed to the rear would represent a sympathetic addition to the building and consequently would result in no harm to the significance of the heritage asset; principally the fabric of the Grade II listed building and its setting.

Overall, and having regard to the above considerations, officers recommended that listed building consent should be approved.

An addendum circulated prior to the meeting advised that one neutral response had been received from a third party which raised no material planning considerations.

Following consideration of the report, presentation and information contained in the addendum, it was proposed by Councillor Dickson and seconded by Councillor Margrave that listed building consent should be granted.

The Committee therefore

**Resolved** that listed building consent for W/23/0382 LB be **granted** subject to the following conditions:

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
| (1)        | the works hereby permitted shall begin not later than three years from the date of this consent. <b>Reason:</b> To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 the following approved drawings:-<br><br>241990-PUR-00-01-DR-A-3002 Rev.P03;<br>241990-PUR-00-01-DR-A-3003 Rev.P03;<br>241990-PUR-00-01-DR-A-3004 Rev.P03;<br>241990-PUR-00-01-DR-A-3006 Rev.P03;<br>241990-PUR-00-B1-DR-A-1010 Rev.P03; |

## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>   |
|------------|--|
|            | 241990-PUR-00-B1-DR-A-2000 Rev.P03;<br>241990-PUR-00-GF-DR-A-3000 Rev.P03;<br>241990-PUR-00-GF-DR-A-3001 Rev.P03;<br>241990-PUR-00-RF-DR-A-1014 Rev.P03;<br>241990-PUR-00-RF-DR-A-2004 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-1110 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-1112 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-1113 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-2100 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-2102 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-2103 Rev.P03;<br>241990-PUR-00-ZZ-DR-A-5001 Rev.P03; and<br>241990-PUR-00-ZZ-DR-A-5002 Rev.P03, and<br>specification contained therein, submitted on<br>13 March 2023; |
|            | 241990-PUR-00-01-DR-A-1012 Rev.P05;<br>241990-PUR-00-01-DR-A-2002 Rev.P05;<br>241990-PUR-00-01-DR-A-2302 Rev.P04;<br>241990-PUR-00-01-DR-A-2402 Rev.P04;<br>241990-PUR-00-02-DR-A-1013 Rev.P05; and<br>241990-PUR-00-02-DR-A-2003 Rev.P05; and<br>specification contained therein, submitted on<br>27 April 2023; and  |
|            | 241990-PUR-00-GF-DR-A-1011 Rev.P06;<br>241990-PUR-00-GF-DR-A-2001 Rev.P06;<br>241990-PUR-00-GF-DR-A-2301 Rev.P05;<br>241990-PUR-00-GF-DR-A-2401 Rev.P05;<br>241990-PUR-00-GF-DR-A-3005 Rev.P04;<br>241990-PUR-00-GF-DR-A-3007 Rev.P04;<br>241990-PUR-00-ZZ-DR-A-1111 Rev.P04;<br>241990-PUR-00-ZZ-DR-A-1210 Rev.P04;<br>241990-PUR-00-ZZ-DR-A-2101 Rev.P04; and<br>241990-PUR-00-ZZ-DR-A-2200 Rev.P05; and<br>specification contained therein, submitted on<br>24 May 2023.  |
|            | <b>Reason:</b> For the avoidance of doubt and to<br>secure a satisfactory form of development for<br>this listed building in accordance with Policies<br>HE1 and BE1 of the Warwick District Local<br>Plan 2011-2029;  |
| (3)        | no development shall be carried out above<br>slab level unless and until samples of the<br>external facing materials to be used have<br>been submitted to and approved in writing by<br>the Local Planning Authority. The<br>development shall only be carried out in<br>accordance with the approved details.<br><b>Reason:</b> To ensure a high standard of design<br>and appearance for this Listed Building, and   |



## PLANNING COMMITTEE MINUTES (Continued)

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
|            | to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029;   |
| (4)        | no development shall be carried out above slab level unless and until large scale details of internal doors, at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details.<br><b>Reason:</b> To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029; and                  |
| (5)        | during the works, if hidden original stone steps to the front entrance are revealed they should be retained in-situ. If these are deemed to be beyond repair, the steps should be recorded and suitable replacement steps agreed with the Conservation Officer.<br><b>Reason:</b> To secure and safeguard the provision for inspection and recording of matters of historical importance associated with the building that may be lost in the course of works in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029. |

### 26. **Planning Appeals Report**

Members received a report from officers outlining the existing enforcement matters and appeals currently taking place.

**Resolved** that the report be noted.

(The meeting ended at 8.59pm)

CHAIRMAN  
16 August 2023