

DEVELOPMENT COMMITTEE

Minutes of the meeting held on Monday 19 July 1999 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Crowther (Chair); Councillors Mrs Begg, Mrs Boad, Caborn, Coker, Mrs Compton, Davis, Evans, Gill, Guest, Mrs Hodgetts, Kent, Mrs Leddy, Mrs Pavier, Short, Tamlin and Thomas.

(Councillor Short substituted for Councillor Kirton.)

196. MINUTES

The minutes of the meetings held on 19 May and 7 June 1999 having been printed and circulated, were taken as read and signed by the Chair as a correct record.

PART I

(Matters not the subject of powers delegated to the Committee by the Council)

197. HILL CLOSE GARDENS, WARWICK

The Chair welcomed Mr Colin Burden of Plincke Landscape, which had been engaged by the Council to prepare a management document for Hill Close Gardens, Warwick including a master plan and recommended options for the long term future of the gardens. Mr Burden explained how Plincke Landscape had become involved in the Hill Close Gardens project, the background and history to the gardens and details of the four options identified by Plincke Landscape for the future of the gardens. He outlined the advantages and disadvantages of each option and the financial commitment which would need to be made by Warwick District Council.

The four options were as follows:-

1. Disposal of freehold of the gardens by Warwick District Council (at a nominal sum) to a Charitable Trust formed for this purpose.
2. Management of the gardens by Warwick District Council in collaboration with the Trust.
3. Management of the gardens by Warwick District Council in collaboration with the Friends Group and individual plot holders. This option would be a non-Trust option but could be developed into Option 2.
4. Restoration of the gardens by Warwick District Council, with maintenance undertaken through existing park maintenance management systems.

DEVELOPMENT COMMITTEE (Continued)

On 30 June 1999 the Strategy Committee considered a report identifying a need for a part-time clerical staff member, for one day a week for one year, and the longer term needs in relation to Hill Close Gardens with a view to a Heritage Lottery Fund application being made if either options 2 to 4 were chosen. A figure of £5,000 had been identified to enable a Heritage Lottery Fund application to be made for the chosen option.

At the last meeting of the Hill Close Gardens Steering Group it had been proposed that the structure of the Group should be reviewed and that the Chair of the Group be elected from the elected members on the Steering Group.

RECOMMENDED that:

- (1) the continued restoration of the gardens and buildings be supported;
- (2) a Heritage Lottery Fund Grant approach to restoration be pursued;
- (3) a further report be brought to the next meeting reporting on the Capital Programme bid implications and progress towards a Heritage Lottery Fund application; and
- (4) the Chair of the Hill Close Gardens Steering Group be elected from and by the elected members on the Group.

(All members of the Council had been invited for the presentation.)

198. **ENGINEERING SERVICE PLAN**

The Committee considered a report from the Commissioning Team and Engineering monitoring the Engineering Service Plan for the year 1998/99 and seeking approval for the main issues to be identified in the service planning process for the year 2000/2001.

The Appendix to the report detailed information on the performance of the Engineering Business Unit against the targets set and detailed the major issues, identified by the Group Spokespersons, facing the Engineering Business Unit which would be incorporated in the Service Plan for the year 2000/2001.

Two further Joint Group Spokespersons meetings (Development and Health & Control Committees) would be held prior to the September meeting of the Committee to agree the Service Plan for 2000/2001.

RECOMMENDED that:

- (1) the monitoring report for the Service Plan 1998/99 be approved; and
- (2) the main issues for consideration in the Service Plan Process 2000/2001 as set

DEVELOPMENT COMMITTEE (Continued)

out be approved.

199. MONITORING OF SERVICE PLAN - PLANNING BUSINESS UNIT

The Committee considered a report from the Group Spokespersons on the progress being made in respect of the 1998/99 Service Plan for the Planning Business Unit.

The Service Plan, in keeping with the principles of Best Value involved a process of continuous improvement.

There were opportunities to improve Section 5 (Performance Measures) of the Service Plan and it was suggested that the Commissioning Director and Head of Business work with the Team Leaders to improve the measures. This would eventually feed into the Council's Local Performance Plan. Various issues to improve Section 5 were set out in the report.

RECOMMENDED that:

- (1) the good progress made to date be noted; and
- (2) Section 5 (Performance Measures) of the Service Plan be further improved.

200. REVISION TO DELEGATION AGREEMENT

The Committee considered a report from Planning following the consultation process which had been undertaken with parish and town councils on the Delegation Agreement.

The report set out a summary of the overall pattern of cases on Part II of the Plans Sub-Committee agenda and details of the report which had been submitted to the Committee in January 1999, when members had asked that consultations take place with parish and town councils.

A questionnaire had been sent to each parish and town council relating to the Development Control service, and the issue of delegation had also been included on the agenda of the annual Planning Seminar for parish and town councils which had been held on 24 June 1999. Representatives of 5 local councils had attended the seminar. 14 of the 21 questionnaires sent out had been returned and details of the responses were set out in the report.

The proposed revised agreement was not based on a detailed set of criteria defining the delegated categories, but was based on a more simplified system by which any category of application could potentially be delegated, subject to a number of safeguards, based on those advocated by the National Planning Forum and incorporating this Council's own originally approved safeguards. A copy of the revised Scheme of Delegation of Planning Decisions was appended to the report.

Some concern had previously been expressed by members about the criteria for selecting principal items and the currently approved criteria were appended to the report for information.

DEVELOPMENT COMMITTEE (Continued)

RECOMMENDED that :

- (1) the revised Delegation Agreement for Development Control as set out in Appendix "B" be adopted from 1 October 1999; and
- (2) a further report be presented on the operation of the revised agreement in May 2000.

201. **DORMER WINDOWS IN CONSERVATION AREAS**

The Committee considered a report from Planning setting out the approach of this Council to proposals for dormer window extensions in conservation areas. Following various planning applications for dormer window extensions which had been considered by the Plans Sub-Committee, it was considered appropriate to set out the position of the Council on dormer extensions in conservation areas and give guidance on how any future planning applications should be considered.

The report set out the policy issues, conservation issues and the development control issues, with details of the current liaison between building control and planning officers.

Decisions on planning applications were required to be made in accordance with the Development Plan, and in relation to decisions on applications in conservation areas, planning authorities had to meet the statutory test of paying special attention to the desirability of preserving or enhancing the character or appearance of such areas.

Further guidance was currently being prepared on dormer windows in conservation areas to assist householders and architects.

RECOMMENDED that:

- (1) the Council reaffirm its stance that in making decisions on planning applications in conservation areas, the statutory test of paying special attention to the desirability of preserving or enhancing the character or appearance of such areas will be applied;
- (2) the three recent decisions made on retrospective applications for roof extensions in the Royal Leamington Spa Conservation Area represent exceptions to policy based on the special circumstances of each case and should not be regarded as precedents;
- (3) the current liaison arrangements between Development Control and Building Control be continued and that future applications for loft conversions on properties in conservation areas be assessed for the need for planning permission by the Appeals and Enforcement section within Development Control;
- (4) the revised guidance leaflet on windows in conservation areas be publicised as widely as possible when it is published, including various relevant professionals (eg solicitors, builders, developers and estate agents) and the press;

DEVELOPMENT COMMITTEE (Continued)

- (5) in respect of building regulation applications within conservation areas, applicants be supplied with written information summarising conservation area constraints in respect of planning and related contact names; and
- (6) a pro-forma be produced to assist applicants in making written request as to whether they need planning permission.

PART II

(Matters delegated to the Committee by the Council)

202. PETITIONS

(A) PETITION ON ROAD SAFETY

The Committee considered the following petition, sponsored by Councillor Mrs C Hodgetts:

“We the undersigned have been having problems with the pelican crossing situated at the main gates of Coten End School and the one for the cycle track at the entrance to the park. The lights are repeatedly ignored.”

RESOLVED that a report be submitted to a future meeting.

(B) PETITION IN SUPPORT OF OLD TOWN TRADERS, ROYAL LEAMINGTON SPA - EXTERNAL SECURITY SHUTTERS

The Committee considered the following petition, sponsored by Councillor J S Hammon:

“Warwick District Council’s policy guidelines on external security shutters were adopted in the 1980’s. Since then local shop owners in Old Town have suffered an increase in breakages of windows and theft from shop premises. The police have been unable to detect or deter offenders.

Particular shops are high risk such as jewellers and shops that sell alcohol and tobacco, they need to protect their business interest and sustain insurance cover by protecting their property with external shutters.

Warwick District Council have allowed external shutters in other parts of Leamington. We strongly urge them to review their existing guidelines and allow traders in Old Town the right to install external shutters.”

RESOLVED that a report on the review of the Council’s policy be submitted to a future meeting.

DEVELOPMENT COMMITTEE (Continued)

203. NOTICES OF MOTION

- (1) The Committee considered the following Notice of Motion from Councillor W L Gifford:

“This Council will ask the County Council to look as a matter of urgency at providing crossing points and refuges along with traffic calming measures to improve pedestrian safety along the very busy Rugby Road, Milverton, Leamington Spa.”

RESOLVED that a report be submitted to a future meeting.

- (2) To consider the following Notice of Motion from Councillor E B MacKay:

“That in view of the adverse effects of past developments on the rural communities of Stoneleigh Ward, and the imminent threat of more, this Council adopt a policy of development and control which:

- (1) will acknowledge that the quality of life of its customers is its first priority;
- (2) will seek innovative ways of alleviating unacceptably damaging effects;
- (3) will, through a strategic planning brief, resist new, or expansion of existing developments which will impact adversely on the communities;
- (4) will mitigate the consequential effects from developments in neighbouring authorities by insisting on the integration of preventive measures into schemes; and
- (5) will hold developers and their clients accountable for their forecasts of impact by demanding post audits.”

RESOLVED that a report be submitted to a future meeting on how the various issues raised in the motion related to current policy and how the issues raised could be taken forward.

- (3) The Committee considered the following Notice of Motion from Councillor Mrs C Hodgetts:

“In view of the increasing concerns of residents on parking issues in the area around lower Coventry Road and St Johns, Warwick, that consideration be given to action which may alleviate these problems.”

RESOLVED that a report be submitted to a future meeting.

204. STONELEIGH BUSINESS PARK

The Committee considered a report from Planning on a revised design brief for the restoration and future maintenance of the southern part of Stoneleigh Abbey Deer Park which would include the redevelopment of existing buildings of the Stoneleigh Deer Park as part of the restoration process.

DEVELOPMENT COMMITTEE (Continued)

In January 1999, the Committee had received a report which set out a Design Brief for any future development of the Stoneleigh Business Park and a consultation exercise had subsequently been undertaken which included liaising with all local residents in Stareton village, local and national interest groups, the owners of the business park and the parish council.

The public consultation had raised a number of issues of concern to consultees and in addition, the Head of Planning had held a number of meetings with the owners of the business park. Through those discussions it had become clear that in terms of the scale of any redevelopment of existing buildings, the owners were now considering a more fundamental approach to the whole site, with a long term aim of redeveloping the vast majority of the existing buildings. This was considered to be a major change from the more partial approach originally envisaged and required the brief to be revisited. A revised design brief for Stoneleigh Abbey Deer Park was appended to the report for members' consideration.

The report set out the history of the business park and the two main issues of policy, namely those of green belt and the location of the business park within the historic registered park, with a summary of the consultation responses.

The revised design brief was not a prescriptive document but a series of principles and procedures which needed to be adhered to if the replacement of existing floor area within new buildings was to be linked with the restoration of the historic park. As the revised brief was significantly different from that previously considered by members and consulted upon, it was suggested that a further public consultation exercise should now be undertaken with interested parties.

RESOLVED that:

- (1) the revised Design Brief for Stoneleigh Business Park as submitted be approved as a basis for further public consultation;
- (2) the Design Brief be circulated to interested parties including the Parish Council, English Heritage, the owners and neighbours, as a public consultation exercise and a report be prepared for the next meeting; and
- (3) officers report to the next meeting on whether a Green Commuter Plan can be produced for the site.

205. PARKLANDS AVENUE, LILLINGTON, ROYAL LEAMINGTON SPA - PROVISION OF BUS SHELTER

(THIS MINUTE WAS REFERRED BACK TO THE DEVELOPMENT COMMITTEE BY COUNCIL ON 15 SEPTEMBER 1999)

The Committee considered a report from Engineering as requested by the Committee in March 1999, on the results of the consultation with respect to the proposed provision of a bus shelter at the existing bus stop adjacent to the Delamere Way junction in Parklands Avenue.

DEVELOPMENT COMMITTEE (Continued)

In March 1999 members received a report on proposals to relocate the existing bus stop adjacent to the Parklands Avenue - Delamere Way junction to a location adjacent to the Sherwood Walk junction in order to facilitate the requested provision of a bus shelter. This proposal had been instigated following objections by local residents to the provision of a bus shelter at the existing bus stop adjacent to Delamere Way.

As a result of objections received to the proposed relocation of the bus stop and provision of a bus shelter adjacent to the Sherwood Walk junction, members had requested that further consultations be undertaken on the siting of a bus shelter at the location of the existing bus stop adjacent to Delamere Way.

Consultations had been carried out in June 1999 on the original proposal to site a bus shelter adjacent to the existing bus stop located in the vicinity of the Delamere Way - Parklands Avenue junction. The report set out the responses to the consultation, with a copy of the original consultation on the siting of a bus shelter at the Sherwood Walk junction.

RESOLVED that the bus shelter be sited at the Sherwood Walk junction and its position be reviewed after a 12 month period.

206. **PROVISION OF LAY-BYS AND PARKING FACILITIES 1999/2000**

The Committee considered a report from Engineering on the current prioritised Schedule of Lay-by and Parking Provision Schemes for 1999/2000 and seeking approval to progress consultations and develop scheme designs within the £74,800 budget allocated, with a view to scheme implementation within the current financial year.

Each scheme requested by members and the public had been assessed and prioritised in accordance with the evaluation criteria approved by the Committee in January 1997 and subsequently amended in May 1997. A list of the current prioritised Schedule of Schemes was appended to the report.

Given the allocated level of funding for 1999/2000 it was proposed to carry out consultations and development of scheme designs and costings on the following schemes:

- (1) Baker Avenue, Royal Leamington Spa
- (2) Mason Avenue, Lillington
- (3) 13-65 Greville Road, Warwick
- (4) 7-13 All Saints Road, Warwick
- (5) 1-15 Gresham Avenue, Warwick
- (6) Clare Close, Compton Close, Lillington

The proposed timetable for scheme development and implementation was set out in the report.

Engineering were currently liaising with Housing on the possibility of joint funding of schemes where Housing had Council tenants who could directly benefit by those scheme proposals. Housing were currently considering their own schemes and the outcome of their considerations would determine the availability of any financial resources for implementing further schemes from the prioritised list of schemes.

RESOLVED that the development and implementation of the lay-by and parking facility

DEVELOPMENT COMMITTEE (Continued)

schemes be approved in the order of priority set out in the report within the budget allocated and any further funding which may become available from Housing.

207. ENVIRONMENTAL HIGHWAY IMPROVEMENT SCHEMES 1999/2000

The Committee considered a report from Engineering on the current prioritised Schedule of Environmental Highway Improvement Schemes for 1999/2000 and seeking approval to progress consultations and development of scheme designs with a view to the implementation of two schemes within the current financial year.

The budget allocation of £77,800 had been based on pre-design outline scheme estimates for the top three ranked scheme proposals which had been assessed in 1998. Each requested scheme had been assessed and prioritised in accordance with the evaluation criteria approved by the Development Services Committee in March 1995. The current prioritised Schedule of Schemes was appended to the report.

Implementation of two of the top four ranked schemes, at Beverley Road and Adelaide Road/York Road, Royal Leamington Spa required the provision of traffic regulation orders. Due to the statutory process for obtaining the necessary orders it would not be possible to implement these two schemes within the current financial year.

Therefore, it was proposed to undertake the development of scheme designs and costings through consultation on the top five ranked schemes, which were Beverley Road, Old Milverton Road, Adelaide Road/York Road, Guys Cliffe Avenue and Lime Avenue, with a view to implementing the Old Milverton scheme and Guys Cliffe Avenue scheme within the current financial year and the Lime Avenue scheme held in reserve. The proposed timetable for the development and implementation of these two schemes was set out in the report.

In relation to the Beverley Road scheme and the Adelaide Road/York Road scheme it was proposed to progress their implementation, subject to the allocation of funding for Environmental Highway Improvement Schemes for 2000/2001 and the evaluation/prioritisation of any new scheme requests received before March 2000.

RESOLVED that the prioritised schedule of schemes as submitted and the development of the top five ranked schemes, be approved.

208. BIRMINGHAM ROAD SERVICE ROAD ACCESS, WARWICK - PROPOSED PROHIBITION OF VEHICLES

The Committee considered a report from Engineering on proposals by Warwickshire County Council for a proposed prohibition of vehicles through the existing gap between Birmingham Road and the service road fronting the main access to IBM in Warwick.

Warwickshire County Council were consulting the District Council with regard to the traffic management

DEVELOPMENT COMMITTEE (Continued)

proposals at this location and a copy of their letter of consultation and associated plan was appended to the report. Officers considered that the County Council's proposals provided a good solution to the problems being experienced at the location.

The Traffic Regulation Order for the scheme would be prepared by Warwickshire County Council as they had designed the scheme and therefore, the District Council's role in this case was that of a consultee.

RESOLVED that the proposals be approved and that the Director of Planning, Transport and Economic Strategy for Warwickshire County Council be made aware of the Council's support of the proposals.

209. **THE DEVELOPMENT OF A DISTRICT CAR PARKING PLAN**

The Committee considered a report from Engineering seeking approval for a discussion paper for the development of a district wide car parking plan.

The discussion paper identified a number of car parking related issues which could be used as a basis for developing parking solutions to the problems experienced by each of the district's towns. It was suggested that the use of information gathered from the "planning for real" exercises, be used as a method for commencing the debate to develop a car parking plan. The debate should be set in the context of discussions already underway, such as the Council's Interim Local Transport Plan, Warwickshire County Council's "Better Way to Go" Strategy document and the Leamington Chamber of Trade's Car Parking Sub-Committee report.

The Warwick District Transport Partnership framework would shape the development of a car parking plan and it was intended that the support of various other interested groups would be sought to assist this process, such as major employers, public transport operators, emergency services, chambers of trade, local community groups, Council of Disabled People and Cycleways.

It was suggested that data held by other organisations could be used to supplement the information gathered by officers, such as attendance records to Warwick Castle, anticipated attendance levels to the Royal Pump Rooms, together with information relating to seasonal fluctuations.

In order to integrate with Warwickshire's Local Transport Plan - Year 2000 submission, it would be necessary to have determined the car parking plan for consideration by the Committee at its meeting on 6 March 2000. Progress of the development of the plan would be reported to each committee cycle prior to this date.

RESOLVED that the discussion paper, as appended to the report, be used as the basis for developing a district car parking plan.

210. **TENDERS - FOOTWAY SLURRY SEALING CONTRACT 1999-2000**

The Committee considered a report from Engineering on the tender for the Footway Slurry Sealing Contract 1999-2000.

DEVELOPMENT COMMITTEE (Continued)

RESOLVED that the action taken in accepting the tender from Wilson & Scott (Highways) Ltd in the sum of £27,062.15 be approved.

(Although this item was not on the agenda the Chair agreed it should be considered as a matter of urgency due to the need to enter into the contract.)

211. **GENERAL REPORT**

(A) CAPITAL PROGRAMME MONITORING 1999/2000

The Committee considered reports from Engineering and Planning on the current progress being made on the Capital Programme schemes for the year 1999/2000.

RESOLVED that the reports be noted.

(B) SOUTH WEST WARWICK (PROGRESS REPORT)

(Councillors Mrs Boad and Tamlin declared non-pecuniary, non-substantial interests in this item.)

The Committee considered a report from Planning informing members of the current position regarding the development of the South West Warwick housing and employment allocation (1100 dwellings and 20 hectares of employment land).

The report focussed on the production of a revised Framework Brief and also outlined the current position in relation to the ongoing negotiations concerning the Planning Gain package which it was intended that the site would deliver.

RESOLVED that:

- (1) the progress in relation to this development be noted; and
- (2) officers continue negotiations to deliver the Planning Gain package and finalise the Framework Brief that will be brought back before the Committee at the earliest opportunity.

(C) STREET TRADING

The Committee considered a report from Members' Services seeking authority to allow street trading in a "prohibited street" (where street trading was prohibited) whilst the street would be closed to traffic in October 1999 for the French Market.

RESOLVED that:

DEVELOPMENT COMMITTEE (Continued)

- (1) street trading in Regent Street during October 1999 whilst the street is closed to traffic be authorised; and
- (2) authority be delegated to the Head of Members' Services in consultation with the Group Spokespersons to authorise trading in prohibited streets in future if they are closed to traffic.

(D) ADOPTION OF HIGHWAYS

RESOLVED that the highway listed in Appendix "C" be adopted under Section 38 of the Highways Act 1980, as amended by Section 22 of the New Roads and Street Works Act 1991, as highway maintainable at public expense.

(E) STREET NAMING

RESOLVED that the name of Woodmill Meadow be approved for the former Stickleys scrap yard site, off Mill End, Kenilworth.

(The meeting ended at 9.25 pm)