

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 12 March 2008 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor MacKay (Chairman); Councillors Barrott, Mrs Blacklock, Mrs Bunker, Copping, Dhillon, Edwards, Illingworth, Kinson and Rhead.

945. DECLARATIONS OF INTEREST

Minute Number 948 – W07/1171 - 165 Leam Terrace, Leamington Spa

Councillor Barrott declared a personal interest because the site of the planning application was in his ward.

Councillor Edwards declared a personal interest because the site of the planning application was in his ward, and he had the same employer as one of the objectors to the planning application.

Minute Number 949 – W07/2033 - York Corner, 21 Adelaide Road, Leamington Spa

Councillor MacKay declared a personal interest because the objector who was addressing the Committee, was known to him.

Minute Number 951 – W08/0005 - Seven Elms Barn, Wellesbourne Road, Wasperton

Councillor Barrott declared a personal and prejudicial interest and left the room for this item because the applicant had been well known to him for a number of years.

Councillor Rhead declared a personal interest because the site of the planning application was in his ward.

Minute Number 952 – W08/0043 - Lower Heathcote Farm, Harbury Lane, Warwick

Councillor Copping declared a personal interest because he was a member of the trout fishing facility at this farm.

Minute Number 957 – W07/1954 - Church Farm Dairy, Church Lane, Budbrooke

Councillor Rhead declared a personal interest because the site of the planning application was in his ward.

Minute Number 958 – W08/0023 - 76 Rawnsley Drive, Kenilworth

Councillor Mrs Bunker declared a personal interest because the site of the planning application was in her ward.

Minute Number 959 – W08/0034 - 56 Woodcote Avenue, Kenilworth

Councillor Illingworth declared a personal interest because the site of the application was in his ward.

946. **MINUTES**

The minutes of the meetings held on 9 January 2008, 30 January 2008 and 19 February 2008 having been printed and circulated were taken as read and signed by the Chairman as a correct record.

947. **FIELDGATE, HASELEY KNOB, HASELEY**

The Committee considered an application from Mr David Craddock for the erection of farm buildings to house livestock.

This application was submitted to Committee because of the number of objections which had been received, together with an objection from Beausale, Haseley, Honiley and Wroxall Parish Council.

The Head of Planning considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development did not prejudice the openness and rural character of this green belt area and was therefore, considered to comply with the policies listed.

The following people addressed the Committee:

Mr C Lewis	Parish Council (Objecting)
Mr P Malpass	Objector
Mr D Craddock	Applicant
Councillor Mrs S Gallagher	Ward Councillor (Objecting)

Following consideration of the officer's report and presentation along with the submissions by the public who had addressed the Committee, the Committee were of the opinion that the application should be refused, contrary to officer's recommendation, because the application was disproportionate to the size of the holding.

RESOLVED that application W07/1348 be REFUSED because the application is disproportionate to the size of the holding.

948. 165 LEAM TERRACE, LEAMINGTON

The Committee considered an application from K Singh for the change of use to a house in multiple occupation together with a two storey replacement extension and rear extension.

The application was submitted to the Committee because a number of objections had been received, together with a request from Councillor Weed.

The Committee had visited the site on 8 March 2008 because the Chairman had felt it would be beneficial to the Committee to visit the site before they determined the application.

The Head of Planning considered the following policies to be relevant to the application:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

In the opinion of the Head of Planning, the proposed development was of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings. It did not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal was therefore considered to comply with the policies listed.

The following people addressed the Committee:

Mrs L Thomson

Objector

Mr R Ive

Architect representing the Applicant

Councillor B Weed

Ward Councillor (Objecting)

Following consideration of the officer's report, presentation and addendum along with the submissions by the public who had addressed the Committee, the Committee were of the opinion that the application should be refused, contrary to the officer's recommendation because the car parking was contrary to SPD on vehicle parking standards, the proposed car parking space would conflict with the use of the recessed area for the storage of refuse, there was clear evidence of flood risk such that it would not be safe for the proposed use of 3 ground floor rooms as bedrooms on a permanent basis (all of the requirements of PPS 25 are not met).

PLANNING COMMITTEE MINUTES (Continued)

The Committee also noted that the flood risk assessment contained in the report, was not prepared by the Council's Planning Officers and they were not responsible for its inaccuracies.

RESOLVED that application W07/1171 be REFUSED because the car parking is contrary to SPD on vehicle parking standards, the proposed car parking space would conflict with the use of the recessed area for the storage of refuse, there is clear evidence of flood risk such that it would not be safe for the proposed use of 3 ground floor rooms as bedrooms on a permanent basis (all of the requirements of PPS 25 are not met).

949. **YORK CORNER, 21 ADELAIDE ROAD, LEAMINGTON SPA**

The Committee considered an application from Tabletop Properties Ltd for the change of use to a house in multiple occupation (retrospective application).

The application was submitted to the Committee because an objection had been received from Royal Leamington Spa Town Council.

The Head of Planning considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (Warwick District Local Plan 1996 - 2011)

Vehicle Parking Standards (Supplementary Planning Document)

SC10 - Managing Housing Supply (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development did not adversely impact on the character and appearance of the area. The proposal was therefore considered to comply with the policies listed.

The following people addressed the Committee:

Mr G Goddard-Pickett Objector

Following consideration of the officer's report and presentation along with the submission by the objector who had addressed the Committee, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W07/2033 be GRANTED subject to the garages on the application site shall both be retained and be available at all times for the parking of vehicles used by residents within No 21 Adelaide Road, Leamington Spa. In the event that either garage is not available, the use hereby permitted shall cease.

950. 32 KENILWORTH ROAD, LEAMINGTON SPA

The Committee considered an application from Mr P Akhter for the conversion of a rear wing to form two mews dwellings, a single storey side extension and the relocation of a communal bin store (part retrospective application).

The application was submitted to the Committee because of the number of objections which had been received, together with an objection from Royal Leamington Spa Town Council and a request from Councillor Ms De-Lara-Bond.

The Head of Planning considered the following policies to be relevant to the application:

Vehicle Parking Standards (Supplementary Planning Document)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP10 - Flooding (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP5 - Density (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development was of an acceptable standard of design which was in keeping with the architectural and historic character of the Conservation Area within which the site was located. Furthermore, the proposal was considered to be acceptable in terms of the impact on the living conditions of neighbouring dwellings, parking and highway safety. The proposal was therefore considered to comply with the policies listed.

The following people addressed the Committee:

Mrs M Reuser

Objector

Councillor C De-Lara-Bond

Ward Councillor (Objecting)

Following consideration of the officer's report, presentation and addendum, along with the submissions by the public who had addressed the Committee, the Committee were of the opinion that the application should be refused, contrary to the officer's recommendation. This was because of the disturbance to and increased hazards for occupants by reason of vehicular traffic due to the siting of the entrance door to one of the houses adjacent to the narrow driveway leading to the rear car park, the fact that the single storey rear extension had a cramped and contrived impact and visually unbalancing effect on the original rear wing, the proposed siting of the bin storage in the rear garden was unacceptable and

PLANNING COMMITTEE MINUTES (Continued)

detrimental to the amenity of local residents and the inadequate on-site car parking available, contrary to the SPD on vehicle parking standards, by reason of the change from 2 flats to houses.

RESOLVED that application W07/2034 be REFUSED for the following reasons:

- (a) disturbance to and increased hazards for occupants by reason of vehicular traffic due to the siting of the entrance door to one of the houses adjacent to the narrow driveway leading to the rear car park;
- (b) the single storey rear extension has a cramped and contrived impact and visually unbalancing effect on the original rear wing;
- (c) the proposed siting of the bin storage in the rear garden is unacceptable and detrimental to the amenity of local residents; and
- (d) inadequate on-site car parking is available, contrary to the SPD on vehicle parking standards, by reason of the change from 2 flats to houses.

951. **SEVEN ELMS BARN, WELLSBOURNE ROAD, WASPERTON**

The Committee considered an application from Mr R Skidmore & Mrs F Jefferson for a variation to planning permission W07/0064 regarding the amended disposition of uses in conversion of the existing barn to live/work accommodation.

The application was submitted to the Committee because a request had been made by Councillor Mrs Sawdon.

The Head of Planning considered the following policies to be relevant to the application:

RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)

RAP8 - Replacement of Rural Buildings (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

The following people addressed the Committee:

Councillor Mrs S Sawdon

Ward Councillor (Supporting)

There was a proposal to grant the application, contrary to the officer's recommendation, however, this did not find a seconder.

Following consideration of the officer's report, presentation and addendum, along with the submission by the Ward Councillor who had addressed the Committee, the Committee were of the opinion that the application should be refused in line with the officer's recommendation.

RESOLVED that application W08/0005 be REFUSED because Policy RAP.1 of the Warwick District Local Plan 1996-2011 states that the residential part of a live/work unit should be a subordinate part of a scheme for a business re-use. In the present case the business element only represents some 25% of the total floor area and to grant consent, therefore, would be contrary to the Development Plan.

952. LOWER HEATCOTE FARM, HARBURY LANE, WARWICK

The Committee considered an application from GF Moreton and Sons for a proposed increase of pitches at a licensed caravan site from 5 to 16 pitches with landscaping and hard standing for 10 pitches and an access roadway.

The application was submitted to the Committee because a request had been made by Councillor Guest, who was in support of the application. This application had been deferred at the previous meeting of the Planning Committee to allow Members carry out a site visit on 8 March 2008.

The Head of Planning considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

RAP15 - Camping and Caravanning Sites (Warwick District Local Plan 1996 - 2011)

The following people addressed the Committee:

Mr D Elliott

Agent representing the Applicant

There was a proposal, which was duly seconded, that the application should be granted, contrary to the officer's recommendation. This was lost on a vote of 3 in favour and 7 against.

Following consideration of the officer's report, presentation and addendum along with the submission by the agent representing the applicant who had addressed the Committee, the Committee were of the opinion that the application should be refused in line with the officer's recommendation.

RESOLVED that application W08/0043 be REFUSED for the following reasons:

- (1) the site is in the open countryside in a sensitive location on the edge of the built-up urban area of Warwick/Leamington Spa wherein the Planning Authority is concerned to ensure that the appearance and character of the rural landscape will be conserved and enhanced. Policy RAP15 of the Warwick District Local Plan 1996-2011 requires proposals for caravan and camping sites to be satisfactorily integrated into the landscape without detriment to its character.

The site occupies a field that extends to the south and west of a private dwelling, known as 'Heathcote House', and a substantial agricultural storage building that stand on the southern side of Harbury Lane, which provides a clear visual boundary between the commercial and residential development on the northern side of the road and the land in agricultural use to the south. The site is prominent in views on approach in both directions along Harbury Lane and from the island junction with Heathcote Lane and Europa Way to the west. The proposals seek to increase the number of licensed pitches on the site.

In the opinion of the District Planning Authority, the siting of further caravans on the site in the layout proposed would amount to a seriously harmful visual intrusion in this generally flat and scenically pleasant rural locality because it would appear wholly out of keeping with the predominantly agricultural use of the area, contrary to the above policies; and

- (2) policies DP1 and DP2 of the Local Plan 1996-2011 seeks to resist development which would have an adverse effect upon residential amenity.

The application site adjoins the rear garden boundary of a private dwelling to the north, known as 'Heathcote House', which currently enjoys open and uninterrupted views across the site, especially from first floor habitable room windows in the rear elevation, and peace and privacy in the rear garden. The proposal would result in the siting of caravans near to the rear of the garden boundary of Heathcote House. In the opinion of the District Planning Authority the number, layout and proximity of the proposed pitches to Heathcote House would be detrimental to the rural outlook of the dwelling and would be harmful to the resident's amenities by reason of noise and disturbance generated by the movement of vehicles and general activities within the site and an unacceptable reduction in the degree of peace and privacy currently enjoyed, contrary to the objectives of the above policies.

953. 7 REGENT STREET, LEAMINGTON SPA

This item was withdrawn from the agenda to resolve issues relating to access for bin storage.

954. SHIRES RETAIL PARK, TACHBROOK PARK DRIVE, WARWICK

The Committee considered an application from The Gibraltar Limited Partnership for external alterations to unit C, the demolition of part of the rear of unit C, the construction of unit J for retail purposes, external alterations to unit H2 and the construction of an extension to unit H2 for retail purposes.

The application was submitted to the Committee because of the importance of the decision, potentially affecting out of town retailing.

PLANNING COMMITTEE MINUTES (Continued)

The Head of Planning considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

UAP3 - Directing New Retail Development (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development achieved acceptable standards of layout and design and did not have any material impact on shopping policy issues which would justify a refusal of permission. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W07/1932 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings (AAA4815/P-02, /P-03, /P-04, /P-06, /P-08, /P-10, /P-12, /P-14, /P-16, /P-18, & /P-20) and specification contained therein, submitted on 22 November 2007, unless first agreed otherwise in writing by the District Planning Authority. **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;

- (3) the new units permitted by this permission, (shown as unit J and unit H2 on drawing AAA4815/P-03) shall be used for comparison retailing and for no other purpose including any other purpose in Class A1 of Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). **REASON:** The sale of convenience goods would not be appropriate as no justification for the need for additional convenience shopping space has been submitted, and to satisfy Policy UAP3 of the Warwick District Local Plan 1996-2011; and
- (4) no mezzanine floors shall be installed within the new units, numbers H2 and J (as shown on drawing AAA4815/P-03). **REASON:** To ensure compliance with shopping policy, as set out in policy UAP 3 of the Warwick District Local Plan 1996-2011.
- (5) secure demolition of existing retail floorspace as proposed ; and
- (6) the installation of CCTV cameras.

955. ADJOURNMENT OF MEETING

The Chairman adjourned the meeting of the Planning Committee held on Wednesday 12 March 2008 to Thursday 13 March 2008 at 6.00pm.

(The meeting adjourned at 10:05pm)

RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 13 March 2008 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor MacKay (Chairman); Councillors Barrott, Mrs Blacklock, Copping, Dhillon, Edwards, Illingworth Kinson and Rhead.

An apology for absence was received from Councillor Mrs Bunker.

956. 1 LADY GREY AVENUE, HEATHCOTE, WARWICK

The Committee considered an application from Mr G S Gill for the erection of a two storey side extension and the relocation of a side boundary.

The application was submitted to the Committee because an objection had been received from Warwick Town Council.

The Head of Planning considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development respected the surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W07/1889 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings, and specification contained therein, submitted on 9th November 2007 and 27th February 2008 unless first agreed otherwise in writing by the District Planning Authority. **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;

- (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. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011; and
- (4) the garden store being ancillary to the use of the dwelling.

957. CHURCH FARM DAIRY, CHURCH LANE, BUDBROOKE

The Committee considered an application from Mr & Mrs A Reynolds for the change of use from agricultural to commercial storage.

The application was submitted to the Committee because an objection had been received from Budbrooke Parish Council. The application had been deferred at the meeting of the Committee on 30 January 2008 to allow for clarification of the Highway Authority's views and to secure more information about traffic routes to the site.

The Head of Planning considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
RAP9 - Farm Diversification (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the buildings proposed for conversion were of permanent and substantial construction and the proposed storage use could be accommodated without extensive rebuilding or alteration to the external appearance of the buildings. It was further considered that no increased hazard to highway users would result from the development in view of the limited scale of the use. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W07/1954 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) nos. 1 & 2 and specification contained therein, submitted on 23 November 2007, unless first agreed otherwise in writing by the District Planning Authority. **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;
- (3) the premises shall be used for storage and for no other purpose including any other purpose in Class B8 of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. **REASON:** Other uses within this Use Class may not be appropriate in these premises by reason of the proximity of residential accommodation and the comparatively narrow width of the local roads and to satisfy Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (4) the use of the access to and from the premises in connection with the storage purposes hereby permitted shall be restricted to the hours of 0730 to 2000 on any day. **REASON:** To protect the amenities of surrounding properties, in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011; and

- (5) the existing access to the site for vehicles shall not be used in connection with the development until it has been resurfaced with a suitable bound macadam material for a distance of 10 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority. **REASON** :In the interests of highways safety, in accordance with policy D1 of the Warwick District Local Plan 1996-2011.

958. THE CHAPEL, 101 CHAPEL LANE, LAPWORTH

The Committee considered an application from Will Certainty Ltd for the change of use from a workshop to office B1.

The application was submitted to the Committee because of the number of objections which had been received, together with an objection from Lapworth Parish Council.

The Head of Planning considered the following policies to be relevant to the application:

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)
- RAP6 - Directing New Employment (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- RAP10 - Safeguarding Rural Roads (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the use of the property as a B1 office did not give rise to any harmful effects in terms of detriment to the character of the rural area or compromise highway safety which would justify a refusal of permission. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report, presentation and addendum, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W08/0001 be GRANTED subject to the development hereby permitted shall be retained strictly in accordance with the details shown on the approved drawing 4921/01 and specification contained therein, submitted on 3rd January 2008 unless first agreed otherwise in writing by the District Planning Authority. **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.

959. 4 ELM BANK CLOSE, LILLINGTON, LEAMINGTON SPA

The Committee considered an application from Mr C McCarthy for the erection of a two storey front, side & rear extension including widening vehicular access.

The application was submitted to the Committee because an objection had been received from Royal Leamington Spa Town Council.

The Head of Planning considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

Vehicle Parking Standards (Supplementary Planning Document)

In the opinion of the Head of Planning, the proposed development was of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and did not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W08/0006 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 126-02A and specification contained therein, submitted on 18 February 2008 unless first agreed otherwise in writing by the District Planning Authority. **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;
- (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. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (4) no structure, tree or shrub shall be erected, planted or retained within the visibility splays of 'x' distance 2.4 metres and the full extent of the site frontage, exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011; and
- (5) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no windows or other openings other than those expressly authorised by this permission, shall be placed at any time in the extension. **REASON:** To retain control over future development so that the residential amenity of adjoining occupiers is protected and to help meet the objectives of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

960. 76 RAWNSLEY DRIVE, KENILWORTH

The Committee considered an application from Mr and Mrs Roe for the erection of a two storey rear and side extension and the erection of a conservatory to the rear.

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

The Head of Planning considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development respected the surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W08/0023 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved amended drawing PL02 Revision B, and specification contained therein, submitted on 18th January, 2008 unless first agreed otherwise in writing by the District Planning Authority.
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.

PLANNING COMMITTEE MINUTES (Continued)

961. 56 WOODCOTE AVENUE, KENILWORTH

The Committee considered an application from Mr & Mrs Docker for the erection of a two storey rear extension and single storey side and rear extensions.

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

The Head of Planning considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development respected the surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W08/0034 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing D00165/12-07, and specification contained therein, submitted on 22nd January, 2008 unless first agreed otherwise in writing by the District Planning Authority. **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.

962. 1-7 ABBEY END, KENILWORTH

This item was withdrawn from the agenda to enable further consultations to be carried out.

963. 7 BENNETT DRIVE, WARWICK

The Committee considered an application from Mr & Mrs Stanislas for the erection of a two storey extension to the side of the property.

The application was submitted to the Committee because an objection had been received from Warwick Town Council.

The Head of Planning considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development respected the surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report, presentation and addendum, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W08/0100 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing STANISLAS 02 , and specification contained therein, submitted on 23rd January 2008 unless first agreed otherwise in writing by the District Planning Authority.
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; and
- (3) Plans of the proposed rendering be submitted for approval.

964. LYNTON CROFT, RISING LANE, BADDESLEY CLINTON

The Committee considered an application from Mr M Grove for the erection of a detached garage/store building with accommodation over (revised scheme to W07/2054).

The application was submitted to the Committee because an objection had been received from Baddesley Clinton Parish Council.

The Head of Planning considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development did not unacceptably harm the general openness or rural character of the green belt within which the property was situated, by reason of its scale, design and siting. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the application should be refused, contrary to the officer's recommendation, because of the adverse impact on the openness of the green belt especially because there was already a substantial garage on site.

RESOLVED that application W08/0193 be REFUSED because of the adverse impact on the openness of the green belt especially because there was already a substantial garage on site.

(Councillor Copping left the meeting at the conclusion of this item)

965. CORNERWAYS, MILL LANE, ROWINGTON

The Committee considered an application from Mr and Mrs M Wade for the construction of a pond (retrospective).

The application was submitted to the Committee because an objection had been received from Rowington Parish Council.

The Head of Planning considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

In the opinion of the Head of Planning, the development did not prejudice the openness and rural character of this green belt area and was considered to comply with the policies listed.

Following consideration of the officer's report, presentation and addendum, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W08/0172 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 5th February 2008 unless first agreed otherwise in writing by the District Planning Authority. **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;
- (3) the land marked as paddock on the Ordnance Survey extract submitted on 5 February 2008 shall be kept as paddock and shall not be used as residential curtilage.
REASON: Since use of the land as residential curtilage would have a suburbanising effect on the countryside and would constitute an inappropriate form of development within the Green Belt; and

- (4) notwithstanding the details already submitted, the development hereby permitted shall be screened by trees and shrubs, details of which shall be submitted to the District Planning Authority within one month of the date of this decision. Such planting shall be completed within the first planting season following the approval of the scheme and any trees, shrubs or section of hedge removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced as previously approved.
REASON: To protect and enhance the amenities of the area, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

(Councillor Rhead left the meeting at the conclusion of this item)

966. WARWICK MUSEUM, MARKET PLACE, WARWICK

The Committee considered an application from Warwickshire County Council for the relocation of the main entrance to provide new ramped access, glazed sliding doors and draught lobby, the reinstatement of an existing window to infill old entrance bay, the alteration of internal timber partitions and the replacement of glazing to all ground floor windows.

The application was submitted to the Committee because an objection had been received from Warwick Town Council.

The Head of Planning considered policy DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011) to be relevant to the application.

In the opinion of the Head of Planning, the proposed development did not adversely affect the historic integrity, character or setting of the listed building and was of an acceptable standard of design and detailing. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the application should be deferred to allow for Warwickshire County Council to consider the objections received during the consultation, and produce amended plans.

RESOLVED that application W08/0119LB be **DEFERRED** to allow for Warwickshire County Council to consider the objections received during the consultation, and produce amended plans.

(Councillor Dhillon left the meeting at the conclusion of this item)

967. LODGE FARM, WESTWOOD HEATH ROAD, COVENTRY

The Committee considered a report from the Head of Planning requesting authorisation of enforcement action for the change of use of a paddock/agricultural land to use for the deposition and storage of debris, vehicles and waste material.

In February 2006, it had been brought to the attention of the enforcement section that the area of land in question was being used for storage of debris, vehicles and waste materials. This use was not associated with the established use of the land as paddock/agricultural land and constituted a change of use which required planning permission.

At that time, the use had intensified and was expanding beyond the enclosed wooded area such that it was increasing in prominence and was visible in the surrounding area including from adjacent open land, public footpaths and residential properties.

The owner of the land was contacted and extensive negotiations took place over a two year period. This approach had resulted in some vehicles and materials being removed but the owner had failed to comply with mutually agreed time scales for a continuing programme of remedial works and satisfactory progress was not being maintained.

The Head of Planning considered the following policies to be relevant to the enforcement action:

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

After consideration of the officers' report and presentation, the Committee were of the opinion that the enforcement action should be authorised.

RESOLVED that officers be authorised to proceed with appropriate enforcement action directed at the removal of the materials and restoration of the land, and the period for compliance be two months.

968. 21 JURY STREET, WARWICK

The Committee considered a report from the Head of Planning requesting authorisation of enforcement action for the unauthorised works to a Listed Building including the demolition of a rear external wall, internal brick walls, floors, ceilings and chimneys, and the creation of openings and removal of other original features.

On 6 February 2008 it was brought to the attention of the enforcement section that extensive unauthorised works had been carried out to 21 Jury Street, Warwick, a Grade II Listed Building in the Warwick Conservation Area.

PLANNING COMMITTEE MINUTES (Continued)

The works included the demolition of the whole of the rear wall of the two storey annexe, the removal of the ceiling and floor between the first and second floors in the main house, the removal of internal masonry walls, the creation of openings through internal masonry walls, the creation of openings and removal of internal lath and plaster walls and various other unauthorised operations.

Following contact with the owners of the building, all activity on site had ceased pending the resolution of the matter.

The Head of Planning considered the following policies to be relevant to the application:

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

After consideration of the officers' report and presentation, the Committee were of the opinion that the enforcement action should be authorised.

RESOLVED that officers be authorised to proceed with appropriate enforcement action directed at the restoration of the property as it becomes necessary.

969. **21 FERNDALE DRIVE, KENILWORTH**

The Committee considered a report from the Head of Planning on the confirmation of Tree Preservation Order (TPO) 371 at 21 Ferndale Drive, Kenilworth.

The TPO had been created as part of the TPO Review taking place in Kenilworth. The TPO took effect, on a provisional basis, on 26 September 2007 and continued in force on this basis for a further six months or until the Order was confirmed by the Council, whichever first occurred. Before the Council could decide whether the Order should be confirmed, residents living in the vicinity of the Order had a right to make representations, and one resident had so done.

Following consideration of the officer's report and presentation, the Committee were of the opinion that the TPO should be confirmed, in line with the officer's recommendation.

RESOLVED that TPO 371 be CONFIRMED.

970. **TREE PRESERVATION ORDER SUB-COMMITTEE**

Members of the Planning Committee were requested to confirm their representatives on the Tree Preservation Order Sub-Committee.

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that

- (1) the Tree Preservation Order Sub-Committee Members be confirmed as Councillors Barrott, Mrs Blacklock, Dhillon, Illingworth, MacKay and Rhead; and
- (2) the first meeting be held on Tuesday 22 April 2008 at 6.00pm.

(The meeting ended at 9:05pm)