

# Planning Committee

Minutes of the meeting held on Tuesday 22 July 2014 in the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillor Brookes (Chairman); Councillors Boad, Mrs Bromley, Mrs Bunker, MacKay, Mrs Syson, Weber, Wilkinson and Williams.

Apologies for absence were received from Councillors Doody and Rhead.

## 43. **Substitutes**

Councillor Mrs Syson substituted for Councillor Ms De-Lara-Bond.

## 44. **Declarations of Interest**

Minute Number 49 – W14/0785 – 228 Valley Road, Lillington, Royal Leamington Spa

Councillor Boad declared an interest because the application site was in his Ward and he had discussed it with various people. He left the room whilst this item was discussed.

## 45. **Site Visits**

To assist with decision making, Councillors Boad, Brookes, Mrs Bunker, Mrs Bromley, MacKay, Mrs Syson, Wilkinson and Williams visited the following application site on Saturday 19 July 2014:

W14/0775 – Land to the South of Fieldgate Lane, Whitnash.

## 46. **Minutes**

The minutes of the meeting held on 27 May 2014 were agreed and signed by the Chairman as a correct record, subject to it being recorded that Councillor Mrs Syson substituted for Councillor Boad. A change requested by Councillor Weber was found to be invalid as the minutes did show that he has spoken on application W14/0430.

The minutes of the meeting held on 24 June 2014 was agreed and signed by the Chairman as a correct record subject to it being recorded that Councillor Boad was present at the meeting and that Councillor Williams had declared an interest on application W14/0473.

## 47. **W14/0775 – Land to the South of Fieldgate Lane, Whitnash**

The Committee considered an application from Bovis Homes Limited for the approval of reserved matters of appearance, landscaping, layout and scale of the development of 111 dwellings with details of public open space and associated infrastructure.

Outline planning permission had been granted under reference W13/0858.

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

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

The officer considered the following policies to be relevant:

Warwick District Local Plan 2011-2029 Publication Draft - published April 2014. Relevant policies: DS2, DS3, DS5, DS6, DS7, DS10, DS11, HO, H1, H2, H4, SC0, BE1, BE2, BE3, TR1, TR2, TR3, TR4, HS1, HS4, HS5, HS6, HS7, CC1, CC2, CC3, FW2, FW3, FW4, HE1, HE6, NE2, NE3, NE4, NE5, W1, DM1.

National Planning Policy Framework

Affordable Housing (Supplementary Planning Document - January 2008)

Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)

DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (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)

DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)

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

DP6 - Access (Warwick District Local Plan 1996 - 2011)

DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)

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

DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

DP11 - Drainage (Warwick District Local Plan 1996 - 2011)

DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)

SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)

SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)

SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)

SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

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

Sustainable Buildings (Supplementary Planning Document - December 2008)

Vehicle Parking Standards (Supplementary Planning Document)

Open Space (Supplementary Planning Document - June 2009)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

An addendum circulated at the meeting gave details of a letter of objection received from the Leamington & County Golf Club and its comments following a revised site layout plan. A letter of objection had also been received from Mr Chris White, MP for Warwick and Leamington, requesting that account be taken of the objections raised by the Golf Club. Bovis Homes, the applicant, had responded to objections raised by the Golf Club in two legal statements which were detailed in the addendum. The addendum also stated that a total of 24 responses had been received and it listed additional comments received that had not appeared in the report

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

published alongside the agenda. Warwickshire County Council Highways had not objected to the application, subject to conditions; Warwick District Council Contract Services also had no objection to the scheme but had made detailed comments in respect of waste collection requirements. The Council's Drainage Officer had also stated that there was no objection to the scheme. The addendum gave details of the current position regarding the mix of house types and sizes within the District.

It was the officer's opinion that the proposed development was considered to provide an appropriate level of affordable housing, an acceptable mix of market housing, good house and layout design including public open space.

The Head of Development Services informed Members that the applicant was willing to accept a condition or undertaking for allotments provision due to the rule that when an application exceeded 100 dwellings, provision for allotments must be made.

The Council's Solicitor informed Members that they could only consider golf balls going on the site in terms of layout and would have to weigh up if the risks and consequences were sufficient if they were to use this as a reason for planning consent refusal. He reminded Members that they had already approved the principle that the site would be used for housing.

The following people addressed the Committee:

Mr Newton and Mr Chamley, representing the Golf Club, in objection to the application; Mr Dunnett in support of the application; and Councillor Heath, as Ward Councillor and in objection to the application.

Following the speakers, the Head of Development Services advised Members that Warwickshire County Council Highways had no objections to the application and that the proposals provided the right level of parking on site.

Members discussed the issue of stray golf balls going onto the site and the risks associated with this. It was felt that the increase in the number of houses on the plans from 94 to 111 was not right and it was unfair to expect the Golf Club to adapt to ensure that stray golf balls were not a risk. It was noted that the Golf Club had been there for 114 years.

A motion to defer the application for five working days to allow discussion and agreement between the Golf Club, the Developer and the Council was made and duly seconded. The intention was that the three parties should find a way forward and then this should be brought to a specially convened meeting of the Planning Committee to avoid further delay.

The Head of Development Services was asked to enquire what Warwickshire County Council proposed to do about sustainable transport in general; a Councillor noted that there was no provision for cycling or walking routes to schools in the proposals, although it was pointed out that Warwickshire County Council Highways had not objected.

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

Members raised concerns that all affordable housing on the plans were set together despite the fact that the draft submission Local Plan stated that there should be a mix of housing types.

In respect of safety issues with stray golf balls landing on the site it was suggested that the five large houses on the north-west corner of the plans be removed and the area left as open space.

The Head of Development Services advised Members that it was important to look at increasing density when there was opportunity and that the NPPF stated that support should be provided not just to businesses on or near application sites, but also businesses such as Bovis who were looking to do work in the area. Issues surrounding the provision of school places had been addressed at the outline application stage.

The Head of Development Services then asked Members whether the issues were the removal of the five houses from the proposal and the mix of the housing types so that affordable housing was not all placed together. She informed Members that the Developer was willing to remove the five houses in the north-west corner of the plans from this application. When asked to clarify, she informed them that earlier that day, the Developer had indicated that this would be an option if it was the only way forward to prevent refusal of the current proposal. An officer confirmed that this was an acceptable option for the Golf Club after speaking to the President of the Golf Club outside the room. It was noted that this did not prevent the Developer applying to build in that location later. Members also agreed that officers should be allowed to discuss and agree the issue of the mix of housing with the Developer, in consultation with the Chairman and Vice Chairman of Planning Committee.

On this basis, the motion that had been put forward was withdrawn by the proposer, Councillor MacKay.

A proposal to delegate authority to officers, in consultation with the Chairman and Vice Chairman of the Planning Committee, to determine the application, subject to liaison with the Developer in order to agree the removal of the five houses in the north-west corner from the proposed layout and agree a scheme revising the distribution of the affordable housing was made. Members also stated that if permission was granted, a condition be included in respect of the provision of allotments, and asked that Whitnash Town Council be consulted on this.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that officers be given delegated authority to determine reserved matters application W14/0775 in consultation with the Chairman and Vice Chairman of Planning Committee, subject to liaison with the Developer to agree the removal of five houses in the north-west corner of the proposed layout and a scheme revising the distribution of the affordable housing. The provision of allotments be set as one of the conditions if permission is granted.

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

### **48. W14/0572 – 1 Tulip Tree Avenue, Kenilworth**

The Committee considered an application from Mr Hall for the erection of a first floor side extension and single storey rear extension.

The application was presented to the Committee because an objection had been received from Kenilworth Town Council, and a number of other objections had been received. Additionally, Councillor Shilton, the Ward Member, had requested that the application be referred to the Planning Committee for decision.

The officer considered the following policies to be relevant:

National Planning Policy Framework

DP1 - Layout and Design (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)

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

An addendum circulated at the meeting advised that a letter of support from the applicant had been received, the contents of which refuted the objections in relation to the design of the extension; impact on neighbouring amenity through loss of light, overbearing effect and loss of view; impact on the character of the area and the use of BRE 209 guidelines. A further email from the neighbour's surveyor had also been received and this commented on the applicant's response to their initial findings. It stated that BRE guidelines did relate to main windows which, for the purpose of sunlight, were the side facing windows and confirmed that no confirmation had been given that the Daylight Distribution test had been satisfied.

It was the officer's opinion that 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 Head of Development Services informed Members that the two windows on the side of the neighbouring property were secondary windows.

The following people addressed the Committee:

Councillor Vincett, representing Kenilworth Town Council in objection to the application; Mr Haigh in opposition to the application; Dr Bryan speaking in support of the application; and Councillor Shilton, as Ward Member, speaking in opposition to the application.

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

A motion to refuse permission was proposed and duly seconded for reasons relating to policies DP1, street scene and DP2, loss of amenity.

On being put to the vote, the motion to refuse the application was defeated.

Some Members felt that the upstairs bedroom of the neighbouring property would not be affected that much in terms of loss of sunlight or light because the sunlight came from the direction of the roof and the house would get the sun for the full duration of travel from the west. The issue of light was therefore considered not an obstacle to this application.

The Council's solicitor informed Members that there was no right to a view, and in respect of light, Members had to consider whether there was a loss of amenity.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that W14/0572 be **granted** subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. Reason: 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 numbers 7632-01 Rev B and 7632-02 Rev A, and specification contained therein, submitted on 25 April 2014. 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) 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.

The Chairman adjourned the meeting for a short break at 8.04 pm. The meeting reconvened at 8.15 pm.

Councillor Boad remained outside the room whilst the next item was discussed.

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

### **49. W14/0785 – 228 Valley Road, Lillington, Royal Leamington Spa**

The Committee considered an application from Mr Phipps for the proposed erection of a two storey side extension and single storey ground floor front, side and rear extension. This application had been re-submitted.

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

The officer considered the following policies to be relevant:

National Planning Policy Framework

Residential Design Guide (Supplementary Planning Guidance - April 2008)

DP1 - Layout and Design (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)

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

It was the officer's opinion that the proposed single storey front, single storey rear and two storey side extension were considered to be of acceptable design and scale which would not impact adversely on the character or appearance of the street scene and did not substantially impact on the amenity of neighbouring properties which would support a reason for refusal.

The following people addressed the Committee:

Councillor Gifford, representing Royal Leamington Spa Town Council in objection to the application; and Mr Noble speaking in opposition to the application.

Members agreed that the neighbouring properties would not be overlooked because there were no windows on the side facing the neighbouring gardens.

Following consideration of the report and presentation, and the representations made at the meeting, the Committee

**Resolved** that W14/0785 be **granted** subject to the following conditions:

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

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. Reason: 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 2364-02C, and specification contained therein, submitted on 22nd May 2014. 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) no development or other operations (including demolition, site clearance or other preparatory works) shall commence until tree protection measures have been submitted to and approved in writing by the local planning authority and any approved mitigation or protection measures shall be put into place prior to and remain in place during any construction work. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). Reason: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011; and
- (4) 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



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

to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

Councillor Boad returned to the meeting.

### **50. W14/0887 – Vine Lane, Warwick**

The Committee considered an application from Anton Gerrard Limited for the erection of two, two-bedroomed dwellings.

The application was presented to the Committee because a number of objections had been received.

The officer considered the following policies to be relevant:

National Planning Policy Framework

DP1 - Layout and Design (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)

DP6 - Access (Warwick District Local Plan 1996 - 2011)

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

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

The 45 Degree Guideline (Supplementary Planning Guidance)

Sustainable Buildings (Supplementary Planning Document - December 2008)

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

Residential Design Guide (Supplementary Planning Guidance - April 2008)  
Distance Separation (Supplementary Planning Guidance)  
Open Space (Supplementary Planning Document - June 2009)  
Vehicle Parking Standards (Supplementary Planning Document)

An addendum circulated at the meeting stated that Warwick Town Council had made an objection to the application because it was very similar to the previous application, W14/0035. The Town Council listed the specifics of its application and requested that a site visit was made. Warwickshire County Council Archaeology had recommended that a photographic record of the air raid shelter in the rear garden was made and recommended an additional condition be added to planning permission. Warwickshire County Council Highways had no objections but requested that if objections were raised to the provision of car ports to service the site, and garages were provided, then an additional condition be added to planning permission requiring that the garages be available at all times for the parking of cars (not for general storage), and for the installation and continued maintenance of powered roller-shutter type garage doors to minimise the obstruction created by on-street parking upon entry of the garages.

The addendum also advised that a further ten objections had been received raising points already covered in the report, plus a request that the decision on the application be deferred pending expiry of the consultation period; that the front doors only provided access to stores, not to the house and side windows overlooked gables of neighbours in contravention of distance separation standards.

It was the officer's opinion that the proposed development was of an acceptable standard of design which would harmonise with the design and appearance of 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, and would make appropriate provision for the parking of vehicles.

The Development Manager informed the Committee that the car port option was preferred by Warwickshire County Council Highways.

The Committee was also informed that the recommendation had been amended to:

"Planning Committee are recommended to delegate authority to the Head of Development Services to determine the application once the statutory consultation period has expired on 28 July 2014 provided that no further objections are received which raise issues that have not already been addressed in the officer's report."

The Council's Solicitor stated that the wording of the recommendation had been changed to reflect that the consultation period had not yet expired. Members could delegate the decision to officers subject to no other objections that had not already been dealt with being received. Permission could not be granted until after the consultation period had expired.

The following people addressed the Committee:

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

Mr Geraghty speaking in opposition to the application; and Mr Cummins in support of the application.

Members were informed that Warwickshire County Council Highways was satisfied that cars could access the garage/car port spaces and there was adequate room to manoeuvre. Members rejected the condition recommended by Warwickshire County Council Highways for the garages because it would be impractical. Whilst it was possible to prevent alternative uses for the garages, it was not possible to force people to use the garage to park cars; some people did not own cars. The Head of Development Services was concerned that a condition was not added stating that garages could not be used for storage. It was felt that this was not enforceable. Members agreed that it made no sense to impose the condition recommended by Warwickshire County Council Highways, especially as garages with doors were already on properties in the street.

Members noted that there would be no impact on existing on-street parking because residents at the dwellings proposed would not be granted parking permits. Members felt that garages rather than car ports were preferable and that the garage doors should operate "up and over"; furthermore a condition should be set to prevent the garages being converted into habitable rooms.

Following consideration of the report, presentation and addendum, and the representations made at the meeting, the Committee

**Resolved** that in respect of W14/0887, authority be delegated to the Head of Development Services to determine the application once the statutory consultation period expires on 28 July 2014, on the proviso that no further objections be received which raise issues that have not already been addressed in the officer's report. If permission be granted, conditions be set stipulating "up and over" garage doors; and garages cannot be converted into habitable rooms.

### **51. TPO No. 485 – Sherbourne House, Vicarage Lane, Sherbourne, Warwick**

The Committee considered a report about a provisional Tree Preservation Order (TPO 485) made in April 2014 following receipt of notification of the intention to fell one of the trees. The District Council made a provisional Tree Preservation Order in relation to two mature specimen trees, comprising a Californian Redwood of approximately 120+ years of age, and a Scots Pine of approximately 200+ years of age located within the curtilage of Sherbourne House, in the Sherbourne Conservation Area.

The Tree Preservation Order was presented to the Committee because an objection to it being confirmed had been received.

It was the officer's opinion that the trees were considered to be of significant amenity value within the surrounding area and the proposed felling of the redwood was not supported by any evidence of structural

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

deformities or fungal fruiting bodies to support the view that the redwood tree was unsafe or of nuisance in the legal sense. It was not considered that the issues raised in objection to the Tree Preservation Order were sufficient to outweigh the significant amenity contributions which the tree made to the surrounding area.

Councillor Mrs Gordon, representing Barford, Sherbourne & Wasperton Joint Parish Council, addressed the Committee in support of the Tree Preservation Order, followed by Mr Nolan who addressed the Committee against confirming the Tree Preservation Order.

Members were informed that to protect the trees, the TPO needed to be confirmed; if it was not confirmed, then the trees could be felled. It was also possible to confirm the TPO in part or on both trees. A TPO did not prevent essential tree maintenance; but it did mean that permission had to be sought from the Council before any works were undertaken, thus giving control to the Council. Neither did a TPO preclude felling the tree if this proved necessary, but again permission had to be sought from the Council.

Following consideration of the report, presentation and the representations made at the meeting, the Committee

**Resolved** that Tree Preservation Order 485 be **confirmed** without modification in accordance with the recommendations in the report.

Councillor MacKay left the meeting.

### **52. W14/0863 – Avon Court, 51 Kenilworth Road, Royal Leamington Spa**

The Committee considered an application from Hanover to rebuild the existing brick built boundary wall which had deteriorated and reduce the height of the remaining boundary wall to the same level.

The application was presented to the Committee because a number of objections had been received.

The officer considered the following policies to be relevant:

National Planning Policy Framework

DP1 - Layout and Design (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)

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

BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

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

HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

An addendum circulated at the meeting confirmed that Royal Leamington Spa had not objected to the application.

It was the officer's opinion that the proposed rebuilding of the brick built boundary wall and reduction in height of part of the existing boundary wall was considered to be of acceptable design and scale which would not impact adversely on the character or appearance of the street scene or the Conservation Area and did not substantially impact on the amenity of neighbouring properties which would support a reason for refusal.

Following consideration of the report and presentation and addendum the Committee

**Resolved** that W14/0863 be **granted** subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. Reason: 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 211/05 Revision B, and specification contained therein, submitted on 9th July 2014. 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) 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.

(The meeting ended at 9.47 pm)