

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 1 November 2006 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Tamlin (Chair), Councillors Ashford, Mrs Begg, Mrs Blacklock, Mrs Bunker, Mrs Compton, Mrs Hodgetts, Kinson and Smith.

Councillor Mrs Begg substituted for Councillor Ms De-Lara-Bond, Councillor Mrs Hodgetts substituted for Councillor Mackay, and Councillor Smith substituted for Councillor Mrs Knight.

562. **DECLARATIONS OF INTEREST**

Minute Number 565 – W06/0963 – Westwood Lodge, Westwood Heath Road, Coventry

Councillor Mrs Blacklock declared a personal interest because the applicant was a Parish Councillor in her ward.

Minute Number 567 – W06/1360 – 49 Emscote Road, Warwick

Councillor Mrs Hodgetts declared a personal interest because the applicant was known to her.

Councillor Smith declared a personal and prejudicial interest because the application was discussed at the Warwick Town Council's Planning Committee of which he was a member. Councillor Smith left the room while the application was considered.

Minute Number 572 – W06/1480 - Mill House, Mill Lane, Shrewley

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Begg, Kinson, Smith and Hodgetts declared personal interests because the applicant was a Warwick District Council employee.

Councillor Tamlin declared a personal interest because the applicant was a Warwick District Council employee and was known to him.

Councillor Mrs Compton declared a personal interest because the applicant was a Warwick District Council employee and was a constituent in her ward.

563. **BARN AT FERNWOOD FARM, ROUNCIL LANE, BEAUSALE, WARWICK**

The Committee considered an application from Mr Stephen Collier for the conversion of farm building into live/work unit.

This application had been submitted to Committee following a request by Councillors Mrs Compton and Shilton.

The Head of Planning and Engineering considered the following policies to be relevant to the application and therefore recommended that the application be refused:

(DW) C3 - Criteria for the Conversion of Rural Buildings (Warwick District Local Plan 1995)
(DW) EMP4 - Employment Development in the Rural Areas of the District (Warwick District Local Plan 1995)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) C2 - Diversification of the Rural Economy (Warwick District Local Plan 1995)
(DW) H9 - Open Countryside (Warwick District Local Plan 1995)
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)
(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)
PPG7: Sustainable Development in Rural Areas
PPG2: Green Belts
RA.4 - Conversion of Existing Rural Buildings (Warwickshire Structure Plan 1996-2011).

The following addressed the committee on this application:

Mr K Williams - Agent

Having considered the officers report and representations from members of the public, the Committee were of the opinion that the application should be granted because it complied with Green Belt Policy and Policy RA4.

RESOLVED that application W06/1444 be GRANTED, subject to conditions on materials, landscaping, garaging live/work space, and demolition of agricultural buildings. **REASON:** The proposal relates to a substantial building, the works do not require major reconstruction and the proposals overall are considered to achieve an enhancement of the green belt.

564. **HERONBROOK HOUSE, 71-77 BAKERS LANE, LAPWORTH, SOLIHULL**

The Committee considered a retrospective application from Parkridge Homes Ltd for the installation of 9 no. 'Toorak Street Lanterns' along access way.

This application was presented to the Committee due to an objection from Lapworth Parish Council.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
(DW) ENV29 - Protection of SSSI's and Local Nature Reserves (Warwick District Local Plan 1995)

Having considered the officers report, the Committee were of the opinion that the application should be refused as the Toorak Street Lanterns are an inappropriate urbanisation in the greenbelt area. Enforcement action to require removal within 2 months.

RESOLVED that application W05/1026:

- (1) be REFUSED, because the application is an inappropriate design and urbanising feature in green belt and special landscape area; and
- (2) Enforcement action to require the removal within 2 months be approved.

565. **WESTWOOD LODGE, WESTWOOD HEATH ROAD, COVENTRY**

The Committee considered a retrospective application from Mr & Mrs G H Williams for the retention of a pre-fabricated bungalow, terrace and oil tank.

This item was reported to Committee as it related to an enforcement case which was the subject of a Public Inquiry which had been held in abeyance to await the outcome of this application. The application was accompanied by a section 106 legal agreement.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

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

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

GD.3 - Overall Development Strategy (Warwickshire Structure Plan 1996-2011).

GD.5 - Development Location Priorities (Warwickshire Structure Plan 1996-2011).

RA.1 - Development in Rural Areas (Warwickshire Structure Plan 1996-2011).

RESOLVED that application W06/0963 be GRANTED subject to the completion of a Section 106 agreement in relation to occupancy and extinguishment of established use rights and a condition that the permission shall enure only for the benefit of Mr G and Mrs M Williams and that the dwelling and all domestic facilities, oil tank and terrace hereby permitted to be retained shall be removed in their entirety within 6 months of the cessation of their occupation of the dwelling. **REASON:** Since the dwelling constitutes inappropriate development in the green belt and permission would not normally be granted other than to meet the personal circumstances of the applicants.

566. **45 WARWICK STREET, LEAMINGTON SPA**

The Committee considered an application from Mr P Akhter for proposed alterations to shopfront and formation of roof terrace enclosed by new pitched roof (re-submission W06/1077).

This application was presented to the Committee due to an objection from Royal Leamington Spa Town Council.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

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

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

(DW) ENV8 - New Development within Conservation Areas (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).

DP9 - Pollution Control (Warwick District 1996 - 2011 Revised Deposit Version)

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

General Government guidance on town centres is contained in PPS6 Town Centres and Retail Developments" and in "Safer Places, The Planning System and Crime Prevention" (ODPM 2003).

RESOLVED that application W06/1349 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 621-03B and 04C, and specification contained therein, deposited with the District Planning Authority on 27th September 2006 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 Local Plan Policy ENV3;
- (3) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details.
REASON : To ensure that the visual amenities of the area are protected, and to

satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

- (4) No sound amplification, tannoy or speaker system shall be installed on any part of the roof terrace the subject of this permission. **REASON** : To protect the amenities of residents in this locality and the character of the Conservation Area in accordance with Policies ENV3 and ENV6 of the Warwick District Local Plan 1995;
- (5) No structure or equipment of any description shall be installed on the roof terrace which exceeds the height of the ridge of the roof on the terrace hereby permitted. **REASON** : To protect the character and appearance of the Conservation Area in accordance with Policy ENV6 of the Warwick District Local Plan 1995;
- (6) No planting placed on the roof terrace shall at any time be higher than or allowed to grow to a height which would exceed the height of the ridge of the roof on the terrace hereby permitted. **REASON** : To protect the character and appearance of the Conservation Area in accordance with Policy ENV6 of the Warwick District Local Plan 1995;
- (7) No lighting shall be installed on any part of the roof terrace hereby permitted other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the character and appearance of the Conservation Area in accordance with Policy ENV6 of the Warwick District Local Plan 1995;
- (8) The roof terrace shall be open to the public solely between the hours of 8.00 a.m. to 11.00 p.m. **REASON** : To protect the amenities of residents in this locality, the character of the Conservation Area and to ensure that the operation of the roof terrace does not give rise to the potential for noise and disturbance within this part of the Town Centre, in accordance with Policies ENV3 and ENV6 of the Warwick District Local Plan; and
- (9) The roof terrace hereby permitted shall be used solely ancillary to the uses permitted within No. 45 Warwick Street and for no other

purposes whatsoever. **REASON** : For the avoidance of doubt and to protect the amenities of nearby residents and the character of the Conservation Area in accordance with Policies ENV3 and ENV6 of the Warwick District Local Plan 1995.

567. 49 EMSCOTE ROAD, WARWICK

The Committee considered an application from Mrs E Braham for the construction of external stairs to front elevation and new entrance to basement.

This application was presented to the Committee due to an objection from Warwick Town Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(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).

RESOLVED that application W06/1360 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 979/1, amended plan 979/2 and additional parking plan, and specification contained therein, submitted on 23rd August, 2006, 24th August, 2006, 22nd September, 2006 and 28th September, 2006 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 Local Plan Policy ENV3.

568. 27 KENILWORTH ROAD, CUBBINGTON, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs Gardner for the erection of a new dwelling and double garage after demolition of existing.

This application was presented to Committee due to the number of objections received.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
Distance Separation (Supplementary Planning Guidance)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
Planning Policy Guidance Note 3 - Housing (Government Guidance).

Due to an error with registered speakers it was proposed and duly seconded to defer the item on the grounds that it would be unfair to the applicant who was misinformed of their right to speak against the objector.

RESOLVED that item W06/1393 be DEFERRED to allow the applicants sufficient time to prepare to speak in support of their application against the objectors.

569. **280 VALLEY ROAD, LILLINGTON, LEAMINGTON SPA**

The Committee considered an application from Mr and Mrs T Loveless for the erection of a two storey side extension.

This application was presented to the Committee due to an objection from Royal Leamington Spa Town Council.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(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).

RESOLVED that application W06/1440 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 number 2626-2B and specification contained therein, submitted on 8 September 2006 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 Local Plan Policy ENV3; 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 ENV3 of the Warwick District Local Plan.

570. 15 GREENHILL ROAD, WHITNASH

The Committee considered an application from Mrs D Harris for the erection of a two storey side extension.

This application was presented to Committee due to an objection from Whitnash Town Council.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(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).

It was proposed and duly seconded that the item be deferred to allow a further shortened consultation on the plans as submitted.

RESOLVED that item W06/1445 be DEFERRED in order to allow a reconsultation period of 14 days to be given to the neighbours adjacent to the application site.

571. 57 ASHFORD GARDENS, WHITNASH, LEAMINGTON SPA

The Committee considered an application from Mr D S Uppal for the erection of a rear single storey extension after demolition of garage.

This application was presented to Committee due to an objection from Whitnash Town Council.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(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).

RESOLVED that application W06/1460 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 L389/1A and L398-2A, and specification contained therein, submitted on 18th September 2006 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 Local Plan Policy ENV3; 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 and applicant is to submit sample bricks. **REASON**: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

572. MILL HOUSE, MILL LANE, SHREWLEY

The Committee considered an application from Mr A White for the installation of a micro wind turbine to the back gable wall of the garage.

This application was presented to Committee as the applicant was an employee of the Council.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(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).

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

(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)

RESOLVED that application W06/1480 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 photomontage, drawing WS1000-Assembled System , and technical specification contained therein, submitted on 21st September 2006 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 Local Plan Policy ENV3; and
- (3) No development shall be carried out on the site which is the subject of this permission, until details of the paint colour to be used on the wind turbine have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** :In the interests of the amenity of the area.

573. THE WARWICKSHIRE GOLF COURSE, WARWICK ROAD, LEEK WOOTTON

The Committee considered an application from The Club Company for an extension to “Dormy House” and club lobby.

The application was presented to the Committee following an objection having been received from Leek Wootton Parish Council.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

RESOLVED that application W06/1483 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) (no.s ED/6890/A3/31, ED/6890/A3/32, ED/6890/A3/34, ED6890/A3/01), and specification contained therein, submitted on 18 September 2006 and 26 September 2006 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 Local Plan Policy ENV3; 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 ENV3 of the Warwick District Local Plan.

574. **12 FREEMANS CLOSE, LEAMINGTON SPA**

The Committee considered an application for A Budd and J Morgan for the erection of first floor extension and loft conversion.

The application was presented to Committee due to an objection having been received from Royal Leamington Spa Town Council.

The Head of Planning and Engineering recommended that the application be granted as he considered it complied with the relevant policies listed below:

(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).

RESOLVED that application W06/1494 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 (drawing 02), and specification contained therein, submitted on 22nd September, 2006 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 Local Plan Policy ENV3; 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 ENV3 of the Warwick District Local Plan.

575. APPEAL PERFORMANCE FOR QUARTER 2 2006-07

The Committee received a report from Planning and Engineering, advising members of current appeal performance and decisions received.

Councillors passed on congratulations to all Officers and recommended that these figures be forwarded to all Councillors in future.

RECOMMENDED that

- (1) the performance figures for this quarter be noted;
- (2) officers be congratulated on their work; and
- (3) in future the appeal decision letters be emailed to all Councillors.

576. DEVELOPMENT CONTROL PERFORMANCE STATISTICS

The Committee received a report from Planning and Engineering, advising members of current development control performance.

RECOMMENDED that the performance figures for this quarter be noted.

577. COVENTRY AIRPORT – CONSULTATION ON THE PROPOSALS BY THE DEPARTMENT OF TRANSPORT TO ESTABLISH PUBLIC SAFETY ZONES (PSZs)

The Committee received a report from the Head of Planning and Engineering detailing the consultation on the proposals by the Department of Transport to establish Public Safety Zones (PSZs).

The Department of Transport has recently published a local consultation paper inviting comments on a proposal to establish public safety zones at Coventry Airport. Public Safety Zones (PSZs) are areas of land at the ends of the runways where new development is restricted in order to minimize the number of people on the ground at risk of death or injury in the event of an aircraft accident on take off or landing.

Warwick District Council has been consulted as a local stakeholder. The consultation exercise has also involved residents and businesses with postal addresses within the proposed Public Safety Zones, Coventry City Council, Highways Agency, the County Council, MPs for the area, and Rugby Borough Council. The consultation period ends on Friday 17 November 2006.

RECOMMENDED that this Council responds to the Department of Transport that within the boundary of Warwick District, there is no objection to the proposed Public Safety Zones at Coventry Airport, as set out in the consultation document dated August 2006.

(Meeting ended 9.20pm)