

# PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 23 May 2006 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

**PRESENT:** Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Kinson, Smith & Tamlin.

(Councillor Smith substituted for Councillor Mrs Knight)

## 48. APPOINTMENT OF CHAIR

**RESOLVED** that Councillor Tamlin be appointed as Chair of the Committee for the ensuing year.

## 49. APPOINTMENT OF VICE CHAIR

**RESOLVED** that Councillor Ashford be appointed as Vice Chair of the Committee for the ensuing year.

## 50. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 51. COVENTRY AIRPORT – CONSULTATION ON THE PROPOSALS FOR THE REVISION OF NOISE PREFERENTIAL / ROUTES (NPRs) AND STANDARD DEPARTURE ROUTES (SDRs)

The Committee received a report from the Head of Planning and Engineering which sought the Committees approval to inform WMIAL that Warwick District Council had no objections to the proposed changes to the existing NPRs/SDRs as detailed in the agenda report.

**RESOLVED** that:

- (1) WMIAL be informed that Warwick District Council have no objections to the proposed changes to the existing NPRs/SDRs as detailed in the agenda report; and
- (2) CAA be asked to consider if the departure routes can be varied from time to time to avoid the concentration of disturbance of a few rural communities with the first 2 years of operation.

## 52. 8-10 AUGUSTA PLACE, LEAMINGTON SPA

The Committee considered an application from Mr A Hall for the proposed change of use from Class D (Community Centre) to class A3 use (restaurant/café).

## PLANNING COMMITTEE (Continued)

This application was deferred at Planning Committee on 3 May 2006 for information on the use of upper floors and operational use by the restaurant of the rear yard area.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

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

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

SC7 - Directing Community Facilities (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

The following addressed the Committee on this item:

Councillor R Copping  
Mr K Alexander  
Mr S Hain

Town Council  
Objector  
Agent

**RESOLVED** that application W2006/0212 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 premises shall be used solely for purposes falling within Class A3 of Part A 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 and for no other purposes whatsoever. **REASON** : For the avoidance of doubt and having regard to the location of the premises within Leamington Spa Town Centre allocated in the Warwick District Local Plan 1995 and the Warwick District Local Plan Revised Deposit Version 1996-2011;
- (3) Details of any air conditioning, ventilation and flue extraction systems including particulars of noise levels shall be submitted to and approved by the Local Planning Authority before any works commence on site. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan; and

## **PLANNING COMMITTEE (Continued)**

- (4) The rear yard serving the premises shall only be used by employees of the occupier and only between the hours of 0800 and 2000 and shall not be available for use by members of the public visiting the A3 (Restaurant/Café) use hereby permitted at any time. **REASON:** to protect the amenity of adjoining residents in accordance with Policy ENV3 of the Warwick District Local Plan 1995.

### **53. LAND AT GOG BROOK FARM, STRATFORD ROAD, WARWICK**

The Committee considered an application from Taylor Woodrow Developments Ltd for the erection of 128 dwellings.

This application was subject of a site visit on 20 May 2006.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
The 45 Degree Guideline (Supplementary Planning Guidance)  
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).  
DP5 - Density (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP10 - Flooding (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

The following addressed the Committee on this item:

Mr A Jones	Objector
Mr T Slater	Agent

After considering the report from the Head of Planning and Engineering and representation from members of the public the Committee were of the opinion that the application should be refused.

**RESOLVED** that application W2006/0408 be REFUSED because it was considered that the proposals failed to harmonise with the existing adjoining development, due to their visual bulk and mass, particularly that of the proposed three storey flats, which, would be situated on the edge of this particular development plot. The proposals also show front gardens of minimal length, which, given the density of the proposals and the height of the flats, would create an unsatisfactory street scene, and the development, for all of these reasons, would be unneighbourly with respect to the existing residents, who would suffer visual intrusion and potential

## **PLANNING COMMITTEE (Continued)**

overlooking. The development is therefore considered to be contrary to policy ENV3 of the Warwick District Local Plan 1995 and to policies DP1 and DP2 of the emerging Warwick District Local Plan 1996 – 2011.

### **54. THE BUNGALOW (GARDEN HOUSE), HONILEY HALL, HONILEY**

The Committee considered an application from Mr P Warwick for the erection of a detached double garage with storage over.

The following addressed the Committee on this item:

Mr S Marson

Agent

**RESOLVED** that application W2006/0421 be **DEFERRED** to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when considering the application.

### **55. R/O DIXI ASSOCIATES, BRANDON HOUSE, SISKIN DRIVE, MIDDLEMARCH BUSINESS PARK, COVENTRY**

The Committee considered an application from Donna Sillito and Hanna Youkim for the change of use from general industrial (Class B2) use to children's indoor play centre and childcare facility (Class D1)

The Head of Planning and Engineering considered the following policies relevant to this application:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

(DW) EMP5 - Employment Development in Urban Areas (Warwick District Local Plan 1995)

SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

UAP9 - Directing New Leisure Development (Warwick District 1996 - 2011 Revised Deposit Version)

(DW) RL7 - Provision of Additional Indoor Sports and Recreation Facilities (Warwick District Local Plan 1995)

SC7 - Directing Community Facilities (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

The following addressed the Committee on this item:

Ms D Sillito

Applicant

After considering the report of the Head of Planning and Engineering and hearing the representation from the applicant, the Committee were of the opinion that the application should be granted against the officer's recommendation. It was considered by Members of the Planning Committee that the proposed mixed use development would not be a material breach such as would be contrary to the provisions of employment policies by reason of scale and having regard to the very particular circumstances contained in the submitted application as to justify refusal of permission.

## PLANNING COMMITTEE (Continued)

**RESOLVED** that application W2006/0438 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) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the use hereby permitted shall be restricted to that of a mixed use of indoor children's play facility and childcare facility only and for no other purposes whatsoever. **REASON:** having regard to the circumstances contained within the submitted application, the proposed mix of uses considered compatible with the location of the site within this particular employment area and it is therefore considered any proposal for other uses should properly be considered by the District Planning Authority to ensure that they are similarly acceptable.

### 56. **19 CHURCH STREET, WARWICK**

The Committee considered an application from DCA Design Int. Ltd for the installation of 8 air conditioning units.

This application was subject of a site visit on 20 May 2006.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

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

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

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

The following addressed the Committee on this application:

Miss E Humphries

Objector

**RESOLVED** that application W2006/0509 be GRANTED subject to the following conditions:

## **PLANNING COMMITTEE (Continued)**

- (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 level of noise from the air conditioning units measured one metre from boundary with 17 Church Street shall not increase the background level. **REASON** : To protect the amenity of the occupiers of nearby properties and guard against a creeping background level;
- (3) None of the air conditioning units shall be operated on the premises between the hours of 6.00 p.m. and 8.00 a.m. on Monday to Friday (inclusive) and not at any time on Saturdays, Sundays, or Bank Holidays. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan; and
- (4) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing, and specification contained therein, received on 27th March 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.

### **57. 19 CHURCH STREET, WARWICK**

The Committee considered an application from DCA Design Int. Ltd for the installation of 8 air conditioning units.

This application was the subject of a site visit on 20 May 2006.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

The following addressed the Committee on this application:

Miss E Humphries

Objector

**RESOLVED** that application W2006/0511LB be GRANTED subject to the following conditions:

## **PLANNING COMMITTEE (Continued)**

- (1) The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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, and specification contained therein, received on 27th March 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.

### **58. 215 STATION LANE, LAPWORTH, SOLIHULL**

The Committee considered an application from Mrs B Lind for the erection of a single storey rear extension and detached garage.

The following addressed the Committee on this application:

Cllr Mrs M Toogood

Parish Council

**RESOLVED** that application W2006/0376 be **DEFERRED** to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when considering the application.

### **59. THE WARWICKSHIRE GOLF COURSE, WARWICK ROAD, LEEK WOOTTON, WARWICK**

The Committee considered an application from The Club Company for the conversion and extension of existing club house complex to form offices.

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

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

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

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV15 - Encouragement of full use of Listed Buildings (Warwick District Local Plan 1995)

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

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

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

DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

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

## **PLANNING COMMITTEE (Continued)**

DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP7 - Changes of Use of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)  
RAP7 - Directing New Employment (Warwick District 1996 - 2011 Revised Deposit Version)  
RAP10 - Safeguarding Rural Roads (Warwick District 1996 - 2011 Revised Deposit Version)  
RA.1 - Development in Rural Areas (Warwickshire Structure Plan 1996-2011).  
RA.2 - Scale and Distribution of New Housing and Industrial Development (Warwickshire Structure Plan 1996-2011).  
T7 - Car Parking Standards and Management (Regional Planning Guidance 11 - June 2004).

The Head of Planning and Engineering felt that the application should be granted, subject to conditions and a legal agreement, after reference to the Secretary of State as it was a departure from the development plan.

The following addressed the Committee on this application:

Cllr P Eldridge

Parish Council

Having considered the report from the Head of Planning and Engineering and the representation from the Parish Council the Committee were of the opinion that the application should be refused.

**RESOLVED** application W2006/0559 be REFUSED because the site is situated within the Green Belt and the Warwickshire Structure Plan 1996-2011 together with the Warwick District Local Plan and Planning Policy Guidance Note 2 states that, within the Green Belt, the rural character of the area will be retained, protected and wherever possible enhanced. Local Plan Policy (DW) ENV1 states that development will not normally be permitted except in very special circumstances and emerging policy DAP1 of the revised deposit version of the Local Plan (1996-2011) states that there will be a general presumption against inappropriate development, unless it fulfill specific criteria. The proposed development does not satisfy any of these criteria and so is inappropriate development. In the Planning Authority's view very special circumstances sufficient to justify:

- (a) departing from the development plan;
- (b) prejudicing the open nature and rural character of the area; and
- (c) failing to support sustainable development objectives have not been demonstrated.



## PLANNING COMMITTEE (Continued)

### 60. THE WARWICKSHIRE GOLF COURSE, WARWICK ROAD, LEEK WOOTTON, WARWICK

The Committee considered an application from the Club Company for the conversion and extension of existing club house complex to form offices.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV15 - Encouragement of full use of Listed Buildings (Warwick District Local Plan 1995)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

DAP7 - Changes of Use of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version).

The following addressed the Committee on this application:

Cllr P Eldridge

Parish Council.

**RESOLVED** that application W2006/0560LB be GRANTED subject to the following conditions, and after noting that the issuing of this consent does not enable works to be carried out which would also require planning permission, ie extensions and alterations which would materially affect the external character or appearance of this building:

- (1) The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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) (3868-PLANNING-04; 3868-PLANNING-07; 3868-PLANNING-08; 6359/02; 6359/03A), and specification contained therein, submitted on 4 April 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;

## **PLANNING COMMITTEE (Continued)**

- (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;
- (4) A landscaping scheme for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (5) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 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** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

### **61. ADJOURNMENT OF MEETING**

The Chair adjourned the meeting of the Planning Committee held on Tuesday 23 May 2006 to Thursday 25 May 2006 at 6.00 pm

(The meeting closed at 9.55 pm)

## PLANNING COMMITTEE (Continued)

### RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 25 May 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Kinson, Smith & Tamlin.

(Councillor Smith substituted for Councillor Mrs Knight)

#### 62. **94 MONTAGUE ROAD, WARWICK**

The Committee considered an application from Mr P Bird for the erection of a two storey side extension.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(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 W2006/0483 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 002, and specification contained therein, submitted on 29th March 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) 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; and

## PLANNING COMMITTEE (Continued)

- (4) The ground floor window in the south east elevation of the extension hereby permitted shall be obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.

### 63. **80 STRATFORD ROAD, WARWICK**

The Committee considered an application from Mr P Newman for the erection of a single storey side extension and two storey rear extension.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(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).

**RESOLVED** that application W2005/0492 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) 0524/08A,0524/07, and specification contained therein, submitted on 10th April 2006 and 30th March 2006 respectively 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.

## PLANNING COMMITTEE (Continued)

### 64. THE OLD HOUSE, STRATFORD ROAD, WARWICK

The Committee considered an application from Tournament Fields (Warwick) Ltd for the erection of 8 detached dwellings (part condition 1 of outline p.p W2005/0350).

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV24 - Tree Preservation Orders (Warwick District Local Plan 1995)

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

(LW) ENV1 - Protection of the visual and environmental amenity of the town approaches (Warwick District Local Plan 1995).

**RESOLVED** that application W2005/0556 be APPROVED subject to the following conditions:

- (1) 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;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), 4829/1D, /2A, /3A, /4A, /5B, /6B, 7/A, /8A and /9A and specification contained therein, received on 29 March, 12 May and 15 May 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;

## PLANNING COMMITTEE (Continued)

- (3) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 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** : To ensure a high standard of design and appearance for the setting of this Listed Building, and to satisfy Policy ENV12 of the Warwick District Local Plan 1995;
- (4) No work of any kind shall be begun on the site until the protective fence(s) around the trees identified as being retained on the approved plans, have been erected and the fencing has been confirmed in writing to be acceptable by the District Planning Authority. Within the approved fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no site huts, no fires lit and no excavation of trenches for drains, service runs or for any other reason. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (5) Details of the means of disposal of storm water and foul sewage from the development shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced and the development shall not be carried out other than in strict accordance with such approved details. **REASON** : To ensure satisfactory provision is made for the disposal of storm water and foul sewage since there is no public foul or surface water sewer available; and

## PLANNING COMMITTEE (Continued)

- (6) No development shall be carried out on the site which is the subject of this permission, until details of finished ground and floor levels in relation to existing ground levels have been submitted to and approved by the District Planning Authority. The finished floor levels shall be set at least 600mm above existing ground levels and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To minimise the risk of flooding of these dwellings and to protect the setting of the adjoining Listed Buildings.

### 65. **HILLCREST GARAGE, CRACKLEY HILL, COVENTRY ROAD, KENILWORTH**

The Committee considered an application from Baker Goodchild Architects for the outline application for the erection of 33 houses, flats and ancillary works.

This application was deferred at the meeting of 3 May 2006 to resolve objections by the Highway Authority.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)  
The 45 Degree Guideline (Supplementary Planning Guidance)  
Distance Separation (Supplementary Planning Guidance)  
(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)  
H.2 - Affordable Housing (Warwickshire Structure Plan 1996-2011).  
H.1 - Provision of Housing Land (Warwickshire Structure Plan 1996-2011).  
H.3 - Greenfield Land for Housing (Warwickshire Structure Plan 1996-2011).  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP5 - Density (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
GD.3 - Overall Development Strategy (Warwickshire Structure Plan 1996-2011).  
SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2006/0125 be GRANTED after completion of a Section 106 Agreement / Obligation covering the provision of affordable dwellings at 40%, flood relief (as approved under W2004/1989) and the payment of appropriate sums for education, libraries and transport (final figures to be agreed), and, subject to the following conditions:

## PLANNING COMMITTEE (Continued)

- (1) This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-
  - (a) the design and external appearance of the proposed development,
  - (b) details of landscaping.

**REASON** : To comply with Section 92 of the Town and Country Planning Act 1990;
- (2) In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the District Planning Authority not later than the expiration of three years beginning with the date of this permission. **REASON**: To comply with Section 92 of the Town and Country Planning Act 1990;
- (3) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. **REASON** : To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (4) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 7117.1, and specification contained therein, received on 10th March 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;
- (5) The finished floor levels of the dwellings hereby approved should be set at a minimum of 400 mm above the modelled 1 in 100 year flood level of 76.71 above Ordnance Datum as shown on drawing no. 1792-001 Rev MM. **REASON**: To ensure that safe dry access is available to future residents at all times and to protect the development from flooding in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;



## PLANNING COMMITTEE (Continued)

- (6) No development shall be carried out on the site which is the subject of this permission, until full engineered cross sections through the site including the brook, plots and the site boundaries has 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:** To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) All surface water drainage shall be passed through an oil interceptor designed and constructed in accordance with BS 8301:1985 and of a capacity compatible with the site being drained, prior to being discharged into any watercourse, surface water sewer or soakaway system. Roof water should not be passed through the interceptor. **REASON :** To prevent pollution of the Water Environment;
- (8) Development shall not be commenced until there has been submitted to the District Planning Authority a survey report on the extent to which any part or the whole of the application site is contaminated by toxic or other noxious materials and on the remedial measures required to deal with the hazards. No development shall be commenced until all toxic or obnoxious materials have been removed or otherwise treated in accordance with details which have been approved in writing by the District Planning Authority. **REASON :** To protect the health and safety of future occupiers;
- (9) The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON :** In the interests of fire safety;

## **PLANNING COMMITTEE (Continued)**

- (10) The vehicular access to the site shall not be used until visibility splays have been provided to the public highway carriageway with an 'x' distance of 2.4 metres and 'y' distances of 90 metres. No structure, erection, trees or shrubs exceeding 0.6 metres in height above the adjoining highway carriageway shall be placed, allowed to grow or be maintained within the visibility splays so defined. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (11) The vehicular access to the site shall not be used until it has been provided with no less than 6.00 m kerbed radius turnouts on each side, shall be not less than 5.0 m in width for a distance of 7.5 m, as measured from the near edge of the public highway carriageway, and, no less than 4.5 m thereafter, and shall not be constructed so as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (12) Development shall not commence until details of a safe exit route, not adversely affecting the flood regime, to land outside the 1 in 100 year flood plain, are submitted to and agreed in writing by the Local Planning Authority. This route shall be in place before any occupancy of the building(s). **REASON:** to provide safe access and egress during flood events and reduce reliance on emergency services.

NB: This decision does not indicate approval for the details, eg: dormer windows and roof lights.

### **66. 54 MURCOTT ROAD EAST, WHITNASH, LEAMINGTON**

The Committee considered an application from N and D Venables and Chambers for the erection of a single storey rear and side extension after demolition of rear conservatory; re-roofing of garage.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(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).

## **PLANNING COMMITTEE (Continued)**

**RESOLVED** that application W2006/0400 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 537-01 A, and specification contained therein, submitted on 13th March 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.

### **67. 33 CRAWFORD CLOSE, LILLINGTON, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs Morris for the erection of ground floor rear extension and loft conversion.

This application was deferred at Planning Committee on 3 May 2006 to enable a site visit to take place on 20 May 2006.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(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 W2006/0454 be GRANTED subject to the following conditions:

## **PLANNING COMMITTEE (Continued)**

- (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 (0603.03, 0603.04), and specification contained therein, submitted on 20th March, 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.

### **68. PORTOBELLO WORKS, EMSCOTE ROAD, WARWICK**

The Committee considered an application from Gallagher & Pettifer Estates Ltd for the mixed use development including 2320 square metres (gross) B1 space, 13 residential dwellings, car parking and access from Greville Road.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

(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).

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

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

**RESOLVED** that application W2006/0456 be APPROVED subject to the following conditions:

## PLANNING COMMITTEE (Continued)

- (1) 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;
- (2) No development shall be carried out on the site which is the subject of this permission, until details of existing and proposed levels along the riverside path have been submitted to and approved by the District Planning Authority. The details should indicate the position of each of the trees and be designed so as to minimise the impact of the works upon those trees. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : In order to protect the trees on the river bank, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;
- (3) A landscaping scheme for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (4) The development hereby permitted shall not be commenced until the access to the site for vehicles has been provided with not less than 10.5m kerbed radii turnout to the north and not less than 9.0m kerbed radii turnout to the south. **REASON**: In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

## PLANNING COMMITTEE (Continued)

- (5) The development hereby permitted shall not be commenced until a pedestrian crossing, including a 2.0m wide pedestrian refuge, has been constructed on Greville Road in a position agreed in writing with the Highway Authority and constructed in accordance with the Highway Authority's standard specification. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (6) The access to the site for vehicles shall not be used unless a public footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) The development shall not commence until a turning area has been provided so as to enable all vehicle types to leave and re-enter the public highway in forward gear. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (8) Prior to the commencement of any works on site the developer shall install a mechanical wheel wash adjacent to the site access to ensure that mud and debris is not deposited on the highway as a result of construction traffic leaving the site. Details of the wheel wash (including type, method of operation, and control of use) shall have been previously approved by the District Planning Authority. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan; and
- 9 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings A4177/2.1/15C, /020B, 21C, /22A, /23B, /24A, /25A & D0018\_D1 and specification contained therein, submitted on 20 March, 31 March, 27 April and 2 May 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.

## PLANNING COMMITTEE (Continued)

### 69. 20 WOODCOTE ROAD, LEAMINGTON SPA

The Committee considered an application from Mr R Riley for the erection of a first floor extension to create larger bedroom with en-suite.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(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).

The 45 Degree Guideline (Supplementary Planning Guidance)

**RESOLVED** that application W2006/0461 be GRANTED subject to the following condition:

- (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, 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) 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; and
- (4) Notwithstanding the details shown on the first floor plan of the extension hereby permitted, the side facing window to the bedroom shall be omitted and the proposal built in accordance with the elevation drawing number RGRR/002C submitted on 12 May 2006. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, at no time thereafter

## **PLANNING COMMITTEE (Continued)**

shall any window or other opening be formed on either side elevation of the extension hereby permitted. **REASON:** To protect the amenities of neighbouring residents and to meet the requirements of Policy ENV3 of the Warwick District Local Plan 1995.

### **70. 116 VILLIERS STREET, LEAMINGTON SPA**

The Committee considered an application from Mr M S Bansal for the erection of a two storey side extension.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(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 W2006/0512 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 (116 Villiers 04), and specification contained therein, submitted on 4th April, 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.

### **71. 27 BORROWDALE DRIVE, MILVERTON, LEAMINGTON SPA**

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



## **PLANNING COMMITTEE (Continued)**

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(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 W06/0544 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 (10799), and specification contained therein, submitted on 10th April, 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.

### **72. 22 AND UNIT 5 (THE HUGHES), SWAN STREET, WARWICK**

The Committee considered an application from Caffe Chai for the proposed change of use from A1 to A3 and external change to shop front.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)  
(DW) S5 - Changes of Use Within Retail Areas (Warwick District Local Plan 1995)  
TCP4 - Primary Retail Frontages (Warwick District 1996 - 2011 Revised Deposit Version)

## **PLANNING COMMITTEE (Continued)**

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

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

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

**RESOLVED** that application W2006/0570 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.1575 002 01), and specification contained therein, submitted on 8 May 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 cooking or reheating of foods (not including beverages) of any kind shall be carried out on the premises. **REASON**: As there is no odour extraction system in place to deal with other cooking operations.

### **73. REAR OF 37 WARWICK STREET, LEAMINGTON SPA**

The Committee considered an application from Mr B S Bahi for the erection of a two storey restaurant and bar with basement for class A3 and A4 use and enlarged lightwell.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policy:

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)

DP13 - Crime Prevention (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

TCP1 - Protecting and Enhancing the Town Centres (Warwick District 1996 - 2011 Revised Deposit Version)

TCP13 - Design of Shopfronts (Warwick District 1996 - 2011 Revised Deposit Version)

## **PLANNING COMMITTEE (Continued)**

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

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

(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)

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV19 - Retention and Restoration of Original Shopfronts (Warwick District Local Plan 1995).

**RESOLVED** that application W2006/0578 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, 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) Large scale details of doors, windows (including a section showing the window reveal, heads and cill details), shopfront joinery items, rooflights, eaves, verges and rainwater goods at a scale of 1:5 shall be submitted to and approved by the District Planning Authority before these items are installed. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan 1995;

## PLANNING COMMITTEE (Continued)

- (4) All doors, window frames and shopfront joinery items shall be constructed in timber, painted and not stained, in accordance with a schedule of finishes to be submitted to and approved by the District Planning Authority. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan 1995;
- (5) Samples of all external facing bricks 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan 1995;
- (6) The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the approved samples. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan 1995;
- (7) All rainwater goods for the development hereby permitted shall be metal and shall not be installed until a samples have been submitted to and approved by the District Planning Authority. The development shall be carried out in accordance with the approved samples. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan 1995;
- (8) The restaurant and bar hereby permitted shall not be used until details of air conditioning, ventilation and/or flue extraction systems (including particulars of noise levels) have been submitted to and approved by the Local Planning Authority. The development shall not be used otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995; and

## **PLANNING COMMITTEE (Continued)**

- 9 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise between the bin store and bedroom of the basement flat have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : In the interests of the amenities of future occupiers of the basement flat.

### **74. REAR OF 37 WARWICK STREET, LEAMINGTON SPA**

The Committee considered an application from Mr B S Bahi for the erection of a two storey restaurant and bar with basement for class A3 and A4 use and enlarged lightwell.

The Head of Planning and Engineering had recommended that the application be approved subject to conditions as he considered that it complied with the following policies:

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

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

(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)

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995).

**RESOLVED** that application W2006/0577LB be GRANTED subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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, 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 ENV11;

## PLANNING COMMITTEE (Continued)

- (3) Large scale details of doors, windows (including a section showing the window reveal, heads and cill details), shopfront joinery items, rooflights, eaves, verges and rainwater goods at a scale of 1:5 shall be submitted to and approved by the District Planning Authority before these items are installed. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (4) All doors, window frames and shopfront joinery items shall be constructed in timber, painted and not stained, in accordance with a schedule of finishes to be submitted to and approved by the District Planning Authority. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (5) Samples of all external facing bricks 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (6) The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the approved samples. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (7) All rainwater goods for the development hereby permitted shall be metal and shall not be installed until a samples have been submitted to and approved by the District Planning Authority. The development shall be carried out in accordance with the approved samples. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995; and

## **PLANNING COMMITTEE (Continued)**

- (8) Details of air conditioning, ventilation and/or flue extraction systems (including particulars of noise levels) shall be submitted to and approved by the Local Planning Authority before any works commence on site. The works shall not be carried out otherwise than in full accordance with the approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

### **75. OFFCHURCH VILLAGE HALL, SCHOOL HILL, OFFCHURCH**

The Committee considered a report from the Head of Planning and Engineering which sought the Committee's approval to take no further action in respect of Offchurch Village Hall and alterations to premises and increased width of a rear paved access.

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

(DW) ENV3 – Development Principles (Warwick District Local Plan 1995)  
DP1 – Layout and Design (Warwick District Local Plan 1996-2011)  
DP2 – Amenity (Warwick District Local Plan 1996-2011).

**RESOLVED** that in respect of ENF533/48/05 no further action be taken over the increased width of the rear access footway or the re-sited rear access doorway.

### **76. UNITS 1 AND 2, THE SHOPPING CENTRE, ST MARGARET'S ROAD, WHITNASH**

The Committee received a report from the Head of Planning and Engineering requesting Members approval for the Head of Legal Services to be authorised to revoke the Section 106 legal agreement relating to Units 1 and 2, The Shopping Centre, St. Margaret's Road, Whitnash such that it no longer has any legal effect.

**RESOLVED** the Head of Legal Services be authorised to revoke the Section 106 Legal Agreement relating to Units 1 and 2, The Shopping Centre, St. Margaret's Road, Whitnash, such that it no longer has any legal effect.

(The meeting ended at 9.10 pm)