

# PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 18 March 2014 in the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Rhead (Chairman); Councillors Boad, Brookes, De-Lara-Bond, Doody, Kirton, MacKay, Weber, Wilkinson and Williams.

An apology for absence was received from Councillor Mrs Bunker.

## 169. **SUBSTITUTES**

There were no substitutions.

## 170. **DECLARATIONS OF INTEREST**

Minute Number 174 – Agenda Item 6 – W13/1787 – 12 Augusta Place, Royal Leamington Spa

Councillor Weber declared an interest because he had made a written objection to the application, but he advised that he was not pre-determined.

Minute Number 175 – Agenda Item 10 – W14/0162 - Site off Henley Road, Royal Leamington Spa

Councillor Kirton declared an interest because he knew someone who lived in the street.

Councillor Wilkinson declared an interest because the application site was located in his Ward.

All members of the Committee declared an interest because the application site was owned by Warwick District Council.

Minute Number 177 – Agenda Item 7 – W14/0120 - 36 Warwick Street, Royal Leamington Spa

Councillor Doody declared an interest because he was a member of the club which sold the building to the developer. He left the meeting when this application was discussed and did not return afterwards.

Councillor Weber declared an interest because the application site was located in his Ward.

Minute Number 178 – Agenda Item 8 – W14/0121 LB - 36 Warwick Street, Royal Leamington Spa

Councillor Doody declared an interest because he was a member of the club which sold the building to the developer. He left the meeting when this application was discussed and did not return afterwards.

Councillor Weber declared an interest because the application site was located in his Ward.

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

Minute Number 179 – Agenda Item 12 – W14/0170 – 11 Court Close, Bishop's Tachbrook

Councillor Brookes declared an interest because the application site was located in his Ward.

Minute Number 180 – Agenda Item 11 – W14/0118 – Arden Hill Lodge, Lapworth Street, Lapworth

Councillor Weber declared an interest because the application site was located in his Ward.

### **171. SITE VISITS**

To assist with decision making, Councillors Boad, De-Lara-Bond, Doody, MacKay, Weber, and Wilkinson visited the following application sites on Saturday 22 February 2014:

W14/0162 – Site of Henley Road, Royal Leamington Spa  
W13/1683 – 34 Leicester Street, Royal Leamington Spa  
W13/1787 – The Willoughby, 12 Augusta Place, Royal Leamington Spa

### **172. MINUTES**

The minutes of the meeting held on 25 February 2014 were agreed and signed by the Chairman as a correct record.

### **173. W14/0023 – HARBURY GARDENS, HARBURY LANE, BISHOP'S TACHBROOK**

This item had been withdrawn from the agenda to enable more work to be carried out on the evidence base to support the requested Section 106 contributions, notably those relating to the Country Park and NHS Acute and Community Healthcare.

### **174. W13/1787 – 12 AUGUSTA PLACE, ROYAL LEAMINGTON SPA**

The Committee considered an application for Mr O'Sullivan under Section 73 for a minor material amendment in variation of condition 2 of planning permission W13/0239 to replace approved drawings 835-07d and 08d with drawings 835 – 16 and 17. The minor material changes included the raising of a side extension roof (eaves and ridge), increasing of depth of side and rear extension and omission of vertical glazing bars in sash windows, brick work external finish to rear, and front facing French doors to match the adjacent building.

The application was presented to the Committee because a number of objections had been received including one from Royal Leamington Spa Town Council. Also Councillor Weber had made a request that the application should be presented to the Committee if the officer had made a recommendation for approval.

The officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
Item 6 / Page 2

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)  
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)  
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)  
SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)  
DP8 - Parking (Warwick District Local Plan 1996 - 2011)  
DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)  
Residential Design Guide (Supplementary Planning Guidance - April 2008)  
Vehicle Parking Standards (Supplementary Planning Document)  
Sustainable Buildings (Supplementary Planning Document - December 2008)  
National Planning Policy Framework  
DAP6 - Upper Floors within Listed Buildings and Conservation Areas (Warwick District Local Plan 1996 - 2011)  
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)  
DAP10 - Control of Advertisement Hoardings (Warwick District Local Plan 1996 - 2011)  
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

It was the officer's opinion that the changes were acceptable in design terms; did not unacceptably harm the character and appearance of the unlisted building and the conservation area; or materially change the living conditions of neighbouring occupants such that planning permission should be granted.

An addendum circulated at the meeting informed the Committee that two further letters of objection had been received, and the reasons for the objections were listed.

Mr Gifford addressed the Committee and spoke in opposition to the application, followed by Mr O'Sullivan who spoke in support.

Following consideration of the report and presentation, along with the representations made at the meeting and the information contained within the addendum, Members voted to refuse the application because of the "terracing effect" and the fact that it was contrary to policies DP1 and DAP9. The Head of Development Services then sought guidance on what enforcement action should be taken and Members decided that the issue of enforcement should be decided at the next Planning Committee on receipt of a report from an officer.

**RESOLVED** that W13/1787 be REFUSED for the following reason and enforcement matters be decided at the next Planning Committee.

Reason:

- (1) Policy DP1 of the Warwick District Local Plan 1996-2011 states that development will only be permitted which positively contributes to
- Item 6 / Page 3

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

the character and quality of its environment through good layout and design. The Council has also adopted the 'Residential Design Guide' as Supplementary Design Guidance. In addition, Policy DAP9 of the Local Plan states that alterations or extensions to unlisted buildings in Conservation Areas which will adversely affect the character, appearance or setting of a Conservation Area will not be permitted. In the opinion of the Local Planning Authority the development is considered to result in a terracing effect harmful to the character and appearance of the area. The development is therefore considered to be contrary to the aforementioned policies.

### **175. W14/0162 – SITE OFF HENLEY ROAD, ROYAL LEAMINGTON SPA**

The Committee considered an outline planning application for Waterloo Housing Group for the demolition of garages and construction of seven new dwellings (five two storey houses and two maisonettes) with associated access, parking and landscaping. This was a resubmission of application W13/1687.

The application was presented to the Committee because the site was owned by Warwick District Council.

The officer considered the following policies to be relevant:

National Planning Policy Framework

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

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

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

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

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

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

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

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

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

Open Space (Supplementary Planning Document - June 2009)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

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

Affordable Housing (Supplementary Planning Document - January 2008)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

Vehicle Parking Standards (Supplementary Planning Document)

Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the officer's opinion that the proposals would have an acceptable impact on the living conditions of neighbouring dwellings and on the

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

character and appearance of the area. Furthermore, the proposals would have an acceptable impact on trees and ecology and would be acceptable in terms of car parking and highway safety.

An addendum circulated at the meeting, advised that a County Councillor had submitted comments in support of the proposal for much needed affordable housing with two caveats:

- Further reassurances were sought about steps that would be taken not to damage the oak tree; and
- That Planning Committee should carefully consider whether the number of car parking spaces provided were adequate for the properties being built.

The County Councillor also confirmed strong support for the provision of money for off-site open space improvements.

Mrs Falp, a local resident, addressed the Committee in objection to the application. Her main concerns centred on the lack of parking provision.

The Committee sought clarification on the use and position of the garages and also on certain landscaping design features.

Following consideration of the report and presentation, along with the representation made at the meeting and the information contained within the addendum, the Committee resolved that the application should be granted in accordance with the officer's recommendations.

**RESOLVED** that W14/0162 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) 5217/01D & 5217/02A, and specification contained therein, submitted on 4 March 2014.  
**REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) 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

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

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 DP1 of the Warwick District Local Plan 1996-2011;

- (4) 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 and to satisfy Policies DP9 and DP11 of the Warwick District Local Plan 1996-2011;
- (5) no development or other operations (including demolition, site clearance or other preparatory works) shall be commenced unless and until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837 – 2012 Trees in Relation to Design, Demolition & Construction) all retained trees on the site and those trees on adjoining land where the canopy overhangs the site. In particular no fires shall be lit within the root protection area of any retained tree; no equipment, machinery or structure shall be attached to or supported by a retained tree; no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the trees by interference with their root structure and no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the trees. **REASON:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;
- (6) no development shall be commenced unless

## PLANNING COMMITTEE MINUTES (Continued)

and until details of the foundations for plots 5 and 6 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved foundation details. **REASON:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;

- (7) the development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of any of the dwellings hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011;
- (8) the development hereby permitted shall not commence until details of the finished floor levels of the dwellings, together with details of existing and proposed site levels on the application site and the relationship with

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

adjacent land and buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details or any subsequently approved amendments. **REASON:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011;

- (9) the development hereby permitted shall not be commenced unless and until either:

(a) a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority; or

(b) a scheme showing how the fabric of the buildings will be designed to ensure that the dwellings achieve a 10% reduction in energy consumption compared with the minimum requirements of the building regulations at the time the dwellings are constructed, has been submitted to and approved in writing by the District Planning Authority.

The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.

**REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or for the reduction in energy consumption, in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

- (10) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:



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

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

**REASON:** To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011;

- (11) the development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

**REASON:** In the interests of fire safety;

- (12) the development shall be timetabled and carried out to wholly accord with the mitigation measures for the safeguarding of bats and nesting birds within the site as set out in the document 'Biodiversity Report for the Site off Henley Road, Leamington Spa' prepared by Curious Ecologists (31 October 2013) that was submitted with the application on 4 February 2014. **REASON:** To ensure that protected species are not harmed by the development, in accordance with Policy DP3 of the Warwick District Local Plan;

- (13) the proposed car parking and manoeuvring areas shown on drawing no. 5217/01D for each of the dwellings hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of each of the dwellings hereby permitted, in full accordance with the approved plan. The car parking areas shall be retained at all times thereafter and shall be kept free of obstruction and be available for parking for occupants of the development hereby permitted, unless agreed otherwise in writing by the District Planning Authority. **REASON:** To ensure that

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

adequate parking facilities are available, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;

- (14) prior to the occupation of plots 4 and 5 of the development hereby permitted, the following windows shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects:

(a) the first floor windows in the north elevation of plot 5; and

(b) all parts of the first floor window in the east elevation of plot 4 that are less than 1.7m above the floor level of that room.

The obscured glazed windows shall be retained and maintained in that condition at all times.

**REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011;

- (15) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of Plots 3 and 4 hereby permitted which falls within Part 1, Class B without the prior written approval of the local planning authority. **REASON:** Due to the close proximity to the northern boundary, it is necessary to retain control over dormer windows in the north elevation of these plots to protect the living conditions of neighbouring dwellings, in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011;

- (16) all hard surfaces hereby approved shall be made of porous materials. **REASON:** To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan; and

- (17) none of the dwellings hereby permitted shall be occupied unless and until the bin collection area for the development has been laid out and made available for use by the occupants of the development and thereafter that area shall be kept free of obstruction and be available at

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

all times for the storage of refuse associated with the development. **REASON:** To ensure the satisfactory provision of refuse storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

### **176. W13/1683 – 34 LEICESTER STREET, ROYAL LEAMINGTON SPA**

The Committee considered an application for Mr Patel for a change of use from C3 (dwelling house) to C4 (Houses in Multiple Occupation (HMO)).

The application was presented to the Committee because of the number of objections that had been received and also following a request from Councillor Ms Dean.

The officer considered the following policies to be relevant:

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

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

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

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

National Planning Policy Framework

Vehicle Parking Standards (Supplementary Planning Document)

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

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

It was the officer's opinion that the addition of another HMO within the area would not exceed 10% within a 100 metre radius, the bin storage would be to the rear and the site was centrally located near to sustainable transport links such that, the proposal was considered to be in accordance with the recently adopted HMO Policy. The existing property required the same amount of off road parking as the proposed HMO and it was therefore considered that the change of use would not require any greater car parking as set out within the Council's Vehicle Parking Standards SPG and was in compliance with the aforementioned policies.

Mr McSweeney and Mr Staunton addressed the Committee in objection to the application. With the agreement of all concerned, Mr Staunton circulated to members of the Committee photographs of the property.

Mrs Patel addressed the Committee in support of the application, followed by Councillor Ms Dean who as Ward Member addressed the Committee in objection to the application.

A motion to grant the application was defeated, four votes against four, with the Chairman using his casting vote against the motion. A motion to refuse permission was carried.

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

Following consideration of the report and presentation, along with the representations made at the meeting, the Committee resolved that the application should be refused contrary to the recommendations in the report. Members were concerned that in this particular case, there was too high a concentration of HMO's in this street. Councillors were concerned that the street was also becoming "tatty" and referred to Policy DP2 where this application would be a step too far. They also referred to the Article 4 Direction which referred to the problems that arose when too many student accommodation units were concentrated together.

**RESOLVED** that W13/1683 be REFUSED due to the concentration of HMOs in Leicester Street.

Councillor Doody requested that the HMO Policy be re-examined by the Planning Committee and then go before Full Council for consideration.

(Councillor Doody left the meeting.)

### **177. W14/0120 – 36 WARWICK STREET, ROYAL LEAMINGTON SPA**

The Committee considered an application for Yarnold Properties Limited for the proposed change of use of the basement, ground floor and first floor of a private club premises to eight self-contained flats and one mews dwelling, external alterations and alterations to the existing second floor flat.

The application was presented to the Committee because the previous applications for the conversion of the property to flats were determined by the Committee.

The officer considered the following policies to be relevant:

Residential Design Guide (Supplementary Planning Guidance - April 2008)  
Affordable Housing (Supplementary Planning Document - January 2008)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
DAP6 - Upper Floors within Listed Buildings and Conservation Areas (Warwick District Local Plan 1996 - 2011)  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)  
DP8 - Parking (Warwick District Local Plan 1996 - 2011)  
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)  
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)  
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)  
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)  
DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)  
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)  
SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)  
SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)  
DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

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

DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)  
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)  
DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)  
Sustainable Buildings (Supplementary Planning Document - December 2008)  
Vehicle Parking Standards (Supplementary Planning Document)  
Open Space (Supplementary Planning Document - June 2009)  
National Planning Policy Framework

An addendum circulated at the meeting informed Members that Legal Services had advised that a Unilateral Undertaking should be submitted to revoke existing planning permission W12/1595. Otherwise that permission could be partially implemented in relation to the three flats on the second floor. Together with any planning permission for the current proposals for nine flats in the remainder of the building this would circumvent the affordable housing threshold. A revised recommendation was detailed in the addendum.

It was the officer's opinion that the conversion to flats would be acceptable in principle in this location. The proposals would preserve the character and appearance of the Listed Building and the Conservation Area and would have an acceptable impact on the living conditions of neighbouring dwellings. Furthermore, the proposals were considered to be acceptable in terms of car parking, highway safety, ecological impact and provision for public open space. The proposed development was below the threshold for triggering the affordable housing requirements of Local Plan Policy SC11 and it would not be appropriate to require on-site renewable energy production due to the constraints of this site.

Following consideration of the report and presentation, and the information contained within the addendum, the Committee resolved that the application should be granted in accordance with the recommendations in the report and subject to the submission of a satisfactory Unilateral Undertaking to revoke existing planning permission W12/1595. Should a satisfactory Unilateral Undertaking not have been submitted by 24 March 2014, delegated authority was given to the Head of Development Services to refuse planning permission on the grounds that the combined proposals make inadequate provision for affordable housing.

**RESOLVED** that W14/0120 be GRANTED subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 821-05A, 821-06B, 821-

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

07B & 821-08B, and specification contained therein, submitted on 27 January 2014, except as required by other conditions below.

**REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1, DP2, DAP4 and DAP8 of the Warwick District Local Plan 1996-2011;

- (3) the development hereby permitted shall not be occupied unless or until a Traffic Regulation Order has been made by the Highway Authority to remove the application property from the existing Traffic Regulation Order thereby securing the removal of the rights of the applicant / future owners / tenants of the application property to apply for residents parking permits. **REASON:** To ensure the proposed development does not result in an increase in on-street parking pressure in an area with already high demand to the detriment of highway safety and residential amenity in accordance with Policies DP8, DP2 and the Vehicle Parking Standards SPD of the Warwick District Local Plan 1996-2011;

- (4) unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

**REASON:** To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011;

- (5) prior to commencement of the development hereby permitted and notwithstanding the details shown on the approved plans, details must be submitted to and approved in writing by the Local Planning Authority showing: (a) full details of the new ground floor foyer
- Item 6 / Page 14

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

entrance and enclosure walls / glazed screen; (b) 1:10 drawings of all external frames and associated joinery sections for new doors and windows; (c) 1:5 drawings and 1:20 sections for new staircases; (d) 1:10 drawings of all new internal timber mouldings (skirting, handrails, architrave etc.) and ceiling coving; (e) 1:10 drawings of external ironmongery and rainwater goods; and (f) details of decorative finishes and colours to be used externally. Thereafter the development shall be carried out in accordance with the approved details.

**REASON:** To ensure the character and appearance of the building is preserved in accordance with Policies DP1 and DAP4 of the Warwick District Local Plan 1996-2011;

- (6) all window and door frames shall be constructed in timber and shall be painted and not stained. **REASON:** To ensure a high standard of design and appearance for this Listed Building and conservation area and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011;
- (7) in relation to blocking existing windows or making good any sections where new apertures are created, no facing materials shall be used other than materials similar in appearance to those used in the construction of the exterior of the existing building. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policies DP1 and DAP4 of the Warwick District Local Plan 1996-2011; and
- (8) the development hereby permitted shall not be occupied unless and until the approved bin store facilities have been provided and made available for use in accordance with the details on drawing number(s) 821-05A (or in any subsequently approved amendments) and thereafter those facilities shall remain available for use at all times. **REASON:** To ensure adequate facilities to serve the development in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

### **178. W14/0121 LB – 36 WARWICK STREET, ROYAL LEAMINGTON SPA**

The Committee considered an application for Yarnold Properties Limited for internal and external alterations to a listed building in association with a proposed change of use of basement, ground floor and first floor private

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

club premises to eight self-contained flats and one mews dwelling and alterations to the existing second floor.

The application was presented to the Committee because the previous applications for the conversion of the property to flats were determined by the Committee.

The officer considered the following policies to be relevant:

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

DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)

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

National Planning Policy Framework

An addendum circulated at the meeting advised that a further petition containing 90 signatures had been received from residents within the W3 parking zone, listing reasons for the objections. Also two further objections had been received with more concerns. A collective email had been received responding to the committee report giving reasons for objecting to the application.

It was the officer's opinion that the proposed internal and external alterations required to facilitate the change of use would not harm the character and appearance of the Listed Building or the Conservation Area.

The proposed use was considered to be sympathetic to the special architectural / historic interest of the Listed Building. The scheme was therefore considered to preserve the character and appearance of the Listed Building and the Conservation Area.

Following consideration of the report and presentation, the Committee resolved that the application should be granted in accordance with the recommendations in the report.

**RESOLVED** that W14/0121 LB be GRANTED with the following conditions:

- (1) the works hereby permitted shall begin not later than 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);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 821-05A, 821-06B, 821-07B & 821-08B, and specification contained therein, submitted on 27 January 2014, except as required by other conditions below.  
**REASON:** For the avoidance of doubt and to secure a satisfactory form of development in  
Item 6 / Page 16



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

accordance with Policies DP1, DP2, DAP4 and DAP8 of the Warwick District Local Plan 1996-2011;

- (3) prior to commencement of the development hereby permitted and notwithstanding the details shown on the approved plans, details must be submitted to and approved in writing by the Local Planning Authority showing: (a) full details of the new ground floor foyer entrance and enclosure walls / glazed screen; (b) 1:10 drawings of all external frames and associated joinery sections for new doors and windows; (c) 1:5 drawings and 1:20 sections for new staircases; (d) 1:10 drawings of all new internal timber mouldings (skirting, handrails, architrave etc.) and ceiling coving; (e) 1:10 drawings of external ironmongery and rainwater goods; and (f) details of decorative finishes and colours to be used externally. Thereafter the development shall be carried out in accordance with the approved details.

**REASON:** To ensure the character and appearance of the building is preserved in accordance with Policies DP1 and DAP4 of the Warwick District Local Plan 1996-2011;

- (4) all window and door frames shall be constructed in timber and shall be painted and not stained. **REASON:** To ensure a high standard of design and appearance for this Listed Building and conservation area and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011; and
- (5) in relation to blocking existing windows or making good any sections where new apertures are created, no facing materials shall be used other than materials similar in appearance to those used in the construction of the exterior of the existing building. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policies DP1 and DAP4 of the Warwick District Local Plan 1996-2011.

### **179. W14/0170 – 11 COURT CLOSE, BISHOP’S TACHBROOK, ROYAL LEAMINGTON SPA**

The Committee considered an application for Mr and Mrs Oakes for the demolition of the existing garage and storm porch and construction of a single storey side and rear extension to form a larger kitchen/dining room

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

and garage plus loft conversion to form two bedrooms with ensuite shower room and dressing room.

The application was presented to the Committee because an objection had been received from Bishop's Tachbrook Parish Council.

The officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)  
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)  
Residential Design Guide (Supplementary Planning Guidance - April 2008)  
The 45 Degree Guideline (Supplementary Planning Guidance)  
National Planning Policy Framework

It was the officer's opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents.

Following consideration of the report and presentation, the Committee resolved that the application should be granted in accordance with the officer's recommendations.

**RESOLVED** that W14/0170 be GRANTED subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 1116/4, 1116/5A and 1116/3A, and specification contained therein, submitted on 5th February and 5th March 2014 respectively. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;

- (4) prior to the occupation of the development hereby permitted, the landing and bedroom windows in the dormer on the south western elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times.

**REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011; and

- (5) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

**180. W14/0118 – ARDEN HILL LODGE, LAPWORTH STREET, LAPWORTH, SOLIHULL**

The Committee considered an application for Mrs Griffiths for the replacement of an existing conservatory with single storey extension and the erection of a first floor rear extension.

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

The officer considered the following policies to be relevant:

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

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

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

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

RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

National Planning Policy Framework

It was the officer's opinion that the development respected surrounding buildings in terms of scale, height, form and massing, and was acceptable in Green Belt terms and did not adversely affect the amenity of nearby residents.

Following consideration of the report and presentation, the Committee resolved that the application be granted in accordance with the officer's recommendations.

**RESOLVED** that W14/0118 be GRANTED subject to the following conditions:

- (1) the development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 2660-02 Rev C and 2660-03 Rev C, and specification contained therein, submitted on 7 March 2014. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

(The meeting ended at 7.47 pm)