

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 13 December 2006 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Tamlin (Chair), Councillors Ashford, Mrs Blacklock, Mrs Bunker, Ms De-Lara-Bond, Mrs Compton, Kinson, Mrs Knight and MacKay.

1. DECLARATIONS OF INTEREST

Minute Number XXX – Item 7 - W06/1057LB - Warwickshire Police Headquarters, Woodcote Lane, Leek Wootton

Councillor Mrs Blacklock declared a personal interest because a member of her family worked for Warwickshire Police.

Councillor Mrs Compton declared a personal interest because she was the Ward Councillor for the application site.

Minute Number XXX – Item 8 - W06/1104 - Warwickshire Police Headquarters, Woodcote Lane, Leek Wootton

Councillor Mrs Blacklock declared a personal interest because a member of her family worked for Warwickshire Police.

Councillor Mrs Compton declared a personal interest because she was the Ward Councillor for the application site.

Minute Number XXX – Item 17 - W06/1661 – Adj. 16 Court Street, Leamington Spa

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Kinson, Mrs Knight, MacKay and Tamlin all declared personal interests because it the land was owned by Warwick District Council.

Minute Number XXX – Item 23 - W06/1692 – Oaklands Farm, 357 Birmingham Road, Budbrooke

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Kinson, Mrs Knight, MacKay and Tamlin all declared personal interests because the applicant was a fellow Warwick District Councillor.

Minute Number XXX – Item 25 - W06/1705 – 16 Beverley Road, Leamington Spa

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Ms De-Lara-Bond, Mrs Compton, Kinson, Mrs Knight, MacKay and Tamlin all declared personal interests because the applicant was a Warwick District Council employee.

Councillor Mrs Compton declared a personal interest because the application was from Warwickshire County Council and she was a Warwickshire County Councillor.

2. **MINUTES**

The minutes of the meeting held on 10 October 2006 and 1 November 2006 were taken as read and signed by the Chair as a correct record.

3. **HURRANS GARDEN CENTRE, MYTON ROAD, LEAMINGTON SPA**

The Committee considered an application from Lidl UK GMBH for the erection of food store, service area, car park and ancillary works.

The application was presented to Committee due to the number of objections and an objection from Warwick Town Council having been received.

The site had been visited by the Committee after the Chair had decided it would be beneficial to them visiting the site before the application was considered by them.

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

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

(DW) ENV30 - Protection of Canal Corridors (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)

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

DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

The Committee also considered the information in the addendum which was circulated at the meeting.

The following addressed the Committee:

Mr K Hancock – Objector

Mr P Ritchie – Objector

Mr R Beaumont – Applicant

Councillor G Guest – Ward Councillor

After considering the officers report and presentation along with the representations from the public addressing the Committee, the Committee were of the opinion that the application should be refused.

RESOLVED: that application W06/0984 be REFUSED because of the detrimental impact on amenities of adjacent residential area by reason of unsympathetic design, in particular the aluminium roof, and likely intensification of use of a store of this type in this

location potentially resulting in overflow parking in nearby residential roads.

4. **9 ELIZABETH COURT, MYTON CRESCENT, WARWICK**

The Committee considered an application from Mr G Bains for the erection of a first floor side extension above existing garage, and extension of existing front dormer.

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

The Head of Planning and Engineering had recommended that the application be granted, subject to condition, as he felt that it complied with the relevant policies listed below:

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

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

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

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

DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

The Committee also considered the information in the addendum which was circulated at the meeting.

The following addressed the Committee:

Mrs Bains – Applicant

Councillor G Guest – Ward Councillor

After considering the officers report and presentation along with the representations from the public addressing the Committee, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1542 be GRANTED subject to the conditions listed below:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 31 October 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.

5. **W06/1057LB - WARWICKSHIRE POLICE HEADQUARTERS, WOODCOTE LANE, LEEK WOOTTON**

The Committee considered an application from Warwickshire Police Authority for the demolition of existing modern extension and stables/out buildings to Woodcote and erection of office extension to the north end of building.

The application was presented to Committee due to the number of objections having been received.

The site had been visited by the Committee after the Chair had decided it would be beneficial to them visiting the site before the application was considered by them.

The Head of Planning and Engineering had recommended that the application be granted, subject to condition, as he felt that it complied with the relevant policies listed below:

(DW) ENV12 - Protection of the Setting of Listed Buildings (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)

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

The Committee also considered the information in the addendum which was circulated at the meeting.

The following addressed the Committee:

Councillor P Eldridge – Parish Council

Mr J Hotchin – Objector

Councillor N Vincett – Spoke on behalf of the Ward Councillor

After considering the officers report and presentation along with the representations from the public addressing the Committee, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1057LB be GRANTED, subject to conditions listed below:

- (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

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 0329/114, /115A, /140B, /142C & 150A and specification contained therein, submitted on 23 June and 27 November 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) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, blind and glazed 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 Listed Building and the new buildings, and to satisfy Policies ENV3 and ENV11 of the Warwick District Local Plan 1995; and
- (4) 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.

6. **W06/1104 - WARWICKSHIRE POLICE HEADQUARTERS, WOODCOTE LANE, LEEK WOOTTON**

The Committee considered an application from Warwickshire Police Authority for the erection of new police headquarter office.

The application was presented to Committee due to the number of objections having been received.

The site had been visited by the Committee after the Chair had decided it would be beneficial to them visiting the site before the application was considered by them.

The Head of Planning and Engineering had recommended that the application be granted, subject to condition, as he felt that it complied with the relevant policies listed below:

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

GD.4 - Strategic Constraints (Warwickshire Structure Plan 1996-2011)

GD.6 - Green Belt (Warwickshire Structure Plan 1996-2011)

GD.6 - Green Belt (Warwickshire Structure Plan 1996-2011)

(DW) EMP4 - Employment Development in the Rural Areas of the District (Warwick District Local Plan 1995)

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

(DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)

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

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

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

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

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

RAP7 - Directing New Employment (Warwick District 1996 - 2011 Revised Deposit Version)

RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

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

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

DP3 - Natural and Historic Environment and Landscape (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)

DAP3 - Protecting Special Landscape Areas (Warwick District 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)

DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

SSP2 - Major Developed Sites (Warwick District 1996 - 2011 Revised Deposit Version)

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

The Committee also considered the information in the addendum which was circulated at the meeting.

The following addressed the Committee:

Councillor P Eldrige – Parish Council

Mr J Hotchin – Objector

Councillor N Vincett – Spoke on behalf of the Ward Councillor

After considering the officers report and presentation along with the representations from the public addressing the Committee, the Committee were of the opinion that the application should be deferred.

RESOLVED: that application W06/1104 be DEFERRED until further detailed advice is received from Warwickshire County Council on the traffic impact assessment and the wider and internal highway issues.

7. **37 BORROWDALE DRIVE, MILVERTON, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs Leeksma for the demolition of existing garage and construction of two storey and single storey garage, living room and bedroom extension.

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

The Head of Planning and Engineering recommended that the application be granted, subject to conditions, as he felt 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 following addressed the Committee:

Mrs Seton – Objector

Mrs Leeksma – Applicant

After considering the officers report and presentation along with the representations from the public addressing the Committee, the Committee were of the opinion that the application should be granted.

RESOLVED that application W06/1642 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 (06/62-02), and specification contained therein, submitted on 19th October, 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.

8. **ADJ. 16 COURT STREET, LEAMINGTON SPA**

The Committee considered an application from Regenesys for the erection of a pigeoncote.

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

The Head of Planning and Engineering recommended that the application be granted, subject to conditions, as he felt it complied with the following policies:

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

TCP7 - Opportunity Sites in Old Town, Leamington Spa (Warwick District 1996 - 2011 Revised Deposit Version)

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

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

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

A Development Brief for the Court Street Area, September 2003.

The Committee also considered the information in the addendum which was circulated at the meeting.

The following addressed the Committee:

Mrs Gillian Buick – Objector

Mrs J Alty – Supporter

After considering the officers report and presentation along with the representations from the public addressing the Committee, the Committee were of the opinion that the application should be granted.

RESOLVED that application W06/1661 be GRANTED subject to the following conditions:

- (1) This permission shall be limited to a 12 month period of time expiring 12 months after installation. The building shall be removed and the site restored to its former condition at or before the expiration of the period specified in this permission. **REASON:** The use hereby permitted is one which could have an adverse effect on amenities of surrounding residents and the District Planning Authority wish to have an opportunity to assess this effect after the use has been established or within 12 months of the

erection of the pigeoncote whichever is the latter. Such date of installation to be notified to the Planning Authority by the applicant; and

- (2) Before the development hereby permitted is first commenced, details of the treatment of the surface area beneath the pigeon cote and for a 1 m wide zone around the pigeon cote shall be submitted to and be approved in writing by the District Planning Authority. The surface treatment shall be completed strictly as approved prior to any pigeon being allowed to roost within the pigeon cote hereby permitted. **REASON:** To protect the character and appearance of this area and the amenity of the locality in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.

9. **39 INCHBROOK ROAD, KENILWORTH**

The Committee considered an application from Mr and Mrs Yakimov for an erection of false garage front and single storey rear extension.

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

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies.

The following addressed the Committee:
Councillor Mrs A Tyler – Town Councillor

After considering the officers report and presentation along with the representations from the public addressing the Committee, the Committee were of the opinion that the application should be deferred for a site visit.

RESOLVED that application W06/1677 be DEFERRED to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when determining the application.

10. **25 CLOISTER WAY, LEAMINGTON SPA**

The Committee considered an application from Mr and Mrs B Willers for an erection of a two storey extension to front elevation, first floor extension over existing garage, single storey rear extension and installation of solar panels.

The application was presented to Committee due to an objection from Royal Leamington Spa Town Council having been received and was deferred at the meeting on 22 November 2006 for consultation with the neighbour at number 23 Cloister Way and for further comments from Environmental Health in terms of noise and potential impact of the turbine.

Following the last planning committee, the applicant had withdrawn the proposed free standing wind turbine from the scheme and as such now the proposal related solely to the extensions to the property.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1629 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 4529/01C and specification contained therein, submitted on 24 November 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.

11. **ADJOURNMENT OF MEETING**

The Chair adjourned the meeting of the Planning Committee held on Wednesday 13 December 2006 to Thursday 14 December 2006 at 6.00pm.

(The meeting closed at 10:40pm)

RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 14 December 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Tamlin (Chair), Councillors Ashford, Mrs Blacklock, Ms De-Lara-Bond, Mrs Compton, Kinson, Mrs Knight and MacKay.

Apologies were received from Councillor Mrs Bunker.

12. **TRINITY SCHOOL, MYTON ROAD, WARWICK**

The Committee considered a request from the Diocesan Schools Commission which sought to remove condition 1(d) and amend condition 1(a) in relation to the planning permission W2000/1027.

The Head of Planning and Engineering considered the approved area of open space, being relatively small and between some flats and the Myton Road, was too small and unsuitable for the provision of play equipment. In addition, there was access to the wide range of equipment at St. Nicholas Park by way of the cycle/footbridge over the river (the Charter Bridge). In view of this, it was considered that there was no justification for any payment under clause (d) of the Agreement.

The Committee also considered the information in the addendum which was circulated at the meeting.

After considering the officers report and presentation, the Committee were of the opinion that the application should be deferred.

RESOLVED: that application W2000/1027 be DEFERRED to allow negotiation on a contribution to play equipment elsewhere in lieu of the added pressure on local facilities.

13. LAND OPPOSITE HERONBROOK HOUSE, BAKERS LANE, LAPWORTH

The Committee considered an application from Mr G Beacom for the erection of new stable block and a car parking space.

The application was presented to Committee due to the number of objections from neighbours having been received.

The application was deferred at Planning Committee on the 22 November 2006, to enable a site visit to take place on 9 December 2006. The report which followed was that which was presented previously.

The Head of Planning and Engineering had recommended that the application be granted, subject to conditions, as he felt that it complied with the relevant policies which are listed below:

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

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

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

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

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

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

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

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

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1322 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) 01, 02, Scale 1:500 at A3, and specification contained therein, submitted on 19th September 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) The vehicular access and the car parking area to the site shall not be used in connection with the development until it has been surfaced with a suitable material for 16m as measured from the near edge of the public highway carriageway so as to prevent extraneous material from being deposited onto the public highway by the wheels of vehicles leaving the site in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority. Material to be approved before installation. **REASON**: In the interests of highway safety;
- (4) Gates provided at the entrance to the site shall not be hung so as to open to within 16 metres of the near edge of the public highway carriageway. **REASON**: In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (5) There are public sewers, which cross the site. No building shall be erected or trees planted within 2.5 metres of the 225mm public foul sewer. **REASON**: To maintain essential access for maintenance, repair, renewal and to protect the structural integrity of the public sewerage system; and
- (6) The stables hereby permitted shall only be used for purposes in connection with and incidental to the use of the land for grazing purposes and shall not be used for the purposes of a livery or riding school or any other commercial purposes. **REASON**: To protect the rural character of the area.

The Committee considered an application from Drs Irshas & Tracey Zaki for the removal of condition no.3 of planning permission W05/0825 for the removal of hard surface after construction of access.

The application was deferred at Planning Committee on 22 November, to enable a site visit to take place on 9 December 2006. The report which followed was that which was presented previously.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1474 be GRANTED.

15. **15 HIDCOTE CLOSE, SYDENHAM, LEAMINGTON SPA**

The Committee considered an application from Mr Pathania for the erection of single storey extension, rear canopy and garden shed.

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

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
The 45 Degree Guideline (Supplementary Planning Guidance)

After considering the officers report and presentation, the Committee were of the opinion that the application should be deferred for a site visit.

RESOLVED: that application W06/1560 be DEFERRED to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when determining the application.

16. **15 HIGH STREET, WARWICK**

The Committee considered an application from P W Vaughan for the Installation of two rooflights to rear.

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

The Head of Planning and Engineering had recommended that the application be granted, as he felt that it complied with the relevant policies which were listed below:

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

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

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1633LB 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 in accordance with the details shown on the approved drawing unnumbered, and specification contained therein, submitted on 23rd October 2006 except as required by condition 3 below and 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) No development shall be carried out on the site which is the subject of this permission until large scale details of the Conservation type rooflights 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.

17. **53 MURCOTT ROAD EAST, WHITNASH**

The Committee considered an application from Mr and Mrs I Wilson for an erection of extensions to front, side and rear.

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

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
The 45 Degree Guideline (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)

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1646 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) 02A, and specification contained therein, submitted on 20 November 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.

18. 4-6 VICTORIA TERRACE, LEAMINGTON SPA

The Committee considered an application from Authentic Punjabi Foods Limited for Change of use of basement, ground and first floors to mixed use as restaurant/bar (Classes A3 & A4), to include lounge bar on the first floor.

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

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) S5 - Changes of Use Within Retail Areas (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)
 TCP5 - Secondary Retail Areas (Warwick District 1996 - 2011 Revised Deposit Version)
 DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
 DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
 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)
 DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1679 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) A017 and A018, and specification contained therein, submitted on 23 October 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) Customers shall not be permitted to use any part of the basement. **REASON :** To ensure that the change of use does not result in an increased flood risk to users of the building, in accordance with Policy ENV 3 of the Warwick District Local Plan 1995;
- (4) No development shall be carried out on the site which is the subject of this permission, until details of a fume extraction system 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 : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan;

- (5) No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse 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** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan; and
- (6) Details of the 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.

19. **17 MOORHILL ROAD, WHITNASH**

The Committee considered an application from Mr B S Gill for the erection of single storey rear extension.

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

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

After considering the officers report and presentation, the Committee were of the opinion that the application should be deferred.

RESOLVED: that application W06/1680 be DEFERRED to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when determining the application.

20. **FLATS 1-6, 36 WARWICK PLACE, LEAMINGTON SPA**

The Committee considered an application from the Leaseholders of 36 Warwick Place for the replacement of existing timber windows to rear and side elevation with new timber windows.

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

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

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

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

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

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

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

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)

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1686LB 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, submitted on 2 November 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) Notwithstanding the details submitted, no development shall be carried out on the site which is the subject of this permission, until large scale details of the windows (including a section showing the window reveal, heads and cill details) 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; and

- (4) All window 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 to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

21. **FLATS 1-6, 36 WARWICK PLACE, LEAMINGTON SPA**

The Committee considered an application from the Leaseholders for the replacement of existing timber windows to rear and side elevation with new timber windows.

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

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

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

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

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

(DW) ENV11 - Retention of Listed Buildings (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).

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)

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1687 be GRANTED, subject to the following conditions:

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

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 2 November 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) Notwithstanding the details submitted, no development shall be carried out on the site which is the subject of this permission, until large scale details of the windows (including a section showing the window reveal, heads and cill details) 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; and
- (4) All window 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 to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

22. **OAKLANDS FARM, 357 BIRMINGHAM ROAD, BUDBROOKE**

The Committee considered an application from Mr R Butler for an erection of replacement dwelling.

The application was reported to Planning Committee as the applicant was a District Councillor.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
(DW) H9 - Open Countryside (Warwick District Local Plan 1995)
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
RAP4 - Replacement Dwellings (Warwick District 1996 - 2011 Revised Deposit Version)

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1692 be GRANTED, subject to the following conditions:

- (1) This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995

as amended, 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) access
- (b) appearance
- (c) landscaping
- (d) layout
- (e) scale

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 as amended;

- (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; and
- (3) The replacement dwelling shall not be materially larger than the existing dwelling and, to demonstrate this, survey plans shall be submitted showing both the existing floor areas (externally measured) and the elevations of the present bungalow as part of any submission of reserved matters required under Condition 1. **REASON:** To comply with Planning Policy Guidance Note No.2: Green Belts and Policy RAP4 of the Revised Deposit Version of the Warwick District Local Plan 1996-2011.

23. 31 NORTHUMBERLAND ROAD, LEAMINGTON SPA

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

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

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

The Committee also considered the information in the addendum which was circulated at the meeting.

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1704 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 (4542/02A), and specification contained therein, submitted on 1st November, 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) Notwithstanding the details in respect of the 2-storey rear extension shown on the submitted plans, no development shall be carried out on the site which is the subject of this permission, until large scale details of proposed windows and doors 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

24. **16 BEVERLEY ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr MK & Mrs HL Haslett for the Installation of a micro wind turbine.

The item was reported to Committee because the applicant was an employee of Warwick District Council.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
 (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
 DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
 DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
 DP12a - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
 PPS22: Renewable Energy (Government Guidance)

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1705 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings and specification contained therein, submitted on 1st November 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.

25. **HILLFORD HOUSE, BARFORD ROAD, BARFORD**

The Committee considered an application from Mrs Allfrey for the erection of two storey side extension (re-submission W06/1155).

The application was presented to Committee due to an objection from Barford Parish Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:
 (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
 (DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)
 RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 Revised Deposit Version)
 DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
 DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

After considering the officers report and presentation, the Committee were of the opinion that the application should be granted.

RESOLVED: that application W06/1711 be GRANTED, subject to subject to the conditions listed below, after completion of a Section 106 legal agreement to revoke W05/1924:

- (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) (967-02B and 967-03B), and specification contained therein, submitted on 1 November 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
- (4) This permission authorises the erection of an extension for purposes incidental to the existing dwelling and shall not be construed as permitting the erection of a separate dwelling unit. **REASON:** Since the dwelling is within the open countryside where new dwellings are not permitted.

26. **NORTH LEAMINGTON SCHOOL, PARK ROAD, LEAMINGTON SPA**

The Committee considered an application from the Strategic Director of Resources of Warwickshire County Council for the Construction of a new 1500 pupil community school campus.

This consultation was reported to Committee as it was a major development that was likely to have a significant impact on the surrounding area.

The Head of Planning and Engineering detailed the relevant policies in the report and suggested that no objection be raised, provided the concerns in the report were addressed.

The Committee also considered the information in the addendum which was circulated at the meeting

After considering the officers report and presentation, the Committee were of the opinion that the application should be deferred for a site visit to take place on 6 January 2007. This would ensure that the Committee reports back to Warwickshire County Council before their meeting on 15 January 2007.

RESOLVED: that application W06/1785 be DEFERRED for a site visit on 6 January 2007 as the Committee felt it would be of significant benefit to them when determining their comments on the application.

(The meeting ended at 8:25pm)