

# PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 18 June 2008 in the Town Hall, Royal Leamington Spa at 6.00pm.

**PRESENT:** Councillor MacKay (Chairman); Councillors Barrott, Mrs Blacklock, Mrs Bunker, Copping, Dhillon, Edwards, Mrs Higgins, Illingworth and Mobbs.

(Councillor Mobbs substituted for Councillor Rhead)

## 170. DECLARATIONS OF INTEREST

### Minute Number 175 – W08/0660 – 18 Augusta Place, Leamington Spa

Councillor MacKay declared a personal interest because the objector was known to him.

### Minute Number 181 – W08/0626 – Cedar Pools, 3 Myton Crescent, Warwick

Councillor Mrs Higgins declared a personal interest because she owns a property within Myton Crescent.

### Minute Number 183 – W08/0659 – Holiday Inn, Smalley Place, Kenilworth

Councillor Illingworth stated that he had not been involved in any prior discussions on this item.

## 171. **LOWDOWN FARM, OAKLEY WOOD ROAD, BISHOPS TACHBROOK**

The Committee considered an application for Messrs Wright for the erection of agricultural building.

The application had been submitted for determination by the Committee because of the number of objections received, and an objection from the Parish Council.

The application was deferred at Planning Committee on 20 May 2008 because the Chair considered a site visit would be of benefit to the Committee when determining the application.

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

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

DP10 - Flooding (Warwick District Local Plan 1996 - 2011)

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

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

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

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

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

The following people addressed the Committee:  
Parish Council – Councillor R Brookes  
Applicant – Mr R Wright

In the opinion of the Head of Planning, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of the impact on the rural character of the area or the living conditions of nearby dwellings which would justify a refusal of permission. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation along with the information contained within the addendum and representation from the public addressing the Committee, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W08/0340 be GRANTED, with an advisory note to the applicant for the access track to remain open during and after construction and subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number APS/511/March 2008 and specification contained therein, submitted on 10 March 2008, 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 DP1;
- (3) 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 Policy DP11 of the Warwick District Local Plan 1996-2011; and

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

- (4) the building hereby permitted shall be used solely for the purposes of agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (as amended) and for no other purposes whatsoever. **REASON:** The site is located in open countryside and planning permission has been granted on the basis of the agricultural need demonstrated and as such other non-agricultural uses of the building may not be appropriate.

### **172. 427 TACHBROOK ROAD, WHITNASH**

The Committee considered an application from Castle Homes of Warwick Ltd for the proposed demolition of builders merchants and office premises and erection of six dwellings with five garages and associated road access.

The application was submitted to Committee for determination because an objection from Whitnash Town Council had been received.

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

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

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

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

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

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

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

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

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

SC10 - Managing Housing Supply (Warwick District Local Plan 1996 - 2011)

The following addressed the Committee:

Ward Councillor – Councillor B Kirton

In the opinion of the Head of Planning, the development did not adversely impact on the character and appearance of the area. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation along with the information contained within the addendum and representation from the public addressing the Committee, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W08/0481 be GRANTED, with an advisory note to state, "the Committee noted the expressed wish of the residents of Heathcote Terrace for access to the rear of their properties and invited the applicant to consider meeting the residents to discuss the matter". Subject to the following conditions:

## PLANNING COMMITTEE MINUTES (Continued)

- (1) the development shall be commenced not later than 1st September 2010. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 and to ensure that the 'expiry' date of this permission coincides with that of planning permission W05/1008 to comply with the requirements of the District Council's supplementary planning guidance on 'Managing Housing Land Supply';
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1012-02, 03, 04, 05 and 06, and specification contained therein, unless first agreed otherwise in writing by the District Planning Authority. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) all existing buildings on the site shall be demolished before the commencement of the development hereby permitted. **REASON :** To protect the amenity of future occupants of the site in accordance with the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (5) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON :** To ensure a development to

## PLANNING COMMITTEE MINUTES (Continued)

a high standard of design and appearance in accordance with the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

- (6) a landscaping scheme, incorporating boundary treatment, existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (7) no vehicular access shall be formed at any time to the land to the east of the site and before any dwelling hereby permitted is first occupied, all existing vehicular accesses onto this land shall be closed in accordance with a scheme first submitted to and approved in writing by the District Planning Authority. **REASON** : In the interests of pedestrian and highway safety in accordance with the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (8) 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 COMMITTEE MINUTES (Continued)**

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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;

- (9) before any dwelling hereby permitted is first occupied, a scheme to encourage the use of this site by bats shall be submitted to and be approved in writing by the District Planning Authority. Such scheme shall be fully implemented before any dwelling is first occupied and shall thereafter be retained as approved at all times. **REASON** : To protect the biodiversity of this site in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011;
- (10) in the event that during the construction or ground works associated with the development hereby permitted any toxic or other noxious materials are encountered, details of these materials and a scheme for their remediation shall be submitted to and approved in writing by the District Planning Authority. Such approved scheme shall thereafter be completed in all respects before the occupation of any dwelling hereby approved. **REASON** : To protect the amenity of future occupiers in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011;
- (11) notwithstanding the details contained in the submitted application, 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 site, or in the locality, from renewable energy resources. 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. **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;

## PLANNING COMMITTEE MINUTES (Continued)

- (12) before any dwelling hereby permitted is first occupied, a scheme of sustainable drainage and water conservation shall have been completed and implemented as detailed in the Energy Statement (A. Sustainable drainage system and water conservation) submitted in support of this application. **REASON** : To ensure the use of sustainable drainage systems to comply with the requirements of Policy DP11 of the Warwick District Local Plan 1996-2011;
- (13) no residential accommodation of any kind shall be provided at any time in the roofspace of the bungalow, Unit 6, hereby granted permission. **REASON** : To protect the amenity of local residents in accordance with the provisions of Policy DP2 of the Warwick District Local Plan 1996-2011;
- (14) the development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety;
- (15) the development shall not be occupied until an access for vehicles has been provided to the site not less than 5 metres in width for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway. **REASON** : In the interests of highway safety and to comply with the provisions of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (16) the access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a suitable bound material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority. **REASON** : In the interests of highway safety and to comply with the provisions of Policy DP6 of the Warwick District Local Plan 1996-2011;

## PLANNING COMMITTEE MINUTES (Continued)

- (17) the access to the site for vehicles shall not be used until it has been provided with 6 metre kerbed radiused turnouts on each side. **REASON** : In the interests of highway safety and to comply with the provisions of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (18) the access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **REASON** : In the interests of highway safety and to comply with the provisions of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (19) the access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority. **REASON** : In the interests of highway safety and to comply with the provisions of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (20) the development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 70 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON** : In the interests of highway safety and to comply with the provisions of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (21) gates erected at the entrance to the site for vehicles shall not be hung so as to open to within 10 metres of the near edge of the public highway carriageway. **REASON** : In the interests of highway safety and to comply with the provisions of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (22) the development shall not be occupied until a turning area has been provided within the site so as to enable the largest expected vehicle to leave and re-enter the public highway in a forward gear. **REASON** : In the interests of highway safety and to comply with the provisions



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

of Policy DP6 of the Warwick District Local Plan 1996-2011; and

- (23) the gable windows to all the two storey dwellings hereby permitted shall be glazed with obscure glass and retained as such at all times thereafter.  
**REASON** : To protect the amenity of adjacent residents in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.

### **173. 9 SHERBOURNE TERRACE, CLARENDON STREET, LEAMINGTON SPA**

The Committee considered an application from G Davis & M Catlin for the demolition of rear single storey lean to and glazed utility and erection of new single storey and first floor rear extensions.

The application was presented to Committee for determination following a request by Councillor Crowther.

The Committee had previously visited the site because it had been considered that this would benefit the Committee when determining the application.

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

The 45 Degree Guideline (Supplementary Planning Guidance)

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

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

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

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

The following addressed the Committee:

Ward Councillor – Councillor R Crowther

Applicant – Ms G Davis

It was proposed and duly seconded that the application be refused in line with the officers recommendation. This motion was voted on with 5 votes for and 5 against. The Chair had casting vote and proposed that the application be granted.

Following consideration of the officers' report and presentation along with the representation from the public addressing the Committee, the Committee were of the opinion that the application should be granted contrary to the officers recommendation.

**RESOLVED** that application W08/0482 be GRANTED for the following reason:

notwithstanding the breach of the 45 degree guidelines, the Committee did not consider the development to have a serious adverse impact on the amenities of the adjoining neighbour.

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

### **174. 98 DEANSWAY, WOODLOES PARK, WARWICK**

The Committee considered an application from Mr G Stanton for change of use of land to form part of residential curtilage and relocation of boundary fence.

The application was presented to Committee for determination because an objection from Warwick Town Council had been received.

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

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

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

The following addressed the Committee:

Warwick Town Council – Councillor M Kinson

In the opinion of the Head of Planning, the development respected the surrounding area in terms of landscape impact and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation along with the representation from the public addressing the Committee, the Committee were of the opinion that the application should be refused contrary to the officers recommendation.

**RESOLVED** that application W08/0607 be REFUSED for the following reason:

- (1) **REASON:** Eroding the open landscaped character and detrimental impact on the appearance of the area; and
- (2) enforcement action be authorised.

### **175. 18 AUGUSTA PLACE, LEAMINGTON SPA**

The Committee considered an application from Mr C Edmonds for the change of use of ground and first floors from class B1 (office) and class D1 (pilates studio) to class A3 (restaurant and cafe) use.

The application was submitted to Committee for determination because of the number of objections received and an objection from the Royal Leamington Spa Town Council.

The Committee had previously visited the site because it had been considered that this would benefit the Committee when determining the application.

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

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

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

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

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

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

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

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

TCP9 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)

TCP1 - Protecting and Enhancing the Town Centres (Warwick District Local Plan 1996 - 2011)

The following addressed the Committee:

Objector – Mr G Goddard-Pickett

Applicant – Mr C Edmonds

Ward Councillor – Councillor R Crowther

In the opinion of the Head of Planning, the proposed use would have an acceptable impact on the living conditions of nearby dwellings and would not detract from the character and appearance of the Conservation Area within which the site is located. Furthermore it was considered that the proposals would preserve the vitality and viability of the town centre. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation along with the information contained within the addendum and representation from the public addressing the Committee, the Committee were of the opinion that the application should be refused contrary to the officers recommendation.

**RESOLVED:** that application W08/0660 be REFUSED for the following reason:

a further change of use to A3 in the locality is likely to increase noise and disturbance resulting in loss of amenity to the adjacent residential properties.

### **176. FIELD COTTAGE, MILL LANE, ROWINGTON, WARWICK**

The Committee considered a report from Mr & Mrs Abrahall for the erection of single storey extension to rear of dwelling.

The application had been submitted for determination by the Committee because the property had previously been extended by up to 40 % of the size of the original dwelling and a further extension had since been proposed in excess of normal policy guidelines.

The Head of Planning considered that the following policies were relevant to the application:

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

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

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

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

In the opinion of the Head of Planning, the development respected the scale, design and character of the original dwelling and does not harm the general openness or rural character of the green belt area within which the property was situated. The proposal was therefore considered to comply with the policies listed.

It was proposed that the application be refused. However, the motion was not seconded and was therefore lost.

Following consideration of the officers' report and presentation along with the information contained within the addendum, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W07/2041 be GRANTED subject to the following conditions:

- (1) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) A07298/01, and specification contained therein, submitted on 18th December 2007 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

### **177. LEAMINGTON LAWN TENNIS AND CROQUET CLUB, GUYS CLIFFE AVENUE, LEAMINGTON SPA**

The Committee considered an application from Leamington Lawn Tennis and Croquet Club for the provision of floodlights to four tennis courts

The application had been submitted for determination by the Committee because of the number of objections received.

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

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

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

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

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

UAP9 - Directing New Leisure Development (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development would have an acceptable impact on the character and appearance of the area and would not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

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

Following consideration of the officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W08/0189 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 11 February 2008 and 3 April 2008, 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and
- (3) the floodlights hereby approved shall not be used later than 2200 hours. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.

### **178. BOWLING GREEN INN, 13 ST NICHOLAS CHUCH STREET, WARWICK**

The Committee considered an application from Charles Wells Pub Company for the display of new signage.

The application had been presented to Committee for determination because an objection from Warwick Town Council had been received.

The Head of Planning 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)  
DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)  
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

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

In the opinion of the Head of Planning, the proposed signage does not adversely affect the historic integrity, character or setting of the listed building, is of an acceptable standard of design and detailing and preserves the character and appearance of the Conservation Area within which the property is situated. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W08/0370 be GRANTED, subject to the following conditions:

- (1) this consent is for a period of five years from the date hereof and is subject to the standard conditions in the Second Schedule to the above mentioned regulations as follows:
  - 1 no advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
  - 2 no advertisement shall be sited or displayed so as to:
    - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
    - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
    - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
  - 3 any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
  - 4 any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
  - 5 where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair

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

visual amenity; and

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) Front elevation, Remote signs, Bullet, e-mail dated 9th May 2008 and specification contained therein, submitted on 18th March 2008 and 9th May 2008 respectively unless first agreed otherwise in writing by the District Planning Authority.

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

### **179. BOWLING GREEN INN, 13 ST NICHOLAS CHUCH STREET, WARWICK**

The Committee considered an application from Charles Wells Pub Company for the display of new signage.

The application had been presented to Committee for determination because an objection from Warwick Town Council had been received.

The Head of Planning considered the following policy to be relevant to the application:

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

In the opinion of the Head of Planning, the proposed development did not adversely affect the historic integrity, character or setting of the listed building and is of an acceptable standard of design and detailing. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W08/0374LB 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; and
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) Front elevation, Remote signs, Bullet, e-mail dated 9th May 2008 and specification contained therein,

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

submitted on 18th March 2008 and 9th May 2008 respectively unless first agreed otherwise in writing by the District Planning Authority.

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

### **180. 4 PARK ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr Peter Childs for the erection of a shed and construction of underground accommodation lit by a central roof lantern.

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

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

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

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

In the opinion of the Head of Planning, the development did not adversely impact on the character and appearance of the area or result in an unacceptable loss of amenity to neighbouring dwellings. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

#### **RESOLVED** that application

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 2A and 3A and specification contained therein, submitted on 27 May 2008 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and



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

- (3) a landscaping scheme shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

### **181. CEDAR POOLS, 3 MYTON CRESCENT, WARWICK**

The Committee considered an application from Mr Davies for the erection of a two storey front extension and reduction of ground levels to provide access to lower ground floor and the construction of a front bin store.

The application was submitted to the Committee for determination because an objection from Warwick Town Council had been received.

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

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

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

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

In the opinion of the Head of Planning, the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W08/0626 be GRANTED, subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON**: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 4581/02D, and specification contained therein, received on 8th May 2008 unless first agreed

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

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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

### **182. 1 OAK TREE CLOSE, LEAMINGTON SPA**

The Committee considered an application from Mr K Liddar for the erection of a two storey rear extension.

The application had been referred to Committee for determination because an objection from Royal Leamington Spa Town Council had been received.

The Head of Planning considered that the following policies were relevant to the application:

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

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

The 45 Degree Guideline (Supplementary Planning Guidance)

In the opinion of the Head of Planning, the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W08/0629 be GRANTED, subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing (drawing number 1519-2b), and specification contained therein, submitted on 4 June 2008 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and

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

- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

### **183. HOLIDAY INN, SMALLEY PLACE, KENILWORTH**

The Committee considered an application from Khanna Enterprises for 2 No Monolith post signs internally illuminated, 2 No Sets individual letters & logos non-illuminated, 3 No Logo's internally illuminated, 1 No post sign externally illuminated, and 1 No Set of individual letters internally illuminated.

The application was submitted to Committee for determination because an objection from Kenilworth Town Council had been received.

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

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

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

Following consideration of the officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the officers recommendation.

**RESOLVED** that application W08/0659 be GRANTED, subject to the following conditions:

- (1) GRANT advertisement consent, as amended, subject to the following condition.

The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing nos 01/Rev. B, 03/Rev. B to 09/Rev. B, 11/Rev. B, Starbucks Rev. 4, and specification contained therein, received on 2<sup>nd</sup> and 6<sup>th</sup> June 2008 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

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

### **184. STAR & GARTER, 4-6 WARWICK STREET, LEAMINGTON SPA**

The Committee considered an application from Green King Pub Partners for the erection of a timber and plastic roofed structure in the rear yard.

The report had been submitted to Committee for consideration because the authorisation of enforcement action was requested.

In February 2008 it was brought to the attention of the enforcement section that a timber structure with a plastic roof had been erected in the rear yard of the Star & Garter Public House. The proprietor was informed that planning permission was required but a planning application had not been submitted.

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

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

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

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

Following consideration of the officers' report and presentation, the Committee were of the opinion that officers be authorised to carry out enforcement action.

**RESOLVED** that officers be authorised to proceed with appropriate enforcement action directed at the removal of the structure with a compliance period of 2 months.

### **185. IMPLEMENTATION OF PLANNING PERMISSION**

The Committee considered a report from the Head of Planning, which provided an update on the events that had transpired since a resolution to serve a Revocation Order in relation to planning permission W03/1571 was agreed at the Planning Committee meeting held on 19 February 2008.

The reason for the previously authorised revocation order was to prevent implementation of the existing planning permission, in the interests of minimising potential harm to the roots of a prominent lime tree in the neighbouring garden, which was protected by virtue of the locality being within the Leamington Conservation Area. The applicant had now commenced implementation of W03/1571, specifically in respect of the construction of the approved strip foundation close to the tree; the reason for serving the revocation order had effectively been removed.

**RESOLVED** that the update report be noted and the Revocation Order not be served.

### **186. TREE PRESERVATION SUB-COMMITTEE**

In accordance with the Council's Constitution, the Committee must appoint 3 Conservative Councillors, 1 Labour Councillor, 1 Liberal Democrat Councillor and 1 Independent Councillor to the Tree Preservation Sub-Committee each municipal year.

**PLANNING COMMITTEE MINUTES (Continued)**

**RESOLVED** that Conservative Councillors Dhillon, Illingworth and Rhead, Labour Councillor Barrott, Liberal Democrat Councillor Mrs Blacklock, and Independent Councillor Mackay, all be appointed to the Committee for 2008/2009.

(The meeting ended at 10.00pm)