

# Planning Committee

Minutes of the remote meeting held on Tuesday 16 June 2020, which was broadcast live via the Council's YouTube Channel.

**Present:** Councillor Boad (Chairman); Councillors Ashford, R. Dickson, Heath, Jacques, Leigh-Hunt, Morris, Murphy, Roberts, Tangri and Weber.

**Also Present:** Principal Committee Services Officer – Mrs Dury; Legal Advisor – Mr Howarth; Planning Officer – Ms Compton, Manager, Development Services – Mr Fisher, Principal Planning Officer – Ms Obremski (observing only), Principal Planning Officer – Mr Charles (observing only) and Committee Services Officer – Mr Edwards (observing only).

## 7. **Apologies and Substitutes**

- (a) There were no apologies made.
- (b) Councillor Roberts substituted for Councillor Kennedy.

## 8. **Declarations of Interest**

There were no declarations of interest made.

## 9. **Minutes**

The minutes of the meeting held on 26 May 2020 were taken as read and signed by the Chairman as a correct record.

## 10. **W/20/0210 – 16 Princes Drive, Edmondscote, Royal Leamington Spa**

The Committee considered a retrospective application from Mr Punj for a change of use from a dwelling (use class C3) to a four bed HMO (use class C4).

The application was presented to Committee because it did not comply with Local Plan policy H6 and officers had recommended it for approval.

The officer was of the opinion that the proposed change of use was considered to be acceptable in principle and would not have a harmful impact on neighbouring residential amenity, or the character of the area. There would be no increased demand on parking as a result of the change of use. The proposed change of use was therefore recommended for approval.

An addendum circulated at the meeting advised that an additional 16 comments had been received, objecting to the application on the grounds that the 10% concentration had already been breached and that the presence of the railway line was not sufficient to justify departure from Policy H6 and that the application would set a harmful precedent.

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

The addendum advised that several commentators had queried the relevance of the railway line and the justification of this as a physical barrier to mitigate the impacts of the HMOs within the college campus to the properties along Princes Drive. It had also been raised that a pedestrian access gate situated along Warwick New Road in close proximity to Princes Drive was often used by student residents as the main pedestrian route to Leamington South. Officers advised that they did not dispute that Princes Drive might be used as a more direct access route to the south of Leamington, but Warwick New Road was a more direct access route to Leamington Town Centre and was a more attractive route for pedestrians in terms of being a main thoroughfare, was well lit and benefitted from more natural surveillance.

Royal Leamington Spa Town Council had revised its previous no objection to an objection on the grounds that the 10% HMO concentration had been breached and that granting the application would set a harmful precedent and the railway line was not sufficient to justify departure from Policy H6.

The following people addressed the Committee:

- Councillor Brunson, representing Royal Leamington Spa Town Council which had made an objection to the application;
- Mr Eurich, an objector; and
- Councillor B Gifford, District Councillor, objecting to the application.

Members were not satisfied that there were material considerations that outweighed the application of Local Plan policy H6.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Weber and seconded by Councillor Dickson that the application should be refused.

The Committee therefore

**Resolved** that W/20/0210 be **refused** because Members are not satisfied that the material considerations set out in the officer's report justify a departure from policy H6.

Further, that if granted, the application would result in an increase in the number of HMOs within the 100m radius to 33% which is considered by Members to be significant.

### **11. W/20/0263 – 23 Regent Grove, Royal Leamington Spa**

The Committee considered an application from Lasalle Investment Management for a change of use from a shop (use class A1) and restaurant (use class A3) to an office (use class B1a) with external alterations to include a new front door entrance.

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

The application was presented to Committee because the proposal was a departure from the Development Plan and it was recommended for approval.

The officer was of the opinion that whilst in principle, the proposed change of use would represent a departure from the Local Plan, the site currently remained vacant and was positioned on the edge of the retail area that did not benefit from high retail footfall. The proposal presented significant benefits by providing employment in the town centre, supporting the established gaming industry within Royal Leamington Spa and bringing a vacant site back into use. In addition, office uses were appropriate within the town centre and in the particular circumstances here, the benefits of the proposal as outlined above were considered to outweigh the loss of the retail use in this particular case.

An addendum circulated at the meeting advised that the agent had provided a statement of support to the application on the grounds that both units had been vacant for some time, other retail units had struggled to find tenants in the immediate area, with some being converted to office use already along Regent Grove. The site would provide open plan office space which was difficult to find and would accommodate 60-70 employees that could make use of public transport due to the town centre location.

The landlord had also provided a supporting statement which, amongst other comments, stated that the site had been vacant for some time and there had been little interest in retail uses in this part of the town. A neighbouring site along Regent Grove had recently changed use from a restaurant to office due to a lack of interest for restaurant uses in this area.

Following consideration of the report, presentation and information contained in the addendum, it was proposed by Councillor Weber and seconded by Councillor Heath that the application should be granted in accordance with the recommendation in the report.

The Committee therefore

**Resolved** that the Head of Development Services in consultation with the Chairman of Planning Committee be authorised to **grant** W/20/0263 subject to conditions below, following:

- (i) the expiry of the statutory press notice on 20 June, and subject to
- (ii) no new material planning issues having been raised by the end of the publicity period.

Should new material issues be raised, the application will be brought back to Planning Committee for further consideration.

Conditions:

- (1) the development hereby permitted shall begin no later than three years from the date

**PLANNING COMMITTEE MINUTES (Continued)**

of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended); and

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 1002, and specification contained therein, submitted on 14th February 2020. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

(The meeting ended at 7.35pm)

CHAIRMAN  
14 July 2020