

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday, 9 December 2003 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Evans (Chair); Councillors Ashford, Mrs Compton, Copping, Gifford, Guest, MacKay, Smith and Windybank.

(Councillor Gifford substituted for Councillor Ms De-Lara-Bond)

681. **DECLARATIONS OF INTEREST**

Minute Number 688 – 26 Binswood Avenue, Leamington Spa

Councillor Evans declared a personal interest because one of the objectors was known to him.

Minute Number 689 - Five Ways Nurseries, Five Ways, Haseley

Councillors Mrs Compton, Copping and Windybank declared a personal interest because the applicant was a former Councillor who was known to them.

Minute Number 694 – 45 Warwick Street, Leamington Spa

Councillor Gifford declared a personal interest in this item because the applicant was known to him.

Minute Number 694 – 6 Almond Avenue, Leamington Spa

Councillor Mackay declared a personal interest in this item because one of the objectors was known to him.

Minute Number 694 – Land at Holly Walk, Leamington Spa

Councillors Ashford, Mrs Compton, Copping, Evans, Gifford, Guest Mackay, Smith and Windybank declared a personal interest in this item because the land was owned by Warwick District Council.

682. **WEIGHT TO ATTACH THE POLICIES OF WARWICK DISTRICT LOCAL PLAN (1996 -2011) – FIRST DEPOSIT VERSION**

The Committee considered a report from the Head of Planning and Engineering advising them on what weight should be attached to the individual policies of the first deposit version at the Warwick District Local Plan 1996-2011.

On the 29 October, the Council had approved the first deposit version of the Warwick District Local Plan 1996-2011 for placing on deposit for public consultation. This plan was now going through the statutory procedures towards adoption and account had to be taken of its policies and decision making on planning applications.

On 11 November, the Committee had approved the use of the policies of the first deposit version for development control purposes where appropriate. Members had also requested further guidance on this matter including advice as to relative weight that could be attached to the individual policies of the first deposit version in decision making at the present time.

The use of the first deposit version of the local plan in development control decision making would support the achievement of the aims within the community plan/corporate strategy. Advice regarding the weights to be attached to individual policies of the first deposit version of the Warwick District Local Plan (1996-2011) were set out in the appendix to the report.

RESOLVED that the report be noted.

683. KING EDWARD VII MEMORIAL HOSPITAL, BIRMINGHAM ROAD, HATTON

The Committee considered an application from Morris Homes Limited for the erection of 36 dwellings as an amendment to planning permission W20020659.

RESOLVED that planning application W20031538 be deferred for further information/drawings of the site.

684. MONTGOMERY EQUESTRIAN, OLD BUDBROOKE ROAD, BUDBROOKE

The Committee considered an application, from Mr & Mrs Ruyssevelt, for the erection of a dwelling.

This application had been deferred at the meeting of the 11 November to negotiate a reduced size for the dwelling after favourable consideration, in principle, was given to it. Amended plans had now been received and these were detailed in the report. The remainder of the report had not been altered.

The Head of Planning and Engineering had recommended that planning permission be refused due to the lack of need for and excessive size of the permanent dwelling. However, the Committee were of the opinion that the need for a dwelling had been justified. However, the amended plans for the permanent dwelling were still of excessive size.

RESOLVED that planning application W20031213 be refused due to the excessive size of the permanent dwelling, while recognising there is a case for a dwelling within the normal guidelines for agricultural dwellings.

(Councillor Butler addressed the Committee as Ward Councillor)

685. THE GREEN BARN, WASPERTON LANE, BARFORD

The Committee considered an application, from J & J Manicom, for the erection of a dwelling for an equestrian key worker.

The application had been deferred at the meeting on the 20 October for a site visit and further information on the applicant's accounts. The site visit was held on the 8 November but it was not possible for the County Land Agent to examine the accounts in time for the last meeting. The report submitted therefore was that considered at the meeting of the 20 October but revised to take account of the applicant's letter, the addendum to the report and the report on the accounts.

The Head of Planning and Engineering had recommended that outline planning permission be refused on the grounds of lack of special justification. However, the Committee accepted that there was justification for development on the site, as the business was considered viable and the site was screened from the road. Therefore, they were prepared to grant outline permission for a modest dwelling subject to conditions which tied the building to the equestrian business, the development was no greater than 140m square including the garage, agricultural worker's condition and standard outline conditions.

RESOLVED that outline planning permission for application W20031336 be granted subject to conditions which tied the building to the equestrian business, the development to be no greater than 140m square including the garage, agricultural worker's condition and standard outline conditions.

(Councillor Butler addressed the Committee as Ward Councillor)

686. 14-20 THE PARADE, LEAMINGTON SPA

The Committee considered an application, from Trudson Limited, for the change of use of the existing offices on the first, second and third floors to provide 16 self-contained apartments.

The application had been deferred at the Planning Committee on the 20 October for detailed information, noise and sound attenuation measures.

The proposal was considered by the Head of Planning & Engineering and he concluded that it satisfied the objectives of policies (DW) ENV3, 6, 8, 11, 12 and 15 and (LTC) H3 of the Warwick District Local Plan 1995 and Policy GD4 of the Warwickshire Structure Plan.

RESOLVED that application W20030577 and Listed Building consent W20030578LB, be granted as amended subject to conditions on noise insulation, large scale architectural details and materials after reference to the Secretary of State

687. FORMER PETROL FILLING STATION, COTEN END, WARWICK

The Committee considered an application, from Temple Oak Limited, for the erection of 24 apartments with associated parking.

RESOLVED that application W20031511 be deferred to allow a site visit to take place.

(Councillor Hodgetts addressed the Committee as Ward Councillor)

688. 26 BINSWOOD AVENUE, LEAMINGTON SPA

The Committee considered an application from Mr P Tolley for the removal of the existing prefabricated concrete garage and adjacent garden wall and the erection of a new garage with private graphics studio.

RESOLVED that

- (1) application W20031571 be granted subject to conditions on large scale architectural details, materials, foundation details, tree protection, use of garage and garage door openings; and
- (2) that Conservation Area Consent W20031573 be granted subject to no demolition taking place until the contract for the carrying out of works of redevelopment of the site had been let.

689. FIVE WAYS NURSERIES, FIVE WAYS, HASELEY

The Committee considered Enforcement action on the unauthorised stationing of a mobile home for residential occupation by Mrs C Askew.

RESOLVED that enforcement action ACT413/43/02 be authorised to ensure that the residential use ceases to protect the character of the Green Belt, with a period for compliance of six months, to enable a reasonable time for alternative residential accommodation to be obtained.

690. CEDAR TREE FARM, FOSSE WAY, RADFORD SEMELE

The Committee considered enforcement action for the unauthorised construction of a detached garage by Mr T Alexander.

RESOLVED that enforcement action ACT96/12/03 be authorised to ensure that the garage is either totally demolished or partly demolished and adapted to accord with the approved details of planning application W2000826, to protect the character and appearance of this part of the open countryside, with a compliance period of four months.

691. ICON HOUSE, 12-14 JURY STREET, WARWICK

The Committee considered a request enforcement action on the unauthorised display of a non-illuminated advertisement on the front and rear elevation of the Grade II Listed Building by Mr G Hall.

RESOLVED that enforcement action ACT198/19/03 be authorised to require the removal of the five advertisement boards on the front elevation and the removal of the painted advertisement on the rear elevation of the Listed Building. The period for compliance to be two months for the advertisement boards and four months for the painted advertisements because of the need to obtain specialist advice to minimise the damage to the existing affected bricks.

692. PLANNING APPLICATIONS

The Committee considered a list of planning applications.

RESOLVED that the planning applications as detailed at appendix H be agreed.

693. ADJOURNMENT OF MEETING

The Chair adjourned the meeting of the Planning Committee held on Tuesday 9 December 2003 to Wednesday 10 December 2003 at 6.00 pm.

(the meeting ended at 9.40 pm)

RESUMPTION OF ADJOURNED MEETING

Minutes of the adjourned Planning Committee meeting held on Wednesday, 10 December 2003 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Evans (Chair); Councillors Ashford, Mrs Compton, Copping, Gifford, MacKay, Smith and Windybank.

(Councillor Gifford substituted for Councillor Ms De-Lara-Bond)

694. The Committee considered a list of planning applications.

RESOLVED that the planning applications as detailed at Appendix I be agreed.

(The meeting ended at 8.10 pm)

APPENDIX "H"
PLANNING APPLICATIONS

W20031640 BISHOPS TACHBROOK	LAND AT REAR OF 21-28 RYEFIELDS, BISHOPS TACHBROOK CV33 9UB. Change of use from agricultural land to form part of domestic curtilage.
DECISION:	GRANTED, subject to further details of boundary treatment.
W20031605 BISHOPS TACHBROOK	LAND AT REAR OF 7-20 MILLWAY DRIVE, BISHOPS TACHBROOK. Change of use from agricultural to residential garden.
DECISION:	GRANTED, subject to further details of boundary treatments.
WW20031343 LEAMINGTON SPA	LAND R/O, 7-19 CROFT CLOSE, BISHOPS TACHBROOK. Change of use of agricultural land to garden land.
DECISION:	GRANTED, subject to further details of boundary treatments.
W20031632 BUDBROOKE	TELECOMMUNICATIONS MAST AT WEDGNOCK PARK FARM, BIRMINGHAM ROAD, BUDBROOKE. CV35 7DZ. Installation of a temporary 15m high telecommunications mast, equipment cabin and associated works for a temporary period of 12 months.
DECISION:	GRANTED, for a temporary period of 12 months.
W20031647 KENILWORTH	1A, HIGHLAND ROAD, KENILWORTH CV8 2EU. Erection of single two storey rear extension (revised application). The Head of Planning & Engineering had recommended that the application be granted. However the Committee were of the opinion that the application was overdevelopment of the site and unneighbourly.
DECISION:	REFUSED, because the application was overdevelopment and unneighbourly.

APPENDIX "I" PLANNING APPLICATIONS

W20031556 LEAMINGTON SPA	6 ALMOND AVENUE, LEAMINGTON SPA, CV32 6QD. Loft conversion and erection of extensions to side and rear.
DECISION:	DEFERRED for a site visit (Councillor Mrs Goode spoke as ward Councillor)
W20011265 LEAMINGTON SPA	4 ADELAIDE ROAD, LEAMINGTON SPA. Erection of a dwelling.
DECISION:	APPROVED Minor Amendment.
W20031629 WARWICK	JEPHSON'S FARM, TELECOMMUNICATIONS MAST, GRIFFIN ROAD, WARWICK. Installation of a temporary 15 metre high telecommunications mast, equipment cabin and associated works for a temporary period of 12 months.
DECISION:	<p>The Head of Planning & Engineering had recommended that the application be granted for a temporary period of 12 months, subject to a condition relating to noise from the generator. However the Committee were of the opinion that the application made a detrimental impact on the visual amenity of the area of restraint between Warwick and Leamington and the special circumstances were not considered sufficient to outweigh the visual harm.</p> <ol style="list-style-type: none"> 1) REFUSED because the application made a detrimental impact on the visual amenity of the area of restraint between Warwick and Leamington and the special circumstances were not considered sufficient to outweigh the visual harm; and 2) ENFORCEMENT ACTION be authorised <p>(Councillor Mrs Hodgetts spoke as Ward Councillor)</p>
W20021570 LEAMINGTON SPA	SHOP UNITS 1 & 2, SLADE HILL, HAMPTON MAGNA, BUDBROOKE. Erection of first floor extension to form 3 apartments and alterations to existing retail units.
DECISION:	<p>The Head of Planning and Engineering had recommended that the minor amendment be approved. However the Committee were of the opinion that the extent of deviation was excessive, out of character with the street scene and had an overbearing impact.</p> <ol style="list-style-type: none"> 1) REFUSED because the extent of the deviation was excessive, out of character with the street scene and had an overbearing impact; and 2) Enforcement action be authorised.
W20030929 LEAMINGTON SPA	15 SPILSBURY CLOSE, LEAMINGTON SPA. Erection of a first floor side extension with covered area below and a kitchen extension.
DECISION:	GRANTED as amended subject to conditions on materials and details of construction of the pier foundation. (the application was approved by the casting vote of the Chair)

W20031313 RADFORD SEMELE	11 LEWIS ROAD, RADFORD SEMELE. Erection of a two-storey rear extension. .
DECISION:	GRANTED as amended subject to conditions on materials
W20031462 WARWICK	21 COVENTRY ROAD, WARWICK. Erection of a three-bedroomed dwelling and a detached garage.
DECISION:	GRANTED subject to sample materials, visibility splays to be 2.4m by 5m, protection of hedges and trees to be retained, and a contamination survey.
W20031495 WARWICK	UNIT 8, LOCK LANE, WARWICK. Erection of a replacement industrial unit with associated office, service yard and car parking.
DECISION:	GRANTED, as amended, subject to materials, provision and retention of car parking and contaminated land condition.
W20031505 WARWICK	RADIO HOUSE, SWAN STREET, WARWICK. Change of use from A1 (Retail) to A3 (food and drink).
DECISION:	GRANTED, as amended, subject to noise insulation scheme.
W20031506 WASPERTON	21, WASPERTON. Erection of a 2 storey rear extension, first floor side extension, front porch and construction of pitched roofs.
DECISION:	GRANTED, as amended, subject to sample materials and an archaeological survey.
W20031508 WARWICK	19-21, SMITH STREET, WARWICK. Display of illuminated halo effect lettering on fascia sign.
DECISION:	GRANTED, as amended, subject to details of the wooden fascia finish.
W20031535 KENILWORTH	124, ARTHUR STREET, KENILWORTH. Replacement of flat roof with a pitched roof above garage (to be converted to living room) (retrospective application).
DECISION:	GRANTED
W20031542 WHITNASH	381, TACHBROOK ROAD, WHITNASH. Erection of a rear conservatory.
DECISION:	GRANTED, subject to use of matching bricks.
W20031545 WARWICK	2 CAPULET DRIVE, HEATHCOTE, WARWICK CV34 6EW. Erection of two storey rear extension and a detached garage.
DECISION:	GRANTED, subject to conditions on matching materials.
W20031548 SHREWLEY	2 ANTROBUS CLOSE, SHREWLEY, CV35 7BW. Erection of two-storey side extension.
DECISION:	GRANTED, as amended.

W20031555 LEAMINGTON SPA	45 WARWICK STREET, LEAMINGTON SPA, CV32 5JX. Variation of condition 10 (Planning application no. W20030351 to extend opening hours to 24.00 hours (midnight) Thursday to Saturday (inclusive) (Revised Application).
DECISION:	GRANTED, as amended, subject to the permission being for a temporary period of 1 year from the date of first occupation of the premises with the applicant required to maintain a log of opening hours for inspection.
W20031567 WARWICK	17 NORTHUMBERLAND ROAD, LEAMINGTON SPA, CV32 6HE. Extension to garage to form workshop and domestic annexe.
DECISION:	GRANTED, as amended, subject to conditions on materials, tree protection, foundation details and door/window details.
W20031568 WARWICK	46 SMITH STREET, WARWICK, CV34 4HS. Display of non-illuminated fascia sign and projecting bracket sign.
DECISION:	GRANTED, as amended.
W20031570 KENILWORTH	39 WINDY ARBOUR, KENILWORTH, CV8 2AT. Erection of two storey and single storey rear extension.
DECISION:	GRANTED, as amended, subject to matching materials.
W20031572 WARWICK	45 SMITH STREET, WARWICK, CV34 4JA. Change of use from shop (A1) to restaurant (A3) and rear single storey extensions.
DECISION:	GRANTED, subject to noise insulation scheme, background noise levels and fume extraction.
W20031577 WARWICK	TULIP TREE HOUSE, 209 MYTON ROAD, WARWICK, CV34 6QD. Erection of a detached dwelling.
DECISION:	GRANTED, subject to standard outline conditions.
W20031578 KENILWORTH	20 MAYFIELD DRIVE, KENILWORTH. CV8 2SW. Erection of a first floor extension.
DECISION:	GRANTED, subject to matching materials.
W20031610 WHITNASH	LAND REAR OF 68 WHITNASH ROAD, WHITNASH, LEAMINGTON SPA CV31 2HD. Erection of a pair of semi-detached houses with access from Spa View.
DECISION:	GRANTED, subject to conditions relating to access, car parking, garaging, materials, obscure glazing, removal of pd rights and boundary treatments.
W20031615 LEAMINGTON SPA	LAND AT HOLLY WALK, LEAMINGTON SPA, CV32 4NY. Use of part of Holly Walk as market on Wednesdays.
DECISION:	GRANTED, for a temporary period of one year subject to a condition requiring erection, dismantling and refuse clearance to take place between 7.00 am and 7.00 pm.
W20031621 LEAMINGTON SPA	3 CROSS STREET, LEAMINGTON SPA CV32 4PX. Kitchen extension.
DECISION:	GRANTED, subject to conditions on materials.
W20031625 SHREWLEY	16 HUGHES HILL, SHREWLEY, WARWICK CV35 7AS. Erection of 3-car detached garage to replace existing garage.
DECISION:	GRANTED, as amended.

W20031627 KENILWORTH	31 BORROWELL LANE, KENILWORTH CV8 1ER. New kitchen extension and conservatory.
DECISION:	GRANTED
W20031609 BISHOPS TACHBROOK	LANDOR HOUSE, 13A SAVAGES CLOSE, BISHOPS TACHRBOOK. Conversion of garage loft to ancillary accommodation to the dwelling with the insertion of roof lights, an external door and external staircase.
DECISION:	GRANTED as amended, subject to a condition that the accommodation is used solely ancillary to the existing dwelling and a condition that the roof light on the side facing Old Stables will be replaced with obscured glass.
W2001642 LEAMINGTON SPA	123 BRUNSWICK STREET, LEAMINGTON SPA CV31 2EJ. Two-storey side extension.
DECISION:	GRANTED, subject to matching materials.
W20031658 LAPWORTH	LAND AT PEACOCK LANE, HOLYWELL, WARWICK CV35 7BJ. Construction of manege.
DECISION:	GRANTED, subject to being a private facility only and no lighting to be installed.
W20031687 LEAMINGTON SPA	72 GREATHEED ROAD, LEAMINGTON SPA. Erection of detached garden store.
DECISION:	GRANTED
W20031689 HATTON	34 HIGHFIELD, HATTON PARK, WARWICK. Erection of a rear conservatory.
DECISION:	GRANTED, subject to obscure glazed and non-opening side facing top lights.
W20031699 WARWICK	17 OKEN COURT, THEATRE STREET, WARWICK. Installation of a rear solar panel on rear roof slope.
DECISION:	GRANTED.
W20031703 OFFCHURCH	NEW COTTAGES (INC. APPLETREE AND LAVENDER COTTAGES), 1-4 CHURCH HILL, OFFCHURCH, LEAMINGTON SPA. Proposed variation of condition 3 of planning permission W20030297 (Change of use of land from agricultural land to form part of residential cartilage) to no longer require planting of a new boundary hedge.
DECISION:	GRANTED.
W20031711 LEAMINGTON SPA	12 FERNHILL DRIVE, LEAMINGTON SPA. Erection of a garage extension.
DECISION:	GRANTED subject to matching materials.