

# PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 20 February 2007 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

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

## 869. **DECLARATIONS OF INTEREST**

Minute Number 873 – W060018 – Barford Village Hall, Church Street, Barford

Councillor Tamlin declared a personal interest in this item because he was a resident of Barford and was likely to benefit from the application.

Minute Number 875 – W06/1718LB – Reformed Church, Spencer Street, Royal Leamington Spa

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Kinson, Mrs Knight, MacKay and Tamlin declared personal interests because Warwick District Council had been involved in promoting the regeneration of the area.

Minute Number 876 – W06/1719 – Reformed Church, Spencer Street, Royal Leamington Spa

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Kinson, Mrs Knight, MacKay and Tamlin declared personal interests because Warwick District Council had been involved in promoting the regeneration of the area.

Minute Number 893 - Spinney Farm, Banbury Road, Bishops Tachbrook

Councillor Tamlin declared a personal interest because he had previously visited the site.

## 870. **REAR OF 12, AMHERST ROAD, KENILWORTH**

This item was withdrawn from the agenda by the Head of Planning and Engineering and therefore was not considered by the Committee.

## 871. **1 LAERTES GROVE, HEATHCOTE, WARWICK**

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

The application had been submitted to Committee for consideration because of the number of objections that had been received and an objection from Bishops Tachbrook Parish Council.

The Head of Planning and Engineering had recommended that the application be granted because he felt that it complied with the following policies:

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

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (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).

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

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

The following people addressed the Committee

Mrs A Warner - Objector

Following consideration of the officers' report and presentation, addendum and the public speaker who addressed the Committee, the Committee were of the opinion that the application should be refused against the recommendation of the report.

**RESOLVED** that application W06/1864 be REFUSED because the application was injurious to the neighbours amenity by reason of bulk and mass, unneighbourly and overdevelopment of the application site.

**872. 20 FIELDS COURT, WARWICK**

The Committee considered an application from Portcullis Property for the demolition of flat roofed single storey part of three bedroomed bungalow and replacement with two storey extension on larger foot print.

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

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

The following people addressed the Committee

Mr T Dawe – Objector

Mr Lock – Objector

Following consideration of the officers' report and presentation, addendum and the public speakers who addressed the Committee, the Committee were of the opinion that the application should be deferred.

**RESOLVED** that application W06/1973 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.

**873. BARFORD VILLAGE HALL, CHURCH STREET, BARFORD**

The Committee considered an application from Barford, Sherbourne and Wasperton Joint Parish Council for the erection of a village shop.

The application had been presented to Committee because of the number of objections that had been received.

The Head of Planning and Engineering had recommended that the application should be granted as he felt that it complied with the following policies:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) RL4 - Loss of Open Space (Warwick District Local Plan 1995)  
(DW) S8 - Village Shops (Warwick District Local Plan 1995)  
RAP11 - Rural Shops and Services (Warwick District 1996 - 2011 Revised Deposit Version)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

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

The following addressed the Committee:  
Councillor Mrs Sawdon – Ward Councillor (supporting)

Following consideration of the officers' report and presentation, addendum and the public speakers who addressed the Committee, the Committee were of the opinion that the application should be GRANTED.

**RESOLVED** that application W07/0018 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 numbers 1212/01G and /03e, 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 Local Plan Policy ENV3;
- (3) a landscaping scheme, incorporating existing trees and shrubs to be retained and new oak 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 5837:2005. 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 Policy ENV3 of the Warwick District Local Plan; and
- (4) all excavation works under, and within 1 metre of, the canopy of the adjoining oak tree shall be carried out by hand and the proposed footpath, within the same area, shall be of permeable construction. **REASON** : To minimise the impact of the works or the tree in order to ensure its longevity.

**874. 67 CROWN WAY, LILLINGTON, ROYAL LEAMINGTON SPA**

The Committee considered an application from Masoud Farmani for change of use to restaurant/take away (A3/A5) and installation of new flue.

The application had been submitted for determination by the Committee following a request from Councillor Boad.

The application had been deferred by the Committee to, discuss with the applicant if an earlier closing time would be feasible, to obtain further advice from Environmental Health and to check the closing time and restrictions on other premises in the local centre. The report considered by the Committee was an updated version of the one submitted previously to Committee. The report now included additional comments from Environmental Health, further information on restrictions on opening hours in the Local Centre, and comments from the Police that were included in the addendum report to the previous Committee.

The Head of Planning and Engineering had recommended that the application be granted because he felt that it complied with the following policies:

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

(DW) S7 - Local Shopping Centres (Warwick District Local Plan 1995)

UAP4 - Protecting Local Shopping Centres (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).

DP9 - Pollution Control (Warwick District 1996 - 2011 Revised Deposit Version)

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

The following addressed the Committee:

Councillor Boad – Ward Councillor (objecting)

Following consideration of the officers' report and presentation, addendum and the public speakers who addressed the Committee, the Committee were of the opinion that the application should be GRANTED.

**RESOLVED** that W06/1880 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 24 November 2006, 2 January 2007 and 22 January 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 Local Plan Policy ENV3;
- (3) notwithstanding the details shown on the approved plans, 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;
- (4) The premises shall only be open to the public between the hours of 08.00 and 23.00 on Mondays to Saturdays and between the hours of 09.00 and 22.00 on Sundays. **REASON**: To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan; and
- (5) Within 2 months of its installation, the external extraction flue hereby permitted shall be painted a colour that has first been agreed in writing by the District Planning Authority. **REASON** : In the interests of the visual amenities of the area, in accordance with Policy (DW) ENV of the Warwick District Local Plan 1995.

**875. REFORMED CHURCH, SPENCER STREET, ROYAL LEAMINGTON SPA**

The Committee considered an application from Leamington and Warwick Dramatic Study Club for the part demolition, conversion, refurbishment and extension of existing building for use as theatre and associated facilities.

The Listed Building application was submitted to the Committee to accompany the related Planning Application.

## PLANNING COMMITTEE MINUTES (continued)

The Committee had visited the site prior to the meeting because the Chair of the Committee had felt it would be beneficial to the Committee when they determined the application.

The Head of Planning and Engineering had recommended that the application be granted because he felt that it complied with the following policies:

(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)

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

Government Advice is contained in PPG15, Planning and the historic environment.

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

Following consideration of the officers' report and presentation and addendum the Committee, the Committee were of the opinion that the application should be GRANTED.

**RESOLVED** that application W06/1718LB 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) 2266-13 and 2266-12 deposited with the District Council on 27th October 2006 and Drawing nos. 2266-05D, 2266-06C, 2266-07D, 2266-08C, 2266-09B and 2266-10D deposited with the District Planning Authority on 23rd January 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 Local Plan Policy ENV3;

- (3) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;
- (4) all rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;
- (5) no works for the installation of measures for sound attenuation and fire protection within the building shall be undertaken until a detailed specification of such works has been submitted to and approved in writing by the District Planning Authority. Such measures shall be installed strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;
- (6) no mechanical extraction or air conditioning equipment or flues shall be installed within or attached to the building unless details have first been submitted to and approved in writing by the District Planning Authority. The installation shall be undertaken strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;



- (7) no works for the repair or alteration of the existing staircases shall be undertaken unless a detailed specification of proposed works has been first submitted to and approved in writing by the District Planning Authority. The works shall be carried out strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;
- (8) no new opening hereby approved shall be formed within the existing building unless details of those openings have first been submitted to and approved in writing by the District Planning Authority. The openings shall be constructed strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;
- (9) all new and/or relocated soil and vent pipes with their connecting waste pipes shall be located in accordance with a scheme first submitted to and approved in writing by the District Planning Authority. The works shall be carried out strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;

- (10) all areas of the retained building exposed by demolition and not to be enclosed by new building works and existing windows shown to be infilled shall be made good in accordance with details first submitted to and approved in writing by the District Planning Authority. The works shall be carried out strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority.  
**REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;
- (11) the redecoration of any room or circulation area (including staircases) within the interior of the building shall not be undertaken until such time as a detailed specification of such works which takes account of all fixed features within those rooms and includes details of all lighting and power fittings has been approved in writing by the District Planning Authority. The redecoration shall be carried out strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority.  
**REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;
- (12) no works shall be undertaken to the basement unless and until a method statement to demonstrate how the proposed works to the vaulted roof will maintain the structural integrity of the building and detailed drawings to show how this vaulted roof will continue to be expressed within the finished scheme have been submitted to and approved in writing by the District Planning Authority. The works shall be carried out strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority.  
**REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan;

- (13) no works for the construction of any new feature identified in (a) to (m) below shall be commenced unless and until large scale details of its design and appearance have been submitted at a scale of 1:5 or such other scale as may be agreed in writing by the District Planning Authority:-
- (a) all new internal doors and door furniture;
  - (b) hydraulic platform/lifts;
  - (c) basement bar;
  - (d) glazed screen;
  - (e) box office;
  - (f) new seating;
  - (g) spiral staircases;
  - (h) staging;
  - (i) secondary glazing to windows and blackout curtains;
  - (j) sound and light control cubicle
  - (k) modification to existing first floor lobbies;
  - (l) treatment of upper gallery including glazed screen;
  - (m) all new internal light fittings, including stage lighting, with details of installation fixtures;

The works shall be carried out strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and 12 of the Warwick District Local Plan.

(14) no works shall be carried out on the site which is the subject of this consent until large scale details at a scale of 1:5 of the following items have all been submitted to and approved in writing by the District Planning Authority:-

- a. All brickwork details on the rear extension hereby approved (including eaves, recessed brick panels, string courses and plinth);
- b. New dormers and louvered panels;
- c. Glazed screen and all new windows and doors;
- d. Roof construction in the new extension hereby approved;
- e. New rainwater goods;
- f. Rendered panel and lettering thereon;
- g. Rear roller shutter door;
- h. External staircases, ramps and hand rails thereto;
- i. New gates, boundary walls, piers and railings, including details of how railings would be set into a plinth;
- j. New sign boxes set into railings, sign boards on front of building and lettering to read 'Loft Theatre' on front of building.

The works shall be carried out strictly in accordance with the approved details unless first agreed otherwise in writing by the District Planning Authority. **REASON** : To protect the character and appearance of this Listed Building in accordance with the requirements of Policies ENV11 and ENV12 of the Warwick District Local Plan.

**876. REFORMED CHURCH, SPENCER STREET, ROYAL LEAMINGTON SPA**

The Committee considered and application from Leamington and Warwick Dramatic Study Group for the part demolition, conversion, refurbishment and extension of existing building for use as a theatre and associated facilities.

The application was submitted to Committee for determination because five objections had been received.

The Committee had visited the site prior to the meeting because the Chair of the Committee had felt it would be beneficial to the Committee when they determined the application.

The Head of Planning and Engineering had recommended that the application be granted because he felt that it complied with the following policies:

## PLANNING COMMITTEE MINUTES (continued)

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)  
(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)  
TCP7 - Opportunity Sites in Old Town, Leamington Spa (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP2 - Protecting the Areas of Restraint (Warwick District 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)  
DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP10 - Flooding (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

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

Following consideration of the officers' report and presentation and addendum the Committee, the Committee were of the opinion that the application should be GRANTED.

**RESOLVED** that application W06/1719 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) 2266-13 and 2266-12 deposited with the District Council on 27th October 2006 and Drawing nos. 2266-05D, 2266-06C, 2266-07D, 2266-08C, 2266-09B and 2266-10D deposited with the District Planning Authority on 23rd January 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 Local Plan Policy ENV3;
- (3) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out 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;
- (4) all rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **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;
- (5) no materials, plant or equipment of any description including skips or containers, shall be stacked, stored or deposited on any open area of the site. **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) a 'hard' landscaping scheme shall be submitted to and be approved by the District Planning Authority before the development hereby permitted is commenced. Such approval scheme shall be completed in all respects before the use hereby permitted is first commenced. **REASON** : To protect and enhance the amenities of the area and to satisfy the requirements of Policy ENV3 in the Warwick District Local Plan;
- (7) no external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (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 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;
- (9) 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;

- (10) a scheme of noise attenuation shall be submitted and agreed by the Planning Authority prior to the commencement of any works of alteration so that noise arising from activities at these premises, when measured one metre from the facade of any noise sensitive premises, shall not exceed the agreed background noise level by more than 3dB(A) (measured as LAeq (5 minutes)). [If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.] **REASON** : To protect the amenities of nearby properties and to satisfy the requirement of Policy ENV3 of the Warwick District Local Plan;
- (11) The use of the premises for the purposes hereby permitted and for any purpose ancillary thereto shall be restricted to between the hours of 8.00 a.m. to 12 midnight and outside these hours the premises shall be closed and the rear service door onto Spencer Yard shall be shut.  
**REASON**: To protect the amenity of nearby residents in accordance with the requirements of policy ENV3 of the Warwick District Local Plan.
- (12) No development shall be carried out on the site which is the subject of this permission until large scale details at a scale of 1:5 of the following items have all been submitted to and approved in writing by the District Planning Authority:-
- a. All brickwork details on the rear extension hereby approved (including eaves, recessed brick panels, string courses and plinth);
  - b. New dormers and louvered panels;
  - c. Glazed screen and all new windows and doors;
  - d. Roof construction in the new extension hereby approved;
  - e. New rainwater goods;
  - f. Rendered panel and lettering thereon;
  - g. Rear roller shutter door;
  - h. External staircases, ramps and hand rails thereto;
  - i. New gates, boundary walls, piers and railings,



including details of how railings would be set into a plinth;

j. New sign boxes set into railings, sign boards on front of building and lettering to read 'Loft Theatre' on front of building.

The development shall be carried out strictly in accordance with the approved details. **REASON:** To protect the character and appearance of both the Conservation Area and this Listed Building to meet the requirements of Policies ENV6, 8, 11 and 12 of the Warwick District Local Plan.

**877. GROSVENOR COURT, 6 KENILWORTH ROAD, ROYAL LEAMINGTON SPA**

The Committee considered an application from Grosvenor Court Leamington Management Company Limited for the erection of 1.5m high iron railings to Morrell Street entrance with a 4 metre wide automatic sliding gate.

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

The Head of Planning and Engineering had recommended that the application be granted because 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)  
DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP13 - Crime Prevention (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

Following consideration of the officers' report and presentation to the Committee, the Committee were of the opinion that the application should be granted.

**RESOLVED** that application W06/1783 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, 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 gates, railings and plinth 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (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;
- (5) the gates and railings hereby permitted shall be painted black. **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; and
- (6) The gates hereby permitted shall not open outwards towards the public highway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.

**878. 40 HAMILTON ROAD, RADFORD SEMELE**

The Committee considered an application, that was a resubmission of W06/1250, from Mr & Mrs Marron for the erection of two storey side and rear extension.

## **PLANNING COMMITTEE MINUTES (continued)**

The application was submitted to Committee because an objection had been received from the Radford Semele Parish Council and because a request had been received from Councillor Doody.

The application had been deferred at the last meeting of the Committee to allow for a site visit to take place.

The Head of Planning and Engineering had recommended that the application be granted because he felt that 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 45 Degree Guideline (Supplementary Planning Guidance)

The Head of Planning and Engineering recommended that the application be granted. After considering the officer's report and presentation the Committee were of the opinion that the application should be refused.

**RESOLVED** that application W06/1876 be REFUSED because application would cause unreasonable harm to the neighbours amenity by virtue of massing, overbearing and unneighbourly.

### **879. 2 CASTLE LANE, WARWICK**

The Committee considered a listed building application from J C Holmes for the erection of a satellite dish.

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

The Head of Planning and Engineering recommended that the application be granted because he felt that it complied with the following policies:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

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

**RESOLVED** that application W06/1189LB 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, and specification contained therein, received on 8th January 2007, and shall be of a black, or brown, mesh design 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.

**880. KELSEYS, 15 – 17 HIGH STREET, ROYAL LEAMINGTON SPA**

The Committee considered an application from Mr Satsavia for the replacement of rear first floor window with French doors and erection of railings to enclose rear patio at first floor.

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

The Head of Planning and Engineering had recommended that the application should be granted because he felt that it complied with the following policies (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).

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

DAP11 - Unlisted Buildings in 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 W06/1951 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 in accordance with the details shown on the approved drawing No. 2632, and specification contained therein, submitted on 23rd November 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) notwithstanding the details in respect of the submitted plans, no development shall be carried out on the site which is the subject of this permission, until large scale details of a privacy screen, no less than 1.5 metres in height, to be constructed in reclaimed brickwork with coping stones and to be erected along the west elevation of the proposed patio, together with large scale details of the proposed railings to be erected along north boundary of the proposed patio have been submitted to and approved by the District Planning Authority. The privacy screen shall be erected before the construction of the patio and retained as such for all times thereafter. 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; and

- (4) No development shall be carried out on the site which is the subject of this permission until large scale details of the proposed french door 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.

**881. 27 COVENTRY ROAD, WARWICK**

The Committee considered an application from Mr A Atkins for erection of first floor side extension above garage.

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

The Head of Planning and Engineering recommended that the application be granted because he felt that 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).

After consideration of the officers' report and presentation and the information in the addendum, the Committee were of the opinion that the application should be granted.

**RESOLVED** that application W06/1966 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 amended drawing 2018 1000 A, and specification contained therein, submitted on 30th January, 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 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) the first floor window in the North elevation of the extension hereby permitted shall be obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.

**882. THE ORCHARD, SANDY LANE, BLACKDOWN, ROYAL LEAMINGTON SPA**

The Committee considered and application from Mr C Shea for the erection of a ground floor extension to side of the dwelling.

The Committee had been submitted for determination by the Committee because the Section 106 agreement for the property would require amendment if the application was approved.

The Head of Planning and Engineering recommended that the application be granted and the Section 106 agreement be amended because he felt that it complied with the following policies

(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)

RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 Revised Deposit Version)

(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)

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

**RESOLVED** that

- (1) application W06/1967 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 895/1 and specification contained therein, submitted on 18 December 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; and
- (2) an amendment to the existing Section 106 agreement to allow the extension, the subject of planning permission W06/1967 to be built, was APPROVED.

**883. LEAMINGTON SPA SOCIAL CLUB, 8 HIGH STREET, ROYAL LEAMINGTON SPA**

The Committee considered a retrospective application from Mr Satsavia for the creation of three additional bedrooms.

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



The Head of Planning and Engineering recommended that the application be granted because he felt that 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).

(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)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

After consideration of the officers' report and presentation the Committee were of the opinion that the application should be granted but their concerns over the lighting, ventilation and spacing inside the premises should be passed to Environmental Health for consideration in HIMO licensing.

**RESOLVED** that;

- (1) application W06/2010 be GRANTED;
- (2) Housing Strategy – Private Sector Housing be asked to take into consideration the concerns of this Committee about this property when determining the application for a House in Multiple Occupation with regard to lighting, ventilation and spacing.

**884. 31 NORTHUMBERLAND ROAD, ROYAL LEAMINGTON SPA**

The Committee considered an application from Mr and Mrs B Dempster for the erection of two storey extension to the rear, single storey extension of property and minor internal alterations.

The application had been submitted for determination because an objection had been from Royal Leamington Spa Town Council.

The Head of Planning and Engineering considered that the application should be granted because 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).

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

**RESOLVED** that application W07/0029 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 (4542/02B), and specification contained therein, submitted on 10th January, 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 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.

**885. CORTINA, RISING LANE, BADDESLEY CLINTON**

The Committee considered an application from Mr A Walsh for the erection of a single storey rear extension.

The application had been submitted for consideration by the Committee because an objection had been received from Baddesley Clinton Parish Council.

The Head of Planning and Engineering recommended that the application be granted as it complied with the following policies

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

(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)

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

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

**RESOLVED** that application W07/0040 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 no. 4853:H1A, and specification contained therein, received on 12th January 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 Local Plan Policy ENV3.

**886. OUTBUILDINGS REAR OF 1 CLAPHAM STREET, ROYAL LEAMINGTON SPA**

The Committee considered an application from Mr Holton for the reinstatement of outbuildings and conversion to ancillary accommodation.

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

The Head of Planning and Engineering had recommended that the application be granted because 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).

At the conclusion of their presentation the officer highlighted the amended wording for condition three, in relationship to obscure glazing, which was in the addendum to the agenda.

After consideration of the officers' report and presentation and the information in the addendum, the Committee were of the opinion that the application should be granted with the amendment to condition three as recommended by the officer.

**RESOLVED** that application W07/0047 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 numbers 1, 2, 3, 4 and 5 and specification contained therein, submitted on 15 January 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 Local Plan Policy ENV3;
- (3) notwithstanding the details in respect of the first floor arch window shown on the submitted plans, no development shall be carried out on the site which is the subject of this permission, until details of the obscure glazing of the bottom half of the opening, which shall be retained for perpetuity, 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 protect the amenities of nearby residents and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995; and
- (4) This permission authorises the use of the outbuilding for ancillary accommodation to the property known as 1 Clapham Street, Leamington Spa and shall not be construed as permitting its use as a separate dwelling unit. **REASON** : The use of this outbuilding for a separate residential unit would not meet one of the criteria set out within the Council's supplementary planning document: "Managing Housing Supply". This policy seeks to limit the over-provision of new homes in the District in accordance with policies CF3 and CF6 in the Regional Spatial Strategy, policy H.1 in the Warwickshire Structure Plan and policies UAP1 and SC8a in the Warwick District Local Plan (Revised Deposit Version). A separate residential unit would, therefore be contrary to the aforementioned policies.

**887. 42 RAWLINSON ROAD, LILLINGTON, ROYAL LEAMINGTON SPA**

The Committee considered an application from Mr C Haynes for the erection of a single storey extension to rear.

The application had been submitted for consideration by the Committee because an objection had been received from Royal Leamington Spa Town Council.

The Head of Planning and Engineering had recommended that the application be granted because 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 45 Degree Guideline (Supplementary Planning Guidance)

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

**RESOLVED** that application W07/0082 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 01 and specification contained therein, submitted on 18 January 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 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.

**888. SOLED SOUTH, 65 REGENT STREET, ROYAL LEAMINGTON SPA**

The Committee considered a report with regard to the installation of a non illuminated fascia sign.

The matter had been submitted to Committee to request that enforcement action be authorised.

In June 2005 it was brought to the attention of the Council that a fascia sign had been installed on the shop front of this Listed Building.

The occupier was contacted and informed that a Listed Building Consent would be required for the sign. A retrospective application was submitted and refused under delegated powers

The Occupier has indicated that he would appeal against the decision to refuse the Listed Building Consent application.

**RESOLVED** that enforcement action to require the removal of the sign to be removed and the fascia made good, with a compliance period of two months be AUTHORISED

**889. LAND OPPOSITE LITTLEWORTH HOUSE, BUDBROOKE**

The Committee considered a report with regard to the installation of six downlighters for existing manage.

The matter had been submitted to Committee to request that enforcement action be authorised.

In April 2005 it was brought to the attention of the Council that lighting columns had been erected adjacent to an existing manage on land opposite Littleworth House.

The owners of the land had been contacted and informed that Planning Permission was required.

An application for the down lighters was made to retain the down lighters and was refused under delegated powers in November 2005. The applicant incited an appeal would be made but failed to do so within the permitted time. A second application with restricted hours use was submitted and again the application was refused under delegated powers. The applicant has stated their intention to appeal the decision.

**RESOLVED** that enforcement action to ensure the columns and lights are dismantled and the materials removed from the land with a compliance period of two months be approved.

**890. 12 LYDSTEP GROVE, LEAMINGTON SPA**

The Committee considered a report with regard to the erection of a front boundary wall.

The matter had been submitted to Committee to request that enforcement action be authorised.

In August 2006 it was brought to the attention of the Council that a brick wall had been erected in the front garden area of the property adjacent to the public footway.

The owner was contacted and informed that Planning Permission was required because Permitted Development rights were removed when permission was granted for the development in 1970.

**RESOLVED** that enforcement action to ensure the wall is demolished in its entirety and the materials removed from the land with a compliance period of two months be AUTHORISED.

**891. HIGH PARK HOUSE, OLD WARWICK ROAD, LAPWORTH**

The Committee considered a report with regard to unauthorised change of use of single dwelling house to commercial car sales

The matter had been submitted to Committee to request that enforcement action be authorised.

In March 2006 it was brought to the attention of the Council that a car sales business was operating from High Park House, Old Warwick Road, Lapworth without consent of the Council.

The site was visited and it was noted that approximately 15 vehicles were being stored. A timber building in the garden was equipped as an office with a reception area. Contact was made with the owner of the property, who stated it was a temporary arrangement until he had finalised his move to commercial premises and he undertook to move the vehicles. The site was visited again in May 2006 and it appeared the business had been relocated and the timber building was being used for domestic purposes.

In August 2006, a further report was received that car sales were again taking place and a site visit established that approximately 10 cars were on the site. The owner stated the majority of the cars were friends and family and only occasionally was a car stored in relation to his business.

The business concerned is 'Carrington Specialist Cars' and one method of publication was by a 'Web' site which whilst not giving the address does list a telephone number for High Park House.

It had been established that callers to the telephone number are invited to view the vehicles at High Park House.

In January 2007 enquiries and a visit established that there were six vehicles on site being displayed and offered for sale. Four of those vehicles were advertised on the 'Web' site.

**RESOLVED** that enforcement action to ensure the use of the site for the storage, display and parking of vehicles for sale ceases with a compliance period of one month be AUTHORISED.

**892. REAR OF 9 SCHOOL LANE, KENILWORTH**

The Committee considered a report with regard to erection of a brick building with timber balcony.

The matter had been submitted to Committee to request that enforcement action be authorised.

In May 2006 it was brought to the attention of the Council that a brick building had been constructed to the rear of the property. The matter was investigated and resulted in a retrospective application being made and planning permission granted for a car port and cycle and storeroom.

In January 2007 it was reported that the building was not being constructed in accordance with the approved plan because the roof line had been extended, a timber balcony constructed on the rear elevation and car parking provision omitted.

The owner/developer of the site had been informed that as the present structure was not in accordance with the approved plans it was unauthorised and did not benefit from planning permission.

**RESOLVED** that enforcement action requiring the demolition of the whole of the building with all materials to be removed from the sight with a compliance period of two months be AUTHORISED.

**893. SPINNEY FARM, BANBURY ROAD, BISHOPS TACHBROOK**

The Committee considered a report regarding the alleged unauthorised use of land as a mixed use of part agriculture and part residential with the associated stationing of a caravan; and the alleged unauthorised erection of two floor building described as a pig farrowing house and two blocks of buildings with associated feed yards used for pig fattening.

Following the officers' report and presentation on this site, the Chair of the Committee informed the Committee that at 8.54pm the owner of the land had passed an envelope which contained information on this matter to the Town Hall



**PLANNING COMMITTEE MINUTES (continued)**

Superintendent for the Committee to consider. Therefore considering this, the significant level of correspondence and the complex nature of this case it was proposed by the Chair to defer this matter to allow for a site visit to take place, which was duly seconded.

The Committee expressed their dissatisfaction with regard to the late information circulated by the land owner and that they felt that this was a deliberate attempt to delay a decision on the matter. Therefore they asked the Senior Committee Services Officer to highlight to the Land Owner that as with Planning Applications considered by the Committee any written or photographic material should be forwarded to the Planning Department in good time before the meeting (at least 24 hours before the meeting).

**RESOLVED** that consideration of this matter be DEFERRED to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when considering the enforcement case.

(The meeting ended at 10.25pm)