

Planning Committee

Minutes of the meeting held on Tuesday 7 November 2023 at Shire Hall, Warwick at 6.00pm.

Present: Councillor Boad (Chairman); Councillors Collins, Cron, R Dickson, B Gifford, Kang, Luckhurst, Margrave, Noonan, Phillips, Sullivan, Tangri, and Williams.

Also Present: Civic and Committee Services Manager – Patricia Tuckwell; Legal Advisor – Sue Mullins; Graham Leach – Head of Governance Services and Monitoring Officer; and Development Manager – Gary Fisher.

81. **Apologies and Substitutes**

There were no apologies for absence.

82. **Declarations of Interest**

There were no declarations of interest made.

83. **Site Visits**

W/23/1220 LB – Pump Rooms, Parade, Royal Leamington Spa

Councillors Boad and Dickson made an independent visit to this application site.

Councillor Gifford declared that he was very familiar with the application site.

W/23/0364 - Euro Garages, Stratford Road, Warwick

Councillor Dickson made an independent visit to this application site.

Councillor Phillips confirmed that he had been a regular user of the garages for several years but had not been there for a few months.

W/23/0765 – 47a Kenilworth Road, Royal Leamington Spa

Councillor Gifford made an independent visit to this application site.

84. **W/23/0985 and W/23/0986 LB - Kingswood Farm, Old Warwick Road, Lapworth**

These applications were withdrawn from the agenda to enable officers to further consider the proposals and were therefore not considered by Members.

85. **W/23/1220 LB – Pump Rooms, Parade, Royal Leamington Spa**

The Committee considered an application from Warwick District Council for works to the Pump Rooms reception area, including removal of all modern roller shutters in reception, as well as removal of a modern door and partition wall to the back office and its replacement with a new door-set and glazed

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panel. The application was also for the installation of a solid partition wall with clerestory glazing to follow previous placement of roller shutters.

This application was deferred from the meeting of 11 October 2023 and was presented to the Committee because of the number of objections received, including an objection from the Royal Leamington Spa Town Council.

The officer was of the opinion that the proposed works were acceptable and would result in a neutral impact overall. The works were confined to the late twentieth century addition to the Pump Rooms, with partitions following an existing delineation of space and the special historic and architectural character of the listed building maintained. Materials to be introduced were considered sympathetic and there was felt to be a negligible impact on the conservation area. The application was therefore recommended for approval on the basis that it complied with Local Plan Policy HE1 & HE2, and the relevant sections of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

An addendum circulated at the meeting advised of an additional six objections that had been received since the publication of the agenda. The addendum also informed Members about revised drawings proposing minor revisions to the screening detailing and the material regarding the proposed internal door and window units. The timber detailing had been reduced slightly in thickness to more closely resemble the existing café detailing and the proposed door and window sets were to be timber framed rather than aluminium, to sit more comfortably with the detailing.

These revisions were considered to be acceptable by officers and resulted in minor visual improvement to the proposals.

In addition, the update report advised that the sample materials condition had been updated to require samples of all finished materials to ensure a high level of design and appearance throughout. A Large Scale Details condition had also been added in relation to the proposed windows and doors again to ensure a high standard of design and appearance.

In response to a question raised by Councillor Dickson, the addendum clarified that the works the subject of the Listed Building application were internal and not considered to have a significant effect on the external appearance of the building.

The following people addressed the Committee:

- Councillor McAllister, Royal Leamington Spa Town Councillor, objecting;
- Mrs Patrick, objecting; and
- Mr Eurich, speaking in support.

Councillor Gifford was concerned that the application contravened Local Plan Policy HE1 because it would damage the carefully designed atrium built in the 1990s, designed to draw the whole of the complex together, it being an area where people could mingle. The proposals would replace it with becoming a passageway and it would lose the vital meeting place, and the less than substantial harm was not outweighed by the public benefit. For these reasons, it was proposed by Councillor Gifford and seconded by Councillor Dickson that

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the application should be refused. However, when put to vote, the motion was defeated.

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

The Committee therefore

Resolved that W/23/1220 LB be **granted**, subject to:

- 1) amended drawings as listed in the addendum and above, to reflect the minor revisions to the screening detailing and the material regarding the proposed internal door and window units;
- 2) an amendment to the Sample Materials condition to require samples of all finished materials to ensure a high level of design and appearance throughout;
- 3) an additional Large Scale Details condition in relation to the proposed windows and doors, to ensure a high standard of design and appearance; and
- 4) the following conditions:
 - (1) the works hereby permitted shall begin no later than 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);

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan 5214913-ATK-XX-XX-DR-B-003 P01 and approved drawings WDC-ATK-RP-00-DR-ID-300107 P01, WDC-ATK-RP-00-DR-ID-300106 P01, WDC-ATK-RP-00-DR-ID-300104 P01 WDC-ATK-RP-00-DR-ID-300102 P01, WDC-ATK-RP-00-DR-ID-300101 P01 RPRR-ATK-MB-00-DR-A-171002 P01, RPRR-ATK-MB-00-DR-A-110004 P01, RPRR-ATK-MB-00-DR-A-110002 P01, RPRR-ATK-MB-00-DR-A-110001 P01, RPRR-ATK-MB-00-DR-A-015001 P01, RPRR-ATK-MB-00-DR-A-011003 P01, and specifications contained therein, all submitted on 21/8/2023.

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies HE1 and HE2 of the Warwick District Local Plan 2011-2029; and

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- (3) no development shall be carried out above slab level unless and until samples of the proposed timber slats to be used for cladding have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory appearance in relation to the listed building in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.

(Councillors Sullivan and Tangri left the room and the Chairman paused the meeting for a few minutes to allow for their return.)

86. **W/23/0364 – Euro Garages, Stratford Road, Warwick**

The Committee considered an application from EG Group for the demolition of the existing development and the erection of a Petrol Filling Station with an ancillary food retail shop and creation of four rapid electric vehicle charging points, along with air and water bays.

The application was presented to the Committee because of the number of objections received. The application was included on the agenda for the previous Planning Committee meeting. However, the item was not heard at that meeting.

The officer was of the opinion that the proposals were acceptable in principle and in relation to all of the detailed matters that had been assessed in the report. The proposal was considered to comply with LP Policy TC2 and was considered acceptable in principle. It was therefore recommended that planning permission should be granted.

An addendum circulated at the meeting advised of a point of clarification relating to the floor area of the shop. It also advised of an additional representation received in support of the application and provided a response to a question raised by Councillor Dickson prior to the meeting.

Mrs Aston addressed the Committee, objecting to the application.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, it was proposed by Councillor Boad and seconded by Councillor Williams that the application should be deferred.

The Committee therefore

Resolved that W/23/0364 be **deferred** in order to enable:

- (1) further clarity to be provided on proposed noise attenuation measures and their benefits, including the extent and detail of the proposed acoustic fence;

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- (2) consideration to be given to exploring further opportunities for additional or extended noise attenuation measures;
- (3) further clarity to be provided on the requirements of proposed condition 8 in non-technical language;
- (4) clarification of the position regarding ecology;
- (5) the applicant to provide any further information or clarification on lighting proposals for the site (Officer note – it is not unusual for lighting details to come forward at a later time and therefore further details cannot be required of the applicant, however officers will raise this with them); and
- (6) clarification of the tracking details for vehicles entering the site from both directions and the Highways Authority position on this aspect.

87. W/23/0765 – 47A Kenilworth Road, Royal Leamington Spa

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

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

The officer was of the opinion that the proposals had an acceptable impact on the character and quality of the street scene and conservation area through the proposed layout, building materials and scale of the development. The proposals would also have an acceptable impact on the living conditions of neighbouring dwellings. The proposals were therefore in accordance with Local Plan Policies BE1, HE1, HE2, BE3, and the Residential Design Guide SPD. The officer recommended the application should be granted.

An addendum circulated at the meeting advised that the application was not considered to have an unacceptable impact on neighbouring amenity at Nova Lodge to the north. The development would not breach the 45-degree line and first floor side facing windows were to be conditioned as obscure glazed and non-opening up to 1.7m to prevent unacceptable overlooking.

The following people addressed the Committee:

- Councillor McAllister, Leamington Spa Town Councillor, objecting; and
- Mr Phillips, objecting.

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

The Committee therefore

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Resolved that W/23/0765 be **granted**, subject to the following conditions:

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

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

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 23102-002E, 23102-003E and specification contained therein, submitted on 09/10/2023.

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;

- (3) prior to the occupation of the development hereby permitted, the proposed first and second floor windows in the north side elevation, and the proposed roof lights in the north and south side elevations, shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times.

Reason: To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029;

- (4) no development shall be carried out above slab level unless and 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 (including details of materials) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details.

Reason: To ensure an appropriate standard of design and appearance within the Conservation

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Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029; and

- (5) no development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policies BE1 and HE1 of the Warwick District Local Plan 2011-2029.

(The meeting ended at 8.09pm)

CHAIRMAN
16 January 2024