

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 22 June 2005 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillors Ashford (Chair), Mrs Blacklock, Mrs Compton, Ms De-Lara-Bond, Holland, Kinson, Mrs Knight, MacKay and Windybank.

(Councillor Holland substituted for Councillor Evans)

(In the absence of Councillor Evans, Councillor Ashford was appointed Chair for the meeting)

150. **DECLARATIONS OF INTEREST**

Minute Number 154 – W2005/0425 – St Marys Land, Hampton Street, Warwick

Councillors Ashford, Mrs Blacklock, Mrs Compton, Ms De-Lara-Bond, Holland, Mrs Knight, Kinson, MacKay and Windybank all declared a personal interest because the application was on Warwick District Council land.

Minute Number 157 – W2005/0684 – 1 Whites Row, Kenilworth

Councillor Mrs Blacklock declared a personal interest because an objector was known to her.

Minute Number 152 & 153 – W2005/0482 & W2005/0483CA – 45 High Street, Kenilworth

Councillor Mrs Blacklock declared a personal prejudicial interest because she spoke as Ward Councillor on this item.

Minute Number 167 – W2005/0556 – 15 Radford Road, Leamington

Councillor Mrs Knight declared a personal interest because she was Chair of Bath Place Management Board.

Minute Number 160 – W2005/2253 – Land adjacent, Stratford Road, Warwick

Councillor Holland declared a personal interest because a report on this item included a quote from him.

151. **DALEHOUSE LANE / COMMON LANE / COTTON DRIVE, KENILWORTH**

The Committee considered an application From JG Land & Estates for the outline application for residential development including improvements to Dalehouse Lane / Common Lane junction.

The Head of Planning and Engineering considered the following policies were relevant to the application.

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)

PLANNING COMMITTEE MINUTES (Continued)

(DW) EMP5 - Employment Development in Urban Areas (Warwick District Local Plan 1995)

SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

GD1- Overriding Purpose (Warwickshire Structure Plan 1996-2011)

The following addressed the Committee on this application:

Cllr Mrs F Bunker	Town Council
Mr C Smith	Objector
Mr John Jowitt	Applicant
Mr D Homer	Supporter
Cllr D Shilton	Ward Councillor

RESOLVED that application W2005/0262 be REFUSED because the proposals show a major development for residential purposes on a site shown for employment purposes in the Warwick District Local Plan 1995. As this site forms the centre of the major employment area of Kenilworth, to grant permission in this case would encourage further applications which would progressively erode the employment land resources of the town. It is therefore considered that the proposals are contrary to policy GD1 of the Warwickshire Structure Plan 1996-2011, which requires development which encourages sustainable transport patterns and to bring new industry into towns where old ones are in decline. Furthermore, the proposals are contrary to policy ENV5 of the Warwick District Local Plan 1995, which requires employment sites to be retained for such uses.

152. **45 HIGH STREET, KENILWORTH**

The Committee considered an application from Mr & Mrs Green for the demolition of existing dwelling / garage and erection of new dwelling / garage.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(DW) ENV21 - Development Associated with Ancient Monuments (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)

PLANNING COMMITTEE MINUTES (Continued)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Cllr G Illingworth
Mr H Gilmore
Cllr A Blacklock

Town Council
Applicant
Ward Councillor

RESOLVED that application W2005//0262 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out in accordance with the details shown on the approved drawings 04.169.SK.041e, 042e, 043e, 044e, 045e, 046e, 047d and 048c and specification contained therein, submitted on 9th May 2005 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) No development shall be carried out on the site which is the subject of this permission, until full details of existing and proposed ground levels of the development, including the finished floor level of the dwelling and sections through the site 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 character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 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

PLANNING COMMITTEE MINUTES (Continued)

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) A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (6) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;

- (7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **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;
- (8) No lighting shall be fixed to the external walls or roofs of the dwelling hereby permitted, or on any open land within the application site without the written consent of the District Planning Authority. **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
- (9) No development shall take place until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority. **REASON:** to ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.

153. 45 HIGH STREET, KENILWORTH

The Committee considered an application from Mr & Mrs Green for the demolition of existing dwelling / garage and erection of new dwelling / garage.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(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) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Cllr G Illingworth
Mr H Gilmore
Cllr A Blacklock

Town Council
Applicant
Ward Councillor

RESOLVED that application W2005/0483CA be GRANTED subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of five years from the date of this consent.
REASON : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (2) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment under W05/0482 has been made.
REASON : To ensure an appropriate replacement building within the Conservation Area and to satisfy the requirements of Policy ENV8 of the Warwick District Local Plan 1995;
- (3) Before any works for demolition are first commenced, a survey of the premises by a qualified bat surveyor shall be undertaken to demonstrate the presence, absence or usage of the premises by bats. In the event that the survey demonstrates the presence or usage of the premises by bats, a report recommending mitigation measures to ensure any bats will be protected during the demolition works shall be submitted to and approved in writing by the District Planning Authority before the demolition works are commenced. The approved mitigation measures shall be wholly implemented strictly as approved. **REASON**: To ensure the protection of bats and compliance with Policy ENV27 of the Warwick District Local Plan 1995; and

PLANNING COMMITTEE MINUTES (Continued)

- (4) No development shall take place until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority. **REASON:** to ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.

154. ST MARYS LAND, HAMPTON STREET, WARWICK

The Committee considered an application from Warwick District Council for improvements to existing car park and creation of a public pay and display car park.

The following addressed the Committee on this item:

Dr S Allen Objector

RESOLVED that application W2005/0425 be **DEFERRED** so the application can be referred back to the applicant to split the application into two separate proposals for Car Park A and Car Park B.

155. LAND AT LEAM STREET, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs Ballinger for the demolition of existing garage block and erection of single dwelling.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(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) H5 - Infilling within the Towns (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP14 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011 First Deposit Version)
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

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

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Mr A Hart	Objector
Mr P Manning	Applicant

RESOLVED that application W2005/0513 GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out in accordance with the details shown on the approved drawing 2450/002A, and specification contained therein, submitted on 17 May 2005 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 any details shown on the submitted plans all door and window frames (including the dormer window) shall be constructed in timber, painted and not stained. **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) Large scale details of doors, windows (including a section showing the window reveal, heads and cill details), rooflights, dormer window, eaves, verges and rainwater goods at a scale of 1:5 shall be submitted to and approved by the District Planning Authority before these items are installed. 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;

PLANNING COMMITTEE MINUTES (Continued)

- (5) The vehicular access to the site shall not be less than 3.0 metres wide for a distance of 7.5 metres into the site, as measured from the near edge of the public highway carriageway.
REASON : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (6) The dwelling hereby permitted shall not be occupied unless there is available vehicular turning space within the site so that vehicles are able to enter and leave the public highway in a forward gear. Details of the size and surface treatment of the turning area shall be submitted to and approved by the District Planning Authority before development commences.
REASON : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) Prior to the commencement of the development hereby permitted, a plan to show the layout and surface treatment of car parking spaces in accordance with the Council's standard shall have been submitted to and approved by the District Planning Authority. The car parking spaces shall be constructed, surfaced, laid out and available for use prior to the first occupation of the dwelling hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (8) 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (9) The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the 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;

PLANNING COMMITTEE MINUTES (Continued)

- (10) 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (11) No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatments 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 ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (12) A landscaping scheme 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. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (13) Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. **REASON** : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (14) No lighting shall be fixed to the external walls or roof(s) of the building(s) hereby permitted, or on any open land within the application site without the written consent of the District Planning Authority. **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;
- (15) Development shall not be commenced until there has been submitted to the District Planning Authority a survey report on the extent to which any part or the whole of the application site is contaminated by toxic or other noxious materials and on the remedial measures required to deal with the hazards. No development shall be commenced until all toxic or obnoxious materials have been removed or otherwise treated in accordance with details which have been approved in writing by the District Planning Authority. **REASON** : To protect the health and safety of future occupiers; and
- (16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : This site is located within the Leamington Conservation Area, is of a restricted size and configuration and is in close proximity to other dwellings. It is considered appropriate therefore to retain control over future development to maintain an appropriate standard of design and appearance within the Conservation Area and to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 and ENV8 of the Warwick District Local Plan.

156. **7 OAK TREE CLOSE, LEAMINGTON SPA**

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

Determination of this application had been deferred by the Committee on 26 May 2005 to allow a site visit to take place.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

PLANNING COMMITTEE MINUTES (Continued)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
The 45 Degree Guideline (Supplementary Planning Guidance)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First
Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Ms D Riman	Applicant
Cllr R Copping	Ward Councillor

After considering the report from the Head of Planning and Engineering and the representation from the Ward Councillor and members of the public, the Committee were of the opinion that the application should be refused as outlined below.

RESOLVED that application W2005/0557 be
REFUSED for the following reasons:

- (1) Policy ENV3 of the Warwick District Local Plan 1995 requires all development proposals to harmonise with their surroundings, whilst Policy DP2 of the Warwick District Local Plan 1996-2011 First Deposit Draft states that developments which have an unacceptable impact on the amenity of nearby residents will not be permitted. In the opinion of the District Planning Authority, the proposed extensions would result in an unneighbourly impact on the adjoining property by reason of the massing of development on and close to the common boundary which would unacceptably harm the outlook from that property; which has a principal living room window in close proximity to the proposed development.

The proposed development would therefore be contrary to the objectives of the aforementioned policies; and

- (2) Policy ENV3 of the Warwick District Local Plan 1995 requires all development proposals to harmonise with their surroundings, whilst Policy DP1 of the Warwick District Local Plan 1996-2011 First Deposit Draft requires developments to respect surrounding buildings in terms of scale, height, form and massing.

The property to be extended is within a row of detached dwellings aligned in the form of a crescent, with gaps between the dwellings which provide a degree of openness which significantly contributes to the quality and character of the street scene. The proposed development would result in a significant erosion of the gap between

PLANNING COMMITTEE MINUTES (Continued)

7 and 8 Oak Tree Close which would be likely to create a terracing effect through the loss of the major part of this gap.

The proposed development would therefore be contrary to the objectives of the aforementioned policies.

157. 1 WHITES ROW, KENILWORTH

The Committee considered an application from Mr G Middlebrook for the erection of 23 flats with garaging and parking.

The following addressed the Committee on this item:

Mr S Kincaid	Objector
Cllr A Cockburn	Ward Councillor

RESOLVED that application W2005/0684 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

158. OLD RECTORY COTTAGES, 1-2 VICARAGE LANE, SHERBOURNE, WARWICK

The Committee considered an application from Ms Merry / Ms Walker for the installation of replacement roof tiles, windows, front doors and cladding to dormer windows. Installation of velux roof light (1 no) to cottage number 1.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(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) ENV9 - Design Guidance for New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Mr D Payne	Objector
Ms V Merry	Applicant
Ms H Walker	Supporter

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W2005/0611 be GRANTED subject to the following conditions:

- (1) All window frames shall be constructed in timber, painted and not stained, and be of a side hung casement type set in reveals of 75mm from the face of the building. **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
- (2) No further development shall be carried out on the site which is the subject of this permission until large scale details of door and windows 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.

159 LAND REAR OF 31 CLARENDON SQUARE, LEAMINGTON SPA

The Committee considered an application from Crabb Curtis & Co (Homes) Ltd for the erection of two dwellings.

The following addressed the Committee on this item:

Mr E Du Gard	Objector
Mr N Crabb	Applicant

RESOLVED that application W2005/0653 & W2005/0654LB be DEFERRED for clarification of the windows of the adjoining Trinity Street house.

160. LAND ADJACENT, STRATFORD ROAD, WARWICK

The Committee considered a report from Taylor Woodrow Developments Limited for the construction of a single carriageway link road accessed from the A429 to the existing south west Warwick development spine road.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) H4 - Preparation of Development Briefs (Warwick District Local Plan 1995)
(DW) IMP1 - Infrastructural and Community Requirements Associated with Major Development (Warwick District Local Plan 1995)
(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995).

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W2004/2253 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1218/SK/501G, /502D and /503A, and specification contained therein, received on 21st January and 20th May 2005 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) The roads and footways hereby permitted shall not be designed or constructed other than in accordance with the requirements and standard specifications of the Highway Authority as set out in "Transport and Roads for Developments - The Warwickshire Guide 2001", together with any published amendments to it. **REASON** : To ensure compliance with the Council's standards;
- (4) No development shall be carried out on the site which is the subject of this permission, until details of a mechanical wheel wash facility adjacent to the access 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 that mud and debris are not deposited on the public highway;
- (5) No more than 750 dwellings shall be occupied on the South West Warwick development until the northern link road is completed and available for use by public vehicles. **REASON** : To ensure the appropriate timing/delivery of the northern link road; and

PLANNING COMMITTEE MINUTES (Continued)

- (6) Construction of the proposed access shall not be commenced until the two access points opposite have been closed and the kerb reinstated. **REASON** : In the interests of highway safety and in accordance with Policy (DW) ENV3 of the Warwick District Local Plan1995.

161. LILLINGTON FREE CHURCH, CUBBINGTON ROAD, LILLINGTON, LEAMINGTON SPA

The Committee considered an application from Michael Richards Homes for the erection of a new church, 34 apartments with associated parking and creation of a new access from Cubbington Road.

RESOLVED that application W2005/0515 be DEFERRED to allow for amended plans to be received and to be reported to the next Planning Committee.

(The meeting ended at 10.10 pm)

162. ADJOURNMENT OF MEETING

The Chair adjourned the meeting of the Planning Committee held on Wednesday 22 June 2005 to Thursday 23 June 2005 at 6.00 pm

RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 23 June 2005 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillors Ashford (Chair), Mrs Blacklock, Mrs Compton, Ms De-Lara-Bond, Holland, Kinson, Mrs Knight, MacKay and Windybank.

(Councillor Holland substituted for Councillor Evans)

(In the absence of Councillor Evans, Councillor Ashford was appointed Chair for the meeting)

163. 1 THE MALTINGS, LEAMINGTON SPA, CV32 5FF

The Committee considered an application from Mr A Silver for the installation of 1 metre high railings along The Maltings.

The following addressed the Committee on this item:

Mr Robin Childs Objector
Councillor Mrs E Goode Ward Councillor.

RESOLVED that application W2005/0582 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

PLANNING COMMITTEE MINUTES (Continued)

166. 76 PRIORY ROAD, KENILWORTH

The Committee considered an application from Mr Halton for a change of use from B1 to takeaway.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Councillor Patrick Ryan Town Councillor

After considering the report from the Head of Planning & Engineering and a representation from a member of the public, the Committee were of the opinion that the application should be refused for the following reasons:

RESOLVED that application W2005/0695 be REFUSED because Policy ENV3 of the Warwick District Local Plan 1995 requires all development proposals to harmonise with their surroundings, both in terms of design and land use, whilst policy DP2 of the Warwick District Local Plan (1996-2011) First Deposit Version states that developments which have an unacceptable adverse impact on the amenity of nearby uses and residents will not be permitted.

The application site is within a cluster of existing commercial premises with a number of fast food take away outlets outside the town centre but in an area with significant residential character. It is also situated along a heavily trafficked principal road and located near a bend in that road, where the limited on street parking facilities are at a premium. It is considered that the proposed take away premises would be detrimental to both local residential amenity and highway safety by reason of the cumulative impact of a further hot food take away outlet in this area which would amount to an over concentration of such outlets in this locality.

167. 15 RADFORD ROAD, LEAMINGTON SPA

The Committee considered an application from Mrs S Harris for the change of use from residential to day care nursery for 47 children aged 0-4 years old.

RESOLVED that application W2005/00556 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

PLANNING COMMITTEE MINUTES (Continued)

168. 54 WARWICK PLACE, LEAMINGTON SPA

The Committee considered an application from Quartz Homes Limited for the removal of existing conservatory and construction of two storey side extension to form new dwelling and single storey extension to rear apartment.

The following addressed the Committee on this item:

Mr G B Clarke Objector

RESOLVED that application W2005/0663 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

169. 29 TACHBROOK ROAD, LEAMINGTON SPA

The Committee considered an application from Mr J Sandhu for conversion and extension to rear to form six flats together with front lightwell and boundary wall.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(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 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)
The 45 Degree Guideline (Supplementary Planning Guidance)

The following addressed the Committee on this item:

Marion Barker Objector

After considering the report from the Head of Planning & Engineering and representation from a member of the public, the Committee were of the opinion that the application should be refused for the following reason:

RESOLVED that application W2005/0565 be REFUSED because the application site is within a predominantly residential area where policy (DW) ENV3 of the Warwick District Local Plan (in part) and emerging policy DP2 of the first deposit version of the Local Plan (1996-2011) seek to resist development which would have an adverse effect upon the character and amenity of such areas. In the opinion of the District Planning Authority, the proposal would be harmful to the amenities of neighbouring residents, particularly 27 Tachbrook Road, by reason of the loss of privacy from overlooking of the rear garden

PLANNING COMMITTEE MINUTES (Continued)

area from the proposed first floor habitable room window. The proposal would thereby also be contrary to the aforementioned policies.

170. **86 BRIDGE END, WARWICK**

The Committee considered an application from Mrs B Law for the construction of hard standing, comprising of additional paved trip and widened path, surfaced in york stone slabs, interspersed by strips of grass (retrospective application).

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(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)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

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

RESOLVED that application W2005/0576 be GRANTED subject to the following conditions:

- (1) The development hereby approved shall be implemented strictly in accordance with the amended scheme (Drawing no. 1163/01a)
REASON: To clarify the terms of the permission hereby granted;
- (2) A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective

PLANNING COMMITTEE MINUTES (Continued)

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

- (3) The hard standing hereby permitted shall be surfaced with natural stone paving slabs, the details, including samples, having been submitted to and approved in writing by the Local Planning Authority within one month of the date of this permission, unless the Local Planning Authority gives written permission for a different choice of surfacing materials. **REASON:** To enable the hard standing to integrate into the setting of the adjacent listed buildings and the Warwick Conservation Area.

171. LAND ADJACENT TO CHURCH ROAD, SHERBOURNE, WARWICK

The Committee considered an application from Mr Smith-Ryland for the construction of gravel drive to form vehicular access (retrospective application).

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(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 First Deposit Version)

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

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

RESOLVED that application W2005/0618 be GRANTED.

172. LAND ADJACENT TO 76 CAPE ROAD, THE CAPE, WARWICK

The Committee considered an application from Mr & Mrs Woolvin for erection of a detached dwelling following demolition of existing garage.

The Head of Planning and Engineering considered the following policies were relevant to the application and recommended that the application be refused.

PLANNING COMMITTEE MINUTES (Continued)

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

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

RESOLVED that application W2005/0631 be REFUSED for the following reasons:

- (1) Policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the Local Plan (1996-2011) require all development proposals to have regard to the character of the surrounding area and harmonise with their surroundings. The insertion of a detached dwelling between the unified terrace of 78-84 Cape Road and the distinctive pair of semi-detached houses 76 Cape Road and 1 Oken Road would appear as a cramped form of infill at variance with the rhythm of the existing street scene, detrimentally affecting the local townscape. The proposal would thereby be contrary to the aforementioned local plan policies; and
- (2) Policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the Local Plan (1996-2011) requires all development proposals to harmonise with their surroundings in terms of design and land use. In the opinion of the District Planning Authority, the dwelling proposed would constitute an unneighbourly form of development in relation to the existing adjoining property by reason of the substantially reduced private amenity space to No 76 Cape Road, exacerbated by the very close proximity of the proposed dwelling situated within its current curtilage.

173. 35 CONGREVE CLOSE, WOODLOES PARK, WARWICK

The Committee considered an application from Mr B W Hurst for the erection of a 1.5m high brick wall with timber board infills fronting Woodloes Lane (retrospective application).

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

RESOLVED that application W2005/0477 be GRANTED.

PLANNING COMMITTEE MINUTES (Continued)

174. 48 SHREWLEY COMMON, SHREWLEY, WARWICK

The Committee considered an application from Mr S Tracey for the erection of outbuilding in rear garden for purposes incidental to the residential use of the dwelling house (retrospective application).

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

RESOLVED that application W05/0072 be GRANTED subject to the following conditions:

- (1) The development hereby permitted strictly relates to the details shown on the approved drawings and photographs, and specification contained therein, submitted on 30 March 2005 & 3 June 2005 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;

- (2) The outbuilding shall be used only for purposes incidental to the residential use of the dwelling house. **REASON:** To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan.

175. 33 AVENUE ROAD, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs J Evetts for the proposed conversion of existing building to 4 no. one bedroom flats with single storey and one and a half storey extension to rear of building for form three bedroom house. Existing basement unit to remain.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(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) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

RESOLVED that application W05/0562 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved Drawing Nos. 05/01-01A, 02A, 04A and 05A deposited with the District Planning Authority on 3rd June 2005 and Drawing No. 05/01--03 deposited with the District Planning Authority on 8th April 2005, 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 glazed canopy, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure 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;

PLANNING COMMITTEE MINUTES (Continued)

- (5) 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan; and
- (6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : This site is of a restricted size and configuration and is in close proximity to other dwellings. It is considered appropriate therefore to retain control over future development to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan.

176. **3 MYLGROVE, BAGINTON, COVENTRY**

The Committee considered an application from Mr & Mrs T M Feeney for the erection of first floor and side extension.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

RESOLVED that application W05/0624 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing issue 2, and specification contained therein, submitted on 27th May 2005 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.

177. CATESBY COTTAGE, CATESBY LANE, LAPWORTH

Following the withdrawal of the Parish Council's objection the application was approved under delegated powers and was therefore not considered by the Committee at this meeting.

178. THE COACH HOUSE, NORTHCOTE STREET, LEAMINGTON SPA

The Committee considered an application from Mr A J Knibb for the retention of existing dwelling without compliance with Condition 9 of planning permission W04/0870 (i.e. to obscure glaze lower pane of existing bedroom window on 'The Old Post Office', not resiting the window.

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

(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 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

RESOLVED that application W2005/0788 be GRANTED subject to; before the new dwelling, The Coachhouse, Northcote Street, Leamington Spa is first occupied, the lower pane of the first floor sash window on the rear elevation of The Old Post Office shall be glazed with obscure glass which shall thereafter be retained as such at all times. **REASON** : To protect residential amenity in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.

PLANNING COMMITTEE MINUTES (Continued)

179. 5 SPENCER STREET, LEAMINGTON SPA

The Committee considered an application from Mr Rai for the erection of a single storey rear flat.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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 First Deposit Version)

DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

RESOLVED that application W2005/0510 LB be GRANTED subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing no. 816-10B, and specification contained therein, deposited on 4th May 2005 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 doors, windows (including a section showing the window reveal, heads and cill details), eaves, gates, boundary walls, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;

- (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; and
- (5) 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.

180. 16-18 LEAM TERRACE, LEAMINGTON SPA

The Committee considered an application from Mr H Motee for the conversion of property from 26-bedroomed house in multi-occupation, into 8 no. 2-bedroomed and 4 no. 1-bedroomed self contained apartments; first floor rear extension and installation of new windows to rear elevation.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

(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) IMP1 - Infrastructural and Community Requirements Associated with Major Development (Warwick District Local Plan 1995)
(DW) IMP2 - Meeting the Needs of People with Disabilities (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP14 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011 First Deposit Version)
SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)
DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

RESOLVED that application W2005/0787 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 03 and 04, and specification contained therein, submitted on 6 May 2005 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 doors, windows (including a section showing the window reveal, heads and cill details), dormer window extension, eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (5) All window frames shall be constructed in timber, painted and not stained, and be of a sliding sash type set in reveals of 75mm from the face of the building, unless otherwise agreed in writing by the District Planning Authority. **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;

PLANNING COMMITTEE MINUTES (Continued)

- (6) The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the 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;
- (7) 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 and to ensure an appropriate standard of design and appearance within the Conservation Area, in accordance with Policy ENV3 and ENV8 of the Warwick District Local Plan;
- (8) 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (9) No lighting shall be fixed to the external walls or roof of the building or on any open land within the application site without the written consent of the District Planning Authority. **REASON** : To ensure that the visual amenities of the area are protected, and to ensure an appropriate standard of design and appearance within the Conservation Area, in accordance with Policy ENV3 and ENV8 of the Warwick District Local Plan; and
- (10) 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 Conservation Area, in accordance with Policy ENV3 and ENV8 of the Warwick District Local Plan.

PLANNING COMMITTEE MINUTES (Continued)

181. 37 GORDON STREET, 88 NEW STREET AND LAND ADJACENT, LEAMINGTON SPA

The Committee considered an application from G & N Developments for the demolition of two dwellings (no 88 New Street and 37 Gordon Street) and construction of 7 new dwellings (one on site of dwelling previously approved by planning permission W2002/1838).

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

Government guidance on Conservation Areas is contained in PPG15 (Planning and the Historic Environment) whilst advice on housing is in PPG3 (Housing) and in transport in PPG13 (Transport). Within the Warwick District Local Plan 1995 the following policies are of particular relevance: ENV3 (Development Principles), ENV6, 7 and 8 (Conservation Areas), ENV12 (Setting of Listed Buildings), H5 (Infill Housing). These are reflected by Policies DP1, DP2, DP5 and DP8 in the Warwick District Local Plan 1996-2011.

RESOLVED that application w05/0614 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 04.5475.110C, 04.5444, 118/A, 119/A, 121/A and 122A and specification contained therein, deposited with the District Planning Authority on 6th May 2005. **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 chimneys, roof parapets, dormer windows, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (4) The window and door details required by the preceding condition shall be constructed of timber, painted not stained, and shall incorporate a reveal of not less than 75 mm from the front face of the adjoining brick work. **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;
- (5) 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;
- (6) 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : This site is of a restricted size and configuration and is in close proximity to other dwellings. It is considered appropriate therefore to retain control over future development to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (8) No dwelling hereby permitted shall be first occupied until satisfactory details of boundary treatment to the New Street and Gordon Street frontages and to the rear garden of each property hereby permitted has been submitted to and approved in writing by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such 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;
- (9) Before any development hereby permitted and first commenced, all existing buildings within the site shall be demolished and the resulting demolition materials removed off the site unless otherwise agreed in writing by the District Planning Authority. **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;
- (10) The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety;
- (11) Surface water shall not be connected into the public foul sewer system and shall be separated within the site prior to discharge to a soak away (subject to tests) or other suitable outfall. If the property is presently served by a soak away the applicant must then ensure that it has sufficient capacity to accept the additional flows generated by the proposals. **REASON** : The site is not presently served by surface water sewers and to prevent the overloading of the public foul water system; and
- (12) The development hereby permitted shall not be brought into use until all parts of existing accesses to New Street and Gordon Street, have been permanently closed and reinstated in accordance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.

PLANNING COMMITTEE MINUTES (Continued)

182. LAND ADJACENT 37 GORDON STREET/88 NEW STREET, LEAMINGTON SPA

The Committee considered an application from G & N Developments for the demolition of two dwellings (no 88 New Street and 37 Gordon Street).

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

PPG 15 (Planning and the Historic Environment).
(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)
DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

RESOLVED that application w05/0615 CA be GRANTED subject to the works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

183. 4 MYTON CRESCENT, WARWICK

The Committee considered an application from Mr & Mrs R Hewitt for the erection of front two-storey extension to provide a double garage with bedroom and en-suite over.

RESOLVED that application W05/0630 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

184. 79 NORTHUMBERLAND ROAD, LEAMINGTON SPA

The Committee considered an application from Mr D Whitley for variation of Condition 4 of planning permission W05/117 to permit the use of double glazed uPVC wood grain windows in approved extension to match existing windows.

The Head of Planning and Engineering had recommended that the application be granted subject to condition as he considered that it complied with the following policies:

(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 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

DAP7 - Changes of Use of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

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

RESOLVED that application W05/0794 be GRANTED subject to no further objections being received up to the expiry of the statutory period of publicity (site notice) on 26 June 2005.

185. 89 WHITNASH ROAD, WHITNASH, LEAMINGTON

The Committee considered an application from Mr Paul Freelove for the erection of dormer windows to side and rear elevations.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered that it complied with the following policies:

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

RESOLVED that application W05/0794 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 1, and specification contained therein, submitted on 25/4/2005 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.

PLANNING COMMITTEE MINUTES (Continued)

186. SHERBOURNE FRUIT FARM, SHERBOURNE HILL, SHERBOURNE, WARWICK

The Committee considered a report from the Head of Planning & Engineering which sought approval for enforcement action at Sherbourne Fruit Farm, Sherbourne Hill, Sherbourne, Warwick, regarding change of use from agricultural/retail to coach distribution centre without permission.

The Head of Planning and Engineering considered that the following policies were relevant to this matter:

(DW) ENV1 Green Belt (Warwick District Local Plan 1995)
DAP1 Green Belt (Warwick District Local Plan 1996-2011 First Deposit Version)
PPG2 Green Belt
C8 Special Landscape Areas (Warwick District Local Plan 1995)
DAP3 Protecting Special Landscape Areas (Warwick District Local Plan 1996-2011 First Deposit Version)
(DW) ENV4 Development in Proximity to Motorway Junctions (Warwick District Local Plan 1995)

RESOLVED that enforcement action be authorised to ensure cessation of the use of the land for a coach distribution centre and removal of all vehicles.

187. THE LAURELS, FIVE WAYS ROAD, SHREWLEY

The Committee considered report from the Head of Planning & Engineering which sought approval for enforcement action at The Laurels, Five Ways Road, Shrewley regarding the erection of a building for indoor leisure purposes without permission.

The Head of Planning and Engineering considered that the following policies were relevant to this matter:

The relevant policies for this development are
GD6 Green Belt (Warwickshire Structure Plan 1996-2011)
ER4 Protection and Enhancement of the Landscape (Warwickshire Structure Plan 1996-2011)
(DW) ENV1 Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) H14 Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)
(DW)C8 Special Landscape Areas (Warwick District Local Plan 1995)
DAP1 Protecting the Green Belt (Warwick District Local Plan 1996-2011 First Deposit Version)
DAP3 Protecting Special Landscape Areas (Warwick District Local Plan 1996-2011 First Deposit Version)
RAP3 Extensions to Dwellings (Warwick District Local Plan 1996-2011 First Deposit Version).

The Head of Planning & Engineering had recommended that enforcement action be authorised to ensure that the use of the building for domestic purposes ceases. However, the Committee were of the opinion that it was not expedient to take enforcement action.

RESOLVED that no action be taken.

188. REVIEW OF DECISION MAKING PROCESS

The Committee considered a report from the Head of Planning and Engineering summarising the outcome of the review of the decision making process undertaken in 2004 and requesting that Members agree a way forward for re-examination of issues raised by the review and any other issues .

RESOLVED that Councillors Mrs Blacklock, Mrs Compton, Evans and MacKay be appointed to form a working party to investigate the areas outlined and report back to the Planning Committee in July or August 2005 with recommendations on how to move this process forward.

(Meeting ended 9.25 pm)

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