

# PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 22 November 2006 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

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

## 1. DECLARATIONS OF INTEREST

Minute Number XXX – W06/1523 – Clarendon House, 6 High Street, Kenilworth

Councillor Mrs Blacklock declared a personal and prejudicial interest in this item because the application site was opposite her home and left the room while the item was considered.

Minute Number XXX - W06/1525LB – Clarendon House, 6 High Street, Kenilworth

Councillor Mrs Blacklock declared a personal and prejudicial interest in this item because the application site was opposite her home and left the room while the item was considered.

Minute Number XXX – W06/1575 – Sintra, Lapworth Street, Lowsonford

Councillor Mrs Knight declared a personal interest when it became apparent during the item that she knew one of the objectors to the application who lived in a neighbouring property.

Minute Number XXX – W06/1664 – Land at Chase Lane, Kenilworth

Councillor Mrs Blacklock declared a personal interest because some of the objectors were known to her.

Minute Number XXX – W06/1055 – Oakley Woods Crematorium, Newbold Road, Bishops Tachbrook

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Kinson, Mrs Knight, MacKay and Tamlin declared personal interests because the application was made by Warwick District Council.

Minute Number XXX – W06/1487 – Whitnash Library

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Ms De-Lara-Bond, Kinson, Mrs Knight, and Tamlin declared personal interests because the application was made by Warwick District Council.

Councillor Mrs Compton declared a personal and prejudicial interest as not only was the application made by Warwick District Council but she had previously given her support for the application as a member of Warwickshire County Council and left the room while the item was considered.

Councillor MacKay declared a personal and prejudicial interest as not only was the application made by Warwick District Council but he had previously given his support for the application as a member of the Council's One Stop Shop working party and left the room while the item was considered.

Minute Number XXX – W06/1554 – The Business Resource Centre,  
Whateleys Drive, Kenilworth

Councillors Mrs Blacklock declared a personal and prejudicial interest because the applicant was a friend and neighbour.

Councillor MacKay declared a personal interest because the applicant was an acquaintance.

**2. 10-12 ADELAIDE ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs Wan for the change of use of No.10 Adelaide Road from bed and breakfast use to a hotel with associated works and landscaping, including works to improve disabled access.

This application was presented to Committee due to an objection from Royal Leamington Spa Town Council having been received. The Ward Councillor, Councillor Gifford also requested the application be considered by the Committee as it was a matter of considerable concern and due to the difficult history, including the Planning Inquiry.

The Head of Planning and Engineering has recommended that the application should be granted as he felt that it complied with the relevant policies, listed below:

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

(DW) TO5 - Extension of Existing Hotels and Guest Houses (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) TO4 - Change of Use to Hotels or Guest Houses (Warwick District Local Plan 1995).

(DW) H13 - Loss of Existing Residential Accommodation and Development within Existing Residential Areas (Warwick District Local Plan 1995)

(LTC) H2 - Limiting the expansion of the commercial core (Warwick District Local Plan 1995).

UAP8 - Directing New Visitor Accommodation (Warwick District 1996 - 2011 Revised Deposit Version).

TCP10 - Protecting the Residential Role of Town Centres (Warwick District 1996 - 2011 Revised Deposit Version).

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

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

DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

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

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

During his presentation to the Committee the Planning Officer highlighted that condition four should be amended to include reference to the self closure mechanisms for doors being dampened to prevent the doors from slamming shut.

The following addressed the Committee:

Mr J Dutson – Objector

Mr P Mander – Supporter

Councillor B Gifford – Ward Councillor

**RESOLVED:** that application W06/1158 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers A04, 181, 124a, 126, 129, 130, 131, 133 and 134 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) Before the hotel use hereby permitted is first commenced the conversion works and sound insulation works identified on the approved plans and further described in the applicants architects Planning Application Report and Bureau Veritas Report which accompanied the application and in particular the repositioning of the staircase and sound proofing of the party wall adjoining the staircase shall be wholly implemented strictly as so identified and further described, and a sound insulation test shall have been undertaken in accordance with the provisions of The Building Regulations Approved Document E, Resistance to the passage of sound 1st July 2003, with regard to Pre-Completion Testing which demonstrates that an airborne sound insulation of not less than 60 db Rw has been achieved on the party wall between Nos. 10 and 8 Adelaide Road, as measured within each room and the whole of the staircase adjoining that party wall. The sound attenuation works undertaken in

accordance with the requirements of this condition shall thereafter be retained as so approved at all times. **REASON:** To protect the amenity of the occupiers of No. 8 Adelaide Road in accordance with the requirements of policy ENV3 of the Warwick District Local Plan 1995);

- (4) Before the hotel use hereby permitted is first commenced, all stair treads shall be fully carpeted and all internal doors into bedrooms and bathrooms shall be fitted with self-closures dampened to prevent the door banging shut, details of which shall first be submitted to and be approved in writing by the District Planning Authority, and thereafter the stair treads shall be retained carpeted and the self-closures shall be retained in position at all times. **REASON:** To protect the amenity of the occupiers of No. 8 Adelaide Road in accordance with the requirements of policy ENV3 of the Warwick District Local Plan 1995);
- (5) Notwithstanding the details shown on the approved plans, before the hotel use hereby permitted is first commenced, details of a scheme to resite the existing southern gate pillar adjacent to the access off Adelaide Road serving the car park to the rear of No. 12 Adelaide Road to widen the access to 5 m shall be submitted to and be approved in writing by the District Authority, and the gate pillar shall be resited and the access shall have been widened strictly as shown on the approved plan. **REASON:** In the interests of highway safety and to comply with the requirements of Policy ENV3 of the Warwick District Local Plan 1995;
- (6) Notwithstanding the details shown on the submitted plan, before the hotel use hereby permitted is first commenced 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 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 commencement of the hotel use hereby permitted hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in

accordance with BS 5837:2005. **REASON:** To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

- (7) Before the hotel use hereby permitted is first commenced, the proposed wall between No.10 and No. 12 Adelaide Road shall be constructed strictly as shown on Drawing No. A04.181.131 in accordance with a sample of brick and details of coping, brick bond and mortar mix which have first been submitted to and have been approved in writing by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details and shall thereafter be retained as so approved at all times. **REASON:** To ensure an appropriate standard of design and appearance within the Conservation Area and to satisfy policies ENV6 and 8 of the Warwick District Local Plan 1995;
- (8) No lighting shall be fixed to the external walls or roofs of the existing or proposed hotel building or on any open land within the application site without the prior written approval of the District Planning Authority. **REASON:** To protect the amenity of nearby residential properties in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (9) Before the hotel use hereby permitted is first commenced, details of the design and siting of a disabled car parking space within the curtilage of either No. 10 or No. 12 Adelaide Road shall be submitted to and be approved in writing by the District Planning Authority and shall have been laid out strictly as approved. **REASON:** In the interests of highway safety in accordance with the requirements of policy ENV3 of the Warwick District Local Plan.

### 3. **27 KENILWORTH ROAD, CUBBINGTON, LEAMINGTON SPA, CV32 7TN**

The Committee considered an application for Mr and Mrs Gardner for a new dwelling and double garage after demolition of existing.

The application was presented to the Committee for determination due to the number of objections.

This application was deferred at Planning Committee on the 1 November 2006, to enable public speaking to be arranged. The report had been updated to that which was presented previously, incorporating an additional condition that was proposed in the addendum report at the 1 November meeting.

The Head of Planning and Engineering had recommended that the application be granted, subject to condition, as he felt that it complied with the relevant policies listed below:

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

Distance Separation (Supplementary Planning Guidance)

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

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

DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

Planning Policy Guidance Note 3 - Housing (Government Guidance).

The following addressed the Committee:

Mr R Stone – Objector

Mr A Pugh – Supporter

**RESOLVED:** that application W06/1393 be GRANTED, subject to the conditions listed below:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 377/10, and specification contained therein, submitted on 6 September 2006, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) Details of the means of disposal of storm water and foul sewage from the development shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced and the development shall not be carried out other than in strict accordance with such approved details. **REASON** : To ensure satisfactory provision is made for the disposal of storm water and foul sewage;
- (4) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure

that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

- (5) 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;
- (6) No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment 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;
- (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;

- (8) No demolition works shall be carried out on the site which is the subject of this permission, until a bat survey has been carried out and the results (including any proposed mitigation measures) have been submitted to and approved in writing by the District Planning Authority. Any mitigation measures shall be implemented in accordance with the approved details before any demolition works are carried out. **REASON** : The proposals may result in a bat roost being permanently destroyed; and
- (9) The window in the south-west facing elevation of the dwelling hereby permitted shall be obscure glazed and retained as such at all times thereafter. **REASON**: To protect the amenity of the occupiers of nearby properties.

4. **FIRS HOUSE, 122 BAKERS LANE, LAPWORTH**

The Committee considered an application from Drs Irshas and Tracey Zaki for the removal of condition no. 3 of planning permission W05/0825 for the removal of hard surface after the construction of access.

The application had been submitted to the Committee for determination as Lapworth Parish Council had objected.

The Head of Planning and Engineering had recommended that the application be Granted.

The following addressed the Committee:  
Councillors Mrs M Toogood – Parish Council

**RESOLVED**: that application W06/1474 be deferred to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when determining the application.

5. **CLARENDON HOUSE, 6 HIGH STREET, KENILWORTH**

The Committee considered a retrospective application from Greene King Plc for the display of various signs at the front and rear of the premises.

The application had been presented to the Committee due to an objection from Kenilworth Town Council having been received.

The Head of Planning and Engineering recommended that the application be granted, subject to conditions, as he felt 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) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995).

(DW) ENV20 - Advertising Control (Warwick District Local Plan 1995).



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

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

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

The following addressed the Committee:  
Councillor G Illingworth – Town Council.

**RESOLVED** that application W06/1523 be GRANTED subject to the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (Number CHCW0906), and specification contained therein, submitted on 10 October 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

6. **CLARENDON HOUSE, 6 HIGH STREET, KENILWORTH**

The Committee considered a retrospective application from Greene King Plc for the display of various signs at the front and rear of the premises.

The application had been presented to the Committee due to an objection from Kenilworth Town Council having been received.

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

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

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

The following addressed the Committee:  
Councillor G Illingworth – Town Council

**RESOLVED** that application W06/1525LB be GRANTED subject to the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (Number CHCW0906), and specification contained therein, submitted on 10 October 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.s.

7. **5 CAMPRIANO DRIVE, WARWICK**

The Committee considered an application from Mr A S Kang for the erection of two metre close boarded fencing.

The application had been referred to Committee at the request of Councillor Mrs Hodgetts.

The site had been visited by the Committee after the Chair had decided it would be beneficial to them visiting the site before the application was considered by them.

The Head of Planning and Engineering considered that the application should be refused and that following policies were relevant to the application:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

The Planning Officer highlighted in his presentation to the Committee that although the 2m close board fencing which had been erected on part of the boundary was contrary to the previously approved 1.8m high hit and miss fencing, they felt that it was acceptable on the boundary and proposed that no enforcement action should be taken regarding this matter.

The Chair highlighted that there was a further letter from the applicant which had been sent to the Committee and was included in the addendum which had been circulated at the meeting.

The following addressed the Committee:  
Mr A Kang – Applicant/Supporter

Following consideration of the report and presentation by the Planning Officer, the site visit, the applicant addressing the Committee and the information contained within the addendum, the Committee were of the opinion that the application should be granted, subject to conditions, and that no enforcement action should be taken with regard to the 2m close board fencing already erected.

The Committee felt that the fence was satisfactory on a temporary permission and the impact was not so injurious as to justify refusal.

**RESOLVED** that

- (1) application W06/1553 be GRANTED subject to the permission being limited to a period of time expiring on 27 November 2011, at or before the expiration of the permission the fence shall be removed and the site restored to its former condition. **REASON:** The fence is considered necessary for improved security to these premises whilst the existing hedge thickens and matures. The District Planning Authority therefore wishes to have the opportunity of reassessing the situation after the hedge has been established over a further period of time; and

- (2) no enforcement action be taken to replace the 2m close board fence with 1.8m high 'hit and miss' fencing.

8. **SINTRA, LAPWORTH STREET, BUSHWOOD, LOWSONFORD**

The Committee considered an application from Mr and Mrs P Ingram for extensions and alterations to convert the existing bungalow into a house.

The application had been submitted to the Committee for consideration following an objection from the local Parish Council.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

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

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

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)

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

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

The following addressed the Committee:

Mr B Cooper – Objector

Mr A Pugh – Supporter

After considering the officers report and presentation along with the representations from the public addressing the Committee, the Committee were of the opinion that the application should be refused.

**RESOLVED:** that application W06/1575 be REFUSED because the application property occupies an elevated site within a small cluster of fairly closely grouped dwellings arranged around the head of a short service road.

Policy (DW) ENV 3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design which harmonises with its surroundings. This is reflected by Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version) which states that development will only be permitted which positively contributes to the character and quality of its environment and does not have an adverse effect on neighbours' amenities.

In the opinion of the District Planning Authority, the scale of extension proposed results in an over dominant property on an elevated site which would fail to harmonise with its

surroundings and would be overbearing when viewed from adjoining properties.

10. **25 CLOISTER WAY, LEAMINGTON SPA**

The Committee considered an application from Mr and Mrs B Willers for the erection of a two storey extension to front elevation, first floor extension over existing garage, single storey rear extension and installation of solar panels together with the erection of a 6 metre high free standing domestic wind turbine in the rear garden.

The application was presented to the Committee due to an objection from the Royal Leamington Spa Town Council.

The Head of Planning and Engineering had recommended that the application be granted as he felt that it complied with the relevant policies.

Before the officers presentation on the item the Chair highlighted that there had been three further letters of objections to the application and these were summarised the officers addendum circulated at the meeting.

The following addressed the Committee:  
Mr R Cox – Objector

Having considered the information in the officers report and presentation, along with the additional representations in the addendum and the public speakers the Committee were of the opinion that determination of the application should be deferred to allow for further consultation with residents, further information from the applicant with regard to the wind turbine and further comments from Environmental Health with regard to noise and potential impact of the turbine.

**RESOLVED:** that application W06/1629 be deferred to allow for further consultation with residents, further information from the applicant with regard to the wind turbine and further comments from Environmental Health with regard to noise and potential impact of the turbine.

11. **LAND AT CHASE LANE, KENILWORTH**

The Committee considered an application from Hutchinson 3G UK Ltd for the installation of a 17.5m high telecommunication lattice mast, 3 no. antenna, 1 no. transmission dish and ancillary ground based equipment cabinets.

The application had been submitted to Committee for determination due to the number of objections to the application which had been received.

The Committee had attended a site visit prior to the meeting and considering the application.

The Head of Planning and Engineering had recommended that the application be granted, subject to conditions, as he felt that it complied with the relevant policies which are listed below:

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

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

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version).

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

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

Before the officers presentation to the Committee the Chair highlighted that further correspondence had been received regarding the application since the publication of the agenda and this was highlighted in the addendum which had been circulated at the meeting.

The following addressed the Committee:

Mr R Stevens – Objector

Mr J Woodhall – Supporter

Councillor M Coker – Ward Councillor

**RESOLVED**: that application W06/1664 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission.  
**REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (No. 0023140-101B), and specification contained therein, submitted on 17 October 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) No work of any kind shall be begun on the site until protective fences around the trees identified as being retained on the approved plans, have been erected and the fencing has been confirmed in writing to be acceptable by the District Planning Authority. Within the approved fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no site huts, no fires lift and no excavation of trenches for drains, service runs or for any other reason. All excavation for the proposed development, including the power routes and service ducts shall be carried out by hand and no roof over 25mm in diameter shall be severed. **REASON**:

To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

- (4) Chase Lane is not a public road but a public bridleway, therefore, the applicant must seek the landowner's consent to acquire a private right of access before they access the site via Chase Lane. The bridleway must be kept open and unobstructed at all times, and provision must be made for the safe passage of horses and pedestrians during construction.
- (5) In view of the nearby pond, care should be taken when clearing the ground prior to development, and if evidence of specially protected species such as Great Crested Newts is found, work should stop while Warwickshire Museum Ecology Unit or Natural England is contacted. Great Crested Newts and their habitat (aquatic and terrestrial areas) are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and are also deemed European Protected Species; and
- (6) Attention is drawn to the need for the protection of badgers as a protected species. If badgers are encountered, the County Museum Ecology Unit should be contacted for further information. (Tel. 01926 418060, Fax 01926 412974, E-mail: museum@warwickshire.gov.uk).

## 12. **ADJOURNMENT OF MEETING**

The Chair adjourned the meeting of the Planning Committee held on Wednesday 22 November 2006 to Thursday 23 October 2006 at 6.00 pm

(The meeting closed at 10:22pm)

## **RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING**

Minutes of the adjourned Planning Committee meeting held on Thursday 23 November 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

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

13. **OAKLEY COODS CREMATORIUM, NEWBOLD ROAD, BISHOPS TACHBROOK**

The Committee considered an application from Warwick District Council for a proposed woodland burial site.

The application was reported to Committee as it was an application by the District Council and it was not a minor matter.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:

(DW) ENV27 - Ecological Development (Warwick District Local Plan 1995).

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

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

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

RA.1 - Development in Rural Areas (Warwickshire Structure Plan 1996-2011).

**RESOLVED:** that application W06/1055 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) LE/OW/01WB, and specification contained therein, submitted on 20 June 2006, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) No burial shall take place until full details of a habitat creation/restoration scheme have been submitted to and approved in writing by the District Planning Authority, and the scheme shall be implemented in strict accordance with the approved details. The details shall include:
  - i) purpose, aims and objectives for the scheme;
  - ii) a review of the site's ecological potential and any constraints;
  - iii) description of target habitats and range of species appropriate to the site;
  - iv) selection of appropriate strategies for creating/restoring target habitats or

- introducing/encouraging target species;
- v) selection of specific techniques and practices for establishing vegetation;
- vi) sources of habitat materials (e.g. plant stock) or species individuals;
- vii) method statement for site preparation and establishment of target features;
- viii) extent and location of proposed works;
- ix) aftercare and long term management;
- x) the personnel responsible for the work;
- xi) timing of works;
- xii) monitoring; and
- xiii) disposal of wastes arising from the works.

All habitat creation works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the District Planning Authority. **REASON** : To protect and enhance the biodiversity of this ancient woodland site, in accordance with Policy (DW)E27 of the Warwick District Local Plan 1995.

#### 14. **6 BEDFORD STREET, LEAMINGTON SPA**

The Committee considered an application from Mr G Maloney for second floor extensions to form drama studio and external alterations including new shopfronts.

The application was presented to Committee due to an objection from the Royal Leamington Spa Town Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:

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

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995).

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

UAP9 - Directing New Leisure Development (Warwick District 1996 - 2011 Revised Deposit Version).

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

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

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

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

**RESOLVED**: that application W06/1203 be GRANTED, subject to the following conditions:

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



Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 7 November 2006, unless first agreed otherwise in writing by the District Planning Authority.  
**REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (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), shopfronts, parapets, rainwater goods and the mansard roof 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) Details of the render colour shall be submitted to and approved in writing by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details.  
**REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (5) The facing material for the mansard roof hereby permitted shall be natural slate, a sample of which shall have been submitted to and approved in writing by the District Planning Authority before the development hereby permitted is commenced. 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;

- (6) All rainwater goods for the development hereby permitted shall be metal. **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
- (7) All shopfronts and all window frames shall be constructed in timber, painted and not stained, unless identified otherwise on the approved plans. **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.

15. **108 LEWIS ROAD, RADFORD SEMELE, LEAMINGTON SPA**

The Committee considered a retrospective application for Miss N Osbourne for an erection of a conservatory at rear.

This item was reported to committee to request authorisation for enforcement action.

The Committee had attended a site visit prior to the meeting and considering the application.

The Head of Planning and Engineering had recommended that the application be refused, as he felt that it breached the relevant policies which are listed below:

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

**RESOLVED:** that application W06/1224:

- (1) Be refused because Policy (DW) ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design which harmonises with its surroundings. This is reflected by Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version) which states development will only be permitted which positively contributes to the character and quality of its environment and does not have an adverse effect on neighbours' amenities. The District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect.

The application site relates to a 2-storey semi-detached property. Due to the proximity of 106 Lewis Road to the application site, this proposed development would breach the Council's adopted Supplementary Planning Guidance on the 45 Degree Guideline. The proposed conservatory would have an unacceptable overbearing effect on the rear lounge window and the rear extension of 106 Lewis Road which is situated close to the boundary of the two properties. Furthermore, the proposed conservatory would significantly reduce the daylight entering both the lounge window and the rear extension and unacceptably harm the outlook presently enjoyed by the occupants of 106 Lewis Road. The proposal would therefore be unneighbourly and contrary to the aforementioned policies; and

- (2) Enforcement action be authorised to secure removal within 6 months.

#### 16. **LAND OPPOSITE HERONBROOK HOUSE, BAKERS LANE, LAPWORTH**

The Committee considered an application from Mr G Beacom for the erection of new stable block with a car parking space.

This application was presented to the Committee due to the number of objections from neighbours having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:

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

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

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

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)

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

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

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

**RESOLVED:** that application W06/1322 be deferred to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when determining the application.

#### 17. **UNIT 2, 9 GUY PLACE EAST, LEAMINGTON SPA**

The Committee considered an application from E R Byron for change of use to Class A5 (hot food takeaway).

The application was presented to Committee due to an objection from the Royal Leamington Spa Town Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995).  
TCP10 - Protecting the Residential Role of Town Centres (Warwick District 1996 - 2011 Revised Deposit Version).  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED:** that application W06/1429 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 6th September 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) No development shall be carried out on the site which is the subject of this permission, until details of the proposed kitchen extract system 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 amenity of the occupiers of nearby properties; and
- (4) The extraction system details required under condition 3 shall include provision for encasing of any external part of the extraction flue in brickwork , details of which shall be specified as part of the submitted details required by that condition. **REASON:** To protect the character and appearance of the Conservation Area.

18. **15 GREENHILL ROAD, WHITNASH**

The Committee considered an application from Mrs D Harris for an erection of a two storey side extension and rear conservatory.

The application was presented to Committee due to an objection from the Whitnash Town Council having been received.

The application was deferred at Planning Committee on the 1st November, 2006, to reconsult the neighbour at no. 17 and for an amended plan to be negotiated on the rear conservatory.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED:** that application W06/1445 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 number 729-01H and specification contained therein, submitted on 2nd November, 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

19. **71 FRANKLIN ROAD, WHITNASH**

The Committee considered an application from Mr S Hayer for erection of two storey extensions and alterations to house.

The application was presented to Committee due to an objection from the Town Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995).  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED:** that application W06/1490 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 001, and specification contained therein, submitted on 21st September 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

## 20. **24 REGENT STREET, LEAMINGTON SPA**

The Committee considered a retrospective application from Bazraj Singh Dhesi for replacement of external existing door and frame with new timber frame and door.

The application was presented to Committee due to an objection from Royal Leamington Spa Town Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995).  
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995).  
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995).  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version).

**RESOLVED:** that application W06/1533LB be GRANTED, subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing, and specification contained therein, submitted on 16th August, 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) No development shall be carried out on the site which is the subject of this permission, until details of the fielded panels 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. The proposed door shall be constructed in timber, painted and not stained. **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.

## 21. **WHITNASH LIBRARY, FRANKLIN ROAD, WHITNASH**

The Committee considered an application from Warwick District Council for proposed extensions and new entrance to the library to include new police and Town Council rooms.

The application was presented to Committee as it was a Warwick District Council application that was not a minor matter.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995).  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

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

DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

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

SC7 - Directing Community Facilities (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED**: that application W06/1487 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 4051-02G, and specification contained therein, submitted on 9 November 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (4) The cycle provision shown on the approved plans shall be completed before the extensions hereby permitted are occupied and thereafter shall be kept free of obstruction and available for the parking of cycles associated with the development, unless otherwise agreed in writing by the Local Planning Authority. **REASON** : To ensure that there are adequate cycle parking facilities to serve the development.

## 22. 74 LEWIS ROAD, RADFORD SEMELE

The Committee considered an application from Mr & Mrs Sanders for erection of front two storey extension and single storey extension.

The application was presented to Committee due to an objection from the Radford Semele Parish Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995).



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

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

**RESOLVED:** that application W06/1519 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 4051-02G, and specification contained therein, submitted on 9 November 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

#### 23. 4 CHURCH STREET, WARWICK

The Committee considered an application from William Hill Org. Ltd for erection of an acoustic metal louvered screen to enclose the A/C units in rear yard.

The application was presented to Committee due to an objection from Warwick Town Council having been received.

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

**RESOLVED**: that application W06/1551LB be GRANTED, subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing no. LBA/01, and specification contained therein, received on 2nd October 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

24. **THE BUSINESS RESOURCE CENTRE, WHATELEYS DRIVE, KENILWORTH**

The Committee considered an application from the Business Resource Network Ltd for erection of a rear extension and first floor extension.

This application was presented to the Committee due to the number of objections from neighbours having been received.

The Committee had attended a site visit prior to the meeting and considering the application.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:

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

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

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

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

**RESOLVED**: that application W06/1554 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON**: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 1307/PL001, PL002 & PL003 and specification contained therein, submitted on 3 October 2006, unless first agreed otherwise in writing by the District Planning Authority. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

25. **3 LOCKHEED CLOSE, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs N Scrivens for the erection of a two storey side extension.

The application was presented to Committee due to an objection from Royal Leamington Spa Town Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:  
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995).  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED:** that application W06/1630 be GRANTED, subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings (2006/102), and specification contained therein, submitted on 18th October, 2006 unless first agreed otherwise in writing by the District Planning Authority. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

26. **GRAYS GARAGE LTD, WHARF STREET, WARWICK**

The Committee considered an application from Grays Garage Limited for the display of part illuminated fascia signs and part illuminated and non-illuminated wall mounted signs.

The application was presented to Committee due to an objection from Warwick Town Council having been received.

The Head of Planning and Engineering recommended that the application be granted as he felt that it complied with the relevant policies listed below:

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

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995).

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

(DW) ENV20 - Advertising Control (Warwick District Local Plan 1995)

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

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

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

**RESOLVED:** that application W06/1682 be GRANTED, subject to the consent is for a period of five years from the date hereof and is subject to the standard conditions in Part I of the First Schedule to the above mentioned regulations as follows:

- 1 All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority;
- 2 Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority;
- 3 Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority;
- 4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission; and

- 5 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome.

(The meeting ended at 8:45pm)