

Planning Committee

Minutes of the meeting held on Wednesday 11 September 2024 at Shire Hall, Market Place, Warwick, at 6.00pm.

Present: Councillor Boad (Chairman); Councillors Cron, Davidson, Dray, Falp, Kennedy, Luckhurst, Milton, Payne, Phillips, Tangri, and C Wightman.

Also Present: Gary Fisher – Development Manager; Rebecca Compton – Senior Planning Officer; James Moulding – Planning Assistant; Nigel Bell – Legal Advisor; Patricia Tuckwell - Civic and Committee Services Manager.

50. Apologies and Substitutes

- (a) There were no apologies for absence; and
- (b) Councillor Payne substituted for Councillor R Dickson; and Councillor Milton substituted for Councillor B Gifford.

51. Declarations of Interest

Minute Number 61 – Review of the WDC Conservation Advisory Forum (CAF)

Councillor Falp declared an interest because she was a member of the Conservation Advisory Forum and would not take part in the debate on this item.

52. Site Visits

To assist with decision making, on Saturday 7 September, Councillors C Wightman, Falp and Boad attended the organised site visit at House 3 & 4, 151 Leam Terrace, Royal Leamington Spa. The Chairman informed the Committee he was disappointed with the turnout and asked Members to stay behind at the end of the Committee meeting to discuss.

53. **W/24/0623 - House 3 & 4, 151 Leam Terrace, Royal Leamington Spa**

The Committee considered an application from Mr and Mr Dhesi for the variation of Condition 2 of application W/23/0728 (part retrospective) - increase in depth of single-storey rear extension at Number 3, alterations to first-floor rear extension roof at Number 4 to a gable end.

The application was presented to Committee because of the number of objections received. The application was deferred at the Planning Committee meeting on 13 August 2024 to enable a site visit to take place.

The officer considered that the proposals had an acceptable impact on the character and quality of the street scene and Conservation Area through the proposed layout, building materials and scale of the development. The proposals would also have an acceptable impact on the living conditions of neighbouring dwellings. The proposals were therefore in accordance with Local Plan Policies HE1, BE1, BE3, the Residential Design Guide SPD, and

PLANNING COMMITTEE MINUTES (Continued)

Neighbourhood Plan Policy RLS3. It was recommended this application should be granted.

Mr Stokes addressed the Committee, objecting to the application.

Following consideration of the report, presentation and representation made at the meeting, it was proposed by Councillor C Wightman and seconded by Councillor Dray that the application should be granted.

Resolved that W/24/0623 be **granted** subject to the following:

No.	Conditions
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| (1) | the development hereby permitted shall begin no later than three years from the date of this permission. |
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Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

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| (2) | the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 2300/3/, 2300/4/, and specification contained therein, submitted on 25/07/2024. |
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Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

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| (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. |
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Reason: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029; and

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| (4) | prior to the occupation of the development hereby permitted, the windows in the south facing elevation of house number 4 shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times. |
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PLANNING COMMITTEE MINUTES (Continued)

Reason: To protect the privacy of future users and occupiers of the property and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029.

54. W/24/0224 - Mace Buildings Limited, Long Itchington Road, Hunningham, Royal Leamington Spa

The Committee considered an application from Mace Buildings Limited for the demolition of the existing crane structure, to be replaced with the erection of a portal frame extension to the existing workshop and widening of existing access.

The application was presented to Committee because five or more comments in support had been received and the application and was recommended for refusal.

The officer considered that the proposal constituted inappropriate development within the Green Belt and failed to preserve the openness of the Green Belt by virtue of being of an excessive height, mass, bulk and scale. The very special circumstances presented were considered insufficient to clearly outweigh the harm to the Green Belt. The development was therefore considered to be contrary to the NPPF and Local Plan policy DS18 and recommended for refusal.

An addendum circulated prior to the meeting advised of an additional support comment received citing similar reasons to the other comments.

Mr Large addressed the Committee, speaking in support.

Members noted that there were no objections raised by Warwickshire County Council Landscape, Ecology, Highways, Warwick District Council Environmental Health, and that there had been comments of support from residents.

Following consideration of the report, presentation, representation made at the meeting, and information contained in the addendum, it was proposed by Councillor Davidson and seconded by Councillor Phillips that the application should be granted contrary to officers' recommendation, because they considered NPPF Policy 154 sections D and G applied, whereby there was a building on site already which was being replaced.

Resolved that W/24/0224 be **granted** and authority be delegated to the Head of Place, Arts and Economy in consultation with the Chairman of the Planning Committee to agree conditions.

(At 7.18pm, the Chairman adjourned the meeting for a 10-minute comfort break.)

55. W/24/0480 - Land fronting Red Lane, Burton Green, Kenilworth

The Committee considered an application from Mr and Mrs Davies for the erection of one dwelling and associated garage.

PLANNING COMMITTEE MINUTES (Continued)

The application was presented to Committee because an objection from Burton Green Parish Council had been received.

The application was a re-submission of an extant permission for a new dwelling and garage, the design was unchanged compared to the extant scheme. There had been no material planning considerations since the previous permission that would lead officers to a different decision in this case. The application was therefore recommended for approval.

An addendum circulated prior to the meeting advised of an additional condition to secure biodiversity enhancements.

Officers also added clarity on the area of woodland that was cleared prior to submission of the application. The applicants' consultants, Cotswold Wildlife Surveys, carried out a full set of ecological and tree surveys at the site before any clearance works took place. The woodland was assessed as being of low quality with very limited ecological interest. The area that had been cleared consisted principally of self-set Ash, along with two large mature Ash trees, both of which had Ash Die-back, with the roadside tree already starting to shed limbs. All other trees of arboricultural value had been retained, in particular the mature oaks.

By proposing to improve the woodland to the rear of the site, the application scheme was predicted to achieve a 44% increase in biodiversity. This 44% BNG was based on pre-clearance condition and was over four times the 10% gain required by policy.

In answer to a question from the Chairman, the Committee were satisfied with information they had received for this item and did not require the planning officer to deliver the planning presentation for this application.

Following consideration of the report and information contained in the addendum, it was proposed by Councillor Kennedy and seconded by Councillor Tangri that the application should be granted.

Resolved that W/24/0480 be **granted** subject to the following:

No.	Conditions
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| (1) | the development hereby permitted shall begin not later than three years from the date of this permission. |
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Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

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| (2) | the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 453.01, 453.02, 453.03, 453.04, 453.05, and specification contained therein, submitted on 09th April 2024. |
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PLANNING COMMITTEE MINUTES (Continued)

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

- (3) no development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the Tree Survey Report for Land at Red Lane, Burton Green, Kenilworth, CV8 1PB by Cotswold Wildlife Surveys 3865-CWS-02, dated 7 December 2020, have been put into place in full accordance with the approved details and thereafter shall remain in place for the full duration of any such construction work. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, and no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area such that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure; and, that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).

Reason: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029;

- (4) the development hereby permitted shall only commence in line with the approved Construction & Environment Management Plan produced by Cotswold Wildlife Surveys, dated June 2024. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development, in accordance with the National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029;

PLANNING COMMITTEE MINUTES (Continued)

- (5) no development shall commence until the road traffic sign sited roadside of the application site and as indicated on Drawing 453.01, has been re-sited in accordance with details submitted to and approved by the Highway Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (6) the access to the site for vehicles shall not be used unless a public highway verge crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority.

Reason: In the interests of highway safety and the free flow of traffic in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (7) the development hereby permitted shall only be carried out in strict accordance with the drainage details as shown on drawing number: 453.05.

Reason: To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029;

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

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

- (9) prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the

PLANNING COMMITTEE MINUTES (Continued)

LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).

Reason: To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document;

- (10) the development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029;

- (11) the development hereby permitted shall not be occupied until visibility splays have been provided to the vehicle access site with an "x" distance of 2.4meters and a "y" distance of 120 meters to the near edge of the public carriage highway. No structure or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 meters above the level of the public highway carriageway.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (12) the development hereby permitted shall not be occupied until a detailed Landscape and

PLANNING COMMITTEE MINUTES (Continued)

Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented as an integral part of the development in full and be maintained in accordance with the approved plan for the duration of the development.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;

- (13) the development hereby permitted shall not be occupied unless and until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates, footpaths, and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased, shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-

PLANNING COMMITTEE MINUTES (Continued)

balled Trees and BS4428 - Code of Practice for General Landscape Operations.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029;

- (14) no external lighting shall be provided on the site until details of all external light fittings and external light columns have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

- (15) the development hereby permitted shall be carried out in strict accordance with the details set out in Energy Statement submitted to the Local Planning Authority.

Reason: To satisfy the requirements Policies CC1, CC3 and FW3 of the Warwick District Local Plan (2011-2029) and Policies NZC1, NZC2 (A, B and C) of the Warwick District Net Zero Carbon Development Plan Document (DPD); and

- (16) an additional condition to be added to secure biodiversity enhancements.

56. W/23/1738 - Land at Red Lane, Burton Green, Kenilworth

The Committee considered an application from Hancock Town Planning for the erection of one dwelling, associated garage, and new vehicular access.

The application was presented to Committee because an objection had been received from Burton Green Parish Council.

The officer was of the opinion that the proposal for a new dwelling was acceptable in principle, of an acceptable design that was in keeping with the street scene and would not present harmful impacts to the amenity of neighbouring properties, highway safety or biodiversity. As such, the application was recommended for approval.

An addendum circulated prior to the meeting advised of an additional condition being proposed to be added to secure biodiversity enhancements.

PLANNING COMMITTEE MINUTES (Continued)

In answer to a question from the Chairman, the Committee were satisfied with information they had received for this item and did not require the planning officer to deliver the planning presentation for this application.

Following consideration of the report and information contained in the addendum, it was proposed by Councillor Falp and seconded by Councillor Milton that the application should be granted.

Resolved that W/23/1738 be **granted** subject to the following:

No.	Conditions
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| (1) | the development hereby permitted shall begin no later than three years from the date of this permission. |
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Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

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| (2) | the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 453.04, 475.03B, 475.01D, 475.02B, and specification contained therein, submitted on 04th December 2024. |
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Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

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| (3) | the development hereby permitted shall not be occupied unless and until the submitted biodiversity enhancements have been completed in strict accordance with the approved details, with the exception of any planting, which must be completed within the first planting season following first occupation. |
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The biodiversity enhancement measures shall thereafter be retained and maintained in strict accordance with the approved details in perpetuity.

Reason: To ensure net gains in biodiversity, in accordance with the requirements of the NPPF;

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| (4) | the development hereby permitted shall be carried out in strict accordance with the details set out in Energy Statement submitted to the Local Planning Authority on 11th June 2024. |
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Reason: To satisfy the requirements Policies CC1, CC3 and FW3 of the Warwick District Local

PLANNING COMMITTEE MINUTES (Continued)

Plan (2011-2029) and Policies NZC1, NZC2 (A,B and C) of the Warwick District Net Zero Carbon Development Plan Document (DPD);

- (5) prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).

Reason: To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document;

- (6) the development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029;

- (7) the access to the site for vehicles shall not be used unless a public highway verge crossing has been laid out and constructed in accordance

PLANNING COMMITTEE MINUTES (Continued)

with the standard specification of the Highway Authority.

Reason: In the interests of highway safety and the free flow of traffic in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (8) the development shall not be occupied until visibility splays have been provided to the vehicle access to the site with an 'x' distance of 2.4 metres and 'y' distances of 79 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (9) any gates erected at the entrance to the site for vehicles shall not be hung so as to open to within 5.5 metres of the near edge of the public highway carriageway.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

- (10) the development shall not be occupied unless and until a turning area has been provided within the site so as to enable vehicle types to leave and re-enter the public highway in a forward gear.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029; and

- (11) an additional condition is proposed to be added to secure biodiversity enhancements.

57. W/23/0894 – 8 Spencer Street, Royal Leamington Spa

The Committee considered an application from GSD Commercial Limited for the erection of mansard roof extension, the remodelling of frontage, including removal of bay window, and the erection of a first floor rear extension.

The application was presented to Committee because of the number of objections received.

PLANNING COMMITTEE MINUTES (Continued)

The officer was of the opinion that planning permission should be granted subject to the conditions set out in the report.

An addendum circulated prior to the meeting advised of an additional condition being proposed, to ensure the obscure glazing of the proposed rear window.

Officers clarified in the addendum that the impact of the revised flue position had been assessed in relation to the application building and neighbouring sites. As existing, the flue head had a weather cowl head, which distributed odours laterally and upwards. As existing, this flue created a risk of odours entering the application site and neighbouring sites.

As part of the planning application, the flue position moved further back from its existing position, further away from neighbouring sites. The applicant had also altered the flue head, at the request of the LPA environmental health officer. The Swedish cowl head proposed would ensure that odours were distributed upwards as opposed to laterally, thereby reducing the likelihood of odours dispersing to either neighbouring site.

The combination of the revised flue location and the new flue head would provide improvement on the existing arrangement and generate less harm to these neighbouring sites.

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

Resolved that W/23/0894 be **granted** subject to the following:

No.	Conditions
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| (1) | the development hereby permitted shall begin not later than three years from the date of this permission. |
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Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

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| (2) | the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 23/16-02 REV J, and specification contained therein, submitted on 28th August 2024. |
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Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

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| (3) | no part of the development hereby permitted shall be commenced until a scheme for the |
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PLANNING COMMITTEE MINUTES (Continued)

provision of a bat box/bat roosting feature to be erected on buildings within the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box type, location, and timing of works. Thereafter, the box shall be installed and maintained in perpetuity.

Reason: In accordance with NPPF, ODPM Circular 2005/06;

- (4) the development hereby permitted shall not commence unless and until a noise insulation scheme has been submitted to and agreed in writing by the local planning authority to ensure that noise levels from the existing ground floor premises do not cause detriment to the amenity of the occupiers in the proposed first floor residential premises. Once approved, the noise insulation scheme shall be implemented in full accordance with the approved details and shall be retained thereafter.

Reason: To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

- (5) the development hereby permitted shall not commence unless and until:
- a. a noise assessment has been undertaken to assess the impact of entertainment noise, commercial plant/equipment, and road traffic noise on the proposed dwelling in accordance with a methodology first agreed in writing with the local planning authority; and
 - b. the results of the noise assessment carried out to comply with criteria (a), together with details of any necessary noise, ventilation, and/or overheating mitigation measures, have been submitted to and approved in writing by the local planning authority.

The development hereby permitted shall not be occupied until any necessary mitigation measures approved under (b) have been implemented in full accordance with the approved details. The mitigation measures shall be retained at all times thereafter.

Reason: To ensure that future occupants do not experience unacceptable levels of noise, in

PLANNING COMMITTEE MINUTES (Continued)

accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

- (6) no development shall be carried out above slab level unless and until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details.

Reason: To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029;

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

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

- (8) an additional condition to ensure the obscure glazing of proposed rear windows.

58. W/24/0133 - 3 England Crescent, Royal Leamington Spa

The Committee considered an application from Mr Asbool for the erection of a two-storey side and rear extension to facilitate the increase in number of bedrooms from a three to six bed property.

The application was presented to Committee because of an objection from Royal Leamington Town Council and an objection from a Ward Councillor had been received and the application was recommended for approval.

The officer considered that the amended scheme constituted good quality design in respect of providing a subservient addition which enhanced the existing dwellinghouse whilst respecting the surrounding buildings in terms of its scale, form, and adoption of appropriate materials. The proposal was also considered to have an acceptable impact on neighbouring amenity levels, ecology, and parking. As such, the proposal was in accordance with the policies mentioned in the report, and it was therefore recommended for approval.

PLANNING COMMITTEE MINUTES (Continued)

An addendum circulated prior to the meeting advised that Leamington Town Council had removed their objection to the proposal.

Following consideration of the report, presentation and information contained in the addendum, it was proposed by Councillor Kennedy and seconded by Councillor Phillips that the application should be granted.

Resolved that W/24/0133 be **granted** subject to the following:

No.	Conditions
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| (1) | the development hereby permitted shall begin no later than three years from the date of this permission. |
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Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

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| (2) | the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) MRA640 002C, and specification contained therein, submitted on 23/08/2024. |
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Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and

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| (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 BE1 of the Warwick District Local Plan 2011-2029. |
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59. **W/24/0568 - Old Beams, Lapworth Street, Bushwood, Lowsonford, Henley-in-Arden**

The Committee considered an application from Mr Benton for excavation works to reduce ground level to the level of the existing patio and driveway, formation of hardstanding, and erection of new gabion retaining walls.

The application was presented to Committee because an objection from Henley-in-Arden Parish Council had been received and the application was recommended for approval.

The officer considered that the proposal had a neutral impact on the streetscene and Conservation Area, and was considered to comply with Local Plan Policies DS18, BE1 and HE1. The application was therefore recommended for approval, subject to the conditions listed in the report.

PLANNING COMMITTEE MINUTES (Continued)

Following consideration of the report presentation, it was proposed by Councillor Milton and seconded by Councillor Kennedy that the application should be granted.

Resolved that W/24/0568 be **granted** subject to the following:

No.	Conditions
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| (1) | the development hereby permitted shall begin not later than three years from the date of this permission. |
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Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

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| (2) | the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 6072-02 (revision A) and specification contained therein, submitted on 12/07/2024 and 6072-03 (revision A) and specification contained therein, submitted on 21/08/2024. |
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Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and

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| (3) | no works shall commence on the construction of the gabion wall until details of landscaping works have been submitted to and approved in writing by the Local Planning Authority. Details of soft landscaping works shall include details of proposed planting to the gabion walls. All planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the date of this approval. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. |
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Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance

PLANNING COMMITTEE MINUTES (Continued)

with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

60. Planning Appeals Report

The Committee was informed that this would be brought to the next meeting of the Committee.

61. Review of the WDC Conservation Advisory Forum (CAF)

The Committee considered a report from the Development Manager which provided an update on the operation of the Conservation Advisory Forum, making recommendations for revisions to the way in which the Forum operated.

The Council's Conservation Advisory Forum (CAF) was a longstanding working party established by the Planning Committee, comprising a Chair and Vice-Chair (WDC Councillors) along with representatives from a number of community and professional organisations with specialist conservation and heritage knowledge.

The Forum met every four weeks to review a selection of current planning application proposals where there was a conservation/heritage element, providing expert heritage and conservation advice to the Council, as Local Planning Authority, on those planning applications.

The manner in which the Forum operated was set out in its Constitution, which covered a range of matters including, but not limited to:

- the quorum required for a meeting of the Forum to take place. This was currently the Chair and/or Vice Chair and five other representatives;
- the organisations co-opted into the Forum – these were set out in the Constitution and there was currently no discretion afforded to officers or members of the Forum to add or remove organisations. This meant that Planning Committee authorisation was required where necessary;
- the format and location of meetings, stating that meetings were usually to take place in person at Riverside House. Again, there was no discretion afforded to officers or members of the Forum to deviate from that approach; and
- the undertaking of an Annual Review of the operation of the Forum by the Development Manager.

The CAF constitution, as proposed to be revised, was attached at Appendix 1 to the report.

Over the last 12 months, the Forum had considered and provided advice on 14 planning proposals and addressed the Council's Planning Committee in person in respect of two of those schemes. The advice provided by the Forum was a material planning consideration in the determination of the planning applications for the proposals on which they had commented.

The Forum's membership was drawn from a wide range of community organisations including the Leamington Society, the Warwick Society, the Warwickshire Gardens Trust and the 20th Century Society.

PLANNING COMMITTEE MINUTES (Continued)

Since the pandemic, CAF meetings had taken place predominantly online, with the quorum required for a meeting to take place as summarised above. Over recent months, it had proved challenging to consistently achieve the quorum required which had meant that out of the 13 scheduled meetings over the last 12 months, six had been cancelled as a result of the absence of quorum.

In return for the expertise provided by CAF, the WDC Conservation Team administered and facilitated each meeting, including the officer time spent attending the meetings along with preparing an agenda, assembling a presentation of schemes, and writing up and distributing the minutes. It was estimated that the preparation for and attendance at each meeting accounted for six to eight hours of officer time per meeting.

It was important that the time spent by officers in supporting the Forum should be viewed within the context of the wider responsibilities of the two-person Conservation Team. In addition to the CAF responsibilities, the team had a full workload, including responding to planning applications on heritage matters; dealing with applications for Listed Building Consent; undertaking Conservation Area reviews, reviewing and updating the Local List of Historic Buildings and providing advice and guidance to a range of customers in protecting the historic environment.

Following discussions with the Chair and Vice-Chair of the Forum and the Council's Principal Conservation Officer, notwithstanding the relatively limited number of proposals considered, the contribution that CAF made to the consideration of those planning applications in the provision of specialist independent heritage expertise was acknowledged and valued. However, that benefit needed to be balanced with the resources required to facilitate the Forum from WDC officers, Councillors, and the volunteers who made up the group. To operate effectively, it was considered that the Forum should meet on the planned regular four-weekly basis which had recently been hampered through repeated low attendance and absence of quorum. The resulting cancellation of multiple meetings had resulted in recurring wasted resource and at the level that it had been occurring, was considered to be unsustainable.

As summarised above, it should also be noted that there was limited flexibility within the current CAF constitution to enable appropriate officers and members of the Group to make operational decisions concerning, for example, the membership of the group and the manner in which the group met without seeking authority from Planning Committee. That position was now considered to be operationally inefficient and counter intuitive.

Therefore, in order to seek to address the issue of repeated low attendance and the absence of quorum, along with the smoother administration of the Group, the following measures were proposed:

- the reduction in the quorum required by one person, to be the Chair and/or Vice Chair AND four other representatives;
- the addition of the Kenilworth Archaeology and History Society to have a permanent representative on the Forum;
- the removal of groups from the Forum who had not attended a meeting over the last 12 months AND had not responded to enquiries asking whether they wished to continue being represented on the Forum;

PLANNING COMMITTEE MINUTES (Continued)

- the delegation of authority to the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice-Chair of the Forum to invite representatives from appropriate organisations to join the Forum and to remove persistent non-attending organisations from the Forum;
- the flexibility to operate the Forum via online meetings with occasional in person meetings to be determined on a case-by-case basis by the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice-Chair of the Forum; and
- the delegation of authority to the Development Manager, or nominee to determine the frequency with which reviews of the operation of the Forum were to be undertaken.

The Planning Committee was therefore asked to endorse those proposals and authorise officers to update the CAF Constitution accordingly as set out at Appendix 1 to the report.

In terms of alternatives, the Committee could decide not to authorise the changes proposed, however, it was considered that such a position would be detrimental to the recovery of the effective operation of CAF.

Alternatively, another option was to consider disbanding CAF. At this stage, such a proposal was considered to be premature and would impact upon the different ways in which heritage advice was provided within the District. However, should the measures proposed herein be agreed by Planning Committee and at the time of the next review, subsequently be demonstrated not to have been successful, that option would need to be reconsidered.

The Development Manager advised Members of an additional recommendation, because the CAF Constitution was an Annex to the Constitution, which only Council could amend, and any proposal should include this additional recommendation.

It was proposed by Councillor Phillips, seconded by Councillor Kennedy and

Recommended to Council that the revised CAF Constitution attached as Appendix 1 to the minutes be appended to the Council's Constitution.

Resolved that

- (1) the reduction in the quorum required by one person, so that quorum is achieved with the presence of the Chair and/or Vice Chair AND four other representatives, be agreed;
- (2) the addition of the Kenilworth Archaeology and History Society to have a permanent representative on the Forum, be agreed;
- (3) the removal of groups from the Forum who either no longer exist, or have not attended a meeting over the last 12 months AND have not responded to enquiries asking whether they wish

PLANNING COMMITTEE MINUTES (Continued)

to continue being represented on the Forum, be agreed;

- (4) authority be delegated to the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice-Chair of the Forum to invite representatives from appropriate organisations to join the Forum and to remove persistent non-attending organisations from the Forum;
- (5) the flexibility to operate the Forum via online meetings with occasional in person meetings to be determined on a case-by-case basis by the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum, be agreed; and
- (6) authority be delegated to the Head of Place, Arts and Economy, or nominee to determine the frequency with which reviews of the operation of the Forum are to be undertaken.

(The meeting ended at 8.13pm)

CHAIRMAN
7 October 2024

Appendix 1 to Minute Number 61

Warwick District Council

Conservation Advisory Forum Constitution

Purpose & Role

The purpose of the Conservation Advisory Forum is to assist in protecting and enhancing the District's special historic and architectural character

The role of the Conservation Advisory Forum is therefore:

1. To provide expert, constructive, impartial advice on historic buildings and their use, historic landscapes, and Conservation Areas to:
 - a. potential applicants and the Council at the pre-application stage (before submission) of an application that may affect the historic environment;
 - b. applicants and the Council (including the right to speak at Planning Committee on any item) by commenting on planning, listed building, conservation, advertisement, and tree applications that may affect the historic environment;
 - c. the Council and other bodies, such as Town and Parish Councils, on the designation of the historic environment, and formulation of policy and guidance relevant to the historic environment;
 - d. the Planning Inspectorate when determining appeals for planning and listed building applications that may affect the historic environment; and,
 - e. the Council and other statutory bodies when undertaking works under their statutory powers that may affect the historic environment.
2. To draw the Council's attention to possible unauthorised works to the historic environment; and,
3. To provide a forum for the sharing of knowledge and experience of best practice in relation to the historic environment between members of the Forum, officers of the Council and developers.

The Forum is an informal consultative body organised by Warwick District Council.

PLANNING COMMITTEE MINUTES (Continued)

Membership & Roles

The Forum will consist of the following members:

1. Two elected Members of Warwick District Council who have an interest in the historic environment and planning matters.

Their role is to Chair and Vice Chair the Forum, give legitimacy to the Forum, inform its views through sharing their knowledge, and help develop their experience of the historic environment and planning matters.

The Chair of the Forum shall also act as the Council's Heritage Champion in promoting the historic environment both within the Council and the wider community. The Vice Chair shall be a Member with a desire to have a future involvement in Planning matters.

Elected Members may feedback the views of the Forum to District Council Ward Members as appropriate to individual cases.

2. One representative from each of the following organisations who will be invited to represent the views of that organisation on the historic environment at the Forum:

- a. Leamington Society
- b. Warwick Society
- c. Kenilworth Society
- d. Whitnash Society
- e. Victorian Society
- f. Georgian Group
- g. Twentieth Century Society
- h. Warwickshire Gardens Trust
- ~~Central Leamington Area Residents Association~~
- i. Royal Town Planning Institute
- j. Royal Institute of British Architects
- k. Royal Institute of Chartered Surveyors
- ~~Royal Leamington Spa Chamber of Trade~~
- ~~Warwick Chamber of Trade~~
- ~~Kenilworth Chamber of Trade~~
- l. Campaign to Protect Rural England
- m. Representative of the Rural Community Forums
- n. The Kenilworth Archaeology and History Society**

Elected Members and representatives will be allowed to nominate a substitute to carry out their duties in the event of them being unable to attend a Forum meeting. A meeting will only be considered quorate if at least one elected Member and **five four** representatives are in attendance.

The Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum may use their discretion to invite representatives from appropriate organisations to join the Forum and may remove persistent non-attending organisations from the Forum.

PLANNING COMMITTEE MINUTES (Continued)

Operation of the Forum

The Forum will normally meet every four weeks ***usually online with occasional in person meetings, the location and format of each meeting to be determined on a case by case basis by the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum. The meetings will*** normally starting within the usual business hours of Warwick District Council.

The Forum is not a public meeting and members of the public will not be allowed to attend.

The Forum will be facilitated by officers from Development Services who will:

- a. prepare and distribute an agenda for each meeting;
- b. arrange for any invited participants to attend the Forum to present items, in accordance with criteria a, c and e of the agreed purpose and role of the Forum above;
- c. present items to the Forum for their consideration;
- d. record the consensus view (or opposing views where there is no consensus) of the Forum and feed this back to the Council or other relevant organisation as appropriate; and,
- e. publish the agenda and record of the meeting on the Council's website.

The more detailed operation of the Forum shall be agreed by the Chair and Vice Chair, in consultation with the Forum and the Development Manager.

Annual Review of the Forum

The Development Manager will measure the effectiveness of the Forum in delivering its purpose, and undertake ***a regular*** ~~an annual~~ review of its membership and operation with the ***appropriate frequency of that review to be determined by the Development Manager on an ongoing basis.***

~~A An Annual~~ Report demonstrating the Forum's performance over the previous year ***period*** and the output of the above review will be reported to the Forum, before being reported to the Planning Committee. Any amendments to the Constitution must receive approval by the Planning Committee, or its successors.

Updated: September 2024.