

Planning Committee

Minutes of the meeting held on Wednesday 8 January 2020 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Boad (Chairman); Councillors Ashford, R. Dickson, Heath, Luckhurst, Leigh-Hunt, Morris, Murphy, Roberts and Weber

Also Present: Civic and Committee Services Manager – Mrs Tuckwell; Committee Services Officer – Mr Edwards; Legal Advisor – Mrs Gutteridge; Development Services Manager – Mr Fisher; Principal Planning Officer – Mr Charles; Warwickshire County Council Highways Officer – Mr Pilcher.

118. **Apologies and Substitutes**

- (a) There were no apologies made.
- (b) Councillor Luckhurst substituted for Councillor Kennedy.

119. **Declarations of Interest**

There were no declarations of interest.

120. **Site Visits**

There were no site visits made.

121. **Minutes**

The minutes of the meetings held on 3 and 4 December 2019 were taken as read and signed by the Chairman as a correct record.

122. **W/18/0092 – Land at Princes Drive, Edmondscote, Royal Leamington Spa**

The Chairman informed Members that this item had been withdrawn by the applicant following publication of the agenda.

123. **W/19/1133 – Land at Ward Hill, Warwick Road, Littleworth, Norton Lindsey**

The Chairman informed Members that this item had been withdrawn from the agenda. An addendum circulated prior to the meeting advised that following the receipt of further comments from Warwick District Council Environmental Services in response to concerns raised by a commentator in respect of a specific environmental health issue which required further consultation to be undertaken, the item had been withdrawn.

PLANNING COMMITTEE MINUTES (Continued)

124. W/18/1635 – Land East of Kenilworth, Glasshouse Lane/ Crewe Lane, Kenilworth

Prior to considering this item, the Council's Solicitor advised Members that the recommendation in the report was that planning permission should be granted, and the addendum informed of an addition to the decision, to add "Subject to final sign off by Highways England of the Thickthorn Island Highways Works...". This was now corrected by officers, to only state "Subject to final sign off by Highways England". In addition, the Council's Solicitor advised Members that she had received an email from Highways England, shortly before the start of the meeting, asking that the Committee did not consider the application and did not grant permission to the application for a further three months, as there were still some outstanding issues. The Council's Solicitor advised that even if the application was considered by Members and approved, it would still be subject to the satisfaction of Highways England, and the application would come back to the Planning Committee if Highways England were not satisfied.

Following agreement from Members, the Principal Planning Officer proceeded with delivering the presentation. Councillor Morris felt that it would be inappropriate for Members to debate the application.

Planning officers presented to the Committee a major application from Catesby Estates Plc. for the demolition of existing farmhouse and agricultural buildings and outline planning application for residential development of up to 620 dwellings (Use Class C3), land for a primary school, (Use Class D1) including means of access into the site (not internal roads), parking and associated works, with all the other matters reserved (relating to appearance, landscaping, scale and layout).

The application was presented to Committee because of the number of objections received and an objection from Kenilworth Town Council.

The officer was of the opinion that the application site was allocated within the Local Plan for residential development as part of allocation H40 which identified approximately 640 dwellings for this area of the site, and formed part of the wider East of Kenilworth Strategic Urban Expansion that sought to provide approximately 1,400 dwellings, together with a range of associated community facilities.

The development was only in outline form at this stage but the indicative site plan demonstrated that the site was capable of accommodating a very high quality scheme of up to 620 dwellings, which was acceptable in overall terms including in respect of the integration of built development within the surrounding landscape. The site provided additional benefits in securing an appropriate highway linkage to the adjacent site to provide a comprehensive development across the overall allocation.

Technical matters relating to highway safety and the mitigation of increased demand on the highway network had been satisfactorily addressed and these works were to be secured through contributions within the Section 106 Agreement. The site specific matters could be controlled by planning condition.

PLANNING COMMITTEE MINUTES (Continued)

An addendum circulated prior to the meeting advised of additional updates to the application. The recommendation was to be updated, to include "Subject to final sign off by Highways England of the Thickthorn Island Highways Works...". On page 21, paragraph 3, the last sentence should refer to 'air mitigation contribution', not 'highways' contribution'.

The addendum also advised that there were three updates to conditions. The updates were that:

- Condition 9 should be revised to be 'Prior to the submission of any reserved matters' instead of 'Prior to commencement';
- Condition 21 should reference Design and Access Statement March 2019, not 2018 as referenced; and
- Condition 22 should to be omitted as this was a duplicate of Condition 21.

In addition, the addendum informed Members of an update to the Section 106 Agreement, advising that the SUDS provision should be updated, to be in liaison with Highways England, and there needed to be a requirement for Self Build/Custom Housing to be secured.

Furthermore, the addendum listed additional comments made by Councillors Wright and Redford, who raised concerns that Crewe Lane was a minor road with no clear passing areas or white centre line. Councillors Wright and Redford understood the original plan was to make Crewe Lane an emergency access only, which offered a level of restriction, but this appeared to have been abandoned in favour of changes to the junction at each end, which they felt would not address the safety or traffic risks. In addition to this, Councillors Redford and Wright noted that the HS2 compound already adjacent to Crewe Lane would cause disruption to a road which was already a high risk area and which would only become a bigger problem with additional housing, if not managed and controlled. Councillors Redford and Wright felt that that the traffic into Stoneleigh and Ashow already caused major issues and there was significant and justified concern that this would increase substantially as a result of the development, particularly if there were no controls in place. Traffic flows would also be affected by the new Glasshouse Lane which would result in additional congestion, which would further exacerbate congestion. Alternative access needed to be considered and the developers needed to come up with a more practical and sustainable traffic management plan which should be put to the community for comment. Councillors Redford and Wright felt that the application was contrary to Paragraph 102 of the NPPF as transport issues had not been addressed.

The addendum informed Members of two additional letters of objection that had been received, which raised concerns regarding over-development, inadequate roads for the increased traffic, traffic island on Glasshouse Lane would be dangerous and no footpaths on Glasshouse Lane. In addition, the letters of objection advised that Crew Lane was barley wide enough for two vehicles, the school was surrounded by houses so it could not extend and no mitigation for impact of the new roundabout for residents of Stansfield Grove in terms of access, noise, fumes, headlamp glare and loss of privacy had been made.

PLANNING COMMITTEE MINUTES (Continued)

Following consideration of the report, presentation and information contained in the addendum and notification of advice received from Highways England as detailed by the Council's Solicitor, it was proposed by Councillor Morris and seconded by Councillor Ashford that the application should be deferred.

The Committee therefore

Resolved that W/18/1635 be **deferred** following the late receipt of a request from Highways England that the matter should not be considered by Committee.

125. **W/19/0933 - 2 Penns Close, Cubbington, Royal Leamington Spa**

The Committee considered an application from Mr and Mrs Hyam for the variation of condition 2 of application reference W/19/0287: Erection of a front dormer, front porch and two storey side extension with dormer (Retrospective) (Set down reduced from previously approved).

The application was presented to the Committee as Cubbington Parish Council supported the application and it was recommended for refusal.

The Officer was of the opinion that the quality of the approved development was considered to have materially diminished between the previously approved design and it as the built development which was proposed to be regularised under this variation of condition 2 application. The proposed (as-built) extensions were not subservient to the original dwelling, did not comply with the Council's adopted Residential Design Guide and therefore the objectives of local plan policy BE1. For this reason, it was recommended that the planning permission should be refused.

An addendum circulated at the meeting advised that contrary to the statement in the report, this application was being brought to Planning Committee due to the number of comments of support which had been received, rather than the Parish Council being in support as indicated.

Mrs Jones addressed the Committee, speaking in support of the application.

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

The Committee therefore

Resolved that W/19/0933 be **refused** because it does not comply with Policy BE1 of the Warwick District Local Plan 2011-2029. This states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design.

The proposed (as-built) extension by reason of the absence of a sufficiently set down ridge height is not subservient to the character and form of the original

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dwelling and therefore comprise an inappropriate form of development which is harmful to the wider street scene, contrary to the Council's adopted residential design guide.

The development is thereby considered to be contrary to the aforementioned policies.

126. W/19/0933 – Land on the North Side of Birmingham Road, Hatton

The Committee considered an application from Taylor Wimpey UK Ltd for full planning permission for 150 Dwellings (Class C3), New Vehicular Access from Birmingham Road, New Temporary Vehicular Access for Sales and Construction from Birmingham Road and associated works infrastructure.

The application was presented to Committee because it proposed changes to the Section 106 Agreement.

The officer was of the opinion that the proposed changes to the Section 106 Agreement required authority from Members to update the terms of the Section 106 Agreement to omit the Stanks Island request and to include the CCG request.

These elements had been fully justified and Members were requested to authorise the changes as set out within this report.

Following consideration of the report and presentation, it was proposed by Councillor Dickson and seconded by Councillor Leigh-Hunt that the application should be granted.

The Committee therefore

Resolved that W/19/033 be **approved** in accordance with the recommendation in the report.

(The meeting ended at 6.57pm)

CHAIRMAN
4 February 2020