

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 3 May 2006 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Evans (Chair); Councillors Ashford Mrs Blacklock, Mrs Bunker, Mrs Compton, Gill and Mackay.

(Councillor Gill substituted for Councillor Mrs Knight)

21. DECLARATIONS OF INTEREST

Minute Number 38 – W06/0172 – Racing Club Warwick FC, Hampton Road, Warwick

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Evans, Gill and Mackay declared a personal interest because the application was on Warwick District Council Land.

Miss L Turpin declared a personal interest in this item as she was the Treasurer for Warwick Racing Amateur Boxing Club whose premises was on the application site and would be affected by the application.

Minute Number 31 – TPO35(50/194) – 2 Beech Cliffe, Warwick.

Councillor Mrs Compton declared a personal interest as the applicant was known to her.

Minute Number 23 – Coventry Airport – Outcome of Enforcement Appeal

Councillor Mackay declared a personal and prejudicial interest because he was Ward Councillor for the application site and left the room whilst the report was received.

Minute Number 39 – W06/0179 – 13 Woodcote Road, Leamington Spa

Councillor Ashford declared a personal and prejudicial interest because he spoke as an objector at the last Planning Committee meeting, he left the room whilst the application was considered.

Minute Number 24 – W06/0191 – 16a Lillington Road, Leamington Spa

Councillor Evans declared a personal interest because an objector was known to him.

Minute Number 29 – W06/0293 – 15 Armstrong Close, Whitnash, Leamington Spa

Councillor Gill declared a personal interest because the applicant was known to him.

PLANNING COMMITTEE MINUTES (Continued)

22. MINUTES

The minutes of the meeting held on 21 February 2006, 15 March 2006 and 5 April 2006 were taken as read and signed by the Chair as a correct record.

23. COVENTRY AIRPORT, OUTCOME OF ENFORCEMENT APPEAL

The Committee received a report from the Head of Planning Engineering which outlined the decision of the Secretary of State following the Public Inquiry into the erection of the Interim Passenger Facility (IPF) at Coventry Airport. The decision was wholly in line with the approach taken by the Planning Committee on enforcement action and the imposition of mitigation measures.

The Secretary of State concluded:

(a) that development of the IPF was not undertaken within airport permitted development (pd) rights as claimed by the airport and its construction constituted a clear breach of planning control.

Initial comment - This was the view of this Council from an early stage and formed the basis upon which enforcement action was authorized in early 2004. Success on this point was important, as had the IPF been found to have been developed within pd limits, there would have been no opportunity to consider whether permission should be granted and no means of securing any control and mitigation measures.

(b) that permission should be granted for the IPF subject to a range of compensation and mitigation measures in order to bring a substantial measure of control over flying activities at what was presently an entirely unrestricted airport.

Initial comment – This was the position adopted by the Council in July last year when it considered that the package of compensation and mitigation measures brought before it would be sufficient to satisfy the requirements of development plan policy. The package of measures considered acceptable by the Secretaries of State accorded with that agreed by the Council.

RESOLVED that the report be noted.

24. 16A LILLINGTON ROAD, LEAMINGTON SPA

The Committee considered an application from Miss T Rickett for the demolition of existing single storey extension and garage to 16A Lillington Road, conversion of 15A and 16 Lillington Road to form a single dwelling and erection of a new single storey dwelling with frontage to Campion Road and Waller Street (with access and garage off Waller Street) together with a new access and triple garage off Campion Road to service number 16 Lillington Road.

The Committee at its meeting on 5 April 2006 deferred this application to allow for a site visit to take place on 29 April 2006.

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

PLANNING COMMITTEE MINUTES (Continued)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(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)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)
SC8a - Managing Housing Supply (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

The following addressed the Committee on this item:

Councillor R Copping	Town Council
Mr P Payne	Objector
Mr T Rickett	Agent

However, after considering the report from the Head of Planning and Engineering and representations from the Town Council and members of the public the Committee were of the opinion that the application should be refused.

RESOLVED that application W2006/0191 be REFUSED because the Committee felt the application would be an overdevelopment, there would be an imbalance between large main property and its remaining garden, there would be harm to the Conservation Area by creation of incongruous and alien bungalow type property which does not harmonise with the area.

25. **JEPHSON HOUSE / MAGISTRATES COURT, NEWBOLD TERRACE, LEAMINGTON SPA**

The Committee considered an application from Warwickshire Police for the erection of a justice centre (civil, crown and magistrates courts) linked to police station with basement parking area.

This application was subject of a site visit on 29 April 2006.

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

Government policy on planning and town centres is set out in PPS6 contained in PPG15.

GD.3 - Overall Development Strategy (Warwickshire Structure Plan 1996-2011).

GD.5 - Development Location Priorities (Warwickshire Structure Plan 1996-2011).

PLANNING COMMITTEE MINUTES (Continued)

ER.1 - Natural and Cultural Environmental Assets (Warwickshire Structure Plan 1996-2011).
TCP1 - Protecting and Enhancing the Town Centres (Warwick District 1996 - 2011 Revised Deposit Version)
TCP2 - Directing Retail Development (Warwick District 1996 - 2011 Revised Deposit Version)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)
(DW) ENV18 - Historic Parks and Gardens (Warwick District Local Plan 1995)
(DW) EMP5 - Employment Development in Urban Areas (Warwick District Local Plan 1995)
(LTC) EMP1 - Criteria for office development in Leamington town centre.
(LTC) ENV2 - Design criteria for new buildings within Leamington town centre.
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)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
UAP2 - Directing New Employment Development (Warwick District 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)
DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)
DAP13 - Protecting Historic Parks and Gardens (Warwick District 1996 - 2011 Revised Deposit Version)
Design Guidance is contained in the document "Royal Leamington Spa, A design framework in an historic town".

The following addressed the Committee on this item:

Councillor R Copping
Mr A Pitts
Councillor B Crowther

Town Council
Objector
Ward Councillor

RESOLVED that application W2006/0192 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 COMMITTEE MINUTES (Continued)

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) A03118/NL(PA)006/PA2, /NL(PA)007/PA2, /NL(PA)050/PA2, /NL(PA)100/PA2, /NL(PA)101/PA2, /NL(PA)102/PA2, /NL(PA)103/PA2, /NL(PA)104/PA2, /NL(PA)105/PA2, /NE(PA)106/PA2, /NE(PA)201/PA2, /NE(PA)202/PA2, /NE(PA)203/PA2, /NE(PA)205/PA2, /NE(PA)206/PA2, /NE(PA)210/PA2, /NE(PA)211/PA2, /NE(PA)212/PA2, /NE(PA)213/PA2, /NS(PA)300/PA2, /NS(PA)301/PA2, /NL(PA)500/PA2, /NL(PA)501/PA2, /NS(PA)502/PA2, 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) 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;
- (4) Before any render is applied to the building, 1 metre square sample panels of any render to be used shall be erected on site and approved in writing by the District Planning Authority; the approved render panels shall be retained on-site until all render work on the building has been completed. **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) No development shall be carried out on the site which is the subject of this permission, until large scale details of brise soleil (and supporting frame), screen walls, gates, bollards, railings, cycle hoops, parapet details, roof acoustic enclosures, signage lettering and support reading 'Warwickshire Justice Centre', doors,

PLANNING COMMITTEE MINUTES (Continued)

glazed curtain walling, roof glazing, windows (including a section showing the window reveal, heads and cill details), and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;

- (6) No external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety;
- (8) No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan;
- (9) Details of the air conditioning, ventilation and flue extraction systems including particulars of noise levels shall be submitted to and approved by the Local Planning Authority before any works commence on site. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (10) The building hereby permitted shall not be first occupied until such time that a signalised pedestrian facility and the associated highway works to Newbold Terrace have been completed in association with the details shown on Plan A03118/NL/PA/0502. **REASON** : In the interests of highway safety in accordance with Policy ENV3 of the Warwick District Local Plan; and
- (11) The use hereby permitted shall not commence until the applicant has submitted and the Planning Authority has approved in writing a travel plan and any measures proposed to be carried out in that plan before the use commences have been implemented. Following commencement of the use the measures (and any variations) so approved shall continue to be implemented in full at any time when the use is being carried on. The plan shall:
- (i) specify targets for the proportion of employees and visitors travelling to and from the site by foot, cycle, public transport, shared vehicles and other modes of transport which reduce emissions and the use of non renewable fuels;
 - (ii) set out measures designed to achieve those targets together with timescales and arrangements for their monitoring, review and continuous improvement;
 - (iii) explain and justify the targets and measures by reference to the transport impact assessment approved in accordance with condition x; and
 - (iv) identify a senior manager of the business using the site with overall responsibility for the plan and a scheme for involving employees of the business in its implementation and development.

26. JEPHSON HOUSE / MAGISTRATES COURT, NEWBOLD TERRACE, LEAMINGTON SPA

The Committee considered an application from Warwickshire Police for the demolition of Jephson House and the Magistrates Court.

This application was subject of a site visit on 29 April 2006.

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

PLANNING COMMITTEE MINUTES (Continued)

Government advice on Planning and the Historic Environment is contained in PPG15.

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

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

The following addressed the Committee on this item:

Councillor R Copping
Mr A Pitts
Councillor B Crowther

Town Council
Objector
Ward Councillor

RESOLVED that application W2006/0193CA 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 No. A03118/N.L. (PA) 020/PA2, and specification contained therein, deposited with the District Planning Authority on 3rd February 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) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment under reference W06/0192 has been made. **REASON** : To protect the character and appearance of the Conservation Area and to satisfy the requirements of Policy ENV6.

27. 8-10 AUGUSTA PLACE, LEAMINGTON SPA

The Committee considered an application from Mr A Hall for the proposed change of use from Class D (community centre) to class A3 use (restaurant/café).

The following addressed the Committee on this item:

Mr K Alexander
Mr S Hain

Objector
Agent

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W2006/0212 be **DEFERRED** for information about the use of the upper floors and operational use by restaurant of rear yard area.

28. LYON BARN, LYON FARM, HONILEY ROAD, BEAUSALE

The Committee considered an application from Mr M Bennett for the demolition of unauthorised steel balcony and erection of replacement timber Juliet balcony.

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

(DW) C3 - Criteria for the Conversion of Rural Buildings (Warwick District Local Plan 1995)

(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)

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

The following addressed the Committee:

Mr C Sutcliffe

Objector

After considering the report from the Head of Planning and Engineering and representation from a member of the public the Committee were of the opinion that the application should be refused.

RESOLVED that application W2006/0289 be **REFUSED** because the Committee felt that the application would have an unneighbourly impact and conflicted with the Barn Conversion Policy guidelines.

29. 15 ARMSTRONG CLOSE, WHITNASH, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs McCutcheon for the erection of a single storey front and side extension with new pitched roof.

This application was deferred at the meeting of the Planning Committee on 5 April 2006 to allow for a site visit to take place on 29 April 2006.

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

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

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

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

The following addressed the Committee on this application:

Mr R Ray

Objector

Mr I McCutcheon

Applicant.

PLANNING COMMITTEE MINUTES (Continued)

After considering the report of the Head of Planning and Engineering and representations from members of the public the Committee were of the opinion that the application should be refused.

RESOLVED that application W2006/0293 be REFUSED because the Committee felt the application was excessive scale of extension at the front of the property which harms the street scene by creating an incongruous unbalancing effect on this pair of semi detached properties.

30. THE JEWSON DEPOT, THE SAW MILLS, RUGBY ROAD, LEAMINGTON SPA

The Committee considered an application from Jewson Property Division for the installation of an office portacabin and three container storage units together with external storage.

This application was subject of a site visit on 29 April 2006.

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

RESOLVED that application W2006/0376 be GRANTED subject to the following conditions:

- (1) This permission shall be limited to a period of time expiring on 4 May 2009. At or before the expiration of the period specified in this permission, the land and/or buildings shall be restored to the former condition and use.
REASON: the use hereby permitted is one which could have an adverse effect on amenities of surrounding residents and the District Planning Authority wish to have an opportunity to assess this effect after the use has been established.
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 661002, 661003 and the pallet plan and specification contained therein, submitted on 1 March 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;

PLANNING COMMITTEE MINUTES (Continued)

- (3) A landscaping scheme for the western and northern boundary behind where the cabin and containers are to be located, as shown on drawing number 661002, 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;
- (4) The metal containers hereby permitted shall be painted in a colour first agreed and approved in writing by the District Planning Authority. The development shall be carried out in strict 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.

31. **2 BEECH CLIFFE, WARWICK**

The Committee considered a request to revoke a TPO and permitting the felling of a tree.

The following addressed the Committee on this application:

Councillor G Guest

Ward Councillor.

Having considered the report from the Head of Planning and Engineering which recommended refusal, and, the representation from the Ward Councillor the Committee were of the opinion that the request should be granted.

RESOLVED that TPO 35(50/194) be REVOKED and authorisation be given for the felling of the Sycamore tree and replanting of a replacement tree. **REASON:** the tree is too close to the house and impairs the applicant's enjoyment of the property and members consider its removal would not result in a significant loss of public amenity.

32. **BOWHILL, 178 BAKERS LANE, LAPWORTH, SOLIHULL**

The Committee considered an application from Mr & Mrs C Yarnell for the erection of a replacement dwelling.

PLANNING COMMITTEE MINUTES (Continued)

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

- (DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995).

RESOLVED that application W2006/0402 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 4732/02/A, and specification contained therein, submitted on 8th March 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) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (4) A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally

PLANNING COMMITTEE MINUTES (Continued)

required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON :** To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

33. ADJOURNMENT OF MEETING

The Chair adjourned the meeting of the Planning Committee held on Wednesday 3 May 2006 to Thursday 4 May 2006 at 6.00 pm

(The meeting closed at 9.50 pm)

RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 4 May 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Evans (Chair); Councillors Ashford Mrs Blacklock, Mrs Bunker, Mrs Compton, Gill and Mackay.

(Councillor Gill substituted for Councillor Mrs Knight)

34. 30 LANSDOWNE STREET, LEAMINGTON SPA

The Committee considered an application from Mr C Day for the installation of 6 air conditioning units to rear of property (retrospective application).

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
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 W2006/0440 be GRANTED subject to the following conditions:

PLANNING COMMITTEE MINUTES (Continued)

- (1) Notwithstanding the details of the plans and elevations of the arrangement of air conditioning units the forward most unit nearest the Lansdowne Road boundary shall be repositioned away from the edge of the roof, within 3 months of the date of this permission, in accordance with details and plans that shall first be submitted to and approved, in writing by, the District Planning Authority. **REASON** : This unit is the most conspicuous and its siting on the edge of the roof harms the character and appearance of the area. To comply with the requirements of Policy ENV3 of the Warwick District Local Plan 1995;
- (2) Within 3 months of the date of this permission all units shall be painted a dark colour, the details of which shall first be submitted and approved, in writing, by the District Planning Authority. **REASON** : The light colour of the existing units is conspicuous against the backcloth of buildings and does not harmonise with elements of the built environment such as roofs, walls, and drain-pipes. Its repainting to an approved colour would enable the development to harmonise better with the built environment and thereby ameliorate the harm to the character and appearance of the area. To comply with the requirements of the Warwick District Local Plan 1995;
- (3) Within 3 months of the date of this permission a parapet wall shall be constructed around the perimeter of the flat roof in accordance with details including brick samples that shall first have been approved, in writing, by the District Planning Authority. **REASON** : It is considered that the provision of a low parapet wall would enable the roof top air conditioning units to appear to be better integrated into the existing buildings at no. 30 Lansdowne Street and thereby harmonise acceptably with the character and appearance of the area. To comply with the requirements of the Warwick District Local Plan 1995;
- (4) The level of noise from the air conditioning plant measured one metre from the nearest noise sensitive facade shall not increase the background level. The definitions of terms that apply to this condition are as follows:
 - a. The 'background level' shall be measured as the A-weighted sound pressure level exceeded for 90% of the time, LA90, over a minimum period of five minutes. A time constant of 125 milliseconds (fast) shall be used for all

PLANNING COMMITTEE MINUTES (Continued)

background measurements.

b. The background level of the noise shall normally be measured 1 metre from the façade of the nearest noise sensitive property. Where access is not practical it will be acceptable to measure in an alternative location and calculate back to the relevant location. In these circumstances, the details of such calculations must be recorded and kept for examination by the Council if required.

c. If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.

d. The 'background level' shall be measured using an environmental or statistical noise analyser or an equivalent data logging system complying with type 2 of BS EN 60651 or better.

REASON : To protect the amenity of the occupiers of nearby properties and to comply with the requirements of Policy ENV3 of the Warwick District Local Plan 1995; and

- (5) The air conditioning units hereby approved shall not be operated outside the opening hours of the business at no. 30 Lansdowne Street. **REASON** : To protect the amenity of occupiers of nearby properties and to comply with the requirements of Policy ENV3 of the Warwick District Local Plan 1995.

35. DAIRY HOUSE, 60 KENILWORTH ROAD, LEAMINGTON SPA

The Committee considered an application from CB Property (Midlands) for the conversion and extension of office building to form 8 apartments.

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

National Statements of Planning Policy

Planning Policy Guidance Note 1: *General Principles*

Planning Policy Guidance Note 3: *Housing*

Planning Policy Guidance Note 13: *Transport*

Planning Policy Guidance Note 15: *Planning and the Historic Environment*

West Midlands Regional Spatial Strategy

Policies CF3 and CF6

PLANNING COMMITTEE MINUTES (Continued)

Warwickshire Structure Plan 1996-2011

Policy GD.1 (Overriding Purpose)
Policy GD.3 (Overall Development Strategy)
Policy GD.4 (Strategic Constraints)
Policy GD.5 (Development Location Priorities)
Policy ER.1 (Natural and Cultural Environmental Assets)
Policy H.1 (provision of housing land)
Policy H.3 (Greenfield Land for Housing)
Policy H.4 (Release of Housing Land)
Policy T.1 (Transport Objectives)
Policy T.2 (Transport Targets)
Policy T.4 (Impact of Development on the Transport System)
Policy T.5 (Influencing Transport Choice)
Policy T.10 (Developer Contributions)

Warwick District Local Plan 1995

Policy (DW) ENV3 (Development Principles)
Policy (DW) ENV6 (Protection of Conservation Areas)
Policy (DW) ENV8 (New Development within Conservation Areas)
Policy (DW) H5 (Infill development)
Policy (DW) H17 (Affordable Housing)

NB. Planning Committee on 28th January 2002 resolved that policies H22 (on housing density) and T7 (car parking) were not in conformity with the Warwickshire Structure Plan.

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

Policy DP1 (Layout and Design)
Policy DP2 (Amenity)
Policy DP3 (Natural Environment)
Policy DP5 (Density)
Policy DP6 (Access)
Policy DP7 - (Traffic Generation)
Policy DP8 (Parking)
Policy DAP10 (Protection of Conservation Areas)
Policy DP12 (Energy Conservation)
Policy UAP1 (Directing New Housing Development).
Policy SCP1 (Securing a Greater Choice of Housing)
Policy SC2 (Protecting Employment Land and Buildings)
Policy SC8a - (Managing Housing Supply)

Distance Separation (Supplementary Planning Guidance)

The 45 Degree Guideline (Supplementary Planning Guidance)

RESOLVED that application W2005/2081 be GRANTED, after completion of a Section 106 Agreement on Affordable Housing, subject to the following conditions:

PLANNING COMMITTEE MINUTES (Continued)

- (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, 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) 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;
- (4) 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;
- (5) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of

PLANNING COMMITTEE MINUTES (Continued)

Policy ENV3 of the Warwick District Local Plan;

- (6) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (7) No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan;
- (8) The car parking area hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in accordance with details which have previously been approved by the District Planning Authority. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (9) The vehicular access to the site shall not be used until visibility splays have been provided to the public highway carriageway with an 'x' distance of 2.4 metres and 'y' distances of 70 metres. No structure, erection, trees or shrubs exceeding 0.6 metres in height above the adjoining highway carriageway shall be placed, allowed to grow or be maintained within the visibility splays so defined. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (10) The development hereby permitted shall not be brought into use unless there is available vehicular turning space within the application site (together with the adjoining residential development site approved under WDC Ref.

PLANNING COMMITTEE MINUTES (Continued)

W04/1121) so that refuse vehicles are able to enter and leave the public highway in a forward gear. Such area shall thereafter be kept available for that purpose. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

- (11) The development hereby permitted shall not be brought into use until the proposed means of access to the site has been provided and shall not be less than 5.5 metres in width at any point. **REASON** : To enable 2 vehicles to pass one another when entering and leaving the highway in the interests of highway safety, in accordance with the requirements of Policy (DW) ENV3 of the Warwick District Local Plan;
- (12) No lighting shall be fixed to the external walls or roof(s) of the building(s) hereby permitted or on any open land within the site, without the written consent of the District Planning Authority. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (13) No flues, vents or other openings shall be formed in the elevations on the northern, eastern or southern boundaries of the development hereby permitted unless otherwise agreed in writing by the local planning authority. **REASON**: To protect the living conditions of neighbouring dwellings, in accordance with Policy ENV3 of the Warwick District Local Plan.

36. 60 KENILWORTH ROAD, LEAMINGTON SPA

The Committee considered an application from Micro Design Group for the erection of additional floor space to proposed coach house development as an amendment to Planning Application W2004/1121 for the demolition of Kenilworth House and erection of 42 residential units, parking and associated landscapes.

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

Planning Policy Guidance Note 15: *Planning and the Historic Environment*
(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)

PLANNING COMMITTEE MINUTES (Continued)

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 W2005/2082 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 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) A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (4) The car parking areas hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in accordance with details which have previously been approved by the District Planning Authority. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (5) Vehicular access to the site from the public highway Kenilworth Road shall not be made other than at the position identified on the approved drawing number 021/Rev.B. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (6) The vehicular access to the site shall not be used until visibility splays have been provided to the public highway carriageway with an 'x' distance of 2.4 metres and 'y' distances of 70 metres. No structure, erection, trees or shrubs exceeding 0.6 metres in height above the adjoining highway carriageway shall be placed, allowed to grow or be maintained within the visibility splays so defined. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) The vehicular access for the development hereby permitted shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or ditch. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (8) The development hereby permitted shall not be brought into use unless there is available vehicular turning space within the site so that refuse vehicles are able to enter and leave the public highway in a forward gear. Such area shall thereafter be kept available for that purpose. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (9) The development hereby permitted shall not be brought into use until the proposed means of access to the site and the internal access roads have been provided and shall not be less than 5.5 metres in width at any point. **REASON** : To enable 2 vehicles to pass one another when entering and leaving the highway

PLANNING COMMITTEE MINUTES (Continued)

in the interests of highway safety, in accordance with the requirements of Policy (DW) ENV3 of the Warwick District Local Plan;

- (10) 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;
- (11) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (12) The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety;
- (13) No development shall be carried out on the site which is the subject of this permission, until details of a bat survey in respect of the remaining buildings on the site have been submitted to and approved by the District Planning Authority and any required mitigation measures identified as a result of the survey agreed and implemented. **REASON** :To safeguard any protected species which may be present;
- (14) No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not

PLANNING COMMITTEE MINUTES (Continued)

be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan;

- (15) 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. The details shall include the final specification and finish of the unfinished wall fronting Kenilworth Road.

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

- (16) No lighting shall be fixed to the external walls or roof(s) of the building(s) hereby permitted or on any open land within the site, without the written consent of the District Planning Authority.

REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

37. HILLCREST GARAGE, CRACKLEY HILL, COVENTRY ROAD, KENWILWORTH

The Committee considered an application from Baker Goodchild Architects for the outline application for the erection of 33 houses, flats and ancillary works.

RESOLVED that application W2006/0125 be **DEFERRED** for the views of the Highway Authority.

38. RACING CLUB WARWICK F. C., HAMPTON ROAD, WARWICK

The Committee considered an application from Racing Club Warwick F.C. for the erection of a new clubhouse and stand, extension/ refurbishment/ conversion of existing clubhouse, re-orientation of football pitch and construction of car park.

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

(DW) ENV2 - Areas of Restraint (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)

PLANNING COMMITTEE MINUTES (Continued)

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

RESOLVED that application W2006/0172 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) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (3) A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

PLANNING COMMITTEE MINUTES (Continued)

39. 13 WOODCOTE ROAD, LEAMINGTON SPA

The Committee considered an application from Mr T Evans for the erection of a two storey rear extension (amendment to W2004/0680).

The Planning Committee at its meeting on 5 April has deferred this application to allow for a site visit to take place on 29 April 2006.

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

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

The 45 Degree Guideline (Supplementary Planning Guidance)

RESOLVED that application W2006/0179 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 number 331-03E and specification contained therein, submitted on 21 February 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.

40. 63-65 PARADE, LEAMINGTON SPA

The Committee considered an application from Abbey National Group for the installation of a 6 poster display unit.

PLANNING COMMITTEE MINUTES (Continued)

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) 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).

RESOLVED that application W2006/0204 be GRANTED subject to the following condition:

- (1) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings, and specification contained therein, submitted on 15th February 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.

41. 63-65 PARADE, LEAMINGTON SPA

The Committee considered an application from Abbey National Group for the installation of a 6 poster display unit.

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) 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)

RESOLVED that application W2006/0205LB be GRANTED subject to the following conditions:

PLANNING COMMITTEE MINUTES (Continued)

- (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 drawings, and specification contained therein, submitted on 15th February 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.

42. **77 CLARENDON STREET, LEAMINGTON SPA**

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

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
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).
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 W06/0249 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;

PLANNING COMMITTEE MINUTES (Continued)

- (2) Subject to Conditions 3 and 4 below, the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing (874-01B), and specification contained therein, submitted on 4th April, 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 window and door frames shall be constructed in timber, painted and not stained, and be set in reveals of 75mm from the face of the building.
REASON : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan; and
- (4) Notwithstanding the details shown on the approved plan, all rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

43. **25 RADFORD ROAD, LEAMINGTON SPA**

The Committee considered an application from B K Construction for the erection of a two storey rear extension, conversion of basement and creation of front and rear lightwells.

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

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
- (DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 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).

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W2006/0282 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 3A and 4A, and specification contained therein, submitted on 13th April 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 all new windows, doors, lightwells and railings 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 Warwick District Local Plan;
- (4) Notwithstanding the details in respect of proposed new windows, all new windows shall be timber, painted and not stained. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (5) All rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan; and

PLANNING COMMITTEE MINUTES (Continued)

- (6) The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

44. **7 ELM BANK CLOSE, LILLINGTON, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs Kimber for the construction of a two storey and single storey extension and construction of a new entrance canopy.

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

(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 W2006/0329 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 05-130 08C, and specification contained therein, submitted on 7th April 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.

PLANNING COMMITTEE MINUTES (Continued)

45. 75 & 75B HOME FARM CRESCENT, WHITNASH, LEAMINGTON SPA

The Committee considered an application from B Nunes for the change of use from Class A1 (retail) to Class D2 (health/fitness). Opening hours 8.30 am to 2 pm, 4 pm to 8.30 pm, Monday to Friday and 9 am to 12.30 pm on Saturdays.

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

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

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

UAP4 - Protecting Local Shopping Centres (Warwick District 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).

RESOLVED that application W2006/0364 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) No development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise 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** : In the interests of the amenities of neighbouring residents within the building, in accordance with Policy ENV3 of the Warwick District Local Plan 1995;
- (3) The use of the premises for the purposes hereby permitted shall be restricted to the hours of 8.30am to 2.00pm, 4.00 pm to 8.30pm on Mondays to Fridays and 9.00am to 12.30pm on Saturdays and not at any time on Sundays, or Bank Holidays. **REASON**: To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan; and

PLANNING COMMITTEE MINUTES (Continued)

- (4) The premises shall be used for a fitness centre and for no other purpose including any other purpose in Class D2 of Part D of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. **REASON** : Other uses within this Use Class may not be appropriate in these premises by reason of the potential harm to nearby residents, in accordance with Policy ENV3 of the Warwick District Local Plan 1995.

46. 33 CRAWFORD CLOSE, LILLINGTON, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs Morris for the erection of ground floor rear extension and loft conversion.

RESOLVED that application W2006/0454 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.

47. DEVELOPMENT CONTROL PERFORMANCE STATISTICS

The Committee received a report from the Head of Planning and Engineering advising Members of the current development control performance.

The ODPM regularly published performance statistics for development control which are reported to Committee every quarter. The October – December statistics were released on their website on 31 March 2006.

RESOLVED that the report be noted.

(The meeting ended at 7.45 pm)