

# PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 11 January 2006 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

**PRESENT:** Councillor Evans (Chair); Councillors Ashford, Mrs Blacklock, Mrs Compton, Copping, Mrs Knight and MacKay.

(Councillor Copping substituted for Councillor Ms De-Lara-Bond)  
(An apology for absence was received from Councillor Kinson)

## 773. COUNCILLOR WINDYBANK

A one minute silence was observed in memory of Councillor Windybank. Councillor Mrs Compton paid tribute to Councillor Windybank and the Committee wished to place on record the sad loss of a widely respected member of the Committee, whose contribution would be greatly missed.

## 774. DECLARATIONS OF INTEREST

### Minute Number 777 – W2005/0574 5 Radford Road, Leamington Spa

Councillor Copping declared a personal prejudicial interest because he was a member of Leamington Town Council's Planning Committee and left the room whilst the application was considered.

### Minute Number 778 – W2005/1779 64 Upper Holly Walk, Leamington Spa

Councillor Copping declared a personal prejudicial interest because he was a member of Leamington Town Council's Planning Committee and left the room whilst the application was considered.

### Minute Number 782 – W2005/1833 15 Beverley Road, Leamington Spa

Councillor Copping declared a personal prejudicial interest because he was a member of Leamington Town Council's Planning Committee and left the room whilst the application was considered.

### Minute Number 783 – W2005/1851 17 Cross Street, Leamington Spa

Councillor Copping declared a personal prejudicial interest because he was a member of Leamington Town Council's Planning Committee and left the room whilst the application was considered.

### Minute Number 784 – W2005/1865 65 Willes Road, Leamington Spa

Councillor Copping declared a personal prejudicial interest because he was a member of Leamington Town Council's Planning Committee and left the room whilst the application was considered.

### Minute Number 785 – W2005/1875 185 Tachbrook Road, Leamington Spa

Councillor Copping declared a personal prejudicial interest because he was a member of Leamington Town Council's Planning Committee and left the room whilst the application was considered.

## **PLANNING MINUTES (Continued)**

### **Minute Number 789, 790 & 791 W2005/1560, 1561 & 1562 – Elisabeth the Chef Ltd, St. Marys Road, Leamington Spa**

Councillor Copping declared a personal prejudicial interest because he was a member of Leamington Town Council's Planning Committee and left the room whilst the applications were considered.

Councillor Evans declared a personal interest because objectors were known to him.

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

### **Minute Number 796 – W2005/1831 Coventry Airport, Coventry Road, Baginton, Coventry**

Councillor MacKay declared a personal interest because he was Ward Councillor for the application site.

### **Minute Number 800 – W2005/1954 5 Lillington Avenue, Leamington Spa**

Councillor Copping declared a personal prejudicial interest because he was a member of Leamington Town Council's Planning Committee and left the room whilst the application was considered.

## **775. GLEBE HOTEL, CHURCH STREET, BARFORD, WARWICK**

The Committee considered an application from The Glebe Hotel for the alteration to the rear elevation of the Bentley Suite and the removal of part of the boundary wall and construction of terraced area.

This application was deferred at Planning Committee on 14 December 2005 to enable a site visit to take place on 7 January 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) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

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

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

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

The following people addressed the Committee on this item:

Councillor R Clay  
Mr M Griffin

Parish Council  
Objector

**RESOLVED** that application W2005/1934 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years
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## **PLANNING MINUTES (Continued)**

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 nos. 2028.00 and 2028.04, and specification contained therein, received on 25th November 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) No development shall be carried out on the site which is the subject of this permission, until large scale details of windows and surrounds, and boundary walls at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995; and
- (4) No noise (amplified or unamplified), or any amplified noise, in the Bentley Suite conference room shall be emitted so as to be audible from the rear boundary of the hotel site abutting the back of the garden of The New Mill House, the eastern boundary of the garden of No. 7 Church Lane, or the south-east boundary of that garden adjoining No. 9 Church Lane. **REASON** : To protect the amenities of surrounding residents.

### **776. GLEBE HOTEL, CHURCH STREET, BARFORD, WARWICK**

The Committee considered an application from The Glebe Hotel for the alteration to the rear elevation of the Bentley Suite and the removal of part of the boundary wall.

This application was deferred at Planning Committee on 14 December 2005 to enable a site visit to take place on 7 January 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)

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

## **PLANNING MINUTES (Continued)**

The following people addressed the Committee on this item:

Councillor R Clay  
Mr M Griffin

Parish Council  
Objector

**RESOLVED** that application W2005/1935LB be GRANTED subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing nos. 2028.00 and 2028.04, and specification contained therein, received on 25th November 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) No development shall be carried out on the site which is the subject of this permission, until large scale details of windows and surrounds, and boundary walls at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

### **777. 5 RADFORD ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr Runjit Bhopal for the retention of house in multi occupation for 6 bedrooms.

The following addressed the Committee on this item:

Councillor B Gifford

Town Council

**RESOLVED** that application W2005/0574 be DEFERRED for the views of the Environmental Health Officer (officers to check whether 1 bath to 6 bedrooms is acceptable).

### **778. 64 UPPER HOLLY WALK, LEAMINGTON SPA**

## **PLANNING MINUTES (Continued)**

The Committee considered an application from Leamington Hotel Ltd for the proposed new rear extension and front conservatory (conservatory would be amended design to that previously approved W98/00069).

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) TO5 - Extension of Existing Hotels and Guest Houses (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).  
DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP9 - Pollution Control (Warwick District 1996 - 2011 Revised Deposit Version)  
UAP8 - Directing New Visitor Accommodation (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).

The following addressed the Committee on this item:

Mr A Khogali  
Ms M Doyen

Objector  
Objector

**RESOLVED** that application W2005/1779 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) Notwithstanding the details shown on the approved plans, amended plans replacing the external doors on the rear elevation of the new extension with a rendered plinth and windows above shall be submitted to and approved in writing by the District Planning Authority before the erection of the rear extension is first commenced. The development shall be carried out strictly in accordance with the approval

## **PLANNING MINUTES (Continued)**

details. **REASON:** To protect neighbour amenity and to secure a satisfactory form of development in accordance with Policy ENV3 of the Warwick District Local Plan 1995;

- (3) Subject to Condition 2 above, the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing Nos. 5073/1 and /2, and specification contained therein, submitted on 26th October 2005, unless first agreed otherwise in writing by the District Planning Authority.

**REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;

- (4) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

- (5) 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 future occupiers of the building;

- (6) 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. These shall be designed, installed and subsequently maintained such that at no time does the operation of any such plant increase the background noise level as measured one metre from the nearest noise sensitive facade. 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;

- (7) All rainwater goods for the development hereby permitted shall be metal and no development on

## **PLANNING MINUTES (Continued)**

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

- (8) No development shall be carried out on the site which is the subject of this permission, until large scale details of the conservatory and extension hereby permitted, including all details of roof construction, 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.

### **779. EAST LODGE, WARWICKSHIRE POLICE AUTHORITY, WOODCOTE LANE, LEEK WOOTTON, WARWICK**

The Committee considered an application from Warwickshire Police Authority for the extension and conversion of Lodge building (amended scheme to W2005/1118LB).

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) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)  
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

The following addressed the Committee on this item:

Mr J Hotchin                      Parish Council

Having considered the officer's report and representation from the Parish Council, the Committee were of the opinion that the application should be refused, against the officer's recommendation.

**RESOLVED** that application W2005/1823LB be **REFUSED** for the following reasons:

- (1) damage to the character and integrity of the historic building; and
- (2) the extensions represent overdevelopment.

## **PLANNING MINUTES (Continued)**

### **780. EAST LODGE, WARWICKSHIRE POLICE AUTHORITY, WOODCOTE LANE, LEEK WOOTTON, WARWICK**

The Committee considered an application from Warwickshire Police Authority for the extension and conversion of Lodge building (amended scheme W2005/1117).

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) ENV5 - Establishment, Maintenance and Review of Conservation Areas (Warwick District Local Plan 1995)  
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)  
(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)  
(DW) ENV9 - Design Guidance for New Development within Conservation Areas (Warwick District Local Plan 1995)  
(DW) ENV10 - Detailed Planning Applications within Conservation Areas (Warwick District Local Plan 1995)  
(DW) ENV11 - Retention of Listed Buildings (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) ENV24 - Tree Preservation Orders (Warwick District Local Plan 1995)  
(DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)  
(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)  
(DW) C8 - Special Landscape 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).  
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
(DW) H8 - Limited Infill Villages (Warwick District Local Plan 1995)  
(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)  
RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 Revised Deposit Version)  
SSP2 - Major Developed Sites (Warwick District 1996 - 2011 Revised Deposit Version)

The following addressed the Committee on this item:

Mr J Hotchin

Parish Council

Having considered the officer's report and representation from the Parish Council, the Committee were of the opinion that the application should be refused against the officer's recommendation.

**RESOLVED** that application W2005/1825 be REFUSED for the following reasons:



## **PLANNING MINUTES (Continued)**

- (1) damage to the character and integrity of the historic building;
- (2) extensions represent overdevelopment; and
- (3) concern over impact on tree.

### **781. SHANNOCK BUNGALOW, GROUNDS FARM LANE, KENILWORTH**

The Committee considered an application from Mr & Mrs G Burrows for the alterations to roof.

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)  
(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)  
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)  
RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

The following addressed the Committee on this item:

Councillor G Illingworth  
Councillor M Coker

Town Council  
Ward Councillor

Having considered the officer's report and representation from the Town Council and Ward Member, the Committee were of the opinion that the application should be granted against the officer's recommendation.

**RESOLVED** that application W2005/1829 be GRANTED because it was considered that the proposed extension would not be more dominant and the scale and character of the dwelling would not be compromised. The proposal is not considered disproportionate to the existing, indeed the appearance would be approved, and, subject to the following condition:

- (1) plans to be in accordance with the application.

### **782. 15 BEVERLEY ROAD, LEAMINGTON SPA**

The Committee considered an application from AC Lloyd for the demolition of existing house and erection of a detached block of 8 apartments (amendments to approved Planning Application W2004/2298 to include the introduction of doors and balconies at first floor level to front elevation; alterations to balconies at first and second floor level on rear elevation, brickwork, replacing render to

## **PLANNING MINUTES (Continued)**

rear elevation and alterations to door and window arrangements to the side and rear elevations).

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*

### **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 assts)

Policy H.1 (provision of housing land)

Policy H.3 (greenfield land for housing)

Policy T.1 (transport objectives)

Policy T.4 (the impact of development on the transport system)

Policy T.5 (influencing transport choice)

### **Warwick District Local Plan 1995**

Policy (DW) ENV3 (Development Principles)

Policy (DW) H5 (Infill development)

### **Warwick District Local Plan 1996-2011 (First Deposit Version)**

Policy DP1 (Layout and Design)

Policy DP2 (Amenity)

Policy DP3 (Natural Environment)

Policy DP5 (Density)

Policy DP6 (Access)

Policy DP8 (Parking)

Policy UAP1 (Directing New Housing Development).

Policy SCP1 (Securing a Greater Choice of Housing)

Distance Separation (Supplementary Planning Guidance)

The 45 Degree Guideline (Supplementary Planning Guidance)

The following addressed the Committee on this item:

Mr A Clarke  
Councillor B Gifford

Applicant  
Ward Councillor

**RESOLVED** that application W2005/1833 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  
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## **PLANNING 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 1166/04 Revision H, 1166/05 Revision H, 1166/12 Revision A and 1166/16 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) The vehicular access to the site shall not be less than 5 metres wide at the highway boundary for a distance of 7.5 metres into the site. **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 1995;
- (4) Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. **REASON** : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy (DW)ENV3 of the Warwick District Local Plan 1995.
- (5) No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatments have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy (DW)ENV3 of the Warwick District Local Plan 1995;
- (6) No lighting shall be fixed to the external walls or roof of the building hereby permitted, or on any open land within the application site without the written consent of the District Planning Authority.  
**REASON** : To ensure that the amenities of neighbouring residents are protected, and to

## **PLANNING MINUTES (Continued)**

satisfy the requirements of Policy (DW)ENV3 of the Warwick District Local Plan 1995;

- (7) The car parking areas shown on the approved plans shall be constructed prior to occupation of the development and thereafter be permanently retained for parking purposes for the development hereby permitted.  
**REASON** : To ensure that adequate parking facilities are retained for use in connection with the development, in accordance with the requirements of Policy (DW)ENV3 of the Warwick District Local Plan 1995;
- (8) 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 (DW)ENV3 of the Warwick District Local Plan 1995;
- (9) Samples of all external facing, roofing and surfacing 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 (DW)ENV3 of the Warwick District Local Plan 1995;
- (10) Before the development hereby permitted is begun details of the method for the protection of all retained trees shall be submitted to and approved in writing by the District Planning Authority. The details shall include the plans of protection zones around the trunks of all retained trees together with the protection of these zones by fencing that is a minimum of 1.2 metres high in accordance with the section 8 and figures 4 to 6 of the BS 5837 : 1991 Guide for trees in relation to construction sites'. The erection of

## PLANNING MINUTES (Continued)

fencing for the protection of these retained trees shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the District Planning Authority. **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site and the surrounding area, and to satisfy Policy (DW)ENV3 of the Warwick District Local Plan 1995;

- (11) Before the development hereby permitted is begun a statement of the proposed method of implementing the construction of the development shall be submitted to and be approved, in writing, by the District Planning Authority. The details shall include the sequencing of operations, the method of construction of the driveway, forecourt parking area (including re-surfacing works and surfacing materials), access works and provision of drains, services and utilities in the vicinity of the adjacent trees to be retained within and adjacent to the site and the methods of protecting root systems of all trees to be retained within and adjacent to the site during the construction process from direct or indirect damage. Operations on the application site shall be carried out in accordance with the approved details and no part of the operations shall be amended or omitted without the prior written approval of the District Planning Authority. **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site and the surrounding area, and to satisfy Policy (DW)ENV3 of the Warwick District Local Plan 1995;
- (12) The existing trees shown on the approved plans to be retained shall not be willfully damaged or destroyed, uprooted, felled, lopped or topped without the prior written consent of the District Planning Authority. Any trees removed or dying or being severely damaged or becoming seriously diseased shall be replaced with healthy trees of such size and species as may be agreed in writing by the District Planning Authority.

## **PLANNING MINUTES (Continued)**

**REASON :** To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site and the surrounding area, and to satisfy Policy (DW)ENV3 of the Warwick District Local Plan 1995; and

- (13) Before any works are undertaken within the protected zones of the retained trees, including excavations, topping, lopping or pruning, 7 days written notice of the nature of this work shall be given to the District Planning Authority to enable the work to be considered with the benefit of a site visit(s) from officer(s) of the Council. The approved works shall not commence until written approval has been given by the District Planning Authority. **REASON :** To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site and surrounding area, and to satisfy Policy (DW)ENV3 of the Warwick District Local Plan 1995.
- (14) Prior to the erection of the balconies on the front elevation of the development hereby approved details of privacy screens shall be submitted to and approved by the District Planning Authority. The balconies shall not be installed otherwise than in full accordance with such approved details and shall be retained as such at all times thereafter. **REASON:** to protect neighbouring residents' amenities, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995.

### **783. 17 CROSS STREET, LEAMINGTON SPA**

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

This application was deferred at Planning Committee on 14 December 2005 to enable a site visit to take place on 7 January 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)

(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).

## **PLANNING MINUTES (Continued)**

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)

The following addressed the Committee on this item:

Councillor B Gifford

Town Council

Having considered the officer's report and representation from the Town Council, the Committee were of the opinion that the application should be refused against the officer's recommendation.

**RESOLVED** that application W2005/1851 be REFUSED for the following reasons:

- (1) The proposed extension was considered to be unsympathetic by reason of its bulk and mass;
- (2) The proposed extension was considered to be unsympathetic in relation to surrounding buildings; and detrimental to the neighbour's amenities (sitting room and kitchen).

### **784. 65 WILLES ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr Satsavia for the change of use from dwelling to 8 bedroom house in multi occupation, for a temporary period expiring on 30 June 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)

(DW) ENV3A - Sustainable Development and Energy Conservation (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) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

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

(DW) ENV15 - Encouragement of full use of Listed Buildings (Warwick District Local Plan 1995)

(DW) H13 - Existing Dwelling Stock (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).

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

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

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

## **PLANNING MINUTES (Continued)**

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

The following addressed the Committee on this item:

Councillor B Gifford  
Mr P Edwards

Town Council  
Objector

Having considered the officer's report and representation from the Town Council and member of the public, the Committee were of the opinion that the application should be refused against the officer's recommendation.

**RESOLVED** that application W2005/1865:

- (1) be REFUSED because it was a listed building not used for its original purpose and no demonstration of suitability for HIMO.
- (2) Enforcement action be approved – use to cease by 30 June 2006.

### **785. 185 TACHBROOK ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr H Singh for the erection of a single storey rear extensions to form additional student accommodation together with two lightwells.

The following addressed the Committee on this item:

Councillor B Gifford  
Mr B Bassett

Town Council  
Agent

**RESOLVED** that application W005/1875 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

### **786. 40 NEW STREET, KENILWORTH**

The Committee considered an application from Mr J L Monks for the erection of a privacy screen wall (retrospective).

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

The following addressed the Committee on this item:

Councillor G Illingworth

Town Council

**RESOLVED** that application W2005/1922 be GRANTED subject to the following condition:



## **PLANNING MINUTES (Continued)**

- (1) Details of a timber door to fit the opening shall be submitted to the District Planning Authority within two months of this decision. The door so approved shall be installed in full accordance with such approved details, within two months of its approval. **REASON** : To protect and enhance the character and setting of this listed building in accordance with Policy (DW) ENV11 of the Warwick District Local Plan 1995.

### **787. 40 NEW STREET, KENILWORTH**

The Committee considered an application from Mr J Monks for the erection of a privacy screen wall at rear of property (retrospective).

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

The following addressed the Committee on this item:

Councillor G Illingworth

Town Council.

**RESOLVED** that application W2005/1942LB be GRANTED subject to the following condition:

- (1) No development shall be carried out on the site which is the subject of this permission, until details of a timber door to fit the opening have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect and enhance the character and setting of this listed building in accordance with Policy (DW) ENV11 of the Warwick District Local Plan 1995.

### **788. 5-7 JURY STREET, WARWICK**

The Committee considered an application from Mrs Annie Guller for the change of use of ground floor from A1 (shop) to mixed A3/A4 use (restaurant and bar). Installation of a new kitchen extract and air conditioning unit to rear, rear conservatory extension, extension / alteration store and new shop front.

The following addressed the Committee on this item:

Mrs G Jackson  
Councillor R Smith

Objector  
Ward Councillor

## **PLANNING MINUTES (Continued)**

**RESOLVED** that application W2005/1927 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

### **789. ELISABETH THE CHEF LTD, ST. MARYS ROAD, LEAMINGTON SPA**

The Committee considered an application from Elisabeth the Chef Ltd for the installation of refrigeration plant and erection of an acoustic barrier fence.

**RESOLVED** that application W2005/1560 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

### **790. ELISABETH THE CHEF LTD, ST. MARYS ROAD, LEAMINGTON SPA**

The Committee considered an application from Elisabeth the Chef for the erection of a single storey air compressor plant room extension.

**RESOLVED** that application W2005/1561 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

### **791. ELISABETH THE CHEF LTD, ST. MARYS ROAD, LEAMINGTON SPA**

The Planning Officer informed the meeting that the applicant had withdrawn application W2005/1562 and therefore it would not be considered by the Committee.

### **792. ADJOURNMENT OF MEETING**

The Chair adjourned the meeting of the Planning Committee held on Wednesday 11 January 2006 to Thursday 12 January 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 12 January 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Evans (Chair), Councillors, Ashford, Mrs Blacklock, Mrs Compton, Copping, Mrs Knight, MacKay.

### **793. 41 LEAM ROAD, WARWICK**

The Committee considered an application from M S Zonouzi for the erection of a wooden garden fence.

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)

## **PLANNING MINUTES (Continued)**

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

**RESOLVED** that application W2005/1667 be GRANTED subject to the following condition:

- (1) The fencing hereby permitted shall be stained dark green in colour within 3 months of the date of this permission. **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.

### **794. 37 OAKLEY WOOD ROAD, BISHOPS TACHBROOK**

The Committee considered an application from Mr S Deeley and S Watt for the erection of a single storey rear extension and window to rear, front entrance porch and bay window.

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

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

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

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

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

**RESOLVED** that application W2005/1684 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 11th October 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

## **PLANNING MINUTES (Continued)**

### **795. POLICE PATROL CENTRE, GREYS MALLORY, EUROPA WAY, WARWICK**

The Committee considered an application from Warwickshire Police Authority for the demolition of existing single storey office building and car garage, erection of a new two storey office and administration building, new kennel block, re-siting of underground fuel tank and bio-disk sewage treatment plant, associated external works and landscaping.

This application was deferred at Planning Committee on 14 December 2005 to enable a site visit to take place on 7 January 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) EMP4 - Employment Development in the Rural Areas of the District (Warwick District Local Plan 1995)

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

RAP1 - Development within Rural Areas (Warwick District 1996 - 2011 Revised Deposit Version)

RAP7 - Directing New Employment (Warwick District 1996 - 2011 Revised Deposit Version)

RAP8a - Replacement of Rural Buildings (Warwick District 1996 - 2011 Revised Deposit Version)

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

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

DP2 - Amenity (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)

SSP5 - Safeguarding Land for Warwick and Leamington Spa Park and Ride (Warwick District 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2005/1816 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 nos. 2689/AL(0)011A, 011F, 002E, 003C, 004 and 12E, and specification contained therein, deposited with the District Planning Authority on 1st November 2005 unless first
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## **PLANNING MINUTES (Continued)**

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) 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;
- (5) No external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within

## **PLANNING MINUTES (Continued)**

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;

- (6) 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;
- (7) Prior to the first occupation of the office building hereby permitted, a Green Travel Plan shall have been submitted to and have been approved in writing by the District Planning Authority which shall include targets for reducing the number of staff travelling to and from the site by private motor vehicles, implementation measures, a management and monitoring schedule and target reviews. The use of the site shall, thereafter be in strict accordance with the terms of the Travel Plan unless first agreed otherwise in writing by the District Planning Authority. **REASON :** To satisfy the aims of PPG13 (Transport) in reducing reliance on the use of the private car;
- (8) Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. **REASON :** To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (9) Before any works for demolition are first commenced, a survey of the premises by a

qualified bat surveyor shall be undertaken to demonstrate the presence, absence or usage of the premises by bats. In the event that the survey demonstrates the presence or usage of the premises by bats, a report recommending mitigation measures to ensure any bats will be protected during the demolition works shall be submitted to and approved in writing by the District Planning Authority before the demolition works are commenced. The approved mitigation measures shall be wholly implemented strictly as approved. **REASON:** To ensure the protection of bats and compliance with Policy ENV27 of the Warwick District Local Plan 1995;

- (10) Details of the means of disposal of storm water and foul sewage from the development shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced and the development shall not be carried out other than in strict accordance with such approved details. **REASON :** To ensure satisfactory provision is made for the disposal of storm water and foul sewage; and

- (11) Details of works to the roof of the retained garage building (identified on the approved plans) to ensure that it will reasonably match the colour and finish of the new buildings hereby permitted shall be submitted to, and, approved by the District Planning Authority before the development hereby permitted is first commenced. These approved works to the roof of the retained garage building shall be completed strictly as approved prior to the first occupation of the new two storey office building hereby permitted. **REASON:** in the opinion of the District Planning Authority the roof of the retained garage building would be wholly incongruous when seen against the design of the new buildings hereby permitted, and, hence work to its roof is essential to ensure the acceptability of the new buildings on this rural site and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

## **PLANNING MINUTES (Continued)**

### **796. COVENTRY AIRPORT, COVENTRY ROAD, BAGINTON, COVENTRY**

The Committee considered an application Atlantic Air Transport Ltd for the formation of a 6 metre wide vehicular access road to Northern perimeter of site; creation of car parking areas to serve Hanger 5 and Shackleton House and erection of security boundary fencing.

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) TR9 - Development of Coventry Airport (Warwick District Local Plan 1995)  
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)  
PPG2 (Green Belts)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
SSP7 - Coventry Airport (Warwick District 1996 - 2011 Revised Deposit Version)  
GD.3 - Overall Development Strategy (Warwickshire Structure Plan 1996-2011).  
GD.6 - Green Belt (Warwickshire Structure Plan 1996-2011).  
(DW) TR12 - Provision of Additional Railway Stations (Warwick District Local Plan 1995)

**RESOLVED** that application W2005/1831 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 'Atlantic demise and car parking plans, Sept. 2005, Scale 1:1250 deposited with the District Planning Authority on 28th October 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;



- (3) The access road and car parking areas hereby permitted shall not be used for those purposes until such time as the security fence line to separate 'airside' and 'landside' areas, shown on the approved plan (identified in Condition 2 above) has been constructed in accordance with the details contained in the applicant's letter dated 23rd November 2005. This fence shall thereafter be retained in position at all times.  
**REASON :** This development is justified within the Green Belt to achieve safety and security through the physical separation of existing 'airside' and 'landside' car parking activity at Coventry Airport. It is considered necessary therefore to ensure this construction of the new security fence to achieve this separation and to comply with the requirements of Policy ENV1 of the Warwick District Local Plan 1995);
- (4) The access road and car parking areas hereby permitted shall be used solely for those purposes and by employees and visitors to the area of land edged blue on the approved plan (identified in Condition 2 above) and for no other purposes and by no other people whatsoever at any time.  
**REASON :** This development is justified within the Green Belt to achieve safety and security through the physical separation of existing 'airside' and 'landside' car parking activity at Coventry Airport. It is considered necessary therefore to restrict the use of this land to ensure adequate car parking remains available and to comply with the requirements of Policies ENV1 and ENV3 of the Warwick District Local Plan 1995);
- (5) On the first bringing into use of the access road and car parking areas hereby permitted, no car parking (other than of vehicles essential for the operation of airside activities) shall take place within the land edged blue on the approved plan (identified in Condition 2 above) to the airside of the line of the security fence shown on that plan to separate 'airside' and landside activity.  
**REASON :** This development is justified within the Green Belt to achieve safety and security through the physical separation of existing 'airside' and 'landside' car parking activity at Coventry Airport. It is considered necessary therefore to restrict parking within the 'airside' area to achieve this separation and to comply with the requirements of Policy ENV1 of the Warwick District Local Plan 1995);

## **PLANNING MINUTES (Continued)**

- (6) The development shall be screened along its northern boundary by trees, a hedge or shrubs, details of which shall previously have been 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. In the event of any failures or loss through damage, the screen planting shall be replaced at the next appropriate season. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

### **797. 17 OLD SQUARE, WARWICK**

The Committee considered an application from the Coventry Building Society for the display of an illuminated projecting sign.

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

**RESOLVED** that application W2005/1893 be GRANTED subject to the following conditions:

- (1) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 107/1, and specification contained therein, submitted on 17th November 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (2) No development shall be carried out on the site which is the subject of this permission until large scale details of the signage and form of illumination have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

## **PLANNING MINUTES (Continued)**

### **798. OLD KEEPERS LODGE, HAYWOOD LANE, BADDESLEY CLINTON**

The Committee considered an application from Mr & Mrs Agnew for the variation of condition 1 (time limit) of permission W2002/1670 for the erection of a replacement dwelling after demolition of existing.

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) C8 - Special Landscape Areas (Warwick District Local Plan 1995)  
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 Revised Deposit Version)

**RESOLVED** that application W2005/1938 be GRANTED subject to the following conditions:

- (1) This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-

- (a) the design and external appearance of the proposed dwelling,
  - (b) details of the access arrangements,
  - (c) details of landscaping.

**REASON** : To comply with Section 92 of the Town and Country Planning Act 1990;

- (2) In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the District Planning Authority not later than the expiration of three years beginning with the date of this permission. **REASON**: To comply with Section 92 of the Town and Country Planning Act 1990;

- (3) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last

## **PLANNING MINUTES (Continued)**

such matter to be approved. **REASON** : To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;

- (4) Any reserved matters submitted under Condition 1 of this outline permission shall be in broad accordance with the external appearance of the illustrative plans submitted with the outline application (Ref: W2002/1670) (Drawings: 2117/9, 2117/10 and 2117/11 received on 4 November 2002); and
- (5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority.  
**REASON** : This site is of a restricted size and configuration and is in close proximity to other dwellings. It is considered appropriate therefore to retain control over future development to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan.

### **799. 10 THE SEEKINGS, WHITNASH, LEAMINGTON SPA**

The Committee considered an application from Mr S Simmons for the retrospective application to retain dormer type roof over window to approved extension as built.

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

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

**RESOLVED** that application W2005/1944 be GRANTED subject to the following condition :

- (1) The window frames shall match the colour finish of the existing windows. **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 MINUTES (Continued)**

### **800. 5 LILLINGTON AVENUE, LEAMINGTON SPA**

The Committee considered an application from Mr K Sahota for the erection of a double storey side extension and rear conservatory (re-submission of W2005/1296).

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 W2005/1954 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 and specification contained therein on unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (4) The first floor window in the side (north-east) elevation of the extension hereby permitted shall be non-opening and obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.

## **PLANNING MINUTES (Continued)**

### **801. LYON BARN, LYON FARM, BEAUSALE**

The Committee considered a report from the Head of Planning and Engineering which requested authorisation for enforcement action with regard to the unauthorised erection of a steel balcony and railings with supporting stanchions to the first floor level without planning permission.

**RESOLVED** that enforcement action be authorised to ensure that the fully glazed door, balcony, supporting beams, stanchions and fixing be removed in their entirety, that the brickwork be made good and a window with timber panel below as originally approved, with a compliance period of 6 months.

### **802. DEVELOPMENT CONTROL PERFORMANCE STATISTICS**

The Committee considered a report from The Head of Planning and Engineering which advised members of the current development control performance statistics.

**RESOLVED** that the report be noted.

(The meeting ended at 7.05 pm)