

# PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 1 February 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, Ms De-Lara-Bond, Mrs Hodgetts, Holland and Kinson.

(Councillor Mrs Hodgetts substituted for Councillor MacKay and Councillor Holland substituted for Councillor Mrs Knight).

## 806. ALAN COLEMAN

The Committee wished Alan Coleman from Planning & Engineering all the best for the future as he would be leaving the authority to work at Worcester City Council.

## 807. COUNCILLOR MRS BUNKER

The Committee welcomed Councillor Mrs Bunker to her first meeting of Planning Committee.

## 808. DECLARATIONS OF INTEREST

### Minute Number 812 - W05/1770 50b Coten End, Warwick

Councillors Mrs Hodgetts and Holland declared a personal and prejudicial interest because they were members of Warwick Town Council and had already expressed an opinion on the application and left the room while the item was considered.

### Minute Number 818 - W05/1927 5 – 7 Jury Street, Warwick

Councillors Mrs Hodgetts and Holland declared a personal and prejudicial interest because they were members of Warwick Town Council and had already expressed an opinion on the application and left the room while the item was considered.

### Minute Number 821 & 822 - W05/1560 & 1561 Elisabeth the Chef Ltd, St Mary's Road, Leamington Spa

Councillor Evans declared a personal interest in this item because the Secretary of the residents association was known to him

### Minute Number 823 - W05/1901LB Okens House, Castle Street, Warwick

Councillor Mrs Hodgetts declared a personal and prejudicial interest because she was a member of Warwick Town Council and had already expressed an opinion on the application and left the room while the item was considered.

Councillor Holland declared a personal interest because he was a member of Warwick Town Council.

## **PLANNING MINUTES (Continued)**

Minute Number 824 - W05/1951 Leo House, 14-16 St. Nicholas Church Street, Warwick

Councillors Mrs Hodgetts and Holland declared a personal and prejudicial interest because they were members of Warwick Town Council and had already expressed an opinion on the application and left the room while the item was considered.

Minute Number 827 - W05/1975 Stables, Warwick Racecourse, Hampton Road, Warwick

Councillors Mrs Hodgetts and Holland declared a personal and prejudicial interest because they were members of Warwick Town Council and had already expressed an opinion on the application and left the room while the item was considered.

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, & Evans all declared a personal interest because the application was on Warwick District Council land.

### **809. MINUTES**

Minutes of the meetings held on 23 November 2005, 5 December 2005 and 14 December 2005 were taken as read and signed by the Chair as a correct record.

### **810. NOTICE OF MOTION**

The Committee considered the following notice of motion which was referred from Council on 18 January 2006;

“That in view of the numerous applications for Mobile Telephone masts being made throughout the District and the concern caused to residents in the area of such applications as a result of the damage to the visual aspect of the locality and the perceived health threat that these masts pose, that this Council recognising the likely continued demand for such sites to be found cooperate with the telephone companies with a view to identifying sites which can be utilised and designed in such a fashion as not to offend the visual aspect of the area in which they are positioned and are far enough away from residential accommodation as not to threaten any danger either perceived or real to health.

That this be on condition that when such sites are identified that these be used on a communal basis so as to stop the proliferation of such sites within the District.”

## **PLANNING MINUTES (Continued)**

**RESOLVED** the motion be referred to the Head of Environmental Health for consideration and a report be submitted to this Committee in due course on the options available to this authority.

### **811. WALNUT COTTAGE, MAIN STREET, NORTON LINDSEY, WARWICK**

The Committee considered an application from A Bullock for the alterations and extensions to existing dwelling, including new pitched roof at first floor level incorporating an additional bedroom plus a new staircase to the second floor.

The Committee undertook a site visit prior to this item being considered.

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)

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).

The following addressed the Committee on this item:

Ms A Perry

Objector

**RESOLVED** that application W2005/1769 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 4496/01 and specification contained therein, submitted on 26 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; and
- (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted

## **PLANNING MINUTES (Continued)**

Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission, shall be placed at any time in the north elevation of the extension. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected.

### **812. 50B COTEN END, WARWICK**

The Committee considered an application from Mr P Harris for the change of use from residential use to class D1 use and creation of associated car parking spaces.

The Committee undertook a site visit prior to this application being considered.

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)

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

The following addressed the Committee on this item:

Mr A Wilson

Objector

Mrs Harris

Applicant

Councillor G Guest

Ward Councillor

**RESOLVED** that application W2005/1770 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 premises shall be used for a single practitioner osteopath clinic only and for no other

## **PLANNING MINUTES (Continued)**

purpose including any other purpose in Class D1 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 potential disturbance to neighbours and traffic impact on the adjoining principal road; and

- (3) A minimum of 3 car parking spaces within the curtilage of the site shall be laid out and kept available and free from obstruction at all times for the operation of the use hereby permitted. **REASON:** To secure the provision of adequate parking within the site in accordance with Policy ENV3 (DW) of the Warwick District Local Plan 1995.

### **813. 185 TACHBROOK ROAD, LEAMINGTON SPA**

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

This application was deferred at Planning Committee on 11 January 2006 to enable a site visit to take place on 28 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)  
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).

The following addressed the Committee on this item:

Councillor R Copping  
Mr B Bassett

Town Council  
Agent

**RESOLVED** that application W2005/1875 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 MINUTES (Continued)

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1166/05a, 1166/06a, 1166/07a, 1166/08 and 1166/09 and specification contained therein, submitted on 16 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 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;
- (4) No development shall be commenced the subject of the permission until details of cycle parking facilities have been submitted 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 there are adequate cycle parking facilities to serve the development;
- (5) No development shall be carried out on the site which is the subject of this permission until large scale details (including a section through) of the proposed lightwells have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of future occupiers of the building;
- (6) 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**

## **PLANNING MINUTES (Continued)**

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

- (7) The proposed car parking area for the development hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (8) 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
- (9) The development hereby permitted shall at all times hereafter be occupied solely by individuals enrolled on a further education course. **REASON:** Having regard to the location of the site and its restricted size and configuration with limited availability of on-site car parking it is considered appropriate to restrict occupation of these premises in the interests of protecting the amenity of this locality.

### **814. ALMOND AVENUE, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs S Dhoot for the increase in height of roof ridge by 1.0 metre, installation of an additional rooflight to front roof slope and alterations to door and window openings in rear elevation and to dormer window roofs (retrospective amendments to Planning Application W2004/0192).

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).  
Distance Separation (Supplementary Planning Guidance)  
The 45 Degree Guideline (Supplementary Planning Guidance)

## **PLANNING MINUTES (Continued)**

The following addressed the Committee on this item:

Councillor R Copping

Ward Councillor

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

**RESOLVED** that application W2005/1913 be REFUSED for the following reason:

(1) Policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the Local Plan (1996-2011) require all development proposals to achieve a high standard of design and harmonise with their surroundings. In the opinion of the District Council the increase in the height of the ridge and the pitch of the roof of the dwelling has an over-dominant impact on the street scene of Almond Avenue that is seriously injurious to the visual amenities and the area, contrary to the aforementioned local plan policies.

### **815. 7 DALE STREET, LEAMINGTON SPA**

The Committee considered an application from Ivahouse Ltd for the alterations to existing flats.

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).  
DAP7 - Changes of Use of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version).

The following addressed the Committee on this application:

Councillor R Copping

Town Council

**RESOLVED** that application W2005/2012 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years
- 688



## 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 drawings (4639/7/1B, 4639/7/2B, 4639/7/3), and specification contained therein, submitted on 9th December, 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 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) The external facing materials to brick up the existing door to the rear projecting wing in the east elevation shall be of the same type, texture and colour as those of the existing building.  
**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.

### 816. 7 DALE STREET, LEAMINGTON SPA

The Committee considered an application from Ivahouse Ltd for alterations to existing flats.

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

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

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)

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

## PLANNING MINUTES (Continued)

The following addressed the Committee on this application:

Councillor R Copping

Town Council

**RESOLVED** that application W2005/2013LB 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 (4639/7/1B, 4639/7/2B, 4639/7/3), and specification contained therein, submitted on 9th December, 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 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) The external facing materials to brick up the existing door to the rear projecting wing in the east elevation shall be of the same type, texture and colour as those of the existing building. **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.

### 817. **90 NORTHUMBERLAND ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs J Francombe for the erection of a two storey rear extension, side extensions and conservatory.

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 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)

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

The following addressed the Committee on this application:

Councillor R Copping

Ward Councillor

**RESOLVED** that application W2005/2030 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 (82544-04, 82544-05, 82544-06, 82544-07), and specification contained therein, submitted on 20th December, 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) 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) All window frames shall be constructed in timber, painted and not stained, with the exception of the patent glazing within the roof of the side extension, which is shown as powder coated aluminium. All new rooflights shall be Conservation-style rooflights **REASON:** To ensure an appropriate standard of design and

## **PLANNING MINUTES (Continued)**

appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

### **818. 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 units to rear, rear conservatory extension, extension/alteration to existing store and new shop front.

The application was deferred at the Planning Committee on 11 January 2006 to enable a site visit to take place on 28 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) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

TCP8 - Warwick Town Centre Mixed Use Area (Warwick District 1996 - 2011 Revised Deposit Version)

(WTC) H3 - Development within the mixed residential/commercial area.

(WTC) EMP2 - Office development within the mixed residential/commercial area.

The following addressed the Committee on this application:

Mr J Jackson  
Councillor R Smith

Objector  
Ward Councillor

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

**RESOLVED** that application W2005/1927 be REFUSED for the following reasons:

(1) The application site was within a mixed residential / commercial use area with Warwick Town Centre, but is surrounded at the rear by a number of residential properties;

(2) Policy (WTC) H3 of the Warwick District Local Plan 1995 allows for changes of use to A3 in such an area provided that no detrimental impact upon residential amenity will result. Furthermore, Policy DP2 of the Warwick District Local Plan 1996-2011, which, relates to all development proposals, seeks to prevent development which has an unacceptable adverse impact on the amenity of nearby uses; and

(3) In the opinion of the District Planning Authority, the proposed use of the building as a restaurant/bar with in (Use Classes A3 and A4) would be seriously detrimental

## **PLANNING MINUTES (Continued)**

to the amenities of adjoining dwellings by reason of noise and odours from the premises due to the close proximity of the building to those dwellings.

### **819. 11 EDMONDSCOTE ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr H P Griffin for the erection of a conservatory/play area (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)  
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:

Councillor R Copping

Town Council

**RESOLVED** that application W2005/1995 be GRANTED.

### **820. DALEHOUSE LANE/Common Lane/COTTON DRIVE, KENILWORTH**

The Committee considered a progress report from the Head of Planning and Engineering regarding the outline planning application (W2005/0262) for a residential development, including improvements to Dalehouse Lane / Common Lane junction for JG Land & Estates, for which the decision notice had not yet been issued, pending, the resolution of issues which had been raised by the applicant.

**RESOLVED** that the report be noted.

### **821. ELISABETH THE CHEF, 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.

This application was deferred at the Planning Committee on 11 January 2006 to enable a site visit to take place on 28 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)  
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)**

**RESOLVED** that application W2005/1560 be GRANTED.

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

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

This application was deferred at the Planning Committee on 11 January 2006 to enable a site visit to take place on 28 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)  
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 W2005/1561 be GRANTED.

### **823. OKENS HOUSE, CASTLE STREET, WARWICK**

The Committee considered an application from MR C Thomas for the display of external signage and alterations to external door.

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)

**RESOLVED** that application W2005/1901LB be GRANTED subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 7 December 2005 and amended by letter dated 10 January 2006 unless first agreed otherwise in writing by the District Planning Authority.  
**REASON** : For the avoidance of doubt and to

## PLANNING MINUTES (Continued)

secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

### 824. **LEO HOUSE, 14-16 ST. NICHOLAS CHURCH STREET, WARWICK**

The Committee considered an application from Couch Consulting Engineers for the erection of a two storey extension (with parking on ground floor), construction of a new roof (and use of roof space).

The Committee undertook a site visit prior to this application being considered.

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)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

(DW) ENV5 - Establishment, Maintenance and Review 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 W2005/1951 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 2109-10 and - 11 and specification contained therein, submitted on 8 December 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) Samples of the natural slate to be used for the construction of the roof 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

## **PLANNING MINUTES (Continued)**

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.

### **825. CHAPEL HAVEN, NARROW LANE, LOWSONFORD, SOLIHULL**

The Committee considered an application from Mr & Mrs M Taylor for the erection of a side entrance porch/lobby and side dormer.

**RESOLVED** that application W2005/1958 be **DEFERRED** to allow for a site visit to take place as the Committee felt it would be of significant benefit when considering the application.

### **826. 147 CHESSETTS WOOD ROAD, LAPWORTH**

The Committee considered an application from MR A Rudge for a ground and first floor extension to rear of existing dwelling.

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).

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)

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

**RESOLVED** that application W2005/2065 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) 05/069/1,05/069/3,05/069/4, and specification contained therein, submitted on 21st December 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



## **PLANNING MINUTES (Continued)**

- (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.

### **827. STABLES, WARWICK RACECOURSE, HAMPTON ROAD, WARWICK**

The Committee considered an application from Warwick Racecourse for the erection of a new workshop and store adjacent to the existing stables.

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)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DAP2 - Protecting the Areas of Restraint (Warwick District 1996 - 2011 Revised Deposit Version)

**RESOLVED** that application W2005/1975 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 workshop and store building hereby permitted shall be used only for purposes ancillary to the operation of the racecourse and not as a separate use. **REASON**: The premises are situated in an area of restraint where permission for the development would not be given, except in the special circumstances put forward by the applicant; and
- (3) No development shall take place until details of all external facing materials have been submitted to and approved by the District Planning Authority. 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.

## **PLANNING MINUTES (Continued)**

### **828. ADJOURNMENT OF MEETING**

The Chair adjourned the meeting of the Planning Committee held on Wednesday 1 February 2006 Thursday 2 February 2006 at 6.00 pm

(The meeting closed at 9.25 pm)

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

Minutes of the adjourned Planning Committee meeting held on Thursday 2 February 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Evans (Chair), Councillors, Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Mrs Hodgetts, Holland and Kinson.

### **829. THE CEDARS, STONELEIGH ROAD, BUBBENHALL, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs Jones for the erection of a conservatory.

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) 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:

Applicant	Mr M Jones
Councillor J Hammon	Ward Councillor

After considering the officers report and the submission from the applicant and Ward Member the Committee were of the opinion that the application should be granted against officer's recommendation.

**RESOLVED** that application W005/1936 be GRANTED because Members considered that the extension does not harm the openness of the Green Belt and will enhance the character of the property.

### **830. 19 CEDAR TREE FARM, FOSSE WAY, RADFORD SEMELE, LEAMINGTON SPA**

The Committee considered an application from Mr G Wright for the erection of a side extension, infill of open porch to create a WC, retention of existing external staircase and extended lightwell.

## **PLANNING MINUTES (Continued)**

The Committee undertook a site visit prior to this application being considered.

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).

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

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

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

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

The following addressed the Committee on this application:

Mr P Swatton

Objector

Mr Wright

Applicant

**RESOLVED** that application W2005/1937 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 827-02C and 827-03D and specification contained therein, submitted, 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.

### **831. BOW HILL, 178 BAKERS LANE, LAPWORTH**

The Committee considered an application from Mr & Mrs C Yarnell for the erection of a replacement dwelling (amended scheme to W2005/1571).

## **PLANNING 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) C8 - Special Landscape Areas (Warwick District Local Plan 1995)  
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995).

The following addressed the Committee on this application:

Councillor Mrs M Toogood

Parish Council

After considering the officers report and the submission from the Parish Council the Committee were of the opinion that the application should be refused against officer's recommendation.

**RESOLVED** that application W2005/1943 be REFUSED for the following reasons:

(1) The application site is within a Green Belt and Special Landscape Area, where both Warwickshire Structure Plan policies GD.6 and ER.4, and, Warwick District Local Plan (1995) policies DW ENV1 and DW C8 and emerging policy DAP1 and DAP3 of the first deposit version of the Local Plan (1996-2011) seek to conserve and protect the rural landscape. National Government guidance in the form of PPG2 states that the replacement of existing buildings in the Green Belt need not be inappropriate providing the new dwelling is not materially larger than the dwelling it replaces..

(2) In the opinion of the District Planning Authority the proposed replacement dwelling would have a detrimental impact on the Green Belt and Special Landscape Area by reason of its inappropriate design, bulk and mass, with large areas of glazing, which, would fail to harmonise with the surrounding rural landscape and thereby be contrary to the above policies.

### **832. 77 STATION LANE, LAPWORTH, SOLIHULL**

The Committee considered an application from Mr & Mrs Evans for the construction of a rear dormer, conversion of flat roof to pitch at the front of the property and erection of a new roof to the covered way section to side.

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)  
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version)

## **PLANNING MINUTES (Continued)**

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:

Councillor Mrs M Toogood  
Mr C Parker

Parish Council  
Agent

**RESOLVED** that application W2005/2011 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) EVANS/06, EVANS/05 Rev:A, EVANS/12 Rev: A, EVANS/13 Rev:A, and specification contained therein, submitted on 15th December 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) 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.

### **833. TELECOMMUNICATIONS MAST, SHREWLEY CROSSROADS, SHREWLEY**

The Committee considered an application from Orange Personal Communications Services for the erection of a 10 m “telegraph pole” telecommunications mast and equipment cabinet.

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)

## **PLANNING MINUTES (Continued)**

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).

The following addressed the Committee on this application:

Councillor D Lawrie

Mr J Hall

Councillor Mrs J Compton

Parish Council

Objector

Ward Councillor

After considering the report from the Head of Planning and Engineering and representations from the Parish Council, Ward Member and member of the public the Committee were of the opinion that the application should be refused.

**RESOLVED** that application W2005/2062TC be **REFUSED** for the following reason:

(1) The application site is within the Green Belt and Special Landscape Area, where both Structure Plan and Local Plan policy seek to conserve and protect the rural landscape. It is considered that the proposed development would have a detrimental impact on the rural landscape by reason of its visually intrusive location and would thereby be contrary to policies GD.6 and ER.4 of the Warwickshire Structure Plan and policies (DW) ENV1 and (DW) C8 of the Warwick District Local Plan 1995 and emerging policies DAP1 and DAP3 of the deposit draft of the Warwick District Local Plan 1996/2011.

### **834. BARN, FERNWOOD FARM, ROUNCIL LANE, BEAUSALE, WARWICK**

The Committee considered an application from Mr S Collier for the conversion of farm building into live/work unit.

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

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

(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)

(DW) C2 - Diversification of the Rural Economy (Warwick District Local Plan 1995)

(DW) H9 - Open Countryside (Warwick District Local Plan 1995)

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

(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)

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

## **PLANNING MINUTES (Continued)**

PPG7: Sustainable Development in Rural Areas.

PPG2: Green Belts.

RA.4 - Conversion of Existing Rural Buildings (Warwickshire Structure Plan 1996-2011).

**RESOLVED** that application W2005/2092 be REFUSED for the following reason:

- (1) Policy (DW) C3 of the Warwick District Local Plan and emerging policy RAP8 of the first deposit version of the Local Plan (1996-2011) sets out a number of criteria for the re-use or adaptation of existing rural buildings within the District and the policy specifically refers to the need for the proposed use to be accommodated without extensive rebuilding, alteration or extensions to the building. This reflects paragraph 3.8 of PPG2 "Green Belts" which refers to re-use of buildings in Green Belt Areas which are of "permanent" and "substantial" construction, capable of conversion without "major or complete reconstruction". In the present case, the creation of a live/work unit would require works of major reconstruction to a structure, which is considered to be contrary to both local development plan and national policy guidance.

(The meeting ended at 8.05pm)