

Planning Committee

Minutes of the meeting held on Wednesday 13 March 2024 at Shire Hall, Market Place, Warwick, at 6.00pm.

Present: Councillor Boad (Chairman); Councillors Cron, R Dickson, Dray, B Gifford, Luckhurst, Tangri, Sinnott, and Williams.

Also Present: Principal Committee Services Officer –Sophie Vale; Legal Advisor – Sue Mullins; Development Manager – Gary Fisher.

148. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillors Margrave, Noonan, Phillips, and Sullivan; and
- (b) Councillor Dray substituted for Councillor Collins and Councillor Sinnott substituted for the Labour Vacancy.

149. **Declarations of Interest**

Minute Number 152 – W/23/1221 – 26 Wellesbourne Road, Barford

Councillor Tangri declared an interest as he knew the applicant. He therefore did not take part in the debate and did not vote on this item.

Minute Number 153 – W/24/0178 - Town Hall, Parade, Royal Leamington Spa

Councillor Sinnott declared an interest as he was a Member of the Cabinet and the applicant for this item was Warwick District Council. He therefore did not take part in the debate and did not vote on this item.

150. **Site Visits**

The Committee acknowledged that they had all made frequent visits to W/24/0178 - Town Hall, Parade, Royal Leamington Spa in their capacity as Councillors.

151. **W/23/0824 – Land at, Goggbridge Lane, Hampton Road, Warwick**

This item was withdrawn from the agenda.

At 6.06pm, Councillor Tangri left the room.

152. **W/23/1221 – 26 Wellesbourne Road, Barford**

The Committee considered an application from Mr and Mrs Aujla for the double storey side and rear extensions.

This application was presented to Committee because it was recommended for refusal and more than five support comments had been received.

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The officer was of the opinion that the proposals were considered to have an unacceptable impact on the character and quality of the street scene and Conservation Area through the proposed layout and scale of the development. The proposals would have an unacceptable impact on the living conditions of neighbouring dwellings. The proposals therefore contravene Local Plan Policies BE1, HE1, the Residential Design Guide SPD, and Neighbourhood Plan Policies B6 and B7. It was recommended this application should be refused.

An addendum circulated prior to the meeting advised of additional public objections received and the following officer clarification:

As this was an amended scheme following a previous planning permission, the report had not repeated every detail from the original assessment. However, for the avoidance of doubt it was confirmed that the amendments did not change the assessment in relation to highways / parking, ecology and trees, which remained as set out in the report for the 2022 planning permission (Ref. W/22/0483).

Mr Kalam addressed the Committee, speaking in support of the application.

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

The Committee therefore

Resolved that W/23/1221 be **refused**, for the following reasons:

- | No. | Reasons |
|------------|--|
| (1) | policy BE1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design. Furthermore, the Residential Design Guide SPD provides a detailed framework which should be followed in order to achieve good design. This stipulates that first floor side extensions should be set in a minimum of 1m from the side boundary. In addition, Neighbourhood Plan Policy B7 requires that applications take into account the general character, scale, mass, and layout of the site. |

The NPPF places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design.

The street scene is characterised by the regular spacing of properties, with the spaces between

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No.

Reasons

the properties forming an important feature in defining the character of the area. In the opinion of the Local Planning Authority, by reason of the proximity of the first floor extension to the side boundary (in conflict with the requirements of the Residential Design Guide SPD), the proposal would lead to the creation of a terracing effect and be harmful to the character of the area.

The proposal is thereby considered to be contrary to the aforementioned policies; and

- (2) policy HE1 of the Warwick District Local Plan 2011-2029 and the NPPF state that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In addition, Local Plan Policy HE1 states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Neighbourhood Plan Policy B6 states that development will not be permitted where it has a detrimental impact on the Conservation Area.

In the opinion of the Local Planning Authority the proposal would cause less than substantial harm to the significance of the conservation area by reason of overly increasing the massing of an already large structure which would push too close to the boundary which would be uncharacteristic of the Conservation Area. No public benefits have been identified to outweigh this harm.

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

At 6.20pm, Councillor Tangri re-entered the room. Councillor Sinnott left the room at this point.

153. W/24/0178 - Town Hall, Parade, Royal Leamington Spa

The Committee considered an application from Warwick District Council for the proposed site hoarding comprising of 62 panels with a maximum height of 2.4m in connection with refurbishment works being undertaken at the Town Hall. This application was a revision to previously approved application, W/23/1411.

PLANNING COMMITTEE MINUTES (Continued)

The application was presented to Committee because it was an application made by the District Council and related to a District Council owned building.

The officer was of the opinion that the proposed hoarding was necessary for the duration of the construction and refurbishment works at the Town Hall. Their scale, height, position and visual appearance was considered appropriate in terms of their impacts on the heritage assets, amenity and highway safety and as such the works were considered compliant with the relevant provisions of the Development Plan. It was recommended that the application should be granted.

An addendum circulated prior to the meeting advised of additional consultation responses and the following clarifications:

- For the avoidance of doubt, this was a new application for a revised form of works to those recently approved under W/23/1411. The number of hoarding panels had been increased from 54no. to 62no. to reflect their revised position, while the content shown on the panels remained the same.
- Cllr Dickson raised the possibility of graffiti on the panels and what could be done to safeguard against this so as not to detract from the amenity of what is proposed. The Case Officer advised that it would not be possible for the Local Planning Authority to legislate for this or control it through an enforceable planning condition. It was also noted that Advertisement Consent was recently approved for a very similar form of proposed works, without such safeguards in place.

The addendum also included the following additional condition requested by WCC Highways:

*The minimum width the footway will be reduced to as a result of the hoarding is 1.2 metres, thus allowing highway users to safely continue to use the footway. **Reason:** To maintain pedestrian connectivity in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.*

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

The Committee therefore

Resolved that W/24/0178 be **granted**, subject to the standard five conditions, plus the condition set out in the report, and the additional condition contained within the addendum:

No.	Condition
(6)	the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 241990-PUR-00-XX-DR-A-9000 Rev.P03; 'Proposed Site Hoarding Graphics - Concept Drawing Rev.03' and 'Site Item 4c / Page 4

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- | No. | Condition |
|------------|---|
| | Hoarding Concept Proposals Issue 03: February 2024' and specification contained therein, submitted on 09 February 2024.
Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; and |
| (7) | the minimum width the footway will be reduced to as a result of the hoarding is 1.2 metres, thus allowing highway users to safely continue to use the footway.

Reason: To maintain pedestrian connectivity in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029. |

At 6.28pm, Councillor Sinnott re-entered the room.

154. **Appeals Report**

Members received a report from officers outlining the existing enforcement matters and appeals currently taking place.

In response to questions from Members, the Development Manager explained that there had been a change in the way that the Council calculated its five-year housing land supply arising from changing national guidelines. This change had been introduced recently and the method of calculation was one of the issues raised during the course of the appeal against the decision regarding application *W/23/1115 - Land at Warwickshire Police HQ, Woodcote Lane, Leek Wootton*. The Council had identified that it had 7.4 years' worth of housing land and awaited the outcome of the appeal to see whether the Inspector agreed.

The Development Manager also explained that in appeals, any costs sought were considered separately from the main substance of the appeal by the Planning Inspector. They were only awarded in circumstances where the party who was the subject of the claim was considered to have behaved unreasonably during the appeal.

Resolved that the appeals report be noted.

(The meeting ended at 6.38pm)

CHAIRMAN
16 April 2024