

# Planning Committee

Minutes of the remote meeting held on Tuesday 30 March 2021 at 6.00pm, which was broadcast live via the Council's YouTube Channel.

**Present:** Councillor Boad (Chairman); Councillors Ashford, Cullinan, R. Dickson, Grainger, Heath, Jacques, Kennedy, Leigh-Hunt, Morris and Tangri.

**Also Present:** Principal Committee Services Officer – Mrs Lesley Dury; Legal Advisor – Mr Howarth; and Business Manager – Development Services - Mr Sahota.

## 129. **Apologies and Substitutes**

- (1) There were no apologies for absence; and
- (2) Councillor Cullinan substituted for the Labour Group vacancy on the Committee.

## 130. **Declarations of Interest**

There were no declarations of interest made.

## 131. **Site Visits**

There were no arranged site visits made by the Committee, but Councillor Dickson and Jacques had independently visited the following application sites:

W/20/1773 - 75 Rounds Hill, Kenilworth  
HS2 CAAD - Land opposite 34 Hodgetts Lane, Burton Green

## 132. **Minutes**

The minutes of the meetings held on 2 and 3 February and 3 March 2021 were taken as read and signed by the Chairman as a correct record.

(Councillor Heath joined the meeting during this item.)

## 133. **W/20/1773 – 75 Rounds Hill, Kenilworth**

The Committee considered an application from Mrs McAnish for the erection of a single storey front and side extension and garage conversion, together with revised detailing and fenestration.

The application was presented to Committee because of the number of objections received.

The officer was of the opinion that the proposed garage conversion was acceptable in principle, with no notable design implications outside of the window opening at its rear.

A number of revisions to the appearance of the existing dwelling were also proposed, including facing materials and fenestration, and large Juliet

## PLANNING COMMITTEE MINUTES (Continued)

balcony style windows were proposed to the front elevation. These works constituted permitted development and were therefore not assessed as part of the application.

Facing materials comprising timber cladding and render were proposed. While the run of comparably designed properties to the south featured generally uniform facing brick, a number of properties in relative proximity, including Number 83 to the north, featured render. On balance, the revised detailing, fenestration and materials would help to modernise the property and were considered acceptable in line with the relevant policy considerations. The proposed frontage driveway area and minor landscaping works were also viewed acceptable with mind to the surrounding street scene and built form.

The development was therefore viewed to accord with the guidance set out in the Council's Residential Design Guide SPD, Policy BE1 of the Local Plan and Neighbourhood Plan Policy KP13.

Mr Avery, addressed the Committee objecting to the application and Mrs Dury read out an objection to the Committee on behalf of Mr Newsome because he had been unable to attend the meeting to address the Committee.

Following the consideration of the report, presentation, and the representations made at the meeting, it was proposed that by Councillor Kennedy and seconded by Councillor Ashford that the application should be granted.

The Committee therefore

**Resolved** that W/20/1773 be **granted** subject to the conditions listed below:

- | <b>No.</b> | <b>Condition</b>  |
|------------|---|
| (1)        | the development hereby permitted shall begin no later than three years from the date of this permission. <b>Reason:</b> To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);   |
| (2)        | the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan submitted on the 2nd November 2020, and revised drawing 01 RevB submitted on the 16th March 2020, and specification contained therein. <b>Reason:</b> 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 |
| (3)        | the extensions hereby permitted shall not be commenced unless and until the car parking   |

## PLANNING COMMITTEE MINUTES (Continued)

### **No.**

### **Condition**

and manoeuvring areas indicated on the approved drawings had been provided and thereafter those areas should be kept marked out and available for such use at all times. Reason: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.

#### **134. HS2 CAAD - Land opposite 34 Hodgetts Lane, Burton Green**

The Committee considered an application from Mr and Mrs Jones for a Certificate of Appropriate Alternative Development under the Land Compensation Act 1961, Section 17 as substituted by Section 63 of the Planning and Compensation Act 1991, where land was being compulsorily purchased by HS2 Ltd. The application was for the Change of Use of the land from agriculture to land for the grazing, riding and accommodation of horses for amenity/recreational (non-agricultural) purposes, together with the storage and use of animal feed, bedding, other materials and equipment all used in connection with such use.

The proposals the subject of the report arose from legislation which had been enacted to facilitate the delivery of the HS2 proposal and in particular were designed to assist homeowners and landowners in realising an appropriate financial return upon the compulsory purchase of a property by HS2 Limited.

A Certificate of Alternative Appropriate Development did not comprise a planning permission and did not permit development to be undertaken. Rather, it was intended to identify development which was considered to be acceptable and likely to obtain planning permission (were an application to be made) in order to assist in the valuation (for the purpose of compulsory purchase) of the property in question.

An application for a certificate could only be made by persons owning the land or property in question or the Authority making the compulsory purchase (in this case HS2). Where a Certificate was granted, it related to the principle of a proposal only and for that reason the legislation did not require applicants to submit detailed plans.

Similarly, there was no requirement for the Local Planning Authority to undertake any consultation or publicity and the proposal should be considered under "normal" circumstances (i.e. without considering the HS2 proposal) taking into account the relevant material considerations.

The officer was of the opinion that planning permission would have been granted, subject to the condition mentioned in the report for the grazing, riding and accommodation of horses for amenity/recreational (non-agricultural) purposes, together with the storage and use of animal feed, bedding, other materials and equipment all used in connection with such

## **PLANNING COMMITTEE MINUTES (Continued)**

use. Therefore, it was recommended that a Certificate of Appropriate Alternative Development should be issued.

Following the consideration of the report and presentation, it was proposed by Councillor Morris and seconded by Councillor Dickson that consent be given.

**Resolved** that the issuing of a Certificate of Appropriate Alternative Development be authorised.

### 135. **Planning Appeals Report**

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

**Resolved** that the report be noted.

(The meeting ended at 6.46 pm)

CHAIRMAN  
27 April 2021