

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 3 May 2005 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Evans (Chair), Councillors, Mrs Compton, Copping, Ms De-Lara-Bond, Mrs Hodgetts, Holland, Kinson, Mrs Knight, and Windybank.

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

23. DECLARATIONS OF INTEREST

Minute Number 43 – W2004/2158 - Warwick Working Mens Club and Institute Ltd, Saltisford, North Rock, Warwick

Councillors, Mrs Compton, Copping, Evans, Mrs Hodgetts, Holland, Kinson, Mrs Knight and Windybank all declared a personal interest because it was Warwick District Council Land.

Minute Number 47 – W2005/0232 - Oaktree Wharf, Lapworth Street, Bushwood, Lowsonford.

Councillors, Mrs Compton, Copping, Evans, Mrs Hodgetts, Holland, Kinson, Mrs Knight and Windybank all declared a personal interest because part of the application site was on Warwick District Council Land.

Minute Numbers 34 and 35 – W2004/0104 & W2005/0179LB - 61 West Street, Warwick

Councillor Holland declared a personal and prejudicial interest in this item because he was a neighbour of the application site and left the room whilst the item was being considered.

Minute Number 33 – W2005/0025 - Trinity School, (Dormer Hall), Myton Road, Warwick

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

Councillor Mrs Compton declared a personal interest because she was a WCC Councillor.

Minute Number 42 – W2005/0420 Warwick Printing Co Ltd, Theatre Street, Warwick

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

Councillor Mrs Hodgetts declared a personal interest because she was present at a Warwick District Towns Conservation Area Advisory Forum meeting when this application had been considered.

PLANNING COMMITTEE MINUTES (Continued)

Minute Number 44 – W2004/0006 Willowcroft, 16 Stratford Road, Warwick

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

Minute Numbers 30 and 38 – W2005/0329 & W2005/0331CA Abbacourt Hotel, 40 Kenilworth Road, Leamington Spa

Councillor Copping declared a personal and prejudicial interest because the couple selling the Hotel were family friends and he also lived in Woodcote Road.

Minute Number 57 – W2005/0326 - 125 Brunswick Street, Leamington Spa

Councillor Copping declared a personal interest because the applicant was a resident in his ward, his newsagent and he had assisted him during the 2004 planning appeal.

Minute Number 28 –W2005//0209 Land rear of 78-82 Lime Avenue, Lillington, Leamington Spa

Councillor Ms De-Lara-Bond declared a personal interest because she lived opposite the application site.

Minute Number 46 – W2004/2008 - 10-12 Adelaide Road, Leamington Spa

Councillor Mrs Hodgetts declared a personal and prejudicial interest because she had expressed a view on this application at a Warwick District Towns Conservation Area Advisory Forum meeting, and left the room whilst it was considered.

Minute Number 39 – W2005/0277 Land adjacent South View, Forrest Road, Kenilworth

Councillor Mrs Hodgetts declared a personal interest because she was present at a Warwick District Towns Conservation Area Advisory Forum meeting when this application had been considered.

Minute Number 26 – W2004/2289 - Churchside Barn, Church Road, Old Milverton, Leamington Spa

Councillor Mrs Compton declared a personal interest because her husband was the organist at Old Milverton Church.

Minute Number 54 –W2005/0299 - Land at Union Row, off Southborough Terrace/ Brunswick Street, Leamington Spa

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

24. MINUTES

The minutes of the meetings held on 8 March and 4 April 2005 were taken as read and signed by the Chair as a correct record subject to the personal interest of Councillor Copping being recorded in Minute 906 as he knew Mr M J Birch, the objector to the application, and, to the personal interest of Ms De-Lara-Bond being recorded in Minute 907 as she knew the applicant, Mr S Ubhi.

25. MINUTE 748: 15 BEVERLEY ROAD, LEAMINGTON SPA

The Committee considered a report from Committee Services informing them of an error in the minutes of the meeting held on 14 February 2005 and to seek approval of the amended minute.

RESOLVED that the amended minute be confirmed as the correct record of the decision made regarding application W2004/2298.

(The Chair agreed to take this item as a matter of urgency).

26. CHURCHSIDE BARN, CHURCH ROAD, OLD MILVERTON

The Committee considered an application, from G H Hall for the change of use of building approved under planning application W930195 from ancillary residential swimming pool, lounge and changing room to Class B1 office and provision of 6 parking spaces.

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

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

(DW) EMP4 - Employment Development in the Rural Areas of the District (Warwick District Local Plan 1995)

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

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

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

(DW) IMP2 - Meeting the Needs of People with Disabilities (Warwick District Local Plan 1995)

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

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

DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP14 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

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

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

The following addressed the Committee on this application:

Mr C Trye	Objector
Councillor J Hammon	Ward Councillor.

After considering the report from the Head of Planning and Engineering and the representations from Ward Councillor and objector, the Committee were of the opinion that the application should be refused because it was felt it would be detrimental to the character of the green belt and special landscape area and the setting of the listed church by reason of inappropriate commercial intrusion, disturbance and visual impact of the car park.

RESOLVED that application W2004/2289 be REFUSED because it would be detrimental to the character of the green belt and special landscape area and setting of the listed church by reason of inappropriate commercial intrusion, disturbance and visual impact of the car park.

27. **10-12 BRIDGE STREET, BARFORD**

The Committee considered an application, from Saville Estates Ltd for the conversion of shop and flat into three dwellings and erection of pitched roof over rear wing.

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)

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

(DW) S8 - Village Shops (Warwick District Local Plan 1995)

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

(DW) H8 - Limited Infill Villages (Warwick District Local Plan 1995)

(DW) H13A - The Re-Use of Empty Residential Property (Warwick District Local Plan 1995)

(DW) H15 - Conversion of Existing Residential Property (Warwick District Local Plan 1995)

The following addressed the Committee on this item:

Councillor R Clay	Parish Councillor
Mr Wilde	Supporter

RESOLVED that application W2005/0256 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 6773 02 B and 6773 03, and specification contained therein, submitted on 18 March 2005 and 15 February 2005 unless first agreed otherwise in writing by the District Planning Authority, except as required by Condition 3 below. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) Notwithstanding the details in respect of bin store location shown on the submitted plans, no development shall be carried out on the site which is the subject of this permission, until full elevation details of bin store 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; and
- (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.

28. LAND REAR OF 78-82 LIME AVENUE, LILLINGTON

The Committee considered an application from Greywell Property Ltd, for the erection of 4 detached bungalows and access driveway.

This application was deferred at Planning Committee on 5 April 2005 to enable a site visit to take place on 23 April 2005.

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:

National Statements of Planning Policy

Planning Policy Guidance Note 1: *General Principles*

Planning Policy Guidance Note 3: *Housing*

Planning Policy Guidance Note 13: *Transport*

PLANNING COMMITTEE MINUTES (Continued)

Warwickshire Structure Plan 1996-2011

Policy GD.1 (overriding purpose)
Policy GD.3 (overall development strategy)
Policy GD.4 (strategic constraints)
Policy GD.5 (development location priorities)
Policy ER.1 (natural and cultural environmental 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

(DW) ENV3 - Development Principles
(DW) H5 - Infilling within the Towns
(DW) IMP2 - Meeting the Needs of People with Disabilities

Warwick District Local Plan 1996 - 2011 First Deposit Version

DP1 - Layout and Design
DP2 - Amenity
DP3 - Natural Environment
DP5 - Density
DP6 - Access
DP8 - Parking
DP14 - Accessibility and Inclusion
SC1 - Securing a Greater Choice of Housing
UAP1 - Directing New Housing

Supplementary Planning Guidance

Distance Separation
The 45 Degree Guideline

The following addressed the Committee on this item:

Councillor I Jermond	Town Councillor
Mrs E Phillips	Objector
Mr R Hopcroft	Applicant
Councillor Mrs E Goode	Ward Councillor

After considering the report from the Head of Planning and Engineering and the representations from members of the public, the Committee were of the opinion that the application should be refused because the application was felt to be unneighbourly, detrimental to the residential amenity by reason of disturbance, contrived access and harmful to the quality of the local environment.

RESOLVED that application W2005/0209 be REFUSED for the following reasons:

(1) the application was unneighbourly; and

PLANNING COMMITTEE MINUTES (Continued)

(2) detrimental to the residential amenity by reason of:

- a) disturbance;
- b) contrived access; and
- c) harmful to the quality of the local environment.

29. ARCHWAY HOUSE & DROSKYN, KENILWORTH ROAD, LEAMINGTON SPA

The Committee considered an application from Milcel Ltd, for the demolition of existing dwellings, erection of a detached building containing 13 apartments on 3 and 4 floors, erection of a detached one and half storey dwelling to the rear and construction of a new vehicular access.

The following addressed the Committee on this item:

Rev C Wilson	Objector
Mr B Bassett	Agent
Councillor Mrs E Goode	Ward Councillor

RESOLVED that application W2004/2143 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.

30. ABBACOURT HOTEL, 40 KENILWORTH ROAD, LEAMINGTON SPA

The Committee considered an application from Court (Warwickshire) Ltd, for the part demolition of existing hotel, extension and conversion to form 14 apartments.

The following addressed the Committee on this item:

Councillor I Jermond	Town Council
Mrs Delfas	Objector
Mrs R Cooper	Objector
Councillor Mrs E Goode	Ward Councillor

RESOLVED that application W2004/0329 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 and also for clarification on the impact on Woodcote Road and the possible need to close Kenilworth Road access..

31. THE WALNUT TREE PUBLIC HOUSE, CROWN WAY, LILLINGTON

The Committee considered an application from Barratt Mercia, for the demolition of existing building and erection of 2 buildings to provide 34 apartments and associated works (re-submission of W2004/1361).

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:

PLANNING COMMITTEE MINUTES (Continued)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
SPG - Distance Separations
PPS 1 - Delivering Sustainable Development (Government Guidance)
PPG3 - Housing (Government Guidance)
GD3 - Overall Development Strategy (Warwickshire County Structure Plan 1996-2011)
GD3 - Development Location Priorities (Warwickshire County Structure Plan 1996-2011)
H1 - Provision of Housing Land (Warwickshire County Structure Plan 1996-2011)
H2 - Affordable Housing (Warwickshire County Structure Plan 1996-2011)
H3 - Green Land for Housing (Warwickshire County Structure Plan 1996-2011)
T1, T2 - Traffic (Warwickshire County Structure Plan 1996-2011)

TR10 - Developer Contributions (Warwickshire County Structure Plan 1996-2011)
ER1 - Natural and Cultural Environmental Assets (Warwickshire County Structure Plan 1996-2011)

The following addressed the Committee on this item:

Mrs S Wilkins	Objector
Mr M Robson	Applicant
Councillor A Boad	Ward Councillor

After considering the report from the Head of Planning and Engineering and representations from members of the public, the Committee were of the opinion that the application should be refused because of the unacceptable height, mass and bulk of the development with an over dominant visual impact on the street scene.

RESOLVED that application W2005/0345 be **REFUSED** for the following reasons:

- (1) Unacceptable height, mass and bulk of development; and
- (2) Over dominant visual impact on street scene.

32. WALNUT TREE PUBLIC HOUSE, CROWN WAY, LILLINGTON

The Committee considered an application from Barratt Mercia for the demolition of existing building and erection of 20 apartments and 4 houses together with associated works.

PLANNING COMMITTEE MINUTES (Continued)

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 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
SPG - Distance Separations
PPS1 - Delivering Sustainable Development (Government Guidance)
PPG3 - Housing (Government Guidance)
GD3 - Overall Development Strategy (Warwickshire County Structure Plan 1996-2011)
GD5 - Development Location Priorities (Warwickshire County Structure Plan 1996-2011)
H1 - Provision of Housing Land (Warwickshire County Structure Plan 1996-2011)
H3 - Greenfield Land for Housing (Warwickshire County Structure Plan 1996-2011)
T1, T2 - Traffic (Warwickshire County Structure Plan 1996-2011)
TR10 - Developer Contributions (Warwickshire County Structure Plan 1996-2011)
ER1 - Natural and Cultural Environmental Assets (Warwickshire County Structure Plan 1996-2011)

The following addressed the Committee on this item:

Mrs S Wilkins	Objector
Mr M Robson	Applicant
Councillor A Boad	Ward Councillor

After considering the report from the Head of Planning and Engineering and representations from members of the public, the Committee were of the opinion that the application should be refused because of the unacceptable height, mass and bulk of the development with an over dominant visual impact on the street scene.

RESOLVED that application W2005/0346 be REFUSED for the following reasons:

- (1) Unacceptable height, mass and bulk of development; and
- (2) Over dominant visual impact on street scene.

33. TRINITY SCHOOL (DORMER HALL), MYTON ROAD, WARWICK

The Committee considered an application from Twigden Homes Ltd for the residential development of 73 units including sewers, roads and all ancillary works.

PLANNING COMMITTEE MINUTES (Continued)

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)
Distance Separation (Supplementary Planning Guidance)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Mr B Bate	Objector
Mr A Searle	Objector
Councillor G Guest	Ward Councillor

After considering the report from the Head of Planning and Engineering and representations from members of the public, the Committee were of the opinion that the application should be refused because of the inappropriate layout which fails to harmonise with the character of surrounding area or respect of the amenities of the adjacent residents.

RESOLVED that application W2005/0025 be REFUSED because of the inappropriate layout which fails to harmonise with the character of surrounding area or respect the amenities of the adjacent residents.

34. 61 WEST STREET, WARWICK

The Committee considered an application from Mr G Middlebrook for the conversion and extension of 4 bed terrace into two 2 bedroom houses and conversion of workshop into a 2 bedroom dwelling.

The following addressed the Committee on this item:

Mr J Turner	Objector
Councillor G Guest	Ward Councillor

RESOLVED that application W2005/0104 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.

35. 61 WEST STREET, WARWICK

The Committee considered an application from Mr G Middlebrook for the conversion and extension of 4 bed terrace into two 2 bedroom houses and conversion of workshop into a 2 bedroom dwelling.

The following addressed the Committee on this item:

Mr J Turner	Objector
Councillor G Guest	Ward Councillor

RESOLVED that application W2005/0179LB 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.

PLANNING COMMITTEE MINUTES (Continued)

36. ADJOURNMENT OF MEETING

The Chair adjourned the meeting of the Planning Committee held on Tuesday 3 May 2005 to Wednesday 4 May 2005 at 4.00 pm

(The meeting ended at 10.30 pm)

RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Wednesday 4 May 2005 at the Town Hall, Royal Leamington Spa at 4.00 pm.

PRESENT: Councillor Evans (Chair), Councillors, Mrs Compton, Copping
Ms De-Lara- Bond, Mrs Hodgetts, Kinson, Mrs Knight and Windybank.

(An apology for absence was received from Councillor Holland).

37. OLDHAMS TRANSPORT, WELLESBOURNE ROAD, BARFORD, WARWICK

The Committee considered an application from Taylor Woodrow Developments Ltd for mixed use redevelopment comprising employment for B1 purposes and housing including affordable housing.

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) 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) H16 - Rural Local Needs Housing (Warwick District Local Plan 1995)

(DW) H8 - Limited Infill Villages (Warwick District Local Plan 1995)

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 First
Deposit Version)

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

SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996
- 2011 First Deposit Version)

SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan
1996 - 2011 First Deposit Version)

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

RAP2 - Directing New Housing (Warwick District 1996 - 2011 First Deposit
Version)

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

SSP6 - Safeguarding Land for the Barford Bypass (Warwick District 1996 -
2011 First Deposit Version)

Warwickshire Structure Plan, 1996-2011:

GD.3 Overall Development Strategy

GD.5 Development Location Priorities

GD.7 Previously-developed Sites

RA.1 Development in Rural Areas

RA.2 Scale and Distribution of New Housing and Industrial Development

PLANNING COMMITTEE MINUTES (Continued)

RA.3 Hierarchy of Settlements in Rural Areas
H.1 Provision of Housing Land
H2 Affordable Housing

Regional Spatial Strategy:
CF2 Housing beyond the Major Urban Areas
CF3 Levels and distribution of housing development
CF4 The reuse of land and buildings for housing
CF5 Delivering affordable housing and mixed communities

RESOLVED that application W2004/1865 should be GRANTED after reference to the Secretary of State as a departure, subject to a legal agreement in respect of affordable housing and County Council infrastructure contributions and subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 43725-5-1C, 04.5551.100, .101, .102, POXR 20C,-30, P04 LIE/KYL/-/20, /30, P ME R 20D, 30B, P04 KNN/KET/IRW/-/20, 30, 32, P04 DEN/-/20, 30, P04 WES/-/20,30, P04 KIR/-/20, 30, P04 KIN/-/20, 30, P04 HAI/-/20, 30, PO4 VL/-/20, 30, P04 CLF/-/20, 30, P04 HBR/-/20, 30, P04 1H27/-/20, 30, P04 1H31/-/20, 30, P GA CS123A, P GA DC1B, P04 KNN/KET/IRW/-/20, P04 KNN/KET/IRW/-/30,P04 KNN/KET/IRW/-/32, and specification contained therein, submitted on 15 October 2004 and 1 April 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) 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

PLANNING COMMITTEE MINUTES (Continued)

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

- (4) bat condition from WCC letter of 4.11.04.
- (5) 1. No development shall take place until:-
 - a) A desk-top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b) If identified as being necessary having completed the desk-top survey study, a site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:
 - A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected, and
 - Refinement of the conceptual model, and
 - The development of a method statement detailing the remediation requirements.
 - c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.
 - d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.
 2. All development of the site shall accord with the approved method statement.
 3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take

PLANNING COMMITTEE MINUTES (Continued)

place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.

4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

5. Two full copies of reports at each stage should be provided;

- (6) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the banded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund. **REASON:** To prevent pollution of the water environment;
- (7) No development shall be carried out on the site which is the subject of this permission, until details of schemes for the disposal of foul and surface water 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 that proper drainage facilities are provided, in accordance with policy ENV 3 of the Warwick District Local Plan 1995;

PLANNING COMMITTEE MINUTES (Continued)

- (8) 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;
- (9) No development shall be carried out on the site which is the subject of this permission, until details of car port/bat barn(referred to on the planning layout drawing) 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 that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (10) No development shall be carried out on the site which is the subject of this permission, until details of the acoustic fence 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 that traffic noise is adequately dealt with, in accordance with policy ENV 3 of the Warwick District Local Plan 1995;
- (11) No development shall be carried out on the site which is the subject of this permission, until details of means of acoustic insulation for those dwellings affected by traffic noise 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 that traffic noise is adequately dealt with, in accordance with policy ENV 3 of the Warwick District Local Plan 1995;

PLANNING COMMITTEE MINUTES (Continued)

- (12) The employment area shall only be used for purposes within class B1 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** : To define the terms under which permission is granted and because the employment area is situated close to residential properties;
- (13) Before any work in connection with the development hereby permitted is commenced on site, detailed plans and specifications of screenwalls/fences shall be submitted to and approved in writing by the District Planning Authority. The approved screenwalls/fences shall be constructed in the positions shown on the said plan before the buildings hereby permitted are occupied and shall thereafter be maintained in those positions unless otherwise agreed in writing by the District Planning Authority. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (14) Means of vehicular access to the site shall not be made or maintained from any public highway other than those shown on the approved plan to serve the employment development, the residential development and the double garage for the existing house on Wellesbourne Road. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (15) The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 4.5 metres and 'y' distances of 120 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON**: In the interest of highway safety; and
- (16) The access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority. **REASON** : In the interest of highway safety.

PLANNING COMMITTEE MINUTES (Continued)

38. 40 KENILWORTH ROAD, LEAMINGTON SPA

The Committee considered a report from Court (Warwickshire) Ltd for the part demolition of existing hotel.

RESOLVED that application W2005/0331CA 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 and also for clarification on the impact on Woodcote Road and the possible need to close Kenilworth Road access.

39. LAND ADJACENT SOUTH VIEW, FORREST ROAD, KENILWORTH

The Committee considered an application from Mr B Sullivan, for the erection of a detached bungalow.

The following policies were relevant to the application:

(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) ENV10 - Detailed Planning Applications within Conservation Areas (Warwick District Local Plan 1995)

RESOLVED that application W2005/0277 be REFUSED because the application site consists of a restricted and very prominent site within the Kenilworth Conservation Area, which is further restricted by the large trees which stand at a high level above Borrowell Lane, all of which form part of the setting of the important Abbey Fields public open space which lies at the heart of the Conservation Area. The erection of a dwelling in the manner proposed on this site would result in a cramped and contrived form of development which would be seriously detrimental to the wide, open frontages of the adjoining part of the Conservation Area. To grant consent, therefore, would be contrary to Policies (DW) ENV3, ENV6 and ENV8 of the Warwick District Local Plan 1995 and Policy DAP10 of the emerging Local Plan and Planning Policy Guidance Note 15: Planning and the Historic Environment.

40. FOSSE FARM STABLES, FOSSE WAY, RADFORD SEMELE, LEAMINGTON SPA

The Committee considered an application from Mr A Stewart, for the conversion of barn for use as clothing warehouse; new timber cladding and installation of new roller shutter door and windows to existing openings in front elevation.

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:

PLANNING COMMITTEE MINUTES (Continued)

Planning Policy Guidance Note 1: General Policies and Principles.
Planning Policy Statement 7: Sustainable Development in Rural Areas.
Planning Policy Guidance Note 13: Transport
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) EMP4 - Employment Development in the Rural Areas of the District
(Warwick District Local Plan 1995)
(DW) C3 - Criteria for the Conversion of Rural Buildings (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP3 - Natural Environment (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 First Deposit Version)
RAP1 - Development within Rural Areas (Warwick District 1996 - 2011 First Deposit Version)
RAP2 - Directing New Housing (Warwick District 1996 - 2011 First Deposit Version)
RAP7 - Directing New Employment (Warwick District 1996 - 2011 First Deposit Version)
RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)
DAP5 - Trees, Woodlands and Hedgerows (Warwick District 1996 - 2011 First Deposit Version)

RESOLVED that application W2005/0137 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 41-01, and specification contained therein, submitted on 26 January 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995;
- (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or Class B8 of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any other order revoking and re-enacting those orders with or without modification), the use

PLANNING COMMITTEE MINUTES (Continued)

of the premises hereby granted shall be for the storage of clothes only in connection with the applicant's clothing business. Upon the cessation of the occupation of the site by the applicant, Mr A. Stewart, the use hereby permitted shall cease. **REASON** : To retain control over the future development of the site and application premises in the interest of the character, appearance and open countryside environment of the site, highway safety and residents amenity;

- (4) The use of the premises for the purposes hereby permitted, including site deliveries by service vehicles, shall be restricted to the hours of 0900 to 1730 on Mondays to Fridays and shall not be used at all on weekends or statutory Bank Holidays. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995; and
- (5) No development shall take place until a schedule 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 (DW) ENV3 of the Warwick District Local Plan 1995.

41. **FOSSE FARM STABLES, FOSSE WAY, RADFORD SEMELE, LEAMINGTON SPA**

The Committee considered an application from Mr A Stewart, for the demolition of existing detached office building, conversion of living room and garage of dwelling to office use and external alterations comprising of the erection of pitched roof to replace corrugated sheet roof and installation of new sliding patio doors to south elevation.

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:

National Statements of Planning Policy

Planning Policy Guidance Note 1: General Policies and Principles.
Planning Policy Statement 7: Sustainable Development in Rural Areas.
Planning Policy Guidance Note 13: Transport

Warwick District Local Plan 1995

(DW) ENV3 - Development Principles

PLANNING COMMITTEE MINUTES (Continued)

(DW) EMP4 - Employment Development in the Rural Areas of the District
(DW) C3 - Criteria for the Conversion of Rural Buildings

Warwick District Local Plan 1996 - 2011 First Deposit Version

DP1 - Layout and Design
DP2 - Amenity
DP3 - Natural Environment
DP6 - Access
DP7 - Traffic Generation
RAP1 - Development within Rural Areas
RAP2 - Directing New Housing
RAP7 - Directing New Employment
RAP8 - Converting Rural Buildings
DAP5 - Trees, Woodlands and Hedgerows

RESOLVED that application W2005/0190 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 41-02, and specification contained therein, submitted on 26 January 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995;
- (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or Class B8 of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any other order revoking and re-enacting those orders with or without modification), the use of the premises hereby granted shall be for office purposes in connection with the applicant's clothing business. Upon the cessation of the occupation of the site by the applicant, Mr A. Stewart, the use hereby permitted shall cease. **REASON** : To retain control over the future development of the site and application premises in the interest of the character, appearance and open countryside environment of the site and highway safety;

PLANNING COMMITTEE MINUTES (Continued)

- (4) The use of the premises for the purposes hereby permitted shall be restricted to the hours of 0900 to 1730 on Mondays to Fridays and shall not be used at all on weekends or statutory Bank Holidays. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995; and
- (5) No development shall take place until a schedule 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 (DW) ENV3 of the Warwick District Local Plan 1995.

42. **WARWICK PRINTING CO LTD, THEATRE STREET, WARWICK**

The Committee considered an application from Cala Homes Midlands Limited for the erection of 16 apartments and associated parking.

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)
- (DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
- (DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)

RESOLVED that application W2005/0420, after completion of an agreement for (or payment of) contributions requested by Warwickshire County Council Planning and Warwick District Council Environmental Health, be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) C81:370/212A, /211B, /210A, /112B, /111B, + /110B, and specification contained therein, submitted on 18 April 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 COMMITTEE MINUTES (Continued)

- (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) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, grilles, gates 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;
- (5) The development hereby permitted shall not commence unless and until two weeks notice in writing of the start of works shall have been given to the Warwickshire Museum as the nominated representative of the District Planning Authority. During the construction period the developer shall afford access at all reasonable times to representatives of the Museum and shall allow them to observe the excavations and record items of interest and finds. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan;
- (6) 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;
- (7) The vehicular access to the site shall not be used until visibility splays have been provided to the

PLANNING COMMITTEE MINUTES (Continued)

public highway carriageway with an 'x' distance of 2.4 metres and 'y' distances of 70 metres to the north and 55 metres to the south. No structure, erection, trees or shrubs shall be placed, allowed to grow or be maintained within the visibility splays so defined. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

- (8) 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 ENV3 of the Warwick District Local Plan; and
- (9) Development shall not be commenced until there has been submitted to the District Planning Authority a survey report on the extent to which any part or the whole of the application site is contaminated by toxic or other noxious materials and on the remedial measures required to deal with the hazards. No development shall be commenced until all toxic or obnoxious materials have been removed or otherwise treated in accordance with details which have been approved in writing by the District Planning Authority. **REASON** : To protect the health and safety of future occupiers.

43. WARWICK WORKING MENS CLUB AND INSTITUTE, SALTISFORD, NORTH ROCK, WARWICK

The Committee considered an application from George Wimpey (West Midlands), for the residential development comprising of 2.5 to 4 storey apartments including infrastructure works and road works.

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)
The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)
SC9 – Affordable Housing (Warwick District Local Plan 1996 – 2011 First Deposit Version)
DP1 – Layout and Design (Warwick District Local Plan 1996 – 2011 First Deposit Version)
DP5 – Density (Warwick District Local Plan 1996 – 2011 First Deposit Version)
DP2 – Amenity (Warwick District Local Plan 1996 – 2011 First Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

UAP1 – Directing New Housing (Warwick District Local Plan 1996 – 2011 First Deposit Version)

Saltisford Warwick Planning Brief, February 2001. The Brief anticipated employment uses for this land.

After considering the report from the Head of Planning and Engineering the Committee were of the opinion that the application should be refused because the application was felt to be an overdevelopment, had lack of amenity for residents and was too high a density in close proximity to the railway line.

RESOLVED that application W2004/2158 be REFUSED for the following reasons:

- (1) the application was an overdevelopment;
- (2) the lack of amenity for residents; and
- (3) it is too high a density in close proximity to the railway line.

44. **WILLOWCROFT, 16 STRATFORD ROAD, WARWICK**

The Committee considered an application from Mr Griffin, for the demolition of existing bungalow and erection of 2 detached dwellings and new access.

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)

(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

(LW) ENV1 - The Town Approaches (Warwick District Local Plan 1995)

RESOLVED that application W2004/0006 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out in accordance with the details shown on the approved drawings 03/086 15A, 16A and 17A, and specification contained therein, submitted on 21 January except as required by conditions 3 and 4 below and 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 a section through the site from north to south,

PLANNING COMMITTEE MINUTES (Continued)

including both plots, the flood escape decking and the site boundaries has 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 character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

- (4) Notwithstanding the first floor side window shown in the northern side elevation of Plot 1 on the approved floor and elevational plans no window shall be provided in that elevation. **REASON** : To protect the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (5) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (6) A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** :

PLANNING COMMITTEE 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) No development shall be carried out on the site which is the subject of this permission, until satisfactory details of the escape decking (including hand rail) and boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details.
REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (8) The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 90 metres to the near edge of the public highway carriageway. No structure, erection, tree or shrub exceeding 0.6 metres in height above the adjoining highway carriageway shall be placed, allowed to grow or be maintained within the visibility splays so defined. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (9) The development shall not be commenced until an access for vehicles has been provided to the site not less than 5.0 metres or greater than 5.0 metres in width at any point, as measured from the near edge of the public highway carriageway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (10) The vehicular access to the site shall not be used in connection with the development until it has been surfaced with a bound macadam material for a distance of 10.0 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (11) The gradient of the vehicular access shall not be steeper at any point than 1 in 10 at any point. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (12) The development hereby permitted shall not be brought into use unless there is available vehicular turning space within the site so that vehicles are able to enter and leave the public highway in a forward gear. Such area shall thereafter be kept available for that purpose.
REASON : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (13) Gates provided at the entrance to the site for vehicles shall not be hung so as to open to within 8.0 metres of the near edge of the public highway carriageway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (14) 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 situated within the floodplain of Fishers Brook. 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; and
- (15) 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 windows other than those expressly authorised by this permission, shall be placed at any time in the northern side elevation of the dwelling occupying Plot 1 as depicted on the Site Plan (Dwg No 03/086 A).
REASON : To retain control over future development so that the residential amenity of adjoining occupiers is protected.

45. **LAND AT SEEKINGS DRIVE, KENILWORTH**

The Committee considered a report seeking confirmation of a provisional tree preservation order for 6 Oak, 1 Norway Maple, 1 Beech and 1 Horse Chestnut (TPO 257).

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that TPO280 be confirmed, to ensure that the trees continue to make a positive contribution to the visual amenity of this part of Kenilworth and that any future works to the trees are able to be fully controlled.

46. 10-12 ADELAIDE ROAD, LEAMINGTON SPA

The Committee considered an application from Mr R Wan, for the change of use of 10 Adelaide Road to form additional hotel accommodation for the Victoria Park Hotel (12 Adelaide Road), closure of existing driveway opening to 10 Adelaide Road, erection of new rear boundary wall to 10 Adelaide Road and erection of access ramp to front elevation of 12 Adelaide Road.

The following addressed the Committee on this item:

Mr J Dutson	Objector
Councillor B Gifford	Ward Councillor

RESOLVED that application W2004/2088 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.

47. OAKTREE WHARF, LAPWORTH STREET, BUSHWOOD, LOWSONFORD

The Committee considered an application from R & D Giblin, for the change of use of former railway and canalside land to use as domestic garden and keeping of animals; construction of vehicular access road; erection of timber shed for storage of personal effects; erection of blockwork washing area and creation of mooring involving concrete path/retaining surface and raised deck area (partly retrospective).

The Head of Planning and Engineering considered the application complied with the following policies:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)
(DW) ENV30 - Protection of Canal Corridors (Warwick District Local Plan 1995)
(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

PLANNING COMMITTEE MINUTES (Continued)

Councillor S Lowe
Mr C A Dee
Mrs Giblin

Parish Councillor
Objector
Applicant

RESOLVED that application W2005/0232 be REFUSED for the following reasons:

- (1) The application site is within the Arden Special Landscape Area in the Warwickshire Structure Plan and identified more precisely in the Warwick District Local Plan. In such areas, priority will be given to the conservation and protection of the landscape and Policy ER.4 of the Warwickshire Structure Plan 1996-2011 and Policy (DW) C8 of the District Plan seek to ensure that development does not damage the local landscape character. It is considered that the proposed development would extend suburban influences into the countryside and replace the current soft landscape dominated edge with a hard built edge to the village. It would thereby conflict with policies ER.4 and (DW) C8 and emerging policy DAP3 of the first deposit version of the Local Plan (1996-2011), as augmented by the Warwickshire Landscape Guidelines, adopted as SPG in 1994;
- (2) The site is situated within the Green Belt and the Warwickshire Structure Plan 1996-2011 together with the Warwick District Local Plan and Planning Policy Guidance Note 2 states that, within the Green Belt, the openness and rural character of the area will be retained, protected and wherever possible enhanced. Local Plan policy (DW) ENV1 and emerging policy DAP1 of the first deposit version of the Local Plan (1996-2011) state that development will not normally be permitted, except in very special circumstances, for the construction of new buildings, unless it fulfils specific criteria. The proposed development does not satisfy any of these criteria and, in the Planning Authority's view, very special circumstances sufficient to justify departing from the development plan have not been demonstrated;
- (3) The proposed scale and type of mooring and canal bank surfacing and the erection of the block building would represent an encroachment of suburban influences on land adjoining the Stratford-Upon-Avon Canal that would unacceptably harm the character and setting of the canal, contrary to policy (DW) ENV30 of the Warwick District Local Plan, 1995;

PLANNING COMMITTEE MINUTES (Continued)

- (4) The application plan does not demonstrate that a car can be turned within the curtilage of the site as to enable it to leave and re-enter the highway in a forward gear. It is considered that any potential amended plan to demonstrate this would result in an unacceptable amount of earthworks cutting into the embankment to create a level surface for a turning area. The use of the proposed access without space to turn would lead to reversing movements onto the highway to the detriment of highway safety. The application would thereby conflict with policy

(DW) ENV 3 of Warwick District Local Plan, 1995 and DP6 of Warwick District Local Plan 1996-2011 (First Deposit Version), 2003;

- (5) The residential use of the embankment sides and top would result in an unacceptable loss of privacy for the neighbouring residential properties, thereby conflicting with policy (DW) ENV 3 of the Warwick District Local Plan, 1995 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version), 2003; and

- (6) The application site is part of Ecosite 24/16, Rowington Junction to Henley-in-Arden (Disused Railway) and part of the application site is part of Ecosite 47/16, Stratford-on-Avon Canal, where both have been identified as a potential Site of Importance for Nature Conservation (pSINC). The lack of information in terms of ecological surveys to determine the presence or absence of protected species; together with the damage to the site of substantial nature conservation interest has resulted in unacceptable harm to nature conservation interests. The application would thereby conflict with policy (DW) ENV27 'Nature Conservation' of the adopted Warwick District Local Plan – April 1995 and DP3 'Natural Environment' of Warwick District Local Plan 1996-2011 (First Deposit Version) 2003

B. That enforcement action be taken to:

- a. Cease the use of the land for residential use (including that part of the canal that is being used for the stationing of a house boat used for long term residential accommodation); and replanting and restoration of the site (apart from canal) to a predominantly woodland use commensurate with its status as an Ecosite and pSINC
- b. The demolition/ dismantling of the two buildings used for storage and the removal and reinstating of engineering operations related to the access and the moorings
- c. Period of compliance:

PLANNING COMMITTEE MINUTES (Continued)

- 4 months to cease the residential use of the land and to demolish/ dismantle the two buildings to remove materials and removal/reinstatement of the engineering operations
- 12 months to replant and restore the site to a predominantly woodland use.

Note: The enforcement action would not be seeking to remove the right of the owners to use parts of the land for the keeping of poultry or other animals or for the stationing of animal shelters e.g. chicken coups that may not amount to building operations.

48. LITTLE WOODCOTE, ROUNCIL LANE, ST. JOHNS, KENILWORTH

The Committee considered an application from Mr & Mrs A Luciano for the Erection of a two storey and second floor rear extension, garage block, gates and piers (amended design) and construction of new driveway across adjoining field.

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)
(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)
Distance Separation (Supplementary Planning Guidance)
(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 First Deposit Version)
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)
DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version)
(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

The following addressed the Committee on this item:

Councillor N Vincett Town Council

After considering the report from the Head of Planning and Engineering and the representation from the Town Council the Committee were of the opinion that the application should be refused because it was detrimental to the openness of the green belt and rural character of the area.

RESOLVED that application W2005/0218 be REFUSED because it was detrimental to the openness of the green belt and rural character of the area.

49. LANDOR HOUSE, 13A SAVAGES CLOSE, BISHOPS TACHBROOK

The Committee considered an application from Mr D James for the Erection of a lounge extension with loft space.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Ms M Gold Objector

After considering the report from the Head of Planning and Engineering and the representation from the member of the public the Committee were of the opinion that the application should be refused because it was deemed unneighbourly by reason of excessive size, mass and height in an elevated position and unacceptable impact on daylight and sunlight to neighbour.

RESOLVED that application W2005/0222 be REFUSED for the following reasons:

- (1) unneighbourly by reason of excessive size, mass and height in an elevated position; and
- (2) unacceptable impact on daylight and sunlight to neighbour.

50. TOWN HOUSE REAR OF 56 WARWICK NEW ROAD, LEAMINGTON SPA

The Committee considered an application from Mr R Dupille for the installation of 2 windows to western gable elevation.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

PLANNING COMMITTEE MINUTES (Continued)

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

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

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

UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Mr G King	Applicant
Mr Sinclair	Objector
Councillor B Gifford	Ward Councillor

RESOLVED that application W2005/0384 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 03/65-04 A and 03/78-08, and specification contained therein, submitted on 9 March 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995;
- (3) The proposed first and second floor window in the western gable elevation hereby permitted shall be non-opening and obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenities of the occupiers of nearby properties and, in particular 58 Warwick New Road, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995; and
- (4) Samples of the obscure glazing to be used for the development hereby permitted, shall be submitted to and approved by the District Planning Authority before the dwelling is occupied. Development shall be carried out in accordance with the approved details. **REASON** : To protect the amenities of the occupiers of nearby properties and, in particular 58 Warwick New Road, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995.

PLANNING COMMITTEE MINUTES (Continued)

51. 2 HOLLY COTTAGES, HIGH CROSS LANE, ROWINGTON, WARWICK

The Committee considered an application from Edward Bromwich for the erection of a rear extension and conversion of garage to form kitchen/dining area.

This application was deferred at Planning Committee on 5 April 2005 to enable a site visit to take place on 23 April 2005.

The following policies were relevant to the application:

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

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

(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

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

RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 First Deposit Version).

RESOLVED that application W2005/0086 be **REFUSED** for the following reason:

- (1) The application site which lies within the Green Belt and Special Landscape Area, comprises a converted former agricultural building which is part of a larger complex of barns now used for residential occupation. Barn conversion schemes are carefully considered in relation to policy C3 of the Warwick District Local Plan 1995 and the Council's approved Supplementary Planning Guidance on barn conversions, and permitted development rights for subsequent extensions are removed in order to ensure that the character and appearance of the converted buildings and their setting within the wider countryside are respected and protected.

In the opinion of the District Planning Authority, the proposed extension disrupts the simple form of the converted barn by reason of its size and form and detracts from the original character and appearance of the complex of buildings, thereby prejudicing the objectives of Policy C3 of the Local Plan and emerging policy RAP8 of the first deposit version of the Local Plan (1996-2011). If permitted, this type of extension could act as a precedent for extensions to other converted barns which would be difficult to resist, thereby cumulatively eroding the character and appearance of the countryside to the detriment of the wider Green Belt and Special Landscape Area.

52. 110 LILLINGTON ROAD, LEAMINGTON SPA

The Committee considered an application from Dr K Pandya for the demolition of existing building and erection of replacement dwelling (resubmission of W2004/1268).

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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 First Deposit Version)

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

The 45 Degree Guideline (Supplementary Planning Guidance).

RESOLVED that application W2005/0260 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers PAN1543PA001 and PAN1543PA100 and specification contained therein, submitted on 16 February 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) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan and
- (4) 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 windows or other openings other than those expressly authorised by this permission, shall be placed at any time in the north or south elevations of the dwelling.

PLANNING COMMITTEE MINUTES (Continued)

REASON : To retain control over future development so that the residential amenity of adjoining occupiers is protected.

53. 4 HALLS CLOSE, WHITNASH, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs Smith for erection of a two storey rear extension.

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

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

The 45 Degree Guideline (Supplementary Planning Guidance)

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

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

RESOLVED that application W2005/0188 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (as amended, and specification contained therein, submitted on 8th April 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.

54. LAND AT UNION ROW, OFF SOUTHBOROUGH TERRACE, BRUNSWICK STREET, LEAMINGTON SPA

The Committee considered an application from Mr H Jhita for the erection of a two storey building to provide 2 flats (amended description).

PLANNING COMMITTEE MINUTES (Continued)

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

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

(DW) H23 – Relocation of Non-Conforming Uses (Warwick District Local Plan 1995)

(DW) H5 – Infilling within the Towns (Warwick District Local Plan 1995)

DP8 – Parking (Warwick District Local Plan 1996 – 2011 First Deposit Version)

DP1 – Layout and Design (Warwick District Local Plan 1996 – 2011 First Deposit Version)

DP5 – Density (Warwick District Local Plan 1996 – 2011 First Deposit Version)

DP2 – Amenity (Warwick District Local Plan 1996 – 2011 First Deposit Version).

RESOLVED that application W2005/0299 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the amended drawing(s) 'Revision 14 March 05, deposited with the District Planning Authority on 4th April 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) 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) No development shall be carried out on the site which is the subject of this permission, until details of existing and proposed ground levels of the development, including the finished floor levels of the building 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 character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (5) Development shall not be commenced until there has been submitted to the District Planning Authority a survey report on the extent to which any part or the whole of the application site is contaminated by toxic or other noxious materials and on the remedial measures required to deal with the hazards. No development shall be commenced until all toxic or obnoxious materials have been removed or otherwise treated in accordance with details which have been approved in writing by the District Planning Authority. **REASON** : To protect the health and safety of future occupiers;
- (6) No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) A landscaping scheme for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (8) No external lighting, cctv camera or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (9) Notwithstanding the details shown on the approved plan, no development shall be carried out on the site which is the subject of this permission until large scale details of a cycle parking facility and refuse stores have been submitted to and approved in writing by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details and the cycle parking facility and refuse stores shall be installed and available for use prior to the first occupation of any that hereby permitted and shall thereafter be retained available for use at all times. **REASON** : To satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995);
- (10) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : to ensure that the visual amenity of the area is protected in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan 1995);
- (11) 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
- (12) 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.

PLANNING COMMITTEE MINUTES (Continued)

55. 42 QUINTON CLOSE, HATTON PARK, WARWICK

The Committee considered an application from Mr H Jheeta for the erection of a single storey and two storey rear extension and single storey front extension.

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
The 45 Degree Guideline (Supplementary Planning Guidance)
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995).

RESOLVED that application W2005/0303 be GRANTED subject to the following condition:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.

56. JOURDAIN PARK, HEATHCOTE, WARWICK

The Committee considered an application from Mr & Mrs I Bond for the erection of a single and two storey extension.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

RESOLVED that application W2005/0308 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing (A05271/01), and specification contained therein, submitted on 24th February, 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a

PLANNING COMMITTEE MINUTES (Continued)

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.

57. 125 BRUNSWICK STREET, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs Rai for the erection of extensions (previously approved W2004/1192) to form separate dwelling.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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 First Deposit Version)

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

RESOLVED that application W2005/0326 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) Subject to Condition 4 below, the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 1545/3C and 4A and the 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) 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) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until such time as:-

(i) a new 5 m wide access has been formed adjacent to the southern boundary of the site in strict compliance with details first submitted to and approved in writing by the District Planning Authority;

(ii) 3 parking bays have been formed in the front garden adjacent to the northern boundary of the site with a turning area such that the vehicles are able to enter and leave the highway in a forward gear;

(iii) the existing vehicular access has been closed and highway features reinstated in accordance with details approved in writing by the District Planning Authority. **REASON:** In the interest of highway safety in accordance with the request of Policy ENV3 of the Warwick District Local Plan 1995.

58. YORK BARN, PAGETS LANE, BUBBENHALL, COVENTRY

The Committee considered an application from Mrs K Keefe for the conversion of existing cart hovel to ancillary residential accommodation.

The Head of Planning and Engineering had recommended that the application be granted subject to conditions as he considered 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) ENV27 - Ecological Development (Warwick District Local Plan 1995)

(DW) ENV29 - Protection of SSSI's and Local Nature Reserves (Warwick District Local Plan 1995)

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

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

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

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

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

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

RAP2 - Directing New Housing (Warwick District 1996 - 2011 First Deposit Version)

RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)

DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

DAP4 - Protecting Nature Conservation and Geology (Warwick District 1996 - 2011 First Deposit Version).

RESOLVED that application W2005/0341 be GRANTED subject to the following conditions:

PLANNING COMMITTEE MINUTES (Continued)

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing S.760.4, and specification contained therein, submitted with the application, received on 1 March 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995;
- (3) 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** : The site occupies a location in the Green Belt adjacent to Bubbenhall Wood, an ancient woodland. It is considered necessary to retain control over future development on this site and changes to the appearance of the existing cart shed to retain the openness of the area and the rural character and appearance of this rural building, in accordance with the provisions of Policies (DW) ENV1, ENV3, ENV27 and ENV29 of the Warwick District Local Plan 1995;
- (4) No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To prevent the encroachment of this residential use towards Bubbenhall Wood, an ancient woodland and to ensure that the visual amenities of the area are protected, 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 large scale details of doors, windows, rooflights, glazed roof panel and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development

PLANNING COMMITTEE MINUTES (Continued)

shall not be carried out otherwise than in full accordance with such approved details.

REASON : To ensure that the rural character and appearance of the barn is protected, in accordance with Policy (DW) C3 of the Warwick District Local Plan 1995;

- (6) 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 rural character and appearance of the barn is protected, in accordance with Policy (DW) C3 of the Warwick District Local Plan 1995; and
- (7) The residential accommodation hereby permitted shall only be occupied by members or relatives of the family occupying the main dwelling house and shall not be let or sold as a separate dwelling house or as holiday accommodation. **REASON** : The site is situated within the Green Belt and the Warwickshire Structure Plan 1996-2011 together with the Warwick District Local Plan and Planning Policy Guidance Note 2 states that, within the Green Belt, the rural character of the area will be retained, protected and wherever possible enhanced. Local Plan policy (DW) ENV1 and emerging policy DAP1 of the first deposit version of the Local Plan (1996-2011) presume against inappropriate development in the Green Belt, except in very special circumstances, unless it fulfils specific criteria.

In the opinion of the District Planning Authority the use of the building for any purpose other than as ancillary residential accommodation incidental to the occupation of the York Barn would constitute inappropriate development that would, by definition, be harmful to the Green Belt and the purposes of including land and buildings in it.

59. **PLANNING APPLICATIONS**

The Committee considered a list of planning applications.

RESOLVED that planning applications at appendix 'A' be agreed.

(The meeting ended at 8.50 pm)