

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 16 February 2010 in the Town Hall, Royal Leamington Spa at 6.00pm.

PRESENT: Councillor MacKay (Chairman): Councillors Barrott, Mrs Blacklock, Mrs Bunker, Copping, Ms Dean, Mrs Higgins and Illingworth.

Apologies for absence were received from Councillors Kinson and Rhead.

270. **DECLARATIONS OF INTEREST**

Minute Number 273 – W09/1508 – 1 Avenue Road, Kenilworth

Councillor Mrs Blacklock declared a personal interest because the application was in the Ward she represented and she knew some of the objectors.

Councillor Illingworth declared a personal interest because the application was in the Ward he represented.

Minute Number 274 & 275 – W091450 and W09/1451LB – 39A Warwick Street, Royal Leamington Spa

Councillor Ms Dean declared a personal interest because the application was in the Ward she represented.

Minute Number 276 & 277 – W09/1494 and W09/1495CA – 71 Lillington Road, Royal Leamington Spa

Councillor Copping declared a personal interest because the application was in the Ward he represented, the applicant was a former work colleague and he also knew some of the signatories to a petition against the application.

Minute Number 279 - W09/1116 – 25 Horsepool Hollow, Whitnash

Councillor Barrott declared a personal interest because the application is in the Ward he represents. This became apparent at the time the application was being considered when he saw the photos as there was confusion of electoral boundaries.

Minute Number 281 – W09/1373 – 18 Coventry Road, Baginton

Councillor MacKay declared a prejudicial interest because he had previously objected to applications by this applicant, and left the room for the duration of this item.

Minute Number 284 – W09/1423 – 22 Warwick Road, Kenilworth

Councillor Illingworth declared a personal interest because the application was in the Ward he represented.

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Minute Number 286 & 287 – W09/1555LB and W09/1556 – 32 Parade,
Phones 4U, Royal Leamington Spa

Councillor Ms Dean declared a personal interest because the application was in the Ward she represented.

271. MINUTES

The minutes of the meetings held on 6 and 27 January 2010 were confirmed as a correct record and signed by the Chairman.

272. W09/0781 – OAK FARM, CHURCH ROAD, BAGINTON, COVENTRY

This item was withdrawn from the agenda in order to allow the applicant / agent to address the Committee on 10 March 2010.

273. W09/1508 – 1 AVENUE ROAD, KENILWORTH

The Committee considered an application from Mr and Mrs Stokes for the erection of a two storey side and rear extension, and a first floor rear extension.

The application was presented to the Committee due to the number of objections that had been received. The Chairman had used his discretion prior to the meeting and agreed to the Committee visiting the site on 13 February 2010 because he felt it would be of significant benefit to the Committee when determining the application.

The case officer considered the following policies to be relevant to the application:

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

It was the case officer's opinion that the proposed development was of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and did not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal was therefore considered to comply with the policies listed.

The following summarises the submissions from those members of the public and Councillors who addressed the Committee:

Councillor P Ryan Town Council (Objecting) outlined the unique character of the development and explained the objections from the Town Council that were included within the Officers report and addendum;

Mr S Woods Objector outlined the objection from residents of Avenue Road, all of whom had objected because of the impact upon the unique character of the area, the details of which were summarised in the officer's report;

PLANNING COMMITTEE MINUTES (Continued)

Mr D Stokes, applicant, explained why the application had been submitted, that it met all the correct criteria and was recommended for grant by the case officer; and
Councillor Coker Ward Councillor (objecting) summarised the objections from the local residents and Town Council emphasising the unique character of the street as set out in the objections summarised in the report.

The Committee discussed the application's merits and questioned officers over aspects of the development. The Committee all stated how they felt it had been of significant benefit to visit the application site because this allowed them to appreciate its unique character including the limited distance separation between properties, along with its' relationship and views to and from the conservation area. The Committee had particular concern with regard to the need for the proposed development to enhance the area.

Following consideration of the officer's report and presentation, the information contained within the addendum and the representations made, it was proposed and duly seconded that the application should be refused.

This was contrary to the officer's recommendation because, following the site visit, in the opinion of the Committee the officers report did not sufficiently take into account the unique character of the street, for example the distance separation could never be achieved because of the design of the street. While the Residential Design Guide was generally adhered to, the application failed to respect the distinctive local character of this area. In addition, the officers report stated that their opinion was that the present layout of housing formed the limit of reasonableness therefore in the opinion of the Committee any extension would be excessive.

RESOLVED that application W09/1508 be REFUSED because the application does not adhere to or enhance the historical local distinctiveness of the area and would adversely affect the setting of the conservation area. Therefore the application is contrary to DP1, DP2 and DAP8 in the Warwick District Local Plan 1996 - 2011

(The above decision is a summary of the reasons for refusal and under delegated powers the Group Leader Development Control is entitled to formulate and issue decision notices following consideration by the Planning Committee in accordance with the resolution of the Planning Committee).

274. W09/1450 – 39A WARWICK STREET, ROYAL LEAMINGTON SPA

The Committee considered an application from Midland Assured Estates Ltd for the part demolition of outbuilding, refurbishment of a two storey outbuilding with extensions to form two flats for student accommodation and courtyard external space to rear of 39a Warwick Street.

The Chairman agreed that in the interests of expedience this matter would receive a combined presentation for this application and W09/1451LB for

PLANNING COMMITTEE MINUTES (Continued)

the same application address. The Committee would therefore debate the merits of each application and receive representations once but would determine each application separately.

The application was presented to the Committee because an objection had been received from the Royal Leamington Spa Town Council.

The case officer considered the following policies to be relevant to the application:

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

TCP11 - Protecting Residential Uses on Upper Floors (Warwick District Local Plan 1996 - 2011)

TCP5 - Secondary Retail Areas (Warwick District Local Plan 1996 - 2011)

Vehicle Parking Standards (Supplementary Planning Document) November 2007

Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the case officer's opinion that the proposed development did not adversely affect the historic integrity, character or setting of the listed building, was of an acceptable standard of design and detailing and preserved the character and appearance of the Conservation Area within which the property was situated. The proposal was therefore considered to comply with the policies listed.

Councillor Gifford addressed the Committee representing CAAF. He outlined the objection to both this application and W09/1451LB from CAAF explaining that in their opinion the application would not enhance the listed building.

The Committee discussed this application and W09/1451LB and generally concluded with the officer's opinion of both applications and in addition it would bring forward renovation works to a listed building.

Following consideration of the officer's report and presentation, the information contained within the addendum and the representations made, the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W09/1450 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.

PLANNING COMMITTEE MINUTES (Continued)

REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 2561-003F, and specification contained therein, submitted on 2nd February 2010 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) no development shall be carried out on the site which is the subject of this permission, until large scale details of boundary walls, gates, bin store, conservation rooflights, bike storage, parapets, boarded timber panels, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) 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** : For the avoidance of doubt, and to ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;
- (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 DP1 of the Warwick District Local Plan 1996-2011;
- (5) all rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To ensure an appropriate standard

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of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;

- (6) the roofing material for the development shall be natural slate. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;
- (7) all doors and window frames shall be constructed in timber and shall be painted and not stained. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011;
- (8) prior to the commencement of the development hereby permitted a plan to show the layout and surface treatment of a cycle parking area for use in association with the development shall have been submitted to and approved by the District Planning Authority. The cycle parking area shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that there are adequate cycle parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;
- (9) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on site, or in the locality, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

PLANNING COMMITTEE MINUTES (Continued)

- (10) all hard surfaces hereby approved shall be made of porous materials. **REASON :** To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan;
- (11) the existing metal fencing above the existing western site boundary wall shall be removed before the first occupation of either of the flats hereby permitted. **REASON :** To protect the amenity of future residents and to enhance the character and appearance of the Conservation Area in accordance with the requirements of Policies DP1, DP2 and DAP8 in the Warwick District Local Plan 1996=2011; and
- (12) 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 DP1 of the Warwick District Local Plan 1996-2011.

275. W09/1451 LB – 39A WARWICK STREET, ROYAL LEAMINGTON SPA

The Committee considered an application from Midland Assured Estates Ltd for the part demolition of outbuilding, refurbishment of a two storey outbuilding with extensions to form two flats for student accommodation and courtyard external space to rear of 39a Warwick Street.

The Chairman agreed that in the interests of expedience this matter would receive a combined presentation for this application and W09/1450 for the same application address. The Committee would therefore debate the merits of each application and receive representations once but would determine each application separately. The debate by the Committee including the summary of representation would be recorded under the minute for determination of W09/1450.

The application was presented to the Committee due to an objection having been received from the Royal Leamington Spa Town Council. This application was linked to, the previous item considered.

PLANNING COMMITTEE MINUTES (Continued)

The case officer considered the following policies to be relevant to the application:

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that the proposed development did not adversely affect the historic integrity, character or setting of the listed building, was of an acceptable standard of design and detailing and preserved the character and appearance of the Conservation Area within which the property was situated. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation, the information contained within the addendum, the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W09/1451 LB be GRANTED subject to the following conditions:

- (1) the works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 2561-003F, and specification contained therein, submitted on 2nd February 2010 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) no development shall be carried out on the site which is the subject of this permission, until large scale details of boundary walls, gates, bin store, conservation rooflights, bike storage, parapets, boarded timber panels, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not

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be carried out otherwise than in full accordance with such approved details. **REASON** : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011;

- (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 DP1 of the Warwick District Local Plan 1996-2011;
- (5) all rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority.
REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011;
- (6) the roofing material for the development shall be natural slate. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011; and
- (7) all doors and window frames shall be constructed in timber and shall be painted and not stained. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.

276. W09/1494 – 71 LILLINGTON ROAD, ROYAL LEAMINGTON SPA

The Committee considered an application from Mr and Mrs Cowan for the demolition of an existing garage, construction of new dwelling and parking space adjoining existing house and construction of new vehicular access to the existing house. This item was considered, at the discretion of the Chairman, in conjunction with the following item W09/1495 CA which dealt with the conservation area issues.

The application was presented to the Committee by Ward Member, Councillor De-Lara-Bond, who had raised an objection on the grounds of

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overdevelopment and the impact on the Conservation Area. The Royal Leamington Spa Town Council had also raised objection.

The Chairman had used his discretion prior to the meeting and agreed to the Committee visiting the site on 13 February 2010 because he felt it would be of significant benefit to the Committee when determining the application.

The case officer considered the following policies to be relevant to the application:

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site was located or to the amenity of neighbours. The proposal was therefore considered to comply with the policies listed.

In the interest of natural justice The Chairman used his discretion to allow the agent for the proposal, Mr B Bassett, to address the Committee even though he had failed to register to speak in accordance with the procedure rules.

The following summarises the submissions from those members of the public and Councillors who addressed the Committee:

Miss A-M Harrison who represented the objectors, summarised the objections to the application highlighting that it was within a designated conservation area that was put in place to protect the area, the gap between properties would be reduced from 12 meters to 1 meter and would obscure the prominent gable end of a Victorian villa;

Mr B Basset who represented the applicants highlighted that the application had been submitted following extensive consultation with planning officers, the case officer had recommended the application for approval and suggested that the revised planting arrangements would enhance the conservation area; and

Ward Councillor Ms De-Lara-Bond spoke in support of the objectors summarising their objection and highlighting the relevant planning policies and aspects of the conservation area statement that she believed the application did not meet.

Following consideration of the officer's report and presentation the it was proposed and duly seconded that the application should be refused contrary to the officers' recommendations because the application failed to harmonise with the street scene or respect its surroundings and would have an overbearing effect on No 69 Lillington Road. This was carried by four votes to three.

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W09/1494 be refused because the proposal failed to respect its locality, the conservation area it was in, by virtue of the removal of the gap between properties which was part of the character of the area in the linking to 71 Lillington Road and at one and half stories still significantly obscured the view of the gable end of 71 Lillington Road. The property would not be subservient to the main Victorian villa and indeed would be closer to the highway than this property. In addition the development would not be in keeping with the conservation area as described in the conservation area statement.

(The above decision is a summary of the reasons for refusal and under delegated powers the Group Leader Development Control is entitled to formulate and issue decision notices following consideration by the Planning Committee in accordance with the resolution of the Planning Committee).

277. W09/1495 CA – 71 LILLINGTON ROAD, ROYAL LEAMINGTON SPA

The Committee considered an application from Mr and Mrs Cowan for the demolition of an existing garage and was considered in conjunction with the previous item W09/1494.

The application was presented to the Committee by Ward Member, Councillor De-Lara-Bond, who had raised an objection on the grounds of overdevelopment and the impact on Conservation Area. The Royal Leamington Spa Town Council had also raised objection.

The Chairman had used his discretion prior to the meeting and agreed to the Committee visiting the site on 13 February 2010 because he felt it would be of significant benefit to the Committee when determining the application.

The case officer considered the following policies to be relevant to the application:

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that the existing garage was not considered to be of intrinsic architectural merit nor did it make a significant contribution to the character or appearance of the Conservation Area such that its demolition, without first securing a replacement building, would not conflict with the policies listed.

RESOLVED that application W09/1495 CA be GRANTED subject to the following conditions:

- (1) the works hereby permitted must be begun not later than the expiration of three years from

PLANNING COMMITTEE MINUTES (Continued)

the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 1305/01, and specification contained therein, submitted on 16th December 2009 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

278. W09/1019 – AHDB, STONELEIGH PARK, STONELEIGH, KENILWORTH

The Committee considered an application from the Agriculture & Horticulture Development Board for the erection of a single storey office headquarters and parking.

The application was presented to the Committee because an objection had been received from Ashow, Burton Green and Stoneleigh Joint Parish Council.

The case officer considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)
Vehicle Parking Standards (Supplementary Planning Document)
DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
RAP6 - Directing New Employment (Warwick District Local Plan 1996 - 2011)
SSP2 - Major Developed Sites (Warwick District Local Plan 1996 - 2011)
SSP3 - Stoneleigh Park (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)

PLANNING COMMITTEE MINUTES (Continued)

The case officer was of the opinion that considering the very special circumstances put forward by the applicants, the proposals were considered appropriate in the context of the policies stated, and in advance of the anticipated major redevelopment of Stoneleigh Park.

Following consideration of the officer's report and presentation the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W09/1019 be GRANTED in accordance with the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 07083 /0010/A, /0100, /0101, /0103, /0102, /2000, /2001 and specification contained therein, submitted on 13 August 2009, 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) a landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be

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erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;

- (4) no development shall be carried out on the site which is the subject of this permission, until details of the workshop, chillers, boiler, recycling area, cycle store, air inlet and air vents have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** :To protect and enhance the amenities of the area, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (5) no development shall be carried out on the site which is the subject of this permission, until details of drainage plans for the disposal of surface water and foul sewage 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 facilities are provided and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (6) no development shall be carried out on the site which is the subject of this permission, until details of an ecological habitat management plan for the whole area, (including proposed wildflower meadow area, new native species planting, existing pond and enhancing whole site for wildlife) 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. The plan shall include:
- i) Description and evaluation of the features to be managed;
 - ii) Ecological trends and / or constraints on site that may influence management;
 - iii) Aims and objectives of management;

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- iv) Appropriate management options for achieving aims and objectives;
- v) Prescriptions for management actions;
- vi) Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
- vii) Personnel responsible for the implementation of the plan;
- viii) Monitoring and remedial/contingencies measures triggered by monitoring.

REASON : To protect and enhance the natural environment of the area, in accordance with policy DP3 of the Warwick District Local Plan 1996-2011;

(7)

no works to commence on site, including site clearance, until a detailed lighting scheme has been submitted and agreed between the applicant and the local planning authority. In discharging this condition the District Planning Authority expects lighting to be restricted on the eastern side of the site and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps
- the brightness of lights should be as low as legally possible
- lighting should be timed to provide some dark periods
- connections to areas important for foraging should contain unlit stretches.

The agreed scheme to be fully implemented before/during development of the site as appropriate.

REASON :To protect and enhance the natural environment of the area, in accordance with policy DP3 of the Warwick District Local Plan 1996-2011;

(8) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on site, or in the locality, from renewable energy

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resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

- (9) no development shall take place until a Travel Plan, including details of the mechanism to be used for its delivery, monitoring and enforcement, has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Agency. **REASON** : To enable the A46 Trunk Road to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980 and to protect the interest of road safety on the Trunk Road; and
- (10) the premises shall be used as offices for the Agriculture and Horticulture development Board and for no other purpose including any other purpose in Class B1 of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 2005, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. **REASON** : Occupation by other users may not be appropriate in this Green Belt location in accordance with the requirements of policy SSP3 of the Warwick District Local Plan 1996-2011.

279. W09/1116 – 25 HORSEPOOL HOLLOW, WHITNASH

The Committee considered an application from Mr Beck for the conversion of a garage into a bedroom (retrospective application).

The application was presented to the Committee in order to request that enforcement action be taken.

The case officer considered the following policies to be relevant to the application:

Vehicle Parking Standards (Supplementary Planning Document)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (Warwick District Local Plan 1996 - 2011)

Planning permission (ref: W2002/0707) for 'Re-plan of approved plots 184-215 comprising the erection of 26 dwellings including garages, parking courts and infrastructure works (revised plots 184-209)' was granted in 2002. Condition 14 of that permission required that the garaging (including driveways) and car parking areas should be used for the parking of private vehicles for the benefit of the occupants of the dwellings to which they relate and should be retained and kept available for such purposes and should not be altered either internally or externally without the prior consent of the District Planning Authority. Condition 19 of that permission removed Part 1 (Class A, B, E, G) permitted development rights.

The case officer was of the opinion that to grant this application, both in itself and the precedent for similar development it would create, would be detrimental to highway safety and contrary to the requirements of Policy DP8 of the Warwick District Local Plan.

Following consideration of the officer's report and presentation and the information contained within the addendum, the Committee were of the opinion that the application should be refused in accordance with the recommendations of the report.

RESOLVED that

- (1) application W09/1116 be REFUSED because policy DP8 of the Warwick District Local Plan 1996-2011 states (inter alia) that development will only be permitted that makes provision for car parking that does not result in on-street parking detrimental to highway safety. The Council have also adopted Vehicle Parking Standards SPD.

The Council's Parking Standards SPD requires 2 off street parking spaces to be provided for a 3 bedroom dwelling. The application property was constructed with a driveway for one car, together with a single garage. A condition was imposed to require the garage to be retained for parking purposes.

The proposed garage conversion would be contrary to the parking standards because it would leave the application property with only 1 parking space. Vehicles would therefore be likely to park on the public highway, causing danger and inconvenience to other road users. Horsepool Hollow is a small cul-de-sac. The application property is situated close to an access to a parking area serving other properties which do not benefit from driveways and

PLANNING COMMITTEE MINUTES (Continued)

garages and therefore an increase in on street parking in this location could create a hazard to road users and pedestrians.

There are a large number of similar properties on this estate, and therefore granting planning permission for the current proposal would set an undesirable precedent that would make it difficult for the District Planning Authority to resist other similar proposals. The cumulative impact of a number of such proposals would greatly increase parking congestion in the area and would exacerbate the harm that would be caused by the current proposal in isolation; and

- (2) enforcement action be AUTHORISED with a compliance period of three months

280. W09/1304 – 1 WELLESBOURNE ROAD, BARFORD, WARWICK

The Committee considered an application from Mr B Summers for the proposed sub-division into two x 2 bed houses.

The application was presented to the Committee due to an objection having been received from Barford Parish Council.

The case officer considered the following policies to be relevant to the application:

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP6 - Access (Warwick District Local Plan 1996 - 2011)

DP8 - Parking (Warwick District Local Plan 1996 - 2011)

RAP11 - Rural Shops and Services (Warwick District Local Plan 1996 - 2011)
Barford Village Design Statement (September 2009)

The case officer was of the opinion that the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site was located, to the amenity of any neighbouring dwellings, or serious harm to the health of the protected Cedar tree. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W09/1304 be GRANTED in accordance with the following conditions:

PLANNING COMMITTEE MINUTES (Continued)

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 4587/12,4587/13,4587/14, and specification contained therein, submitted on 27th October 2009 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) prior to any development or demolition commencing a method statement detailing the means by which those buildings to be demolished will be demolished must be submitted to and approved in writing by the Local Planning Authority. Particular attention is to be paid to the way in which damage to the protected tree or its root system is to be avoided. All work is to be carried out strictly in accordance with the submitted and approved method statement. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;
- (4) prior to any development or demolition commencing there shall be submitted to and approved in writing by the Local Planning Authority:
 - Details of existing and proposed finished levels beneath the canopy of the protected tree.
 - Details of the construction of the proposed 'no dig' permeable driveway, including detailed cross sections, full details of all materials to be used and details of the method of construction to be employed.

All work is to be carried out strictly in accordance with the details submitted and approved.

PLANNING COMMITTEE MINUTES (Continued)

REASON : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;

- (5) prior to any development or demolition commencing there shall be submitted to and approved in writing by the Local Planning Authority details of all measures to be taken to prevent damage to the protected tree, including:
- Details of the position and nature of protective fencing to be erected around the protective tree.
 - Details of which operations will be prohibited within the protective fencing.
 - Details of timing of erection and of removal of the protective fencing around the protected tree.
 - Details of the means of ingress and egress for construction traffic.
 - Details of the locations where materials will be stored during construction, which must not be within the protective fencing.
 - Details of the routes of any underground services, including drainage, power, water and communications, and, where those come within 10m of the protected tree details of the means by which they will be installed.
 - Details of all landscaping work to be carried out within 10m of the protected tree.

All work to be carried out in accordance with the details submitted and approved.

REASON : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011;

- (6) no development shall take place until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning

PLANNING COMMITTEE MINUTES (Continued)

Authority. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy DP4 of the Warwick District Local Plan 1996-2011;

- (7) the replacement Parish notice board hereby approved shall not be installed until large scale detailed plans 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 DAP8 of the Warwick District Local Plan 1996-2011;
- (8) the vehicular access to the site shall not be less than 5 metres wide for a distance of 7.5 metres into the site, 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 DP6 of the Warwick District Local Plan 1996-2011;
- (9) the development hereby permitted shall not be occupied before a public highway footway crossing has been laid out to the satisfaction of the District Planning Authority, in consultation with the Highway Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011;
- (10) 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 DP6 of the Warwick District Local Plan 1996-2011;
- (11) 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

PLANNING COMMITTEE MINUTES (Continued)

of Schedule 2 of this Order, without the prior permission of the District Planning Authority.

REASON : This site is of a restricted size and configuration and is in close proximity to other dwellings and a significant protected tree. It is considered appropriate therefore to retain control over future development to ensure that the residential amenity of this locality and neighbours is protected in accordance with the provisions of District-Wide Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and

- (12) the development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

281. W09/1373 – 18 COVENTRY ROAD, BAGINTON, COVENTRY

The Committee considered an application from Mrs E Kurzberg for the erection of a new single storey rear extension after demolition of the existing extension, together with the conversion of the existing roofspace with new dormer windows on front and rear elevations plus the erection of a new garage.

This application was withdrawn from the agenda by instruction from the Chair at the meeting held on 27 January 2010. It was being reported due to a request to be presented to Committee by Councillor MacKay and also because an objection was received from Baginton Parish Council.

The Chairman had used his discretion prior to the meeting and agreed to the Committee visiting the site on 13 February 2010 because he felt it would be of significant benefit to the Committee when determining the application.

The case officer considered the following policies to be relevant to the application:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)
The 45 Degree Guideline (Supplementary Planning Guidance)
Residential Design Guide (Supplementary Planning Guidance - April 2008)

PLANNING COMMITTEE MINUTES (Continued)

The case officer was of the opinion that the proposed development was of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and did not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light or privacy. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation the Committee debated the merits of the application, taking into consideration the current street scene and a similar scheme they had visited at 14 Coventry Road, as part of their site visit. While they had no objection to the erection of the garage or conversion of the roof space they did have concerns about the proposed rear extension and the impact this would have on 17 Coventry Road. Refusal on this grounds was proposed and duly seconded and was carried by four votes to three.

RESOLVED that application W09/1373 be REFUSED because in the opinion of the Committee the rear ground floor extension, notwithstanding similar applications on adjacent properties, did not respect surrounding buildings, is significantly large compared to the size of the rear garden, would lead to a significant loss of light for the rear room at 17 Coventry Road, which in total would be in conflict with DP1 and DP2 of the local plan and in addition breached the Council's 45 degree code.

(The above decision is a summary of the reasons for refusal and under delegated powers the Group Leader Development Control is entitled to formulate and issue decision notices following consideration by the Planning Committee in accordance with the resolution of the Planning Committee)

(In the absence of the Chairman, who had declared a prejudicial interest, Councillor Illingworth chaired this item)

282. **W09/1489 – BRIDGE COTTAGE, 18 BRIDGE STREET, BARFORD, WARWICK**

The Committee considered an application from Mr and Mrs Perrott for a loft conversion over a section of property adjoining Bridge House, including raising the ridge of the roof, erection of a ground floor side extension along north elevation.

The application was presented to the Committee because an objection had been received from Barford Parish Council.

The case officer considered the following policies to be relevant to the application:

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

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

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

PLANNING COMMITTEE MINUTES (Continued)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site was located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation and the information contained within the addendum, the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W09/1489 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 09/BAR/01A and 02 and specification contained therein, submitted on 19 January 2010, 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) before any works for construction are first commenced, a survey of the premises by a qualified bat surveyor shall be undertaken to demonstrate the presence, absence or usage of the premises by bats. In the event that the survey demonstrates the presence or usage of the premises by bats, a report recommending mitigation measures to ensure any bats will be protected during the demolition works shall be submitted to and approved in writing by the District Planning Authority before the demolition works are commenced. The approved mitigation measures shall be wholly implemented strictly as approved. **REASON**: To ensure the protection of bats and compliance with Policy DP3 of the Warwick District Local Plan 1996-2011; and

PLANNING COMMITTEE MINUTES (Continued)

- (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 and rainwater goods at a scale of 1:5 (including details of materials) 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** : For the avoidance of doubt, and to ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.

283. ADJOURNMENT OF MEETING

The Chairman adjourned the meeting of Tuesday 16 February 2010 to Wednesday 17 February 2010 at 6.00pm.

(The meeting adjourned at 10.20 pm)

RESUMPTION OF THE ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 8 October 2009 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor MacKay (Chairman): Councillors Barrott, Mrs Blacklock, Mrs Bunker, Copping, Ms Dean and Illingworth.

Apologies for absence were received from Councillors Kinson and Rhead.

284. W09/1423 – 22 WARWICK ROAD, KENILWORTH

The Committee considered an application from the Coventry Freemans' Charity for the Conversion of an existing flat to three separate flats and insertion of a first floor window in rear elevation.

The application was presented to the Committee because an objection had been received from Kenilworth Town Council.

The case officer considered the following policies to be relevant to the application:

Vehicle Parking Standards (Supplementary Planning Document)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

PLANNING COMMITTEE MINUTES (Continued)

The case officer was of the opinion that the development achieved acceptable standards of layout and design and did not give rise to any harmful effects in terms of parking which would justify a refusal of permission. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation and the information contained within the addendum, the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W09/1423 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (08/35/03; 08/35/04), and specification contained therein, submitted on 1 December 2009 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) the proposed car parking area for the development hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that adequate parking facilities are available, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011;
- (4) all hard surfaces hereby approved shall be made of porous materials. **REASON** : To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan; and
- (5) the development hereby permitted shall not be

PLANNING COMMITTEE MINUTES (Continued)

first occupied unless and until the energy efficiency measures submitted as part of the application have been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate measures are taken to improve the energy efficiency of the building in accordance with the provisions of Policy DP12 in the Warwick District Local Plan 1996-2011.

285. W09/1514 – WARWICKSHIRE POLICE HEADQUARTERS, WOODCOTE LANE, LEEK WOOTTON

The Committee considered an application from Warwickshire Police Headquarters for the continued use of a temporary car park (W08/0375) for a further twelve months.

The application was presented to the Committee because an objection had been received from Leek Wootton Parish Council, however, this was withdrawn shortly before the meeting, as detailed in the addendum.

The case officer considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

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

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that sufficient justification had been provided for a temporary car park in this location and a time-limited permission was not considered to materially prejudice the policies listed.

Following consideration of the officer's report and presentation and the information contained within the addendum, the Committee were of the opinion that the application should be granted in accordance with some minor alterations to the officer's recommendations.

RESOLVED that application W09/1514 be GRANTED subject to the following conditions:

- (1) this permission shall be limited to a period of time expiring on 30 April 2011, or such time as the very special circumstances contained in the submitted application expire. At or before the expiration of the period specified in this permission, the land shall be restored to the former condition and use. **REASON** : The use

PLANNING COMMITTEE MINUTES (Continued)

hereby permitted is one which would not normally be granted but for the very special justification since the site lies in the Green Belt and, as a permanent consent, would be contrary to Policy DAP1 of the Warwick District Local Plan 1996-2011; and

- (2) the development hereby permitted shall be retained strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 18th December 2009 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

286. W09/1555 LB – 32 PARADE, PHONES 4U, ROYAL LEAMINGTON SPA

The Committee considered an application from Phones 4U Ltd for the installation of halo-illuminated fascia letters.

The application was presented to the Committee because an objection had been received from Royal Leamington Spa Town Council.

The Chairman agreed that in the interests of expedience Members would receive a combined presentation for this application and W09/1556 for the same application address. The Committee would therefore debate the merits of each application but would determine each application separately.

The case officer considered the following policies to be relevant to the application:

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)

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

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
Design Advice on Shopfronts & Advertisements in Royal Leamington Spa (Supplementary Planning Guidance).

The case officer was of the opinion that the proposed development did not adversely affect the historic integrity, character or setting of the listed building, was of an acceptable standard of design and detailing and preserved the character and appearance of the Conservation Area within which the property was situated. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation and the information contained within the addendum, the Committee were of the

PLANNING COMMITTEE MINUTES (Continued)

opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W09/1555 LB be GRANTED subject to the following conditions:

- (1) the works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) PU1152/03 and the letter from Paul Upfield dated 14 January 2010, and specification contained therein, submitted on 30 December 2009 & 18 January 2010, 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and
- (3) the advertisement hereby permitted shall only be illuminated by white light, unless agreed otherwise in writing by the District Planning Authority. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.

PLANNING COMMITTEE MINUTES (Continued)

287. W09/1556– 32 PARADE, PHONES 4U, ROYAL LEAMINGTON SPA

The Committee considered an application from Phones 4U Ltd for the Display of halo-illuminated individual fascia letters.

The application was presented to the Committee because an objection had been received from Royal Leamington Spa Town Council.

The Chairman agreed that in the interests of expedience Members would receive a combined presentation for this application and W09/1555 LB for the same application address. The Committee would debate the merits of each application but would determine each application separately. The debate by the Committee including the summary of representation would be recorded under the minute for determination of W09/1555 LB.

The case officer considered the following policies to be relevant to the application:

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)

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

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

Design Advice on Shopfronts & Advertisements in Royal Leamington Spa (Supplementary Planning Guidance).

The case officer was of the opinion that the proposed development did not adversely affect the historic integrity, character or setting of the listed building, was of an acceptable standard of design and detailing and preserved the character and appearance of the Conservation Area within which the property was situated. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation and the information contained within the addendum, the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W09/1556 be GRANTED subject to the standard advertisement conditions (1-5) and the conditions listed below;

- (6) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) PU1152/03 and the letter from Paul Upfield dated 14 January 2010, and specification contained therein, submitted on 30 December 2009 & 18 January 2010, unless first agreed otherwise in writing by the District Planning

PLANNING COMMITTEE MINUTES (Continued)

Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and

- (7) the advertisement hereby permitted shall only be illuminated by white light, unless agreed otherwise in writing by the District Planning Authority. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.

288. **ENF 254/39/09 – BUILDING AND PLUMBING SUPPLIES LTD, TACHBROOK PARK DRIVE, WARWICK**

The Committee considered a report requesting enforcement action be taken against Building and Plumbing Supplies Ltd for the erection of a Conservatory and an Orangery for display purposes.

The case officer considered the following policies to be relevant to the matter:

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

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

The case officer was of the opinion that the structures undermined the integrity and attractive setting of this carefully planned pattern of commercial developments, and were harmful to the character and appearance of the area.

Members were mindful that these structures had been erected on the applicant's land and the landscaped area was concealed behind the hedge, however, the applicant had continued to build when they were aware that they did not have permission to do so.

The Committee agreed that, in the interests of fairness and equality, it was important to treat all businesses the same and to remain consistent with any decisions made. Therefore, following consideration of the officer's report and presentation the Committee were of the opinion that appropriate enforcement action should be authorised.

RESOLVED that enforcement action relating to application ENF 354/39/09 be AUTHORISED directed at the removal of the structures within two months and the reinstatement of the former condition of the sites on which they were constructed.

PLANNING COMMITTEE MINUTES (Continued)

(The meeting ended at 7.20 pm)