

PLANNING COMMITTEE

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

PRESENT: Councillor Evans (Chair); Councillors Ashford, Mrs Blacklock, Coker, Kinson, Mrs Knight, MacKay and Windybank.

(Councillor Coker substituted for Councillor Mrs Compton).

297. DECLARATIONS OF INTEREST

Minute Number 299 – W2005/0964 - Land rear of Cherry Street, Coten End, Warwick

Councillor Coker declared a personal and a prejudicial interest because the firm of solicitors he had worked for, Field Overall, had represented the applicants in the past.

Minute Number 300 – W2005/0965 – Land rear of Cherry Street, Coten End, Warwick

Councillor Coker declared a personal and a prejudicial interest because the firm of solicitors he had worked for, Field Overall, had represented the applicants in the past.

Minute Number 309 – W2005/1004 LB – 65 Willes Road, Leamington Spa

Councillor Coker declared a personal and a prejudicial interest because the firm of solicitors he had worked for, Field Overall, had represented the applicants in the past.

298. 120-122 COVENTRY ROAD, WARWICK

The Committee considered an application from Guys Cross Nursing Home for alterations including erection of single, two and three storey rear extension.

The following addressed the Committee on this application:

Mr A Dawe	Objector
Mr D Lock	Objector
Mr Stickley	Applicant
Councillor G Guest	Ward Councillor

RESOLVED that application W2005/0888 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.

299. LAND REAR OF CHERRY STREET, COTEN END, WARWICK

The Committee considered an application from Rowney Properties Limited for the demolition of existing workshop units and No 22 Cherry Street and erection of six apartments and two houses.

PLANNING COMMITTEE MINUTES (continued)

The following addressed the Committee on this item:

Mr P Johns	Objector
Mr S Groves	Objector
Councillor G Guest	Ward Councillor

RESOLVED that application W2005/0964 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.

300. LAND REAR OF CHERRY STREET, COTEN END, WARWICK

The Committee considered an application from Rowney Properties Limited for the demolition of existing workshop unit and No 22 Cherry Street and the erection of four apartments.

The following addressed the Committee on this item:

Mr P Johns	Objector
Mr S Groves	Objector
Councillor G Guest	Ward Councillor

RESOLVED that application W2005/0965 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.

301. 6 LILLINGTON AVENUE, LEAMINGTON SPA

The Committee considered an application from Mr D Upton for extensions and improvements to 7 existing flats and formation of 2 new upper floor flats.

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) 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:

Mr D Upton	Applicant
Councillor R Copping	Ward Councillor

RESOLVED that application W2005/0755 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 Nos. 210-05, 06 and 08 deposited with the District Planning Authority on 5th May 2005 and Drawing No. 210-07 deposited with the District Planning Authority on 21st June 2005, and 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) 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) 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 of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (5) No development shall be carried out on the site which is the subject of this permission, until large scale details of lightwell, including access stairs and railings, conservation rooflights, infilling of existing external openings, 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;

- (6) All doors and window frames shall be constructed in timber, painted and not stained, and be set in reveals of 75mm from the face of the building. **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;
- (7) No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan;
- (8) 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** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan; and

- (9) All access for construction traffic to be taken from Lillington Avenue.

302. 19 SHERBOURNE PLACE, CLARENDON STREET, LEAMINGTON SPA

The Committee considered an application from Amar Developments Limited for the demolition of a double garage and erection of new dwelling.

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) ENV24 - Tree Preservation Orders (Warwick District Local Plan 1995)

(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:

Mr P Bolitho

Objector

RESOLVED that application W2005/0570 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 9 below, the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing nos. 106/SK/101/A and 106/SK/102/A, and specification contained therein, submitted on 6th July 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) The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the 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) 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 of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (6) No development shall be carried out on the site which is the subject of this permission, until large scale details of sliding timber gate 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;

- (7) No work of any kind shall be begun on the site until the protective fence(s) around the trees identified as being retained on the approved plans, have been erected and the fencing has been confirmed in writing to be acceptable by the District Planning Authority. Within the approved fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no site huts, no fires lit and no excavation of trenches for drains, service runs or for any other reason. **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) 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 of a restricted size and configuration and is in close proximity to other dwellings. 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;
- (9) Notwithstanding the details shown on the approved plans, the gates and adjacent coach house boundary wall fronting Lower Villiers Street shall not exceed 0.9 metres in height and details of the surface treatment and means of enclosure of the rear courtyard shall be submitted to and approved in writing by the District Planning Authority. The development shall be carried out strictly in accordance with the approved details. **REASON** : In the interests of highway safety in accordance with the requirement of Policy ENV3 of the Warwick District Local Plan; and

- (10) The development hereby permitted shall not be brought into use until all parts of existing accesses to Lower Villers Street, not included in the proposed means of access, have been permanently closed and reinstated in accordance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.

303. 19 SHERBOURNE PLACE, CLARENDON STREET, LEAMINGTON SPA

The Committee considered an application from Amar Developments Limited for the demolition of a double garage.

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) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)

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

PPG15 - Planning and the Historic Environment.

The following addressed the Committee on this item:

Mr P Bolitho

Objector

RESOLVED that application W2005/0571CA be GRANTED subject to 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.

304. SALTISFORD CANAL CENTRE, BIRMINGHAM ROAD, WARWICK

The Committee considered an application Saltisford Canal Centre for the installation of an Ecosafe Diesel tank.

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) ENV30 - Protection of Canal Corridors (Warwick District Local Plan 1995)

PLANNING COMMITTEE MINUTES (continued)

The following addressed the Committee on this item:

Mr Gratton	Objector
Ms W Gray	Objector

Having considered the officers report and representations from members of the public, the Committee were of the opinion that the application should be refused because it was an inappropriate siting and detrimental to residents currently of the nearby permanent moorings.

RESOLVED that application W2005/0778 be REFUSED because in the opinion of the District Planning Authority, Policy (DW) ENV3 of the Warwick District Local Plan requires all development proposals to harmonise with their surroundings in terms of design and land use, whilst policy (LW) RL3 of the Warwick District Local Plan seeks to support the development of the Saltisford Canal Arm as a canal-based urban fringe park. It is considered that the proposal would be detrimental to the residential amenities of the nearby permanent residential moorings, and would thereby prejudice the objectives of the above policies.

305. 8 MURCOTT ROAD WEST, WHITNASH

The Committee considered an application F & M Rodriguez for the installation of replacement rear ground floor window.

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)

RESOLVED that application W2005/0872 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, and specification contained therein, submitted on 12th May 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) The window hereby permitted shall be of the same type 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.

306. PUBLIC HIGHWAYS OPPOSITE SPORTS FIELD, HAMPTON ROAD, WARWICK

The Committee considered an application from O2 (UK) Limited for the installation of telecommunications equipment, comprising 12.5 streetworks monopole, containing 3G antennae and associated mini-equipment cabinet

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)
SC8 - Telecommunications (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version).

The following address the Committee on this item:

Mr c Searle	Applicant
Councillor J Holland	Ward Councillor

RESOLVED that application W2005/0953TC be
APPROVED.

307. 63 COMMON LANE, KENILWORTH

The Committee considered an application from Warwick Place Limited for the demolition of a garage and erection of a two storey house (amended scheme).

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)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Councillor Mrs A Tyler	Town Council
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Having considered the officers report and representations from members of the public, the Committee were of the opinion that the application should be refused on the grounds of overdevelopment of the site, disproportionate size and having an adverse impact on 65 Common Lane and any future residents of 63 Common Lane.

RESOLVED that application W2005/0960 be REFUSED as the Planning Committee were of the opinion that Policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the Local Plan (1996-2011) requires all development proposals to harmonise with their surroundings in terms of design and land use. In the opinion of the District Planning Authority, the new dwelling proposed is of disproportionate size, would constitute overdevelopment of the site, and would be an unneighbourly form of development due to its impact on the amenity of both the existing dwelling and no. 65 Common Lane, in particular having regard to the limited distance separation between the proposed dwelling and these properties.

308. 9 KENILWORTH ROAD, CUBBINGTON

The Committee considered an application from Warwick Place Limited for the erection of a three bedroomed bungalow.

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

(DW) H5 - Infilling within the Towns (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)

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

DP6 - Access (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)

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

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

Distance Separation (Supplementary Planning Guidance)

The 45 Degree Guideline (Supplementary Planning Guidance)

PLANNING COMMITTEE MINUTES (continued)

The following addressed the Committee on this item:

Mr M Payne	Objector
Councillor J Hammon	Ward Councillor

Having considered the officers report and representations from members of the public, the Committee were of the opinion that the application should be refused because it would cause undesirable fragmentation of established gardens, was out of keeping with the area and would have a detrimental impact on neighbours.

RESOLVED that application W2005/0981LB be REFUSED because the Planning Committee were of the opinion that District-Wide Policy ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design and harmonise with their surroundings. This is reflected in Policies DP1 and DP2 of the emerging Warwick District Local Plan 1996-2011 (Revised Deposit Version), which states that development will only be permitted which positively contributes to the character and quality of the environment and will not be permitted where it has an adverse impact.

Furthermore, Policy H5 of the Warwick District Local Plan 1995 states infill development will only be permitted subject to proposals having no serious adverse impact upon the amenity and environment of their surroundings.

The proposed development relates to the erection of a bungalow on part of the rear gardens of 11 and 13 Kenilworth Road.

In the opinion of the District Planning Authority, the proposal would result in the undesirable fragmentation of established gardens resulting in an unacceptable form of development out of keeping with the character and appearance of this area and having a detrimental impact on the amenity of neighbouring properties, by reason of its proximity to their boundaries and increased disturbance.

The proposal would thereby be contrary to the aforementioned Local Plan Policies.

309. 65 WILLES ROAD, LEAMINGTON SPA

The Committee considered an application from Mr Satsavia for the internal and external alterations comprising loft conversion to form bedroom, installation of 3 no. rooflights, new partition walls, repairs to existing staircase, lining of staircase partition walls, erection of stud partition walls to form new bedroom at first floor, closure of opening between ground floor rooms and garage door opening, insulation and re-roofing of garage, replastering works to walls and

PLANNING COMMITTEE MINUTES (continued)

ceilings, installation of new joists, roof trusses, rafters and new floor boarding, installation of new structural steel work and re-wiring throughout.

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) ENV3A - Sustainable Development and Energy Conservation (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) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)
(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)
(DW) ENV15 - Encouragement of full use of Listed Buildings (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)
DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

The following addressed the Committee on this item:

Mr P Edwards
Mr R Harris

Objector
Objector

RESOLVED that application W2005/1004 LB be GRANTED subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (2) Except as required by conditions 3 and 4 below and unless first agreed otherwise in writing by the District Planning Authority the works hereby permitted shall be carried out strictly in accordance with:-
 1. the details shown on the approved drawings 2523/1 Revision D and 2523/2 Revision D, and specification contained therein, submitted in July 2005;
 2. the corresponding schedule of works submitted in July 2005; and;
 3. the 'dampco' report, and specification contained therein, received by the District Planning Authority on 13 June 2005.

REASON : For the avoidance of doubt and to

ensure a high standard of design and appearance for this Listed Building, in accordance with Policy ENV11 of the Warwick District Local Plan 1995.

- (3) Notwithstanding the reference to 'dormer sides' contained in the specification to approved plan 2523/2 Revision D, the permission hereby granted shall not infer any acceptance or approval of the construction of a dormer window to any slope of any roof of this building.
REASON : No details were submitted for this matter to be given full and proper consideration under the terms of this application and does not thereby form part of the approval hereby granted. The carrying out of such works to this Grade II listed building will affect its character and appearance as a listed building and will thereby also require the submission of a separate application for Listed Building Consent and a separate application for Planning Permission in accordance with the provisions of Part 1, Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended);
- (4) Notwithstanding the reference to 'double glazing' contained in the specification to approved plan 2523/2 Revision B , no glazing works shall be carried out on the site which is the subject of this permission, until amended details of secondary glazing have been submitted to and approved by the District Planning Authority. These works shall not be carried out otherwise than in full accordance with such approved details.
REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (5) Large scale details of the following matters at a scale of 1:5 shall be submitted to and approved by the District Planning Authority before these items are installed:-
1. all new and/or replacement doors;
 2. windows;
 3. rooflights;
 4. staircase joinery items;
 5. architraves;
 6. skirting boards;
 7. ceiling cornices and roses, and;
 8. fireplace surrounds.
- These works shall not be carried out otherwise than in full accordance with such approved details.

REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;

- (6) Details of the proposed extraction fans and flues shall be submitted to and approved by the District Planning Authority before these items are installed. These works shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (7) Details of the external colour finishes shall be submitted to and approved by the District Planning Authority before any painting is undertaken. These works shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (8) All rainwater goods for the installed as part of the works hereby permitted shall be metal and no rainwater goods shall be installed until a sample 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 ENV11 of the Warwick District Local Plan 1995; and
- (9) All window frames shall be constructed in timber, painted and not stained, and be of a sliding sash type set in reveals of 75mm from the face of the building. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

310. LILLINGTON FREE CHURCH, CUBBINGTON ROAD, LILLINGTON, LEAMINGTON SPA

The Committee considered an application from Michael Richards Homes for the erection of a new church, 34 no. apartments with associated car parking and creation of new access from Cubbington Road.

This application was deferred from the agenda of 22nd June since amended plans had been received and was deferred at Planning Committee on the 12 July 2005, to enable a site visit to take place on 23 July 2005.

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)
(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)
(DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)
(DW) H5 - Infilling within the Towns (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)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP12 - Energy Conservation (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP13 - Crime Prevention (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP14 - Accessibility and Inclusion (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)
SC7 - Supporting Community Facilities (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)
SC12 - Community Facilities (Warwick District Local Plan 1996 - 2011 First Deposit Version)

RESOLVED that application W2005/0515 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 15 02B, 03B, 14, 18A and 20A, and specification contained therein, submitted on 30 March 2005, approved drawings 03 15 11A, 12A, 13A, 16B, 17A and 19A, and specification contained therein, submitted on 27 June 2005 and approved drawings 03 15 10B and 15A, and specification contained therein, submitted on 30 June 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, roofing and surfacing 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;
- (5) 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;
- (6) the existing trees shown on the approved plans to be retained shall not be wilfully damaged or destroyed, uprooted, felled, lopped or topped without the prior written consent of the District Planning Authority. Any trees removed or dying or being severely damaged or becoming seriously diseased shall be replaced with healthy trees of such size and species as may be agreed in writing by the District Planning Authority. **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site and the surrounding area, and to satisfy Policy ENV3 of the Warwick District Local Plan;
- (7) before the development hereby permitted is begun details of the method for the protection of all retained trees within and adjacent to the site shall be submitted to and approved in writing by the District Planning Authority. The details shall include the plans of protection zones around the trunks of all retained trees together with the protection of these zones by fencing that is a

minimum of 1.2 metres high in accordance with the section 8 and figures 4 to 6 of the BS 5837 : 1991 *Guide for trees in relation to construction sites*. The erection of fencing for the protection of these retained trees shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the District Planning Authority. **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site, and to satisfy Policy ENV3 of the Warwick District Local Plan;

- (8) before the development hereby permitted is begun a statement of the proposed method of implementing the construction of the development shall be submitted to and be approved, in writing, by the District Planning Authority. The details shall include the sequencing of operations, the method of construction of the driveways and access works in the vicinity of the adjacent trees to be retained and the methods of protecting root systems of all trees to be retained during the construction process from direct or indirect damage. Operations on the application site shall be carried out in accordance with the approved details and no part of the operations shall be amended or omitted without the prior written approval of the District Planning Authority. **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site and surrounding area, and to satisfy Policy ENV3 of the Warwick District Local Plan;
- (9) before any works are undertaken within the protected zones of the retained trees, including excavations, topping, lopping or pruning, 7 days written notice of the nature of this work shall be given to the District Planning Authority to enable the work to be considered with the benefit of a site visit(s) from officer(s) of the Council. The approved works shall not commence until written approval has been given by the District Planning Authority. (In these conditions 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and

particulars shall have effect until the expiration of 5 years from the occupation of the building for its permitted use). **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site and, to satisfy 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 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;
- (11) the development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety;
- (12) no lighting shall be fixed to the external walls or roofs of the buildings hereby permitted, or on any open land within the application site without the written consent of 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;
- (13) the development shall not be commenced until all parts of the existing access within the public highway not included in the permitted means of access has been closed and the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (14) the access to the site for cars shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of

Policy ENV3 of the Warwick District Local Plan;

- (15) 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;
- (16) the development shall not be occupied until two accesses for vehicles have been provided to the site not less than 5 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;
- (17) the accesses to the site for vehicles shall not be used in connection with the development until they have been surfaced with a bound macadam material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the District Planning Authority in consultation with the Highway Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- 18 The development shall not be commenced until visibility splays have been provided to the vehicular accesses to the site with an 'x' distance of 2.4 metres and 'y' distances of 90 metres. No structure, erection, trees or shrubs 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;
- (19) before any works for demolition 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 ENV27 of the Warwick District Local Plan 1995; and

- (20) an NB be added to the Decision Notice requiring effective screening along the boundary to The Holt. **REASON:** to mitigate impact of vehicular traffic to the rear car park in line with the Design Statement submitted with the application.

311. ADJOURNMENT OF MEETING

The Chair adjourned the meeting of the Planning Committee held on Wednesday 3 August 2005 to Thursday 4 August 2005 at 6.00 pm.

(The meeting ended at 10.10 pm)

RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 4 August 2005 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Evans (Chair); Councillors Ashford, Mrs Blacklock, Ms De-Lara-Bond, Kinson, Mrs Knight, MacKay and Windybank.

APOLOGIES: Councillor Coker

312. 55 KINGSWAY, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs Uppal for the first floor side extension; ground and two storey rear extension and creation of vehicular and access crossing to 3 self-contained flats.

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) H15 - Conversion of Existing Residential Property (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)
DP5 - Density (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)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)

The 45 Degree Guideline (Supplementary Planning Guidance).

Having considered the officers report and representations from members of the public, the Committee were of the opinion that the application should be refused because the application showed over intensive use with an adverse impact on the character and amenity of the area (in conflict with Policy H15).

RESOLVED that application W2005/0826 be REFUSED because the Planning Committee was of the opinion that District-Wide Policy ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design and harmonise with their surroundings. This is reflected in Policies DP1 and DP2 of the emerging Warwick District Local Plan 1996-2011 (Revised Deposit Version), which states that development will only be permitted which positively contributes to the character and quality of the environment and will not be permitted where it has an adverse impact. Furthermore, Policy H15 of the Warwick District Local Plan 1995 states that proposals for the conversion of existing properties into smaller dwellings will be considered only where there is no adverse impact upon the character and amenity of surrounding areas.

The site relates to a two storey semi-detached property and in the opinion of the District Planning Authority the proposal to convert and extend the property to create 3 separate residential units would result in unacceptable harm by reason of its over-intensive use of the presently semi-detached property with the consequent adverse impact on the character and amenity of the area.

The proposal therefore is considered to be contrary with the aforementioned policies.

313. 106 REGENT STREET, LEAMINGTON SPA

The Committee considered an application from Kigass Ltd for the part demolition of existing building, internal alterations and new extension to create 3 flats and installation of a new shop front.

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) ENV7 - Demolition of Non-Listed Buildings within 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).

RESOLVED that application W2005/0475 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) 1146/05F, 06e, 07 and 09 and 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) 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) 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 of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (5) The roofing material for the development shall be natural slate, a sample of which has been submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the 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;

- (6) No development shall be carried out on the site which is the subject of this permission, until large scale details of bin storage facilities, 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan; and
- (7) 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.

314. GEORGE HOTEL (53) & 55 HIGH STREET, LEAMINGTON SPA

The Committee considered an application from G.S.P. Construction Ltd for the Part demolition, alterations and extensions to create 14 dwellings (amended scheme to planning approval W20041235).

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) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)
(DW) ENV7 - Demolition of Non-Listed Buildings 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)

PLANNING COMMITTEE MINUTES (continued)

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

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

RESOLVED that application W2005/0697 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 3 below, the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 1149/100L, 06D, 07B, 08A, 09A, 10, 11, 12, and 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) Notwithstanding the details shown on the approved plans, further details of the George Hotel ground floor elevation to High Street shall be submitted to and approved in writing by the District Planning Authority before the development hereby permitted is first commenced. The development shall be carried out strictly in accordance with the 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;
- (4) No development shall be carried out on the site which is the subject of this permission, until large scale details of dormer windows, parapets, railings, rooflights, cycle/bin store, 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (5) The roofing material for the development shall be natural slate, a sample of which has been

submitted to and approved in writing by the District Planning Authority. The development shall be carried out in accordance with the 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;

- (6) 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 of design and appearance within the Conservation Area, and to satisfy Policy ENV8 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) Gates/doors provided at the entrance to the site shall not open outwards towards the public highway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (9) Before any works for demolition 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 ENV27 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 satisfactory details of a noise insulation/air conditioning scheme 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; and
- (11) Floor levels of any new buildings should be set at least 600mm above the modelled 1 in 100 year flood level of 51.01 metres above Ordnance Datum. **REASON**: The site lies partially within the floodplain of the River Leam (as requested by the Environmental Agency).

315. 251 CROMWELL LANE, BURTON GREEN, KENILWORTH

The Committee considered an application from Mr J Evans for the use of lower ground void for storage and kitchen.

RESOLVED that application W2005/0806 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.

316. 18 LEE ROAD, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs Maan for the Erection of a single storey side and rear extension to form a total of 3 separate residential units.

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)

The 45 Degree Guideline (Supplementary Planning Guidance)

Having considered the officers report and representations from members of the public, the Committee were of the opinion that the application should be refused because the application demonstrated over intensive use with adverse impact on the character and amenity of the area (in conflict with Policy H15).

RESOLVED that application W2005/0858 be REFUSED because the Planning Committee were of the opinion that District-Wide Policy ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design and harmonise with their surroundings. This is reflected in Policies DP1 and DP2 of the emerging Warwick District Local Plan 1996-2011 (Revised Deposit Version), which states that development will only be permitted which positively contributes to the character and quality of the environment and will not be permitted where it has an adverse impact. Furthermore, Policy H15 of the Warwick District Local Plan 1995 states that proposals for the conversion of existing properties into smaller dwellings will be considered only where there is no adverse impact upon the character and amenity of surrounding areas.

The site relates to a two storey semi-detached property located near to the junction between Lee Road and Westlea Road.

In the opinion of the District Planning Authority the proposal to convert and extend the property to create 3 separate residential units would result in unacceptable harm by reason of its over-intensive use of the presently semi-detached property with the consequent adverse impact on the character and amenity of the area.

The proposal therefore is considered to be contrary with the aforementioned policies.

District-Wide Policy ENV3 of the Warwick District Local Plan 1995 requires all development proposals to achieve a high standard of design, having regard to its surroundings. Policy DP1 of the emerging Warwick District Local Plan 1996-2011 (first deposit version) requires all development proposals to make a positive contribution to the character and quality of its environment through good layout and design and Policy DP2 of the same plan states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and / or does not provided acceptable standards of amenity for future uses / occupiers of the development.

Furthermore' Policy H5 of the Warwick District Local Plan 1995 states infill development will only be permitted subject to proposals having no serious adverse impact upon the amenity and environment of their surroundings.

317. FIRS HOUSE, 122 BAKERS LANE, LAPWORTH, SOLIHULL

The Committee considered an application from Dr I & Dr T Zaki for the erection of a single storey rear extension.

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)

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

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

RESOLVED that application W2005/0879 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; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 50386/2A, and specification contained therein, received on 26th May 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.

318. 2A-2B GUYS CLIFFE AVENUE, LEAMINGTON SPA

The Committee considered an application from A.C. Lloyd Ltd & Warks. Police Authority for the Erection of 14 apartments and boundary wall (after demolition of 2 houses).

RESOLVED that application W2005/0887 be DEFERRED

- (1) 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
- (2) to allow for the revised plans to be submitted to Warwick District Towns Conservation Area Advisory Forum.

319. 135 CROMWELL LANE, BURTON GREEN, KENILWORTH

The Committee considered an application from Mr P V & Mrs S E Bishop for the alterations to roof line to provide additional rooms in roof space.

RESOLVED application W2005/0898 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.

320. 64 PROSPECT ROAD, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs Mundi for the demolition of existing dwelling and erection of 8 apartments, comprising 1 two and half storey block and 1 two storey block.

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)

DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)

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

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

DP3 - Natural Environment (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)

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

National Statements of Planning Policy

Planning Policy Guidance Note 1: *General Principles*

Planning Policy Guidance Note 2: *Housing*

Planning Policy Guidance Note 3: *Transport*

Having considered the officers report and representations from members of the public, the Committee were of the opinion that the application should be refused because the application demonstrated overdevelopment, was un-neighbourly and out of character (imposing and over dominant scale).

RESOLVED that application W2005/0901 be REFUSED as the Planning Committee were of the opinion that the proposed development relates to the demolition of a detached dwelling house and the erection of 8 apartments, involving the erection of a two storey building to accommodate four flats in the rear garden of 64 Prospect Road to the rear of the proposed front replacement property.

In the opinion of the District Planning Authority, the proposal would result in the overdevelopment of the site, creating an unacceptable form of "tandem" development out of keeping with the character and appearance of this

area. Furthermore, it would have a detrimental impact on the amenity of the neighbouring properties that surround the site, by reason of the visual intrusion resulting from the overdominant and imposing scale of the rear block, its proximity to the site boundaries and the increased disturbance from the incursion of vehicular movements and car parking into what is presently a quiet rear garden area.

The proposal would thereby be contrary to the aforementioned Local Plan Policies.

321. CATESBY COTTAGE, CATESBY LANE, LAPWORTH

The Committee considered an application from Mr & Mrs Greenway for the demolition of existing garage and erection of new garage.

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) ENV1 - Definition of the Green Belt (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)

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

RESOLVED that application W2005/0922 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; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing SK/G/01/B and specification contained therein, submitted on 8 June 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.

322. 10 SWADLING STREET, LEAMINGTON SPA

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

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)

RESOLVED that application W2005/0932 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) (Ref Drawing No. 1592/2, and specification contained therein, submitted on 22nd June 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.

323. LOCK, DOCK AND BARREL, 7 BRUNSWICK STREET, LEAMINGTON SPA

The Committee considered an application from Messrs S & S Panaich for the partial demolition of existing public house building together with new 2 and 3 storey extension to provide 13 apartments.

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) ENV8 - New Development within Conservation Areas (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)

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

RESOLVED that application W2005/0979 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 1139/07e, 1139/17b, 1139/18a, 1139/20, 1139/21b and 1139/22b and specification contained therein, submitted on 13 June 2005 and 21 June 2005, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), rooflights, 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan;
- (4) All window and door frames shall be constructed in timber and painted, not stained. **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) Samples of all external facing materials and colour of render 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 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;
- (7) Before any works for demolition 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 ENV27 of the Warwick District Local Plan 1995; and
- (8) There shall be no contamination of the watercourse, the Grand Union Canal, either during or after development and no work shall commence until measures to ensure the prevention of pollution during work have been submitted and approved in writing by the District Planning Authority. The development shall be carried out in strict accordance with such approved details. **REASON** : To prevent pollution of ditches and watercourses, and to satisfy Policy ENV3 of the Warwick District Local Plan.

324. 1 MOLLINGTON ROAD, WHITNASH, LEAMINGTON SPA

The Committee considered an application from Mr D G Smith for the erection of a two storey side extension with single storey rear and side extensions.

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)
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 W2005/0992 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) (Ref Drawing No.1855/1 and 1855/2 and specification contained therein, submitted on 20th June 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.

325. WORLDFAKER HOUSE, 9-11 DORMER PLACE, LEAMINGTON SPA

The Committee considered an application from Travel Management Group for the erection of basement/ground floor rear extension and removal of internal and external walls and windows to form new openings.

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) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

PLANNING COMMITTEE MINUTES (continued)

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version).

RESOLVED that application W2005/1006LB be GRANTED subject to the following conditions:

- (1) The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (2) The works hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 2487/01C, and specification contained therein, submitted on 17 June 2005 unless first agreed otherwise in writing by the District Planning Authority.
REASON : For the avoidance of doubt and to secure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (3) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, screens, windows (including a section showing the window reveal, heads and cill details), parapet wall 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (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 a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (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 ENV11 of the Warwick District Local Plan 1995; and

- (6) All window frames shall be constructed in timber, painted and not stained.

REASON : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

326. 11 PARK HILL AND 141 WHITEMOOR ROAD, KENLIWORTH

The Committee considered a Tree Preservation Order which took effect, on a provisional basis, on 24 May 2005. The trees, located at 11 Park Hill and 141 Whitemoor Road, Kenilworth, were reported as follows:

The Willow tree (T1) located within the rear garden of 11 Park Hill is a large mature tree with a well developed canopy and by reason of its height, size and shape makes a positive contribution to the amenity of this part of the residential area of Kenilworth.

The Willow tree (T2) located within the rear garden of 141 Whitemoor Road is a large mature tree with a well developed canopy and by reason of its height, size and shape also makes a positive contribution to the amenity of this residential part of Kenilworth.

Representations were received from neighbours

The Head of Planning and Engineering recommended that the Tree Preservation Order be confirmed as both trees were in good health and had a long remaining life expectancy.

Although visibility from public vantage points was limited, both trees were highly visible from the rear of a considerable number of properties on Whitemoor Road and Park Hill and contributed to the leafy character of the area. In the interests of protecting the visual amenity of this part of Kenilworth it was considered appropriate to ensure that the trees were retained and to have control over works which may affect the future health and amenity value of the trees.

RESOLVED that TPO 287 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.

327. REVIEW OF DECISION MAKING PROCESS

The Committee considered a report from Planning and Engineering which sought to move forward the issues raised in the review of the decision making process undertaken in 2004 and considered by full council on 19 January 2005.

RESOLVED that

- (1) the report be noted;
- (2) the Committee's preference for the Proposed Scheme of Delegation as outlined at Appendix A to the report be noted;
- (3) the Proposed Scheme of Delegation as outlined in the appendices to the report be submitted to the Planning Forum on 26 September for comments; and
- (4) a further report be submitted to this Committee including the comments on the proposed amendments from the Planning Forum.

(The meeting closed at 8.50 pm)

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