

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 19 August 2008 in the Town Hall, Royal Leamington Spa at 6.00pm.

PRESENT: Councillor MacKay (Chairman); Councillors Barrott, Mrs Blacklock, Copping, Davies, Dhillon, Edwards, Mrs Higgins, Illingworth and Mobbs.

Councillor Mobbs substituted for Councillor Rhead.

At the start of the meeting, the Chairman asked all persons present to stand for a minutes silence to reflect the tragic accident with the two planes who had collided near Coventry Airport this week.

335. DECLARATIONS OF INTEREST

Minute Number 338 - W08/00788 – Land rear of 2 Westham Lane, Barford

Councillor Barrott declared a personal interest because he was a resident in the village of Barford.

Minute Number 339 - W08/1030 – 6 Hareway Lane, Barford

Councillor Barrott declared a personal interest because he was a resident in the village of Barford.

Minute Number 342 & 343– W08/0734 & W08/0735CA – The Old Post Office, 1 Wellesbourne Road/2 Church Street, Barford

Councillor Barrott declared a personal interest because he was a resident in the village of Barford.

Minute Number 344 - W08/0871 – Unit 6, 37 Leyes Lane Shopping Centre, Leyes Lane, Kenilworth

Councillor Mobbs declared a personal and prejudicial interest because he was a member of Kenilworth Town Council and had taken part in previous discussions on the application. He left the room while the item was considered.

Minute Number 347 - W08/0918 – Rock Farm Lane, Baginton, Coventry

Councillor MacKay declared a personal interest because he was Ward Councillor.

Minute Number 349 – Item 15 - W08/0956 – 18 Barrowfield Lane, Kenilworth

Councillor Mobbs declared a personal interest because the applicant was know to him and was an ex-employee.

PLANNING COMMITTEE MINUTES (Continued)

336. MINUTES

The minutes of the meeting held on 9 April, 30 April, 20 May and 18 June 2008, were taken as read and signed by the Chairman as a correct record.

337. EAST LODGE, WOODCOTE LANE, LEEK WOOTTON

The Committee considered an application from Mr Sellers for construction of a new access and extension to residential cartilage.

The application had been submitted to the Committee because of an objection received from Leek Wootton and Guy's Cliffe Parish Council.

The application was presented to the Planning Committee on 30 July 2008 when a decision was taken to refuse the application, however, due to a procedural error on behalf of the Council the applicant was not permitted to speak at the meeting. This application was presented to Planning Committee a second time to give the applicant the opportunity to speak. The Committee had also visited the site on 26 July 2008.

The Head of Planning 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)

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)

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

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

The following person addressed the Committee:

Mr C Sellers	Applicant
Councillor Mr Eldridge	Parish Council

In the opinion of the Head of Planning, the development does not prejudice the openness and rural character of this green belt area. It does not adversely affect the historic integrity, character or setting of the listed building and is considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, along with the information contained within the addendum and representation from the Parish Council, the Committee were of the opinion that the application should be granted in line with the Officers' recommendation with an additional condition as agreed by the Committee.

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W08/0854 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) (PL04 Rev E and PL05 Rev C received on 7th June 2008, and PL06 received on 29th July 2008), 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 Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) the protective fencing shown on the approved plans shall be satisfactorily maintained until all development has been completed. Within the approved fenced areas 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. Such approved scheme shall be completed strictly in accordance with the details submitted.
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) before any works for the clearing or removal of any trees, shrubs or vegetation are first commenced, a Phase 2 habitat survey of the site by a suitably qualified professional shall be undertaken at the appropriate time of year in order to fully determine the nature conservation value of the site. The results of this report, along with recommended mitigation measures to protect the habitat, shall be submitted to and approved in writing by the District Council before any works on site commence, including

PLANNING COMMITTEE MINUTES (Continued)

the clearing or removal of any trees, shrubs or vegetation. 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;

- (5) before any works for the clearing or removal of any trees, shrubs or vegetation 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;
- (6) the surfacing and construction details shown on the approved plan reference PL06 shall be implemented prior to the use of the access by vehicles. The surfacing shown on the approved plans shall be maintained as such at all times hereafter. **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; and
- (7) the driveway to used solely for access to the garage as approved under application W06/0783 and the wording 'extension to residential cartilage' be removed from the decision notice issued.

338. LAND REAR OF 2 WESTHAM LANE, BARFORD

The Committee considered an application from Mr S Peters for the erection of a detached bungalow to serve a local need.

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

PLANNING COMMITTEE MINUTES (Continued)

Conservation Area within which the site is located. The proposal is therefore considered to comply with the policies listed.

The following people addressed the Committee:
Councillor Mrs Sawdon Ward Councillor

Following consideration of the Officers' report and presentation, along with the representations made by the Ward Councillor, the Committee were of the opinion that the application should be granted in line with the Officers' recommendation.

RESOLVED that application W08/1030 be GRANTED subject to the following condition:

- (1) the decking, and its railings and supporting posts, shall be stained to match the existing fencing to the front of the property within two calendar months of the date of this decision.
Reason: To protect and enhance the character of this part of the Conservation Area in accordance with Policy DAP 8 of the Warwick District Local Plan 1996-2011.

340. 4 WOOD STREET, LEAMINGTON SPA

The Committee considered a report which sought the authorisation of enforcement action for the erection of an unauthorised building.

The Head of Planning 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)

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

The following people addressed the Committee:
Councillor Crowther Ward Councillor

It was proposed and duly seconded that the application be deferred until the Head of Legal Services had consulted with an enforcement barrister to seek advice on the implications of the application. The motion was lost with three votes in favour, four against and three abstentions.

Following consideration of the Officers' report and presentation, along with the representations made by the Ward Councillor and the additional information within the addendum, the Committee were of the opinion that enforcement action be approved in line with the Officers' recommendation.

RESOLVED that for application ENF346/33/07, Officers be authorised to proceed with appropriate enforcement action requiring that the building be revised to accord with that for which planning permission had been granted with a compliance period of 6 months.

PLANNING COMMITTEE MINUTES (Continued)

341. GREENACRES, CHAPEL LANE, LAPWORTH

The Committee considered an application from Mr A Findlay for the erection of a two storey front extension.

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

The Head of Planning considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (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)

RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development respected the scale, design and character of the original dwelling and did not harm the general openness or rural character of the green belt area within which the property is situated. The proposal is therefore considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the Officers' recommendation.

RESOLVED that application W08/0480 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 drawings, and specification contained therein, received on 20th June 2008 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

PLANNING COMMITTEE MINUTES (Continued)

- (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 DP1 of the Warwick District Local Plan 1996-2011.

342. THE OLD POST OFFICE, 1 WELLESBOURNE ROAD / 2 CHURCH STREET, BARFORD

The Committee considered an application from Ms D Hope for the change of use of no.1 Wellesbourne Road from retail (A1) to residential (C3). Erection of extensions to both properties and a new garage building following demolition of existing outbuildings and the creation of a new vehicular access from Church Road.

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

The Head of Planning 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)

In the opinion of the Head of Planning, 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 Officers' report and presentation, the Committee were of the opinion that the application should be granted, in line with the Officers' recommendation.

RESOLVED that application W08/0734 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;

PLANNING COMMITTEE MINUTES (Continued)

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (4587 02 A, 4587 30 A, 4587 04 A), and specification contained therein, submitted on 20 June 2008 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.

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;

PLANNING COMMITTEE MINUTES (Continued)

- (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 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;

PLANNING COMMITTEE MINUTES (Continued)

- (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; and
- (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 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

PLANNING COMMITTEE MINUTES (Continued)

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.

343. THE OLD POST OFFICE, 1 WELLESBOURNE ROAD / 2CHURCH STREET, BARFORD

The Committee considered an application from Ms D Hope for the demolition of existing timber workshop/garage.

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

The Head of Planning 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)

In the opinion of the Head of Planning, the proposed demolition would not result in harm to the character or appearance of the Conservation Area and the proposal was considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, the Committee were of the opinion that the application should be granted in line with the Officers' recommendation.

RESOLVED that application W08/0759 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) (4587 05), and specification contained therein, submitted on 13 May 2008 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

PLANNING COMMITTEE MINUTES (Continued)

Warwick District Local Plan 1996-2011; and

- (3) the demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment under W08/0734 has been made. **REASON** : To avoid the creation of an unsightly gap within the Conservation Area, in order to satisfy the requirements of DAP8 of the Warwick District Local Plan 1996-2011.

344. UNIT 6, 37 LEYES LANE SHOPPING CENTRE, LEYES LANE, KENILWORTH

The Committee considered an application from Midland Assured Homes (1990) Ltd for Variation of condition (3) of planning permission W/85/1242 for the use of the premises for trading on Sundays.

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

The Head of Planning 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)

In the opinion of the Head of Planning, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of noise, disturbance or traffic which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, the Committee were of the opinion that the application should be granted, in line with the Officers' recommendation, subject to an amendment to condition 3 to alter the opening times on Sundays only to 10.00am to 10.00pm.

RESOLVED that application W08/0871 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) (0004), and specification contained therein, submitted on 11 June 2008 unless first agreed otherwise in writing by the District Planning Authority.

PLANNING COMMITTEE MINUTES (Continued)

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 premises shall only be open to the public between the hours of 9.00am and 11.00pm Mondays to Fridays, 9.00am to 11.30pm on Saturdays and 10.00am to 10.00pm on Sundays. **REASON:** To protect the amenities of surrounding properties, in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.

345. 65 REGENT STREET, LEAMINGTON SPA

The Committee considered an application from Mr M Fayaz for the change of use from retail (Use Class A1) to hot food takeaway (Use Class A5) and installation of extraction flue.

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

The Head of Planning considered the following policies to be relevant to the application:

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

DAP5 - Changes of Use 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)

DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)

DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)

TCP4 - Primary Retail Frontages (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the proposed development preserves the character and appearance of this Listed Building and the Conservation Area within which the property is situated and would be acceptable in terms of crime and disorder. Furthermore, the proposal would not detract from the vitality and viability of the Town Centre and would have an acceptable impact on the living conditions of nearby dwellings. The proposal is therefore considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, the Committee were of the opinion that the application should be granted, in line with the Officers' recommendation with an amendment to condition 6 to alter the opening times on Sundays only to 10.00am to 10.00pm and also an advisory note to be passed onto the Licensing Committee.

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W08/0913 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) 414-03, and specification contained therein, submitted on 16 June 2008, 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 premises shall not be used as a hot food takeaway unless and until details of any air conditioning, ventilation and fume extraction systems including particulars of noise levels have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. Noise from any such systems shall not be more than 3dBA above background noise levels.
REASON : To protect the amenities of surrounding properties, in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011;
- (4) 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 DP1 of the Warwick District Local Plan 1996-2011;
- (5) the first and second floors of the building shall only be used as an ancillary office or staff restroom or for storage purposes in association with the hot food takeaway hereby permitted, unless agreed otherwise in writing by the District Planning Authority. **REASON** : To protect the amenities of the adjacent flat, in

PLANNING COMMITTEE MINUTES (Continued)

accordance with Policy DP9 of the Warwick District Local Plan 1996-2011;

- (6) the premises shall only be open to the public Monday to Saturday between the hours of 9.00am and 12.00 midnight and Sunday between 10.00am and 10.00pm. **REASON:** To protect the amenities of surrounding properties, in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011;
- (7) the door to the staff WC on the first floor shall be fitted with self closures and shall be adjusted so as not to bang closed, unless agreed otherwise in writing by the District Planning Authority. **REASON :** To protect the amenities of the adjacent flat, in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011;
- (8) no electric hand dryer, towel dispenser or other similar items or product dispensers shall be installed on the party wall with the adjoining flat at No. 37 Bedford Street, unless agreed otherwise in writing by the District Planning Authority. **REASON :** To protect the amenities of the adjacent flat, in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011; and
- (9) no mechanical ventilation shall be installed in the toilet area, unless agreed otherwise in writing by the District Planning Authority. **REASON :** To protect the amenities of the adjacent flat, in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

The following advisory note to be passed onto the Licensing Committee:

‘The Planning Committee strongly advises that CCTV be installed within the premises in relation to any licensing application received for this premises’.

346. 65 REGENT STREET, LEAMINGTON SPA

The Committee considered an application from Mr M Fayaz for internal and external alterations including installation of extraction flue and erection of internal stud partition wall

PLANNING COMMITTEE MINUTES (Continued)

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

The Head of Planning considered the following policies to be relevant to the application:

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

DAP5 - Changes of Use of Listed Buildings (Warwick District Local Plan 1996 - 2011)

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

In the opinion of the Head of Planning, the proposed development preserves the character and appearance of this Listed Building and the Conservation Area within which the property is situated. The proposal was therefore considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, the Committee were of the opinion that the application should be granted, in line with the Officers' recommendation.

RESOLVED that application W08/0914LB 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) 414-03, and specification contained therein, submitted on 16 June 2008, 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) 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 DP1 of the Warwick District Local Plan 1996-2011.

PLANNING COMMITTEE MINUTES (Continued)

347. ROCK FARM LANE, BAGINTON

The Committee considered an application from Coventry Airport for the erection of wig wag traffic signal and wig wag traffic signal warning sign in connection with airport operations.

The application had been submitted to the Committee because an objection from Baginton Parish Council had been received.

The Head of Planning considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (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)

In the opinion of the Head of Planning, the proposal is not considered in itself to adversely affect the openness of the Green Belt, the amenity of this locality or cause a highway danger. The proposal was therefore considered to comply with the policies listed.

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

RESOLVED that application W08/0918 be GRANTED subject to receipt by the Council of a drawing showing the location of the banners, and 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 but shall not be commenced unless and until a wider scheme of works for associated traffic regulation on the public highway, Bubbenhall Road, in general accordance with the details shown on Drawing No. CA/2008/4.1/C/001/OR, dated April 2008, is being undertaken concurrently. In the event that the associated traffic light control systems on Bubbenhall Road are subsequently removed by the Highway Authority, the works hereby permitted shall be similarly removed within 3 months of that date. **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, and to ensure works for traffic regulation in this rural area within the Green Belt only proceed as part of a comprehensive scheme of necessary highway works to comply with the requirements

PLANNING COMMITTEE MINUTES (Continued)

of Policies DP6 and DAP1 in the Warwick District Local Plan 1996-2011;

- (2) Before the works the subject of this permission are first commenced, the existing two signs stating 'Danger, Aircraft Safety Zone, Stop when red lights show' their support poles and the two poles formerly supporting traffic lights located to the east of the application site along Rock Farm Lane shall be removed. **REASON** : To ensure that this proposal does not result in a clutter of highway 'furniture' along this rural lane in the Green Belt in accordance with the requirements of Policies DP1 and DAP1 in the Warwick District Local Plan 1996-2011; and
- (3) Before the works the subject of this permission are first commenced, a measured plan detailing the size of the 'wig wag' traffic signal warning sign shall be first submitted to and approved in writing by the District Planning Authority. The sign shall be installed strictly as so approved. **REASON** : For the avoidance of doubt and to ensure a satisfactory form of development in accordance with the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

348. 6 NORMANBY MEADOWS, WHITNASH

The Committee considered an application from Mr S Chandi for a single storey front and rear extensions; and increase in height of roof and insertion of two dormer windows in rear roof slope.

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

The Head of Planning considered the following policies to be relevant to the application:

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

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

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

In the opinion of the Head of Planning, the development respects surrounding buildings in terms of scale, height, form and massing and does not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, the Committee were of the opinion that the application should be refused against the Officers' recommendation.

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W08/0953 be REFUSED because it contravenes policy DP1.

349. 18 BARROWFIELD LANE, KENILWORTH

The Committee considered an application from Mr P Tebby for the erection of two storey side extension, ground floor rear extension and internal alterations.

The application was presented to Committee due to the number of objections received and an objection from Kenilworth Town Council.

The Head of Planning considered the following policies to be relevant to the application:

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

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

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

In the opinion of the Head of Planning, the proposed development is of an acceptable standard of design which would harmonise with the design and appearance of the main dwelling and its surroundings and does 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 is therefore considered to comply with the policies listed.

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

RESOLVED that application W08/0956 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) 08/203/1, and specification contained therein, submitted on 05/06/2008 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

PLANNING COMMITTEE MINUTES (Continued)

- (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 DP1 of the Warwick District Local Plan 1996-2011.

350. 21 HEATHCOTE ROAD, WHITNASH

The Committee considered an application from Mr N Hogarth for the erection of rear conservatory.

The application had been submitted to the Committee because the applicant was a Warwick District Council employee.

The Head of Planning 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)

The 45 Degree Guideline (Supplementary Planning Guidance)

In the opinion of the Head of Planning, the development respects surrounding buildings in terms of scale, height, form and massing and does not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, the Committee were of the opinion that the application should be granted, in line with the Officers' recommendation.

RESOLVED that application W08/0978 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 (drawing number DS/0/2008/027), and specification contained therein, submitted on 30 June 2008 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

PLANNING COMMITTEE MINUTES (Continued)

Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; 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 DP1 of the Warwick District Local Plan 1996-2011.

351. 4 CASTLE STREET, WARWICK

The Committee considered an application from Mr B Keen for the provision of two dormer windows to front elevation and insertion of 2 rear rooflights

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

The Head of Planning 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)

In the opinion of the Head of Planning, the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located. The proposal is therefore considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, the Committee were of the opinion that the application should be granted, in line with the Officers' recommendation.

RESOLVED that application W08/0986 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; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the amended drawings, and specification contained therein, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the

PLANNING COMMITTEE MINUTES (Continued)

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.

352. CLOVER HILL, OLD WARWICK ROAD, LAPWORTH

The Committee considered an application from Mrs A Thomson for the erection of single and two storey extensions to side and rear.

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

The Head of Planning considered the following policies to be relevant to the application:

DAP1 - Protecting the Green Belt (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)

RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

In the opinion of the Head of Planning, the development respects the scale, design and character of the original dwelling and does not harm the general openness or rural character of the green belt within which the property is situated. The proposal was therefore considered to comply with the policies listed.

Following consideration of the Officers' report and presentation, along with the information and additional condition contained within the addendum, the Committee were of the opinion that the application should be granted in line with the Officers' recommendation.

RESOLVED that application W08/1002 be GRANTED subject to the following conditions after the previous two consents (W07/0995 and W07/1812) had been revoked.

- (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 numbers ROC/439/PD/003, /004 and /006, and specification contained therein, received on 8th July 2008 unless first agreed otherwise in writing by the District Planning Authority.

PLANNING COMMITTEE MINUTES (Continued)

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) an archaeological work condition to be imposed because the site lies within a site of archaeological interest.

(The meeting ended at 10.05pm)