

# PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 15 March 2006 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

**PRESENT:** Councillor Evans (Chair); Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Kinson, Mrs Knight and Mackay.

## 931. DECLARATIONS OF INTEREST

Minute Number 935 – 54 Lime Avenue, Lillington, Leamington Spa

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

Minute Number 942 – Boathouse, St. Nicholas Park, Banbury Road, Warwick, CV34 4QY

Councillors Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Evans, Kinson, Knight and Mackay declared personal interests because the application was on Warwick District Council land.

Councillor Ashford declared a personal and prejudicial interest because the manager of the Boathouse was his Brother in Law and left the room whilst the application was considered.

Minute Number 951 – Land adjacent to Leper House & Former Council Depot, Saltisford, Warwick

Councillor Mrs Compton declared a personal and prejudicial interest because the named end user would be Warwickshire County Council and she was a Warwickshire County Councillor.

Minute Number 959 – 357 Birmingham Road, Budbrooke

Councillors Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Evans, Kinson and Knight declared personal interests because the applicant was fellow Warwick District Council Councillor.

Councillor Mackay declared a personal and prejudicial interest as he had offered advice on this application and left the room whilst the application was considered.

## 932. MINUTES

The minutes of the meeting held on 11 January 2006 and 1 February 2006 were taken as read and signed by the Chair as a correct record.

## 933. 57 KENILWORTH ROAD, CUBBINGTON, LEAMINGTON SPA

The Committee considered an application from Mr & Mrs R Miller for the erection of a single storey side extension and two storey rear extension.

## **PLANNING COMMITTEE MINUTES (continued)**

This application was deferred at Planning Committee on 21 February 2006 to enable a site visit to take place on 11 March 2006.

The Head of Planning and Engineering had recommended that the application be approved 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 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
The 45 Degree Guideline (Supplementary Planning Guidance).

The following addressed the Committee on this item:

Ms S Townend	Objector
Mr Miller	Applicant
Councillor N Pratt	Ward Councillor

However, after considering the report of the Head of Planning and Engineering and representations from members of the public, the Committee were of the opinion that the application should be refused.

**RESOLVED** that application W2005/2078 be REFUSED because it would be an unacceptable size and bulk, overbearing impact on neighbour and loss of light.

### **934. 100 DUNBLANE DRIVE, CUBBINGTON, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs I Flavell for the erection of a first floor side extension.

This application was deferred at Planning Committee on 21 February 2006 to allow for a site visit to take place on 11 March 2006.

The Head of Planning and Engineering considered that the following policies were relevant to this application:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

The following addressed the Committee on this item:

Councillor N Pratt	Ward Councillor
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**RESOLVED** that application W2006/0049 be REFUSED (in line with officers recommendation) for the following reasons:

- ( 1) Policy (DW) ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design which

## **PLANNING COMMITTEE MINUTES (continued)**

harmonises with its surroundings. This is reflected by Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version) which states development will only be permitted which positively contributes to the character and quality of its environment and does not have an adverse effect on neighbours' amenities.

The application property lies within an area of predominantly semi-detached properties that are generally regularly spaced with the gaps between the properties, particularly at first floor level, forming an important feature in defining the architectural rhythm and character of the area.

The first floor side elevation of the proposed extension would be set only 600mm in from the side boundary of the site. In the opinion of the District Planning Authority, this would result in an unacceptable reduction in the gap between the properties to the significant detriment of the character and appearance of this streetscene, resulting in the creation of a 'terracing' effect. The proposal would also set an undesirable precedent for other similar extensions which would thereby be more difficult to resist and which both individually and cumulatively would further erode the character and amenity of this locality.

### **935. 54 LIME AVENUE, LILLINGTON, LEAMINGTON SPA**

The Committee considered an application from Ms L Markham for the erection of a two storey rear and side extension and loft conversion.

The following addressed the Committee on this item:

Ms L Markham  
Councillor R Copping

Applicant  
Ward Councillor

**RESOLVED** that application W2006/0016 be **DEFERRED** to allow for a site visit to take place as the Committee felt it would be of significant benefit when considering the application.

### **936. 20 HELMSDALE ROAD, LILLINGTON, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs Bhandal for the erection of a ground floor and first floor extension.

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

## **PLANNING COMMITTEE MINUTES (continued)**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

The following addressed the Committee on this item:

Ms J Harris

Objector

**RESOLVED** that application W2006/0136 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, submitted on 27th January, 2006 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.

### **937. HIGHWAY VERGE, OPPOSITE 489 TACHBROOK ROAD, WHITNASH**

The Committee considered an application from O2 UK Ltd for the erection of a 12.5 metre street column using three multiband directional antenna and two equipment cabinets.

The application was subject of a site visit on 11 March 2006 prior to consideration of the application at this Committee.

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
SC8 - Telecommunications (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

## **PLANNING COMMITTEE MINUTES (continued)**

PPG8 Telecommunications (Government Guidance Note 2001)

The following addressed the Committee on this item:

Mrs Dhillon  
Councillor B Kirton

Objector  
Ward Councillor.

After considering the report from the Head of Planning and Engineering and representations from a member of the public and the Ward Councillor the Committee were of the opinion that the application should be refused.

**RESOLVED** that application W2006/0213TC be REFUSED because the pole and cabinets would introduce clutter seriously detrimental to the visual amenities enjoyed by local residents living close to the site.

### **938. 6 DORMER PLACE, LEAMINGTON SPA**

The Committee considered an application from Stepnell Estates Ltd for the refurbishment of existing office building and three storey extension.

The Head of Planning and Engineering had recommended that the application be approved 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) ENV18 - Historic Parks and Gardens (Warwick District Local Plan 1995)

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

Relevant Government Guidance is contained in PPG15 (Planning and the Historic Environment).

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

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

DP10 - Flooding (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

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

DAP13 - Protecting Historic Parks and Gardens (Warwick District 1996 - 2011 Revised Deposit Version)

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

UAP2 - Directing New Employment Development (Warwick District 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2005/1945 be GRANTED subject to the following conditions:

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

## PLANNING COMMITTEE MINUTES (continued)

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 nos. 1001/B, 1002/B, 1003/B, 1006/A, 1007/A, 1008/A and 0014, and specification contained therein, deposited with the District Planning Authority on 28th February 2006 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) Notwithstanding the details contained in the submitted application, 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

## PLANNING COMMITTEE MINUTES (continued)

dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be 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;

- (6) No materials, plant or equipment of any description including skips or containers, shall be stacked, stored or deposited on any open area of the site. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) No external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (8) Notwithstanding the details contained in the submitted application, no development shall be carried out on the site which is the subject of this permission, until large scale details of all parapets, curtain walling/cladding, railings, 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;
- (9) Details of the means of disposal of storm water and foul sewage from the development shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced and the

## PLANNING COMMITTEE MINUTES (continued)

development shall not be carried out other than in strict accordance with such approved details.

**REASON** : To ensure satisfactory provision is made for the disposal of storm water and foul sewage;

- (10) The areas shown for the parking and manoeuvring of vehicles within the site shall be laid out and be available for use prior to the first occupation of the building and shall thereafter be retained available for such use at all times.  
**REASON** : To ensure that adequate parking facilities are available in accordance with the requirements of policy ENV3 of the Warwick District Local Plan 1995);
- (11) There shall be no works to infill the openings or otherwise reduce either the movement of floodwaters or the flood storage capacity of the void at ground floor below the stilted first and second floor office accommodation provided on the south side of the site. **REASON** : To prevent the diversion of floodwaters to third parties in accordance with the provisions of Policy ENV3 in the Warwick District Local Plan;
- (12) The development hereby permitted shall not be brought into use until the proposed means of access has been constructed in strict compliance 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;
- (13); The development hereby permitted shall not be brought into use until all parts of existing accesses to Dormer Place, 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; and
- (14) The lower two panes of glass in each window on the east and west elevations of the new first and second floor office extension hereby granted planning permission to the rear of the existing office building shall be non-opening and glazed with obscure glazing and shall thereafter be retained as such at all times. **REASON** : To protect the amenity of adjacent occupiers in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.



## PLANNING COMMITTEE MINUTES (continued)

### 939. 2A EASTNOR GROVE, LEAMINGTON SPA

The Committee considered an application from Miss C Phillips for the proposed extensions and alterations to existing dwelling, including an enlarged roof.

The Head of Planning and Engineering had recommended that the application be approved 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 Revised Deposit Version)

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

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

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

**RESOLVED** that application W2005/2035 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 in accordance with the details shown on the approved drawing(s) Ref Drawing Nos. 1411-03A and 1411-04B, and specification contained therein, submitted on 7th February 2006 and 1st March 2006 respectively except as required by condition 3 below and unless first agreed otherwise in writing by the District Planning Authority.  
**REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) Notwithstanding the details in respect of height of the bay window to the family room and the floor level to the room above, as shown on the submitted plans, the overall height of the bay window shall be 4.5 metres. No development shall be carried out on the site which is the subject of this permission, until full details of the

## PLANNING COMMITTEE MINUTES (continued)

construction of the bay window in accordance with the requirement set out in condition 2 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) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods, together with the bay window and porch construction 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; and
- (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.

## **PLANNING COMMITTEE MINUTES (continued)**

### **940. 16 TELFORD AVENUE, LILLINGTON, LEAMINGTON SPA**

The Committee considered an application from Mr A Dhesi for the erection of single storey rear, side and front extensions, conversion of existing rear garage/workshop and green house, together with the installation of side facing and rear dormer windows.

This application was deferred at Planning Committee on 21 February 2006, to enable a site visit to take place on 11 March 2006.

The Head of Planning and Engineering had recommended that the application be approved 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 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2005/2049 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 as amended 05-136-2C and 05-136-3C, and specification contained therein, submitted on 13 March 2006 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.

### **941. THE ABBOTSFORD, 10 MARKET PLACE, WARWICK**

The Committee considered an application from A C Lloyd for the installation of a satellite dish.

## **PLANNING COMMITTEE MINUTES (continued)**

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

(DW) ENV3 - Development Principles (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 Revised Deposit Version)  
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP7 - Changes of Use of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version)  
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

**RESOLVED** that application W2005/2055 be GRANTED subject to the following conditions, and, after reference to the Secretary of State:

- (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 (1961/6A, 1961/8B), and specification contained therein, submitted on 19th January, 2006 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) Notwithstanding the details in respect of the satellite dish shown on the submitted plans, no development shall be carried out on the site which is the subject of this permission, until details of the colour of the dish 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 Grade II\* Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

## **PLANNING COMMITTEE MINUTES (continued)**

### **942. BOATHOUSE, ST. NICHOLAS PARK, BANBURY ROAD, WARWICK**

The Committee considered an application from Mr M Bishop for the installation of manual roller shutters over two windows.

The Head of Planning and Engineering had recommended that the application be approved 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)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP13 - Crime Prevention (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

**RESOLVED** that application W2005/2103 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, submitted on 14th December, 2006 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 proposed shutters should be green in colour and the vertical frames should be painted white.  
**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.

### **943. 9 MARKET CORNER, TACHBROOK STREET, LEAMINGTON SPA**

The Committee considered an application from B & C Properties for the change of use of ground floor from Class A2 to A5 (takeaway) use with construction of external flue on rear of building.

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

## PLANNING COMMITTEE MINUTES (continued)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP9 - Pollution Control (Warwick District 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2005/2105 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 no. 2558(A), and specification contained therein, submitted on 17th February 2006 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) Details of the air conditioning, ventilation and flue extraction systems including particulars of noise levels shall be submitted to and approved by the Local Planning Authority before any works commence on site. The development shall not be carried out otherwise than in full accordance with such approved details and thereafter all equipment shall be maintained strictly in accordance with the manufacturers specifications and all external flues shall be black painted and thereafter retained as such at all times. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan; and
- (4) No development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : In the interests of the amenities of future occupiers of the building.

## **PLANNING COMMITTEE MINUTES (continued)**

### **944. 215 STATION LANE, LAPWORTH, SOLIHULL**

The Committee considered an application from Mrs B Lind for the replacement 2 metre high timber close boarded fence (retrospective application).

The Head of Planning and Engineering had recommended that the application be approved 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 Revised Deposit Version)

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

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

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

**RESOLVED** that application W2006/0028 be GRANTED subject to the following conditions:

- (1) The development hereby permitted shall be screened by climbing plants and shrubs details of which shall be submitted to the District Planning Authority within one month of the date of this decision. Such planting shall be completed within the first planting season following the approval of the scheme and any plants, being severely damaged or becoming seriously diseased within five years of planting shall be replaced as previously approved.

**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

- (2) The development hereby permitted shall be retained strictly in accordance with the details shown on the photographs provided, and specification contained therein, submitted on 18th January 2006 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.

### **945. ADJOURNMENT OF MEETING**

The Chair adjourned the meeting of the Planning Committee held on Wednesday 15 March 2006 to Thursday 16 March 2006 at 6.00 pm

(The meeting closed at 9.35 pm)

## **PLANNING COMMITTEE MINUTES (continued)**

### **RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING**

Minutes of the adjourned Planning Committee meeting held on Thursday 16 March 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Evans (Chair), Councillors, Ashford, Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Mrs Knight, Kinson and Mackay.

#### **946. WATCHBURY FARM, 24A HIGH STREET, BARFORD**

The Committee considered an application from Mr & Mrs P Watts for the erection of extensions and detached car port and tool shed.

The Head of Planning and Engineering had recommended that the application be approved 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) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)

RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 Revised Deposit Version)

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

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

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

**RESOLVED** that application W2006/0040 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) 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;



## **PLANNING COMMITTEE MINUTES (continued)**

- (3) This permission authorises the erection of an extension to the existing dwelling and shall not be construed as permitting the erection of a separate dwelling unit. **REASON** : To define the terms under which permission is granted; and
- (4) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings SK05/49/8C, /13C, /16, /17 and specification contained therein, submitted on 12 January 2006 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.

### **947. WATCHBURY FARM, 24A HIGH STREET, BARFORD**

The Committee considered an application from Mr & Mrs P Watts for the demolition of part of existing house and outbuildings.

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

(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)

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

**RESOLVED** that application W2006/0041CA 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; and
- (2) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment under planning permission W06/0040 has been made. **REASON** : To ensure that the buildings are not demolished without their replacement, in accordance with advice given in PPG 15.

## PLANNING COMMITTEE MINUTES (continued)

### 948. THE ABBOTSFORD, 10 MARKET PLACE, WARWICK

The Committee considered an application from A C Lloyd (Builders) Ltd for the erection of railings to Barrack Street boundary to enclose garden and car park area.

The Head of Planning and Engineering had recommended that the application be approved 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 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)  
(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)  
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2006/0055 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 1961/16C, and specification contained therein, submitted on 12th January 2006 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) No development shall be carried out on the site which is the subject of this permission, until large scale details of the railings 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

## PLANNING COMMITTEE MINUTES (continued)

appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

### 949. THE ABBOTSFORD, 10 MARKET PLACE, WARWICK

The Committee considered an application from A C Lloyd ( Builders) Ltd for the erection of railings to Barrack Street boundary to enclose garden and car park area.

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

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

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)  
DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2006/0056LB be GRANTED subject to the following conditions after reference to the Secretary of State:

- (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 1961/16C, and specification contained therein, submitted on 12th January 2006 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) No development shall be carried out on the site which is the subject of this permission, until large scale details of the railings 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.

## **PLANNING COMMITTEE MINUTES (continued)**

### **950. 2 CHESFORD COTTAGES, ASHOW ROAD, CHESFORD, KENILWORTH**

The Committee considered an application from Mr M Caddick for the change of use of land from hotel car park to residential curtilage, and erection of a polytunnel.

**RESOLVED** that application W2006/0070 be **DEFERRED** to allow for a site visit to take place as the Committee felt it would be of significant benefit when considering the item.

### **951. LAND ADJACENT TO LEPER HOUSE & FORMER COUNCIL DEPOT, SALTISFORD, WARWICK**

The Committee considered an application from Shepherd Development Co (Warwick) Ltd for the erection of a 3 storey office building.

The Committee undertook a site visit prior to this application being considered.

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

(DW) EMP6 - Design and Landscaping of New Industrial Premises (Warwick District Local Plan 1995)

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

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

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

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

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

UAP2 - Directing New Employment Development (Warwick District 1996 - 2011 Revised Deposit Version).

After considering the report from the Head of Planning and Engineering the Committee were of the opinion that the application should be refused.

**RESOLVED** that application W2006/0087 be **REFUSED** because of its unacceptable mass and bulk which would be seriously detrimental to residential amenities and overbearing due to its close proximity to the dwellings on the opposite side of Ansell Way.

### **952. PORTOBELLO WORKS, EMSCOTE ROAD, WARWICK**

The Committee considered an application from Country and Metropolitan Homes for the alterations to the Southern End of Water Works Lane forming a new junction with Greville Road and the topping up of the existing access.

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

## PLANNING COMMITTEE MINUTES (continued)

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2006/0105 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) No direct access for vehicles/heavy goods vehicles/cars/cycles/pedestrians shall be made or maintained between the site and Emscote Road (A445) Warwick, or the site and Rockmill Lane (D4251) Leamington Spa. **REASON**: To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;
- (3) The development hereby permitted shall not be commenced until the access to the site for vehicles/heavy goods vehicles/cars has been provided with not less than 10.5 metre kerbed radii turnout to the north and not less than 9.0 metre kerbed radii turnout to the south. **REASON**: To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;
- (4) The development hereby permitted shall not be commenced until a pedestrian crossing, including a 2.0 metre wide pedestrian refuge has been constructed on Greville Road (D4137), Warwick, in a position, agreed in writing, with the Highway Authority in accordance with the Highway Authority's standard specification. **REASON**: To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;
- (5) The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway. **REASON**: To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;

## PLANNING COMMITTEE MINUTES (continued)

- (6) The access to the site for vehicles/heavy goods vehicles/cars shall not be used unless a public highway footway/verge crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON:** To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;
- (7) The access to the site for vehicles/heavy goods vehicles/cars shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority. **REASON:** To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;
- (8) The development hereby permitted shall not be commenced until a turning area has been provided within the site so as to enable all vehicle types to leave and re-enter the public highway in a forward gear. **REASON:** To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995.
- (9) The development hereby permitted shall not be commenced until space has been provided within the site for the parking, loading/unloading of all vehicle types in accordance with details to be approved in writing by the Local Planning Authority. **REASON:** To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;
- (10) The construction of the estate road serving the development including footways, cycleways, verges and footpaths shall not be other than in accordance with the standard specification of the Highway Authority. **REASON:** To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995. **REASON:** To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;
- (11) Prior to commencement of any works on the site the Applicant/Developer shall install a mechanical wheel wash adjacent to the site access for the purpose of ensuring that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. Details of the wheel wash (including type, method of operation and control of use) shall be approved in writing by the Local Planning Authority in consultation with the Highway

## **PLANNING COMMITTEE MINUTES (continued)**

Authority. **REASON:** To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;

- (12) The development hereby permitted shall not be commenced until a full traffic management assessment has been carried out and implemented to allow the free vehicular access to the rear of property's on GREVILLE ROAD at all times. **REASON:** To ensure highway safety, in accordance with policy ENV3 of the Warwick District Local Plan, 1995; and
- (13) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings A4177/2.1/01B, GD39/GRS/02, 04679/W/111B,/121B, /132B, /133A, /134B and specification contained therein, submitted on 18 January 2006, 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.

### **953. SEBRIGHT HOUSE, 10-12 LEAM TERRACE, LEAMINGTON SPA**

The Committee considered an application from Mr R H Patel for the replacement of roof tiles.

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

(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 Revised Deposit Version)

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

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

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

**RESOLVED** that application W2006/0109 be REFUSED (in line with officers recommendation) for the following reasons and enforcement action be authorised to have the roof tiles removed with a compliance period of 3 months.

- (1) Policy (DW) ENV3 of Warwick District Local Plan 1995 requires all development proposals to achieve a high standard of design, having regard

## **PLANNING COMMITTEE MINUTES (continued)**

to local styles, materials, the character of the surrounding area and of adjacent buildings, whilst Policy (DW) ENV6 of Warwick District Local Plan 1995 states that Conservation Areas in the District will be protected from development which would have a detrimental effect upon their character or appearance. In addition, Policy (DW) ENV8 requires that within Conservation Areas, development proposals will be required to achieve a high standard of design appropriate to the historic and special architectural character of the area. These policies are reflected in Policy DP1 of the emerging Warwick District Local Plan 1996-20011 (first deposit version) which requires all development proposals to make a positive contribution to the character and the quality of its environment through good layout and design. In addition, Policy DAP11 of the emerging Warwick District Local Plan 1996-2011 also states that development will not be permitted to alter or extend unlisted buildings which would adversely affect the historic integrity, character or setting of the Conservation Area and Policy DAP 10 requires that development proposals to protect and enhance the historic quality, character and appearance of Conservation Areas.

The application site comprises two 19th century villas which have been linked together by a single storey extension, located within the Conservation Area.

In the opinion of the District Planning Authority, it is considered that the replacement roof tiles have an unacceptable adverse impact on these unlisted buildings and the surrounding Conservation Area by reason of the use of modern materials, with unsympathetic texture and finish, particularly when viewed from New Street, where the rear roof scape is clearly visible in the street scene and the wider Conservation Area. Furthermore, the proposal would set an unwelcome precedent if allowed and would be difficult to resist further.

The proposal would therefore be contrary to the aforementioned policies.

### **954. 14 BANQUO APPROACH, WARWICK**

The Committee considered an application from Mr & Mrs Jones for the erection of a single storey rear extension (retrospective application).

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



## **PLANNING COMMITTEE MINUTES (continued)**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

### **RESOLVED** that:

- (1) application W2006/0114 be REFUSED (in line with Officer's recommendations) for the following reason:

Policy (DW) ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design which harmonises with its surroundings. This is reflected by Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version) which states development will only be permitted which positively contributes to the character and quality of its environment and does not have an adverse effect on neighbours' amenities. The District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect.

The application site relates to a 2-storey end-of-terrace property located within the Warwick Gates development. Due to the proximity of 16 Banquo Approach to the application site, this proposed development significantly breaches the Council's adopted Supplementary Planning Guidance on the 45 Degree Guideline. The conservatory consequently has an unacceptable overbearing effect on the principal lounge window of 16 Banquo Approach which is situated close to the boundary of the two properties. Furthermore, the proposed conservatory has significantly reduced the daylight entering the lounge window and unacceptably harmed the outlook presently enjoyed by the occupants of 16 Banquo Approach. The retention of this conservatory would therefore be unneighbourly and contrary to the aforementioned policies; and

- (2) Enforcement action be authorised to have the conservatory removed with a compliance period of four months.

## **PLANNING COMMITTEE MINUTES (continued)**

### **955. 11 BANQUO APPROACH, WARWICK**

The Committee considered an application from Mr & Mrs S Dixon for the erection of a single storey extension to the rear of property (retrospective application).

The Head of Planning and Engineering considered that the following policies were relevant:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

#### **RESOLVED** that:

- (1) application W2006/0120 be REFUSED for the following reason:

Policy (DW) ENV3 of the Warwick District Local Plan requires all development proposals to achieve a high standard of design which harmonises with its surroundings. This is reflected by Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version) which states development will only be permitted which positively contributes to the character and quality of its environment and does not have an adverse effect on neighbours' amenities. The District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on the neighbouring property by reason of loss of daylight or sunlight and by creating an unneighbourly and overbearing effect.

The application site relates to a 2-storey end-of-terrace property located within the Warwick Gates development. Due to the proximity of 15 Banquo Approach to the application site, this proposed development significantly breaches the Council's adopted Supplementary Planning Guidance on the 45 Degree Guideline. The conservatory consequently has an unacceptable overbearing effect on the principal lounge window of 15 Banquo Approach which is situated close to the boundary of the two properties. Furthermore, the proposed conservatory has significantly reduced the daylight entering the lounge window and unacceptably harmed the outlook presently enjoyed by the occupants of 15 Banquo Approach. The retention of this

## **PLANNING COMMITTEE MINUTES (continued)**

conservatory would therefore be unneighbourly and contrary to the aforementioned policies.

- (2) and that enforcement action be authorised to have the conservatory removed with a compliance period of 3 months.

### **956. 21 WATHEN ROAD, LEAMINGTON SPA**

The Committee considered an application from Mr & Mrs Hawkes for the construction of a dormer window.

The Head of Planning and Engineering had recommended that the application be approved 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 Revised Deposit Version)

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

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

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

**RESOLVED** that application W2006/0124 be GRANTED subject to the following condition:

- (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 amended drawings, 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; and
- (3) Notwithstanding the details shown on the amended plans, no development shall be carried out on the site which is the subject of this permission until large scale details of the window and sidewall construction of the dormer window

## PLANNING COMMITTEE MINUTES (continued)

together with large scale details of the proposed rooflight have been submitted to and approved in writing by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **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.

### 957. **8 JACKSON GROVE, KENILWORTH**

The Committee considered an application from Mr D Kite for the erection of a single storey side and rear extension.

The Head of Planning and Engineering had recommended that the application be approved 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 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2006/0147 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) (no.01), and specification contained therein, submitted on 30 January 2006 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.

## **PLANNING COMMITTEE MINUTES (continued)**

### **958. BRACKLYN MEWS, LILLINGTON ROAD, LEAMINGTON SPA**

The Committee considered an application from Miss L Fullaway for the erection of a first floor extension.

The Head of Planning and Engineering had recommended that the application be approved 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 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2006/0165 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 panels to the clerestory shall be maintained as obscure-glazing or non-transparent panels at all times. Within 3 months of the date of this permission, the two clear glass panels above the door in the north elevation of the extension hereby permitted shall be replaced with obscure glazed or non-transparent panels and retained as such at all times thereafter. **REASON** : To protect the amenity of neighbouring residents and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995; and
- (3) The doors at first floor in the north elevation should be used solely as a means of escape and at all times should be fixed closed other than in the event of emergency. **REASON**: To protect the amenities of neighbouring residents and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995.

### **959. 357 BIRMINGHAM ROAD, BUDBROOKE**

The Committee considered an outline application from Mr R Butler for the replacement of two kennel buildings.

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

## **PLANNING COMMITTEE MINUTES (continued)**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).  
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 Revised Deposit Version).

**RESOLVED** that application W2006/0174 be GRANTED subject to the following conditions:

- (1) This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-
  - (a) the siting, design and external appearance of the proposed kennels,
  - (b) details of landscaping.**REASON** : To comply with Section 92 of the Town and Country Planning Act 1990;
- (2) In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the District Planning Authority not later than the expiration of three years beginning with the date of this permission. **REASON**: To comply with Section 92 of the Town and Country Planning Act 1990; and
- (3) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. **REASON**: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### **960. 63 COMMON LANE, KENILWORTH**

The Committee considered a report from the Head of Planning and Engineering seeking confirmation of TPO 291 at 63 Common Lane, Kenilworth.

**RESOLVED** that TPO 291 be confirmed to ensure that the Weeping Willow continues to make a positive contribution to the visual amenity of this part of

## **PLANNING COMMITTEE MINUTES (continued)**

Kenilworth and that any future works to the tree are able to be fully controlled.

### **961. STATION LANE, LAPWORTH**

The Committee considered a report from the Head of Planning and Engineering seeking confirmation of TPO 295 at Station Lane, Lapworth.

**RESOLVED** that TPO 295 be confirmed to ensure that the avenue of Oak trees continues to make a positive contribution to the visual amenity of this part of Lapworth and that any future works to the trees are able to be fully controlled.

### **962. BARN (“OAKS HOLLOW”) AT GROVE FARM, ASHOW**

The Committee considered a report from the Head of Planning and Engineering which requested authorisation for enforcement action with regard to various breaches of planning control related to the conversion of former agricultural buildings to a dwelling.

The Committee undertook a site visit prior to this application being considered.

**RESOLVED** that:

- (1) no action be taken in respect of the rebuilt outbuilding;
- (2) enforcement action be authorised in respect of the unauthorised use of the approved car port as a bedroom, requiring its conversion into a open fronted carport as shown on the approved floor plans with a compliance period of 3 months; and
- (3) a 4 week period for submission of the application for the oil tank be given, incorporating appropriate screen measures, but that enforcement action to require its removal be instigated if it is not submitted.

(The meeting ended at 8.20 pm)