

PLANNING COMMITTEE

Minutes of the meeting held on Tuesday 4 January 2005 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

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

1. DECLARATIONS OF INTEREST

Minute Number xxx W2004/1913 Units 85-91 and adjacent land, Abbey End, Kenilworth

Councillors Ashford, Mrs Blacklock, Mrs Compton, Evans, Kinson, Mrs Knight, MacKay and Windybank all declared a personal interest in the item as Warwick District Council has rights of way across the site to reach the public car park at the rear.

Minute Number xxx W2004/1958 8 Temple Grove, Warwick

Councillors Ashford, Mrs Blacklock, Mrs Compton, Evans, Kinson, Mrs Knight, MacKay and Windybank all declared a personal interest in the item as an objector was known to them.

Minute Number xxx W2004/2039 Land at Old Lodge Farm, Westwood Heath Road, Coventry

Councillor Mackay declared a personal and prejudicial interest in this item as

Councillor Mrs Blacklock declared a personal interest in this item as the applicant was known to her.

2. THE WALNUT TREE, CROWN WAY, LILLINGTON, LEAMINGTON SPA,

The Committee considered an application, from Barrat Mercia, for the erection of 2 two/three storey buildings to provide 34 apartments and associated works with access to Crown Way after demolition of existing buildings

The Committee had deferred determination of this application at its meeting on 6 December 2004 to allow a site visit to take place and to obtain further information from the Housing Officer with regards to accepting 30% affordable housing, advice from Highways with regard to whether the loss of car parking could result in unacceptable congestion/highway danger and Legal advice to be available on the Human Rights issues raised by the loss of the Public House as a major community facility.

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

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

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

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

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UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
Distance Separation (Supplementary Planning Guidance)
PPG1 – General Principles (Government Guidance)
PPG3 – Housing (Government Guidance)
GD3 – Overall Development Strategy (Warwickshire County Structure Plan 1996-2011)
GD5 – Development Location Priorities (Warwickshire County Structure Plan 1996-2011)
H1 – Provision of Housing Land (Warwickshire County Structure Plan 1996-2011)
H2 – Affordable Housing (Warwickshire County Structure Plan 1996-2011)
H3 – Greenfield Land for Housing (Warwickshire County Structure Plan 1996-2011)
T1, T2 – Traffic (Warwickshire County Structure Plan 1996-2011)
TR10 – Developer Contributions (Warwickshire County Structure Plan 1996-2011).

After considering the report from the Head of Planning and Engineering the Committee were of the opinion that the application should be refused because it was overdevelopment, over-dominant visual impact on the street scene and lack of amenity space for occupants of the development.

RESOLVED that application W2004/1361 be REFUSED because it was considered to be overdevelopment, over-dominant visual impact on the street scene and lack of amenity space for occupants of the development.

3. UNITS 85 TO 91 AND ADJACENT LAND, ABBEY END, KENILWORTH

The Committee considered an application from, Grevayne Properties (Abbey End) Ltd, for the construction of retail units and 25. no. flats together with parking spaces, car ports and associated work following demolition of existing buildings.

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) S3 - Additional Retail Development in Town Centres (Warwick District Local Plan 1995)
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)
SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP3 - Directing New Retail Development (Warwick District 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

PLANNING COMMITTEE (Continued)

TCP1 - Protecting and Enhancing the Town Centres (Warwick District 1996 - 2011 First Deposit Version)

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

The following addressed the Committee:

Councillor M Coker	Town Council
Mr A Noons	Objector
Mr R Wood	Applicant/Agent

RESOLVED that application W2004/1913 be GRANTED subject to the following conditions, after the completion of a legal agreement to secure contributions to Warwickshire County Council and affordable housing:

- (1) The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990;
- (2) 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;
- (3) A scheme for the sound insulation of the proposed residential accommodation to reduce the impact of noise from retail activity on the ground floor shall be submitted to the District Planning Authority for approval. The scheme shall be fully implemented in accordance with the approved details before the use, the subject of this consent, commences. The works and scheme shall thereafter be maintained in accordance with the approved details. No alterations to the structure, roof, doors, windows or external facades shall be undertaken without the prior approval of the District Planning Authority. The means of ventilation/air conditioning to the ground floor retail units shall be specified in the scheme. **REASON** : To protect the amenities of adjoining residents, in accordance with Policy ENV3 of the Warwick District Local Plan 1995;
- (4) The hours of use for vehicle movements (such as loading/unloading etc.) related to retail activity at this site shall be restricted to between 7.30 am. - 6.00 p.m. Monday to Friday and Saturday 7.30 a.m.

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- 1.00 p.m., with no vehicle movement Sundays or Bank Holidays. **REASON** : To protect the amenities of adjoining residents, in accordance with Policy ENV3 of the Warwick District Local Plan 1995

- (5) No development shall be carried out on the site which is the subject of this permission, until details of secure cycle storage 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 encourage the use of sustainable forms of transport; and
- (6) No development shall be carried out on the site which is the subject of this permission, until details of the proposed car ports have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details.
REASON : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.

4. **ABATTOIR, ROUNCIL LANE, ST. JOHNS, KENILWORTH**

The Committee considered an application from Farmers Fresh Ltd, for the erection of an extension.

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

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
- (DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
- (DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)
- (DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)

RESOLVED that application W2004/2022 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of one year from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990; and
- (2) The existing structures and containers shall be dismantled and removed from site within one calendar month of the approved extension being brought into operation, or substantially completed,

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whichever is the sooner. **REASON** : To ensure that the present, unauthorised, works are removed at the earliest practicable moment.

5. LAND AT OLD LODGE FARM, WESTWOOD HEATH ROAD, COVENTRY

The Committee considered a retrospective application, from Mr G H Williams, for the erection of a prefabricated bungalow.

The Head of Planning and Engineering recommended that the application be refused as he considered that it did not comply with the following polices:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) C8 - Special Landscape Areas (Warwick District Local Plan 1995)
(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)
RA.1 - Development in rural areas (W.C.C. Structure Plan 1996-2011)
GD.3 - Overall Development Strategy (W.C.C. Structure Plan 1996-2011)
GD.5 - Development location priorities (W.C.C. Structure Plan 1996-2011)

RESOLVED that

- (1) application W2004/2022 be REFUSED for the following reasons:
 - (a) The site is situated within the Green Belt and the Warwickshire Structure Plan 1996-2011 together with the Warwick District Local Plan and Planning Policy Guidance Note 2 states that, within the Green Belt, the rural character of the area will be retained, protected and wherever possible enhanced. Local Plan policy (DW) ENV1 and emerging policy DAP1 of the first deposit version of the Local Plan (1996-2011) state that development will not normally be permitted, except in very special circumstances, for the construction of new buildings, unless it fulfils specific criteria. The proposed development does not satisfy any of these criteria and, in the Planning Authority's view, very special circumstances sufficient to justify departing from the development plan have not been demonstrated;
 - (b) Policy GD.3 of the Warwickshire Structure Plan 1996-2011 directs most new development towards urban locations, whilst in rural areas, policy RA.1 states that the development should be provided for in local plans specifically to meet the needs of the local population. The Warwick District Local Plan specifies in policy (DW) H8 a number of limited infill villages within the district where housing development may be permitted,

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within defined village policy boundary areas. The application site is not within a defined village policy boundary and is within an area where the Planning Authority would not normally permit residential development unless it were justified by agricultural or other special needs. There is no evidence that it is so justified and there are considered to be no other special circumstances sufficient to justify departing from the Plan in order to permit the development applied for;

- (c) The application site is within a Green Belt and Special Landscape Area, where both Structure Plan and Local Plan policy seek to conserve and protect the rural landscape. It is considered that the proposed development would have a detrimental impact on the rural landscape by reason of its prominence in the landscape and inappropriate design and materials, and would thereby be contrary to policies GD.6 and ER.4 of the Warwickshire Structure Plan and Policies (DW) ENV1 and (DW) C8 of the Warwick District Local Plan and emerging policy DAP1 and DAP3 of the first deposit version of the Local Plan (1996-2011); and
- (2) Enforcement action be authorised to require the demolition of the dwelling and the removal of all the materials and structures (including the terrace and the oil tank) within 4 calendar months of the service of the notice.

6. PLANNING APPLICATIONS

The Committee considered a list of planning applications:

RESOLVED that the planning applications at appendix "H" be agreed.

7. ADJOURNMENT OF MEETING

The Chair adjourned the meeting of the Planning Committee held on Tuesday 4 January 2005 to Wednesday 5 January 2005 at 6.00 pm

(The meeting ended at 9.50 pm)

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RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Wednesday 5 January 2005 at the Town Hall, Royal Leamington Spa at 6.00 pm.

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

8. DECLARATIONS OF INTEREST

Minute Number xxx W2004/1958 8 Temple Grove, Warwick

Councillor Ms De-Lara-Bond declared a personal interest in this item as an objector was known to her.

9. PLANNING APPLICATIONS

The Committee considered a list of planning applications:

RESOLVED that the planning applications at appendix "I" be agreed.

(The Meeting ended at 6.55 pm)

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