

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 31 March 2010 in the Town Hall, Royal Leamington Spa at 6.00pm.

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

303. **DECLARATIONS OF INTEREST**

Minute Number 306 – W09/1457 - Unit 3, Lock Lane, Warwick

Councillors Mrs Higgins declared a personal interest because it was in her ward.

Councillor Kinson declared a personal interest because he had received a guided tour of the area, not in connection with the application, and it was in his ward.

Minute Number 307 – W09/1551 – Roswood Farm, Coventry Road, Baginton

Councillor MacKay declared a personal and prejudicial interest because he had visited the premises, which was in his ward, and had several issues with the application. He left the room whilst the Committee made their decision.

Minute Number 308 & 309 – W10/0014 & W10/0015LB – Manor House Farm, Wasperton Road, Wasperton

Councillor Barrott declared a personal and prejudicial interest because he knew the applicant and the builder as personal friends. He left the room at the beginning of this item.

Councillor Rhead declared a personal and prejudicial interest because it was in his ward and the builder was a personal friend. He left the room at the beginning of this item.

304. **MINUTES**

The minutes of the meetings held on 10 March 2010 had not been received by members of the Committee before the meeting. The minutes were deferred to the next meeting of the Planning Committee on the 27 April 2010.

305. **W09/1528 – LAND ADJACENT TO 36 BERENSKA DRIVE, ROYAL LEAMINGTON SPA**

The Committee considered an application from Mr Smoult for the erection of a detached dwelling.

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This application is being presented to Committee due to the number of objections received and because an objection had been received from Royal Leamington Spa Town Council.

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

The 45 Degree Guideline (Supplementary Planning Guidance)
Distance Separation (Supplementary Planning Guidance)
Vehicle Parking Standards (Supplementary Planning Document)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
Sustainable Buildings (Supplementary Planning Document - December 2008)

Mr Smoult addressed the Committee as the applicant.

Councillor Ms De-Lara-Bond addressed the Committee as Ward Councillor, objecting to the application, particularly on the grounds of the impact this application would have to people living nearby. She asked that the Committee defer the application to attend a sit visit.

It was the case officer's opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore to comply with the relevant policies listed.

Following consideration of the officer's report and presentation, listening to the applicant and objector and the information contained within the addendum, the Committee were of the opinion that the application should be deferred.

RESOLVED that the application be deferred for a site visit because the Committee felt it would be of significant benefit to them when determining the application.

306. W09/1457 – UNIT 3, LOCK LANE, WARWICK

The Committee considered an application from Globe Trading Ltd for Change of use of the first floor from storage (B8) to offices and associated facilities (B1) (retrospective).

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

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

Vehicle Parking Standards (Supplementary Planning Document)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

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

SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)

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

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

RESOLVED that application W09/1457 be GRANTED subject to the development hereby permitted shall be retained strictly in accordance with the details shown on the approved drawing(s) (1470-01), and specification contained therein, submitted on 7 December 2009 unless first agreed otherwise in writing by the District Planning Authority. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

307. **W09/1551 – ROSSWOOD FARM, COVENTRY ROAD, BAGINTON**

The Committee considered a retrospective application from Mr R Clements for Retention of storage containers for self access storage.

This application was being presented to Committee in order to request that enforcement action be taken.

The case officer 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)

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

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

RAP6 - Directing New Employment (Warwick District Local Plan 1996 - 2011)

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

It was the case officer's opinion that the storage containers represented prominent and incongruous features that extended the built development of the site onto an area where there had previously been no buildings. This represented encroachment into the Green Belt. The containers also had an industrial and utilitarian appearance that was not in keeping with the rural landscape. The proposals therefore had an urbanising effect that detracted from the openness and rural character of the surrounding area. The

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proposed development did not comply with any of the criteria of Policy RAP6 and represented a form of development that should usually be located within urban areas.

Councillor Mackay addressed the Committee as Ward Councillor but did not make any recommendations as to whether the application should be granted or refused and then left the room.

Following consideration of the officer's report and presentation and the information contained within the addendum, the Committee were of the opinion that the application should be refused with amendments to the officer's recommendations, as set out in the addendum report, but with an amended compliance period of 3 months.

RESOLVED that

- (1) the application be REFUSED; and
- (2) enforcement action be AUTHORISED with a compliance period to be 3 months to require the use of the site for self access storage to cease; to require all of the storage containers to be removed from the site; and to require the reinstatement of the relevant part of the adjoining field to its former condition as an agricultural field.

(Councillor Illingworth, the vice Chairman, chaired this item because Councillor MacKay had declared a prejudicial interest.)

308. W10/0014 – MANOR HOUSE FARM, WASPERTON ROAD, WASPERTON

The Committee considered an application from Mr & Mrs L S Cleaver for a Proposed conversion of The Granary into an independent dwelling, including erection of rear lean-to linked to kitchen (to replace detached garage) and rebuilding of rear extension (amended scheme).

This application was being presented to Committee because the recommendation was contrary to the policies of the Warwick District Local Plan 1996-2011.

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

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

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

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

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

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

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

RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

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RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)

It was the case officer's opinion the size, siting and relationship to the adjoining listed farmhouse and converted farm buildings were considered to constitute special justification to warrant granting planning permission contrary to the relevant policy.

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

RESOLVED that application 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) 1512-02C + 1512-03B, and specification contained therein, submitted on 22 February 2010 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, rainwater goods and infill boarding at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details.
REASON : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011;
- (4) the development hereby permitted shall not

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be first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011;

- (5) the unit hereby approved shall not be occupied until the septic tank, rainwater storage tanks and soakaways have been constructed in accordance with details submitted to, and approved in writing by, the District Planning Authority. **REASON:** To ensure that the works do not unreasonably affect the setting of the Scheduled Ancient Monument, or other archaeological remains, in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011;
- (6) the foul and surface water drainage works to be approved under the above condition shall not be implemented 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 to, 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; and
- (7) the bricks, roof tiles, and rooflights shall be in accordance with the details submitted for approval under W09/0435 and W09/0436LB, namely reclaimed bricks and tiles, and the 'Velux' Conservation rooflight. **REASON:** To ensure a high standard of design and materials for the alteration and extension of this Listed Building in accordance with Policy DAP4 of the Warwick District Local Plan 1996-2011.

309. **W10/0015LB – MANOR HOUSE FARM, WASPERTON ROAD, WASPERTON**

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The Committee considered an application from Mr & Mrs L S Cleaver for a proposed conversion of The Granary into an independent dwelling, including erection of rear lean-to linked to kitchen (to replace detached garage) and rebuilding of rear extension (amended scheme)

This application was being reported because it directly related to W10/0014

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

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

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

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

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

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

RESOLVED that application 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) 1512-02C + 1512-03B, and specification contained therein, submitted on 22 February 2010 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window

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reveal, heads and cill details), eaves, verges, rainwater goods and replacement boarding at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011; and

- (4) the bricks, roof tiles and rooflights shall be in accordance with the details submitted for approval under W09/0435 and W09/0436LB, namely reclaimed bricks and tiles, and the 'Velux' Conservation rooflight. **REASON:** To ensure a high standard of design and materials for the alteration and extension of this Listed Building in accordance with Policy DAP4 of the Warwick District Local Plan 1996-2011.

310. **W10/0079 – LAND REAR OF THE REDDINGS, BAKERS LANE, KNOWLE, SOLIHULL**

The Committee considered an application from Mr Rogers for the erection of new timber stable building.

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

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

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)

It was the case officer's opinion that the development did not prejudice the openness and rural character of this green belt area and is considered to comply with the policies listed.

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

RESOLVED that application be GRANTED subject to the following conditions:

- (1) the development hereby permitted must

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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)
MR:BL:003:PA,,MR:BL:002:PA and specification contained therein, submitted on 27th January 2010 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- (3) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- (4) the stables hereby permitted shall only be used for purposes in connection with and incidental to the use of the land for grazing purposes and shall not be used for the purposes of a livery or riding school or any other commercial purposes. **REASON** : To protect the rural character of the area, and to satisfy this requirement of Policy RAP9 of the Warwick District Local Plan 1996-2011.

(The meeting finished at 7.35pm)