

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 23 November 2005 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

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

633. DECLARATIONS OF INTEREST

There were no declarations of interest.

634. 19 BANQUO APPROACH, WARWICK GATES, WARWICK

The Committee considered an application from Mrs Wright for the erection of a conservatory (retrospective application).

The Head of Planning and Engineering considered the following policies relevant to the 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 B Kirton Ward Councillor

RESOLVED that application W2005/1660 be GRANTED (contrary to Officer's recommendations) because the Committee considered that the conservatory did not have an unacceptably overbearing effect on the neighbour.

635. 83 RUGBY ROAD, CUBBINGTON, LEAMINGTON SPA

The Committee considered an application from Mr M Hope for the proposed demolition and rebuilding of workshop.

The following addressed the Committee on this item:

Mr D Morris	Parish Council
Mr C Marrow	Objector
Ms S Warrington	Objector
Mr Day	Applicant

RESOLVED that application W2005/1489 be DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

PLANNING COMMITTEE MINUTES (Continued)

636. 4 CHURCH STREET, WARWICK

The Committee considered an application from Stanley Racing for the installation of 2 galvanized steel ducts to flat roof, 2 satellite dishes to rear wings and 3 air conditioning condenser units to rear wing (retrospective application)

The following addressed the Committee on this item:

Mr J Jackson Objector

RESOLVED that application W05/1513:

(A) that the installation of the two satellite dishes be DEFERRED to allow for an investigation into whether there are other ways to receive the signal.

(B) that the installation of the three air conditioning units and inlet/outlet ducts be REFUSED because Policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the Local Plan (1996-2011) required all development proposals to harmonise with their surroundings in terms of design and land use. In the opinion of the District Planning Authority, the equipment constituted an unneighbourly form of development in relation to the adjoining property/properties by reason of the impact of the noise generated on the residential amenities of the nearby residents.

(C) enforcement action be authorised to have the inlet/outlet ducts and 3 air conditioning units removed if an acceptable alternative scheme is not submitted within 2 months.

637. 4 CHURCH STREET, WARWICK

The Committee considered an application from Stanley Racing for the installation of 2 galvanized steel ducts to flat roof, 2 satellite dishes to rear wings and 3 air conditioning condenser units to rear wing (retrospective application)

The following addressed the Committee on this item:

Mr J Jackson Objector

RESOLVED that application W05/1514LB:

(A) that the installation of the two satellite dishes be DEFERRED to allow for an investigation into whether there are other ways to receive the signal.

(B) that the installation of the three air conditioning units and inlet/outlet ducts be REFUSED because Policy (DW) ENV3 of the Warwick District Local Plan and emerging policy DP1 of the first deposit version of the

PLANNING COMMITTEE MINUTES (Continued)

Local Plan (1996-2011) required all development proposals to harmonise with their surroundings in terms of design and land use. In the opinion of the District Planning Authority, the equipment constituted an unneighbourly form of development in relation to the adjoining property/properties by reason of the impact of the noise generated on the residential amenities of the nearby residents.

(C) enforcement action be authorised to have the inlet/outlet ducts and 3 air conditioning units removed if an acceptable alternative scheme is not submitted within 2 months.

638. REAR OF 52, WARWICK NEW ROAD, LEAMINGTON SPA

The Committee considered an application from Milverton Construction Ltd for the retrospective amendments to the siting of plot 1 (285 Rugby Road).

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

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)
Distance Separation (Supplementary Planning Guidance)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
SC8a - Managing Housing Supply (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).

RESOLVED that application W2005/0698 be APPROVED.

639. 56 WEST STREET, WARWICK

The Committee considered an application from Hunneybell-Evans Property for the installation of an air conditioning unit to ground floor elevation (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)
(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)
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version).

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W2005./1525 be **GRANTED** (contrary to Officer's recommendation) subject to condition on painting colour to be approved. REASON: subject to painting of the air conditioning unit, the character of the building is not compromised in the opinion of the Committee.

640. QUARRY FARM, OLD MILVERTON LANE, OLD MILVERTON, LEAMINGTON SPA

The Committee considered an application from Mr John Long for the redevelopment of existing developed site, including demolition of existing buildings and erection of 1,600 sq.m two storey building for self storage and furniture manufacture/storage, together with associated car parking and loading bays.

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) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) ENV25 - Development of a Long-Term Tree Management Programme (Warwick District Local Plan 1995)
- (DW) ENV26 - The Implementation of Tree Planting Schemes (Warwick District Local Plan 1995)
- (DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)
- (DW) EMP4 - Employment Development in the Rural Areas of the District (Warwick District Local Plan 1995)
- (DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)
- (DW) C2 - Diversification of the Rural Economy (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)
- DP3 - Natural Environment (Warwick District Local Plan 1996 - 2011 First Deposit Version)
- DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 First Deposit Version)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
- DP9 - Pollution Control (Warwick District 1996 - 2011 First Deposit Version)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011 First Deposit Version)
- DP12 - Energy Conservation (Warwick District Local Plan 1996 - 2011 First Deposit Version)
- DP14 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011 First Deposit Version)
- RAP1 - Development within Rural Areas (Warwick District 1996 - 2011 First Deposit Version)
- RAP7 - Directing New Employment (Warwick District 1996 - 2011 First Deposit Version)
- RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)
- RAP8a - Replacement of Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

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

RESOLVED that application W2005/1601 be GRANTED following referral to the Secretary of State as a departure from the Development Plan, 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 02D and 03D, and specification contained therein, submitted on 21 September 2005 unless first agreed otherwise in writing by the District Planning Authority.
REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995;
- (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) A landscaping scheme, incorporating existing trees and shrubs to be retained and all new tree and shrub planting within and adjacent to the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy (DW) ENV3 of the Warwick District Local Plan 1995;

PLANNING COMMITTEE MINUTES (Continued)

- (5) Before any constructional works are commenced details of the method for the protection of all retained trees shall be submitted to and approved in writing by the District Planning Authority. The details shall include the plans of protection zones around the trunks of all retained trees together with the protection of these zones in accordance with BS5837:2005 "Trees in relation to construction - Recommendations". The erection of fencing for the protection of these retained trees shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the District Planning Authority. **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site, and to satisfy Policy (DW) ENV3 of the Warwick District Local Plan 1995;
- (6) Before any constructional works are commenced a statement of the proposed method of implementing the construction of the development shall be submitted to and be approved, in writing, by the District Planning Authority. The details shall include the sequencing of operations, the method of construction and access works in the vicinity of the adjacent trees to be retained and the methods of protecting root systems of all trees to be retained during the construction process from direct or indirect damage. Operations on the application site shall be carried out in accordance with the approved details and no part of the operations shall be amended or omitted without the prior written approval of the District Planning Authority. **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site, and to satisfy Policy (DW) ENV3 of the Warwick District Local Plan 1995;
- (7) The existing trees shown on the approved plans to be retained shall not be wilfully damaged or destroyed, uprooted, felled, lopped or topped without the prior written consent of the District Planning Authority. Any trees removed or dying or being severely damaged or becoming seriously

PLANNING COMMITTEE MINUTES (Continued)

diseased shall be replaced with healthy trees of such size and species as may be agreed in writing by the District Planning Authority. **REASON** : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site, and to satisfy Policy (DW) ENV3 of the Warwick District Local Plan 1995;

- (8) Within the building hereby approved not more than 325 square metres shall be retained for furniture manufacturing purposes falling within the meaning of Class B2 (General Industrial) in Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), and for no other purposes whatsoever, with the balance of the building being used solely for storage and ancillary office purposes falling within the meaning of Class B8 (storage and distribution) in Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), and for no other purposes whatsoever. **REASON** : To ensure that no intensification in the existing balance of uses on the site occurs, and; in the interests of highway safety to ensure no significant material increase in traffic is generated by the development that would adversely affect the current operational capacity of the existing vehicular access to the site; and
- (9) No lighting shall be fixed to the external walls or roofs of the buildings hereby permitted, or on any open land within the application site without the written consent of the District Planning Authority. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy (DW) ENV3 of the Warwick District Local Plan 1995.

641. **POPLARS HOUSE FARM, WATERY LANE, SHERBOURNE, WARWICK**

The Committee considered an application from Mr P Choma for the erection of a single storey side extension forming garden room.

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

PLANNING COMMITTEE MINUTES (Continued)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995).

RESOLVED that application W2005/1707 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 05-3040A , and specification contained therein, received on 14th October 2005, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan; and
- (4) Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

642. **8 SHERWOOD WALK, LILLINGTON, LEAMINGTON SPA**

The Committee considered an application from A D Richards ESQ for the installation of roof dormers to front/rear elevations.

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)

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

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

RESOLVED that application W2005/1713 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.800.4 Rev B), and specification contained therein, submitted on 17th October, 2005 unless first agreed otherwise in writing by the District Planning Authority.

REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and

- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

643. **45 WARWICK STREET, LEAMINGTON SPA**

The Committee considered an application from Mr P Aktar for the proposed alternation to shopfront to remove the head of a pilaster for form larger fascia.

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)

PLANNING COMMITTEE MINUTES (Continued)

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 W2005/1759 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 720.01A, and specification contained therein, submitted on 18th October 2005 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.

(The meeting ended at 8.04 pm)