

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 5 April 2006 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

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

(Councillor Tamlin substituted for Councillor Ashford)

An apology for absence was received from Councillor Kinson.

1012. DECLARATIONS OF INTEREST

Minute Number 1014 - W05/2053 20 Southbank Road, Kenilworth

Councillor Mrs Blacklock declared a personal and prejudicial interest because she was a member of the Youth & Community Centre Management Committee

Councillor Mrs Bunker declared a personal and prejudicial interest because she was a member of Kenilworth Town Council and had previously discussed and expressed an opinion on the application publicly and the left room whilst the item was considered.

Councillor Mrs Compton declared a personal interest because (a) she was a District Councillor and this application involved a development linked to District Council property, and (b) she was a Warwick Shire County Councillor and this application involved development for the County Council. She had no other connection, and therefore declared an interest in accordance with "The Town and Country Planning General Regulations 1992" and "Probity in Planning (update)", and paragraph 10(2)(a) of the Code of Conduct.

Councillors Ms De-Lara-Bond, Evans, Mrs Knight and Mackay, declared a personal interest because they were a District Councillors and this application involved development linked to District Council property. They had no other connection, and therefore declared an interest in accordance with "The Town and Country Planning General Regulations 1992" and "Probity in Planning (update)".

Councillor Tamlin declared a personal interest because he was a Warwick District Councillor and Economic Portfolio Holder for the Council and this application involved development linked to District Council property, however he had no other connection, and therefore declared an interest in accordance with "The Town and Country Planning General Regulations 1992" and "Probity in Planning (update)".

Minute Number 1013 - W05/2054 Landing including and to south east of, Talisman Square, Kenilworth.

Councillor Mrs Blacklock declared a personal interest because she was a Warwick District Councillor and had been a member of the Town Centre Steering Group.

PLANNING COMMITTEE MINUTES (Continued)

Councillor Mrs Bunker declared a personal and prejudicial interest because she was a member of Kenilworth Town Council and had previously discussed and expressed an opinion on the application publicly and the left room whilst the item was considered.

Councillor Mrs Compton declared a personal interest because (a) she was a District Councillor and this application involved a development linked to District Council property, and (b) she was a Warwick Shire County Councillor and this application involved development for the County Council. She had no other connection, and therefore declared an interest in accordance with "The Town and Country Planning General Regulations 1992" and "Probity in Planning (update)", and paragraph 10(2)(a) of the Code of Conduct.

Councillors Ms De-Lara-Bond, Evans, Mrs Knight and Mackay, declared a personal interest because they were a District Councillors and this application involved development linked to District Council property. They had no other connection, and therefore declared an interest in accordance with "The Town and Country Planning General Regulations 1992" and "Probity in Planning (update)".

Councillor Tamlin declared a personal interest because he was a Warwick District Councillor and Economic Portfolio Holder for the Council and this application involved development linked to District Council property, however he had no other connection, and therefore declared an interest in accordance with "The Town and Country Planning General Regulations 1992" and "Probity in Planning (update)".

Minute Number 1025 - W06/0172 Racing Club Warwick FC, Hampton Road, Warwick

Councillors Mrs Blacklock, Mrs Bunker, Mrs Compton, Ms De-Lara-Bond, Evans; Mrs Knight and MacKay all declared a personal interest because the application was on Warwick District Council owned land.

Councillor Tamlin declared a personal interest because he was a Warwick District Councillor and Economic Portfolio Holder for the Council, however he felt this did not constrain his ability to judge the planning merits of the application.

Minute Number 1031 - W06/0228 20 Welsh Close, Woodloes Park, Warwick, CV34 5JY

Councillors Mrs Blacklock, Mrs Bunker, Ms De-Lara-Bond, Evans; Mrs Knight, MacKay and Tamlin all declared personal interests because the applicant was a fellow Warwick District Councillor.

Councillor Mrs Compton declared a Personal and Prejudicial interest she was the applicant and left the room while the application was considered.

Minute Number 1028 – W06/200 23 Jury Street, Warwick

Councillor Mrs Compton declared a personal interest because the applicant was her doctor.

PLANNING COMMITTEE MINUTES (Continued)

Minute Number 1022 – W06/0266 37 St Mary's Road, Leamington Spa

Councillor Tamlin declared a personal interest in this application as a supporter of the application was known to him.

The Council's Monitoring Officer (Mr Best) who was acting as legal advisor to this Committee declared a personal and prejudicial interest because the applicant was known to him and left the room whilst this matter was considered.

Minute Number 1039 – ENF 457/49/02 Greys Mallory, Banbury Road, Bishops Tachbrook

Councillor Tamlin declared a personal interest in this item because he had passed information on behalf of others to the Council's Planning Enforcement Team.

Minute Number 1016 - W06/0116 54 Lime Avenue, Lillington, Leamington Spa

Councillor Ms De-Lara-Bond declared a personal interest because the application site was a neighbouring property to her home.

Minute Number 1021 – W06/0191 16a Lillington Road, Leamington Spa

Councillors Evans and Mrs Knight declared a personal interest because the objector was known to her.

Minute Number 1040 – ACT94/9/06 40 New Street, Kenilworth

Councillor Mrs Blacklock declared a personal interest because a neighbour to the property was known to her.

1013. LAND INCLUDING AND TO SOUTH EAST OF TALISMAN SQUARE, KENILWORTH

The Committee considered an application from Cobalt Estates Limited for the erection of a convenience goods store; refurbishment/extension of part of Talisman Square Shopping Centre for retail/residential, car parking and 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:

DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

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

(DW) S3 - Additional Retail Development in Town Centres (Warwick District Local Plan 1995)

(DW) S1 - Protection and Development of Town Centres (Warwick District Local Plan 1995)

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

DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

DP14 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
UAP3 - Directing New Retail Development (Warwick District 1996 - 2011 Revised Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
TCP2 - Directing Retail Development (Warwick District 1996 - 2011 Revised Deposit Version)
Warwickshire Structure Plan 1996-2011- Policy TC2- Hierarchy of Town Centres
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 G Illingworth	Town Council
Mr Palmi	Objector
Councillor Whitehouse	Supporter
Councillor M Coker	Ward Councillor

The Head of Planning & Engineering submitted an additional two changes conditions to the conditions included within the report for consideration by the committee.

RESOLVED that application W2005/2054 be GRANTED subject to conditions and after the completion of a legal agreement to ensure the relocation of the youth centre, green travel plans for staff and the financing of Traffic Regulation Orders (and associated signing, engineering and environmental improvement works):

- (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) A landscaping scheme 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. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (4) With regard to the proposals for the supermarket, no development shall be carried out on the site which is the subject of this permission, until large scale details of the doors and windows 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 amenities of the area, in accordance with policy DW ENV 3 of the Warwick District Local Plan, 1995;
- (5) The car park hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan, except in respect of the lower (basement) level of car parking, for which, in addition, a scheme of secure gating to be opened no earlier than half an hour before main store opening and closing not less than one hour after main store closing and cctv camera coverage shall be submitted to and approved by the District Planning Authority and brought into use at first occupation of the development. **REASON**: To ensure that adequate parking facilities are available and to protect the amenities of surrounding properties, in accordance with Policy ENV£ of the Warwick District Local Plan;
- (6) No development shall be carried out on the site which is the subject of this permission, until full details of the means of foul and surface water drainage 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 that proper provision is made, in accordance with policy ENV3 of the Warwick District Local Plan, 1995;

PLANNING COMMITTEE MINUTES (Continued)

- (7) No development shall take place until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan;
- (8) No development shall be carried out on the site which is the subject of this permission, until details of existing and proposed ground levels of the development, including the finished floor levels of the building and sections through the site between 33 Bertie Road and the junction of Bertie Road and Station Road 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;
- (9) No development shall be carried out on the site which is the subject of this permission, until details of a fume extraction system to serve any cooking or baking units in the supermarket 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** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan;
- (10) No lighting shall be fixed to the external walls or roof of the building hereby permitted, 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 ENV3 of the Warwick District Local Plan;
- (11) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings 0133/P56'G', P57'G', P75, P76, P77, P80, P100, P101, P102, P103, and P104, and specification contained therein, submitted on 16 December 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;

PLANNING COMMITTEE MINUTES (Continued)

- (12) No development shall be carried out on the site which is the subject of this permission, until details of noise attenuation measures to be carried out to external plant 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 amenity of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan, 1995;

- (13) No development shall be carried out on the site which is the subject of this permission, until details of measures to mitigate noise levels from activities within the service area 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 amenity of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan, 1995;

- (14) The use of the service area for the supermarket shall be limited to 0700 hours to 2130 hours weekdays and Saturdays and 09.00 hours to 1830 hours Sundays. **REASON** :To protect the amenity of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan, 1995;

- (15) In order to ensure that noise levels from service vehicles does not cause disturbance, the following measures shall be implemented: a) All vehicle reversing alarms shall be switched off when in service area, b) All refrigeration plant to lorry trailers shall be switched off when in service area.

REASON :To protect the amenity of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan, 1995;

- (16) Before the development hereby permitted is occupied, screenwalls shall be erected in full accordance with detailed plans to be approved in writing by the District Planning Authority and these shall thereafter be maintained in the positions shown unless otherwise agreed in writing by the District Planning Authority. **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)

- (17) With regard to the proposals for the refurbishment of the Talisman Square shopping centre, no development shall be carried out on the site which is the subject of this permission, until details of the doors, windows and glazed canopy 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 amenity of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan, 1995;
- (18) No mezzanine floors shall be installed in the supermarket building. **REASON** : Substantial additional floorspace would be contrary to shopping policy as set out in the Warwickshire Structure Plan 1996-2011, and the Warwick District Local Plan, 1995 and would generate the need for additional car parking;
- (19) No more than one vehicular access shall be made to the site from Station Road, Warwick Road or Bertie Road. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (20) The development hereby permitted shall not be occupied unless vehicular access is available for all to the car park serving the development from the public highway, Warwick Road. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (21) The use of the site hereby permitted for retail and residential purposes shall not commence until all parts of existing accesses to the public highway, not included in the proposed means of access, have been permanently closed and the public highway features, including the footway, verge and kerb line have been 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;
- (22) The gradient of the vehicular accesses into the site shall not be steeper at any point than 1 in 20 for a distance of 30m into the site, as measured from the public highway carriageway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (23) The development hereby permitted shall not be occupied until the vehicular accesses serving the site have been laid out and constructed to the satisfaction of the District Planning Authority in accordance with the requirements and general specifications of the Highway Authority. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (24) Obstructions, including gates and barriers, shall not be placed within the vehicular accesses to the site. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (25) The vehicular accesses to the site shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or to permit surface water to run off the site onto the public highway. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (26) The vehicular accesses to the site shall not be used until visibility splays and pedestrian visibility splays have been provided in accordance with details to be submitted to and approved in writing by the District Planning Authority in consultation with the highway Authority. No structure, erection, trees or shrubs exceeding 0.6 metres in height above the adjoining highway carriageway shall be placed, allowed to grow or be maintained within the visibility splays so approved. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (27) The site shall not be used for the purposes hereby permitted unless there is available vehicular turning spaces within the site so that all vehicles are able to enter and leave the public highway in a forward gear. **REASON :** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (28) No development shall be carried out on the site which is the subject of this permission until details of satisfactory service access have been submitted to and approved by the District Planning Authority. All HGV's accessing or egressing the site, whether service or delivery vehicles, shall be routed via the District Council's Abbey End car park and the direct access to the proposed development from the public highway Station Road. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (29) The site shall not be used for the purposes hereby permitted until space is provided within the site for the parking of vehicles, together with the loading and unloading of service and delivery vehicles, and adequate provision is made within the site for the circulation of vehicles, including turning into and out of accesses and ramps, in accordance with details to be submitted to and 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;
- (30) The development hereby permitted shall not commence or continue until and unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of construction vehicles using the site and to clean the public highway of such material, all 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;
- (31) The verge crossings shall not be used for vehicular access unless they have been laid out and constructed to the standard specification of the Highway Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (32) The development hereby permitted shall not be occupied before the vehicular accesses serving the site have been surfaced with bound materials to the approval of the District Planning Authority and in such a manner that extraneous material is not spread onto the public highway by the wheels of vehicles leaving the site. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (33) Notwithstanding the Town and Country Planning (Use Classes) Order, 1987 (or any order revoking and re-enacting that Order, with or without modification) the new supermarket hereby permitted shall be used for the sale of food or other convenience goods, notwithstanding the ancillary use of up to 15% of the net floor area for the sale of other goods. **REASON** : To protect the viability and vitality of the town centre, in accordance with Warwickshire Structure Plan policy TC2;
- (34) The shared access from Warwick Road is for access to the residential parking. This route shall be physically separated from the Service Area so as not to encourage through traffic. Treatment will also be required to discourage pedestrian access to the site from this point. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (35) The development shall not be occupied unless the car park is fully available. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (36) The development shall not be occupied until the vehicular accesses proposed are completed. **REASON:** In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (37) The applicant will be required to fund the design, consultation and implementation of traffic management system, in accordance with the submitted drawing number sp237/10 or similar approved scheme, including all relevant work required for the requisite Traffic Regulation Orders, prior to occupation of the site **REASON:** In the interests of highway safety, in accordance with the requirements of policy ENV3 of the Warwick District Local Plan;
- (38) The occupier of the food store will be required to produce a Green Travel Plan, in accordance with current Warwickshire County Council practice, prior to the occupation of the site. **REASON:** To promote sustainable travel choices for staff; and

1014. 20 SOUTHBANK ROAD, KENILWORTH

The Committee considered an application from Cobalt Estates Ltd for the demolition of dwelling and construction of new youth centre and outdoor play court.

PLANNING COMMITTEE MINUTES (Continued)

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)
(DW) RL7 - Provision of Additional Indoor Sports and Recreation Facilities (Warwick District Local Plan 1995)
Distance Separation (Supplementary Planning Guidance)
UAP9 - Directing New Leisure Development (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).
DP6 - Access (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

The following addressed the Committee on this item:

Councillor G Illingworth	Town Council
Mr Parsons	Objector
Councillor Whitehouse	Supporter
Councillor M Coker	Ward Councillor

RESOLVED that application W2006/2053 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 0133/P201 and P202 and the Youth Centre Lighting Study report and specifications contained therein, submitted on 16 December 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) 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)

- (4) A landscaping scheme 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. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (5) No development shall be carried out on the site which is the subject of this permission, until details of the brick wall along the north, east and south boundaries 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 and the wall shall be completed before the buildings are first opened for use. **REASON** : To protect the amenities of adjoining residents, in accordance with the requirements of policy ENV3 of the Warwick District Local Plan, 1995;
- (6) The use of the building shall be restricted to the hours of 0800 and 2230 each day and the outdoor sports court shall only be used between the hours of 0800 and 2100 each day. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan, 1995;
- (7) The outdoor lights shall be installed and maintained strictly in accordance with the details submitted with the application and shall only be used from dusk until 2130 hours each day. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan, 1995;

PLANNING COMMITTEE MINUTES (Continued)

- (8) The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety; and
- (9) The emergency exits shall be kept closed at all times and shall only be opened when in use during an emergency. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan, 1995.

1015. 6 SWADLING STREET, LEAMINGTON SPA

The Committee considered an application from Mr Andrew Turner for a two storey side and rear extension together with new porch and covered side access to side of property.

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 following addressed the Committee on this item:

Councillor R Copping

Town Council

RESOLVED that application W2006/0071 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 number CGD051/01 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; and

PLANNING COMMITTEE MINUTES (Continued)

- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building.

REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

1016. 54 LIME AVENUE, LEAMINGTON, 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 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:

Councillor Copping
Mrs Markham

Town Council
Applicant

RESOLVED that application W2006/0116 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 number 517-02a and specification contained therein, submitted on 24 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;

PLANNING COMMITTEE MINUTES (Continued)

- (3) All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan; and
- (4) The first floor side window in the south elevation of the extension hereby permitted shall be non-opening and obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.

1017. HILLCREST GARAGE, CRACKLEY HILL, COVENTRY ROAD, KENILWORTH

The Committee considered an application from Baker Goodchild Architects for an outline application for the erection of 33 houses, flats and ancillary works.

The Head of Planning and Engineering had recommended that the application be approved in his report however at the meeting he requested that the application be deferred due to concerns raised by the Highways Authority which needed to be addressed.

The following addressed the Committee on this item:

Councillor G Illingworth
Mr Single

Town Council
Applicant.

RESOLVED that application W2006/0125 be deferred for further information.

1018. 13 WOODCOTE ROAD, LEAMINGTON SPA

The Committee considered an application from Mr T Evans for the erection of two storey rear extension as an amendment to W04/0680.

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:

Mr Ashford Objector

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W2006/0179 be deferred to allow for a site visit as the Committee felt it would be of significant benefit to them whilst considering the application.

1019. 12 BERWICK CLOSE, WOODLOES PARK, WARWICK

The Committee considered a retrospective application from Mrs S Meredith for the erection of steps and garden wall and demolition of lowest terrace,

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).

Mrs Meredith
Councillor M Ashford

Applicant
Ward Councillor

RESOLVED that application W2006/0189 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 terracing hereby permitted shall be screened by shrubs or planting, 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 trees, shrubs or section of hedge removed, dying, 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.

PLANNING COMMITTEE MINUTES (Continued)

1020. ADJOURNMENT OF MEETING

The Chair adjourned the meeting of the Planning Committee held on Wednesday 5 April 2006 to Thursday 6 April 2006 at 6.00 pm

(The meeting closed at 9.35 pm)

RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 6 April 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Evans (Chair); Councillors Mrs Blacklock, Mrs Bunker, Mrs Compton, Mrs Knight, Mackay and Tamlin.

Apologies for absence were received from Councillors Ms De-Lara Bond and Councillor Kinson

1021. 16A LILLINGTON ROAD, LEAMINGTON SPA

The Committee considered an application from Miss T Rickett for the demolition of an existing single storey extension and garage to 16A Lillington Road. Conversion of 16A and 16 Lillington Road to form a single dwelling and erection of a new single storey dwelling with frontage to Campion Road and Waller Street (with access and garage off Waller Street) together with a new access and triple garage off Campion Road to serve No 16 Lillington Road.

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)

SC8a - Managing Housing Supply (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

The following addressed the Committee:

Mr Payne Objector

RESOLVED that application DEFERRED to allow for a site visit to take place as the Committee felt it would be of significant benefit to them whilst determining the application.

PLANNING COMMITTEE MINUTES (Continued)

1022. 37 ST. MARY'S ROAD LEAMINGTON SPA.

The Committee considered an application from Mr P Nijjar for the installation of UPVC Windows in the front elevation.

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

(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)

The following addressed the Committee:

Mr P Nijjar Applicant

The Head of Planning and Engineering had recommended that the application be refused and had sought approval for enforcement action. However after considering the officers report and the representation from the applicant the Committee were of the opinion that the application should be granted.

RESOLVED that application W2006/0266 be GRANTED because there was insufficient harm to the Conservation Area; and reasonableness; not out of character with the surrounding area in this particular case.

1023. 2 CHESFORD COTTAGES, ASHOW ROAD, KENILWORTH

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

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) C8 - Special Landscape Areas (Warwick District Local Plan 1995)

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

DAP1 - Protecting the Green Belt (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).

DAP3 - Protecting Special Landscape Areas (Warwick District 1996 - 2011 Revised Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that application W2006/0070 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(s) ('Detailed plan for change of use'; 'First Tunnels brochure detail page 16), and specification contained therein, submitted on 9 and 19 January 2006, and letter submitted 19 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.

1024. 32 WELLESOURNE ROAD, BARFORD, WARIWICK

The Committee considered an application from Mr R Taylor Watts for a single storey link between existing house and garage.

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)
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 W2006/0091 be GRANTED subject to the following conditions 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; and

PLANNING COMMITTEE MINUTES (Continued)

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings TW/01, 02A, 03A, 04A, and 05A and specification contained therein, submitted on 10 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.

1025. RACING CLUB WARWICK F. C., HAMPTON ROAD, WARWICK

The Committee considered an application from Racing Club Warwick F.C. for the erection of a new clubhouse and stand, extension/ refurbishment/ conversion of existing clubhouse, re-orientation of football pitch and construction of car park.

The Head of Planning and Engineering had recommended in his report that the application be granted. However since the publication of his report further information had been submitted to him from the Environment Agency which he needed to consider before he could make a recommendation to this Committee and therefore sought the deferment of the determination of this application.

RESOLVED that application W2006/0172 be DEFERRED.

1026. 10 GADSHILL, HEATHCOTE, WARWICK

The Committee considered an application from Mr M Ahmed for the erection of two storey side extension and rear conservatory.

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 W2006/0186 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;

PLANNING COMMITTEE MINUTES (Continued)

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing (drawing no.1A), and specification contained therein, submitted on 7th 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; 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.

1027. 21 ARLINGTON AVENUE, LEAMINGTON SPA

The Committee considered an application from Mr and Mrs C Payne to increase the height of rear wall to 2.6m

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 W2006/0199 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 and specification contained therein, submitted on 8th 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.

PLANNING COMMITTEE MINUTES (Continued)

1028. 23 JURY STREET, WARWICK

The Committee considered an application from DR H Mulder for the erection of a triple garage and a boundary wall

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

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

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

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV22 - Evaluation of the Archaeological Effects of Development Proposals (Warwick District Local Plan 1995)

RESOLVED that application W2006/0200 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 numbers 917.09b, /18c and /19, and specification contained therein, received on 7th 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; and
- (3) No development shall take place until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the District Planning Authority. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.

1029. 16 WASDALE CLOSE, LEAMINGTON SPA

The Committee considered an application from Mr R J Wesson for the erection of a first floor extension.

PLANNING COMMITTEE MINUTES (Continued)

The Head of Planning and Engineering considered the following policies to be 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 application W06/0210 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 (1/4, 1/3), and specification contained therein, submitted on 15th 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) 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.

1030. 7 CHURCH LANE, BARFORD

The Committee considered an application from the Glebe Hotel for the reversion of use of property as part of hotel without compliance with condition no.5 W05/1197 (renewal of driveway).

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

((DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

PLANNING COMMITTEE MINUTES (Continued)

RESOLVED that W06/0221 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 GH2379/0, and specification contained therein, submitted on 8 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) A landscaping scheme 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. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (4) The offices and storage shall only be used as ancillary facilities to the Glebe Hotel and shall not be used for any other purpose or be let off as independent uses. **REASON**: Since permission is only granted for the special reasons given by the applicant and to satisfy Policies (DW) ENV3 and H13 of the Warwick District Local Plan 1995; and
- (5) The driveway shall not be used for the parking or unloading of HGV's for deliveries to the Glebe Hotel. **REASON**: To protect the residential amenities of surrounding residents in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995.

PLANNING COMMITTEE MINUTES (Continued)

1031.20 WESH CLOSE, WOODLOES PARK, WARWICK

The Committee considered an application from Mr and Mrs Compton.

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 policy:

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

RESOLVED that application W2006/0228 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; and
- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing number 2560, and specification contained therein, received on 10th 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.

1032.23 THE BUTTS, WARWICK

The Committee considered an application from Mr F Kloppe for the erection of a sky satellite dish

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) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

RESOLVED that application W2006/0239LB 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

PLANNING COMMITTEE MINUTES (Continued)

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings, and specification contained therein, received on 9th 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.

1033.15 ARMSTRONG CLOSE, WHITNASH, LEAMINGTON SPA

The Committee considered an application from Mr and McCutcheon for the erection of a single storey front and side extension with new pitched roof.

RESOLVED that application W2006/0293 be deferred to allow for a site visit to take place as the Committee felt it would be of significant benefit to them when determining the application.

1034.LAND REAR OF 31, CLARENDON SQUARE, LEAMINGTON SPA

The Committee considered an outline application from Crabb Curtis Ltd for the erection of two dwellings (amended design to W050653)

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)
The 45 Degree Guideline (Supplementary Planning Guidance)

RESOLVED that application W2006/0317 be GRANTED subject to the following conditions:

- (1) The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;

PLANNING COMMITTEE MINUTES (Continued)

- (2) The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1463/10 and 1463/11 and specification contained therein, submitted on 15 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) No development shall be carried out on the site which is the subject of this permission, until large scale details of the 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;
- (5) Notwithstanding the details in respect of the rear rooflights shown on the submitted plans, these shall be of a conservation style, details of which shall be submitted to and approved in writing by the District Planning Authority prior to the commencement of the development hereby permitted. 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;

PLANNING COMMITTEE MINUTES (Continued)

- (6) 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 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; and
- (7) All window frames shall be constructed in timber and painted, not stained. **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.

1036.LAND REAR OF 31, CLARENDON SQUARE, LEAMINGTON SPA

The Committee considered an outline application from Crabb Curtis Ltd for the erection of two dwellings (amended design to W050653)

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

RESOLVED that application W2006/0318LB 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 development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1463/10 and 1463/11 and specification contained therein, submitted on 15 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;

PLANNING COMMITTEE MINUTES (Continued)

- (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) 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;
- (5) Notwithstanding the details in respect of the rear rooflights shown on the submitted plans, these shall be of a conservation style, details of which shall be submitted to and approved in writing by the District Planning Authority prior to the commencement of the development hereby permitted. 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
- 6 All window frames shall be constructed in timber and painted, not stained. **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)

1037. KENTMERE HOUSE, 2A UNION ROAD, LEAMINGTON SPA

The Committee considered an application from Mr and Mrs Gregory for the erection of a single storey front extension and conversion of basement to a physiotherapy and pilates clinic from residential use.

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 W2006/0355 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 02B, and specification contained therein, submitted on 27th 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; and
- (3) No development shall be carried out on the site which is the subject of this permission until large scale details of the parapet, new door and window in the proposed extension 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;

PLANNING COMMITTEE MINUTES (Continued)

- (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) 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;
- (6) The use of the premises for the purposes hereby permitted shall be restricted to the hours of 8.30 am and 6.00pm during the weekdays Monday to Friday only. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan; and
- (7) The planning permission hereby permitted relates to the use of the basement as a physiotherapy and pilates clinic and for no other use whatsoever and shall only be carried out by the occupiers Mr & Mrs Gregory of the property known as Kentmere House, 2a Union Road, Leamington Spa whilst they are the residents, and upon their cessation of their occupancy of the property the use hereby permitted shall cease. **REASON** : Other uses within this property may not be appropriate by reason of the residential character of the area and therefore the District Planning Authority wish to retain control over any future development in the interest of residential amenity.

1038.11 ST BRIDES CLOSE, SYDENHAM, LEAMINGTON SPA

The Committee considered a report from the Head of Planning and Engineering regarding the unauthorised erection of a timber extension to the existing boundary fence with plastic roofing panels to form covered area to the side elevation of the property.

RESOLVED that enforcement action be authorised to ensure that the unauthorised timber structure is removed in its entirety with a compliance period of six months.

PLANNING COMMITTEE MINUTES (Continued)

1039.GREYS MALLORY, BANBURY ROAD, BISHOPS TACHBROOK,

The Committee considered a report from the Head of Planning and Engineering regarding the unauthorised change of use of a single dwelling house to commercial car sales.

RESOLVED that enforcement action be authorised to ensure that the use of the site for the storage, display and parking of vehicles for sale ceases with a period of compliance of two months.

1040.40 NEW STREET KENILWORTH

The Committee considered a report from the Head of Planning and Engineering regarding the unauthorised demolition of front and side boundary walls.

RESOLVED that enforcement action be authorised to ensure that the front and side boundary walls are rebuilt in accordance with the requirements of the District Planning Authority. The period of compliance to be two months.

(The meeting ended at 8.20 pm)