

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 19 September 2007 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor MacKay (Chairman); Councillors Barrott, Mrs Blacklock, De-Lara-Bond, Dhillon, Edwards, Illingworth, Kinson and Shilton.

Councillor De-Lara-Bond substituted for Councillor Copping and Councillor Shilton substituted for Councillor Rhead.

436. DECLARATIONS OF INTEREST

Minute Number 441 – W07/0929 – Units 6 & 7 St Mary’s Road, Leamington Spa

Councillor Barrott declared a personal interest because he was Ward Councillor for the application site.

Councillor Edwards declared a personal interest because he was Ward Councillor for the application site and had been in contact with an objector regarding procedural aspects.

The Head of Legal Services, Mr Simon Best, declared a personal and prejudicial interest because he had a friend who lived in close proximity to the application site and left the room whilst the item was considered.

Minute Number 442 – W07/1113 – St Anthony’s Catholic Primary School, Sydenham Drive, Leamington Spa

Councillor Barrott declared a personal interest because he was Ward Councillor for the application site and had been aware of flood risk concerns by residents.

Councillor Edwards declared a personal interest because he was Ward Councillor for the application site.

Minute Number 444 – ENF128/12/07 – 32 Kenilworth Road, Leamington Spa

Councillor De-Lara-Bond declared a personal and prejudicial interest because she had previously determined the application and left the room whilst the item was considered.

Minute Number 451 – W07/1214 – 13A Radford Road, Leamington Spa

Both Councillors Barrott and Edwards declared personal interests because they were Ward Councillors for the application site.

PLANNING COMMITTEE MINUTES (Continued)

Minute Number 456 – W07/1231 – Royal Leamington Hotel, 64 Upper Holly Walk, Leamington Spa

At the time of considering this item Councillor Mrs Blacklock declared a personal interest because she was a neighbour to a licensed premises in Kenilworth and therefore subjected to noise impact in a similar manner to the objectors to this application.

Minute Number 457 – W07/1234 – 3 Kineton Road, Kenilworth

Councillor Mrs Bunker declared a personal interest because she was Ward Councillor for the application site.

Councillor Shilton declared a personal interest because he was a Warwickshire County Councillor.

Minute Number 466 – TPO 339 – 4 The Courtyard, 81 Glasshouse Lane & Mayfield, Glasshouse Lane, Kenilworth

Councillor Mrs Bunker declared a personal interest because she was Ward Councillor for the application site. In addition on considering this item Councillor Mrs Bunker also realised that she knew one of the objectors but did not feel it was of a significant level to declare a prejudicial interest.

Councillor Mrs Blacklock declared a personal interest because the main objector to the application was known to her.

Councillor Shilton declared a personal interest because he was a Warwickshire County Councillor.

437. **MINUTES**

The minutes of the meetings held on 10 July and 1 August 2007 having been printed and circulated were taken as read and signed by the Chairman as a correct record.

438. **165-167 LEAM TERRACE, LEAMINGTON SPA**

This item was WITHDRAWN from the agenda by the Planning Officer to allow for consultation with the Environment Agency.

439. **CHERRY TREE BARN, LEAMINGTON HALL FARM, FOSSE WAY, CHESTERTON**

The Committee considered an application from Mr Howes and Ms Townsend for the erection of a first floor extension to part of a single storey dwelling.

The application was presented to Committee because five letters of support had been received and the recommendation was to refuse.

The application was deferred at Planning Committee on 21 August 2007, to enable a site visit to take place on 15 September 2007. Since the previous

PLANNING COMMITTEE MINUTES (Continued)

The Head of Planning and Engineering had recommended that the application be granted because he felt that it complied with the following policies:

(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)

DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP12a - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DAP6 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

TCP9 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP5 - Density (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP8 - Parking (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

Supplementary Planning Document: Managing Housing Supply

The following people addressed the Committee:

Mr P Manning Supporter

Councillor B Gill Ward Councillor (Objecting)

Following consideration of the officer's report and presentation along with the submissions by the public addressing the Committee, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W07/0912 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 nos. 2716/002F, 003E, 004D, 005D, 006D and 007E, and specification contained therein, submitted on 23rd August 2007 unless first agreed otherwise in writing by the District Planning Authority. **REASON :** For the avoidance of doubt and to secure a satisfactory form of

PLANNING COMMITTEE MINUTES (Continued)

development in accordance with Local Plan
Policy ENV3;

- (3) the building hereby permitted shall be used solely as a student hall of residence, and ancillary purposes thereto, being occupied solely by persons enrolled in a full time course of further education with the exception of the two, two bedroomed flats which may be occupied by persons, and their resident dependants, engaged in the management of this hall of residence. **REASON** : This building has been purpose designed as a student hall of residence and it is considered other uses may not be appropriate having regard to Policy ENV3 in the Warwick District Local Plan 1995. Furthermore, having regard to the District Council's policy 'Managing Housing Land Supply, a wholly residential use would be inappropriate;
- (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;
- (5) no development shall be carried out on the site which is the subject of this permission, until large scale details of render work detailing, railings, parapets, dormer windows, gates, lightwells, balconies 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;

- (6) a landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON:** To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) before any works for demolition are first commenced, a survey of the premises by a qualified bat surveyor shall be undertaken to demonstrate the presence, absence or usage of the premises by bats. In the event that the survey demonstrates the presence or usage of the premises by bats, a report recommending mitigation measures to ensure any bats will be protected during the demolition works shall be submitted to and approved in writing by the District Planning Authority before the demolition works are commenced. The approved mitigation measures shall be wholly implemented strictly as approved. **REASON:** To ensure the protection of bats and compliance with Policy ENV27 of the Warwick District Local Plan 1995;

- (8) the vehicle parking spaces and cycle stands shown on drawing no. 2716/002F shall be constructed and be available for use before any part of the building hereby permitted is first occupied. Such car parking spaces and cycle stands shall thereafter be retained available for use at all times thereafter. **REASON** : To ensure adequate parking facilities are available for use at all times in accordance with Policy ENV3 of the Warwick District Local Plan 1995;
- (9) 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;
- (10) no external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON**: To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (11) no development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise and a scheme of ventilation in accordance with an air quality survey have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON**: In the interests of the amenities of future occupiers of the building to comply with Policy ENV3 in the Warwick District Local Plan 1995;

- (12) 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 to comply with Policy ENV3 in the Warwick District Local Plan 1995;
- (13) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on site, or in the locality, from renewable energy resources. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP12a in the Warwick District Local Plan 1996-2011;
- (14) no development approved by this planning permission shall be commenced until:
- (a) A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - (b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the District Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected; and
 - refinement of the Conceptual Model; and
 - the development of a Method Statement detailing the remediation requirements.
- (c) The site investigation has been undertaken in accordance with details approved by the District Planning Authority and a risk assessment has been undertaken.
- (d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the District Planning Authority. This should be approved in writing by the District Planning Authority prior to that remediation being carried out on the site strictly in accordance with the approved details.

REASON : To ensure that the proposed site investigations and remediation will not cause pollution of Controlled Waters in accordance with Policy ENV3 in the Warwick District Local Plan;

- (15) no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the District Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. **REASON** : To prevent the pollution of controlled waters in accordance with the requirements of Policy ENV3 in the Warwick District Local Plan 1995;

- (16) any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund. **REASON** : To prevent pollution of the water environment in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan 1995;
- (17) details of any air conditioning, ventilation and flue extraction systems including particulars of noise levels shall be submitted to and approved by the Local Planning Authority before any works commence on site. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan; and
- (18) no access shall be permitted from the site to the Grand Union Canal towpath until details of the construction of that access have been first submitted to and approved in writing by the District Planning Authority; the access shall be constructed strictly as approved. **REASON** : To secure a satisfactory standard of design in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.

441. UNITS 6&7, ST MARYS ROAD, LEAMINGTON SPA

The Committee considered an application from Bellagio Stone Ltd for the change of use from class B8 (warehousing) to class B2 (general industry).

PLANNING COMMITTEE MINUTES (Continued)

The application was presented to Committee because an objection from the Royal Leamington Spa Town Council had been received.

The Head of Planning and Engineering had recommended that the application be refused in relation to the following policies:

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

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

UAP2 - Directing New Employment Development (Warwick District Local Plan 1996 - 2011 Post Inquiry Version).

The following people addressed the Committee:

Dr J Pickering	Objector
Mr R Wilkinson	Applicant
Councillor Weed	Ward Councillor (Objecting)

Following consideration of the officer's report and presentation along with the submissions by the public addressing the Committee, the Committee were of the opinion that the application should be refused in line with the officer's recommendation.

RESOLVED that

- (1) application W07/0929 be REFUSED for the following reasons:

District-Wide Policy ENV3 of the Warwick District Local Plan 1995 requires all development proposals to achieve a high standard of design and to harmonise with their surroundings. DP2 of the Warwick District Plan (Post Enquiry Version) states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. Furthermore, Planning Policy Guidance PPG 24 *Planning and Noise* states that it is important that new development involving noisy activities should, if possible, be sited away from noise- sensitive land uses.

The application relates to an industrial unit which is sited in close proximity to the rear gardens and dwellings in Clapham Street. The proposal seeks permission for a change of use from Class B8 (warehousing) to Class B2 (General Industry).

In the opinion of the District Planning Authority, the proposed change of use to Class B2 would result in an inappropriate and unacceptable use due to its close proximity of the residential

properties in Clapham Street. It is considered the proposed use would result in an unacceptable and unneighbouring degree of noise and pollution nuisance which would adversely affect the amenities of the neighbouring residential properties in Clapham Street, due to the operation of its stone cutting and its associated processes. It is therefore considered to be contrary to the aforementioned policies; and

- (2) enforcement Action be AUTHORISED to cease operation within six calendar months.

442. ST ANTHONYS CATHOLIC PRIMARY SCHOOL, SYDENHAM DRIVE, LEAMINGTON SPA

The Committee considered an application from Diocesan Schools Commission for the erection of a single storey extension to provide administration offices and secure entrance.

The application was presented to Committee due to the number of objections received.

The Head of Planning and Engineering had recommended that the application be granted in line with the following policies:

(DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)

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

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

DP10 - Flooding (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP11 - Drainage (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

The following people addressed the Committee:

Councillor Weed

Ward Councillor (Objecting)

Following consideration of the officer's report and presentation along with the submissions by the public addressing the Committee, the Committee were of the opinion that the application should be granted in line with the officer's recommendation.

RESOLVED that application W07/1113 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) 10P11 7007.02 & 10P11 7007.03, and specification contained therein, submitted on 3 July 2007, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3;
- (3) details of the means of storage and disposal of storm water 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
- (4) 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.

443. THE BUNGALOW, MEADOW LANE, LAPWORTH

The Committee considered an application from M & J Fleckner for the erection of a side roof extension and rear dormer.

The application was deferred at the previous Planning Committee meeting on 21 August 2007 to enable a site visit to take place.

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

PLANNING COMMITTEE MINUTES (Continued)

The Committee considered the additional information on the application which had been circulated as part of the addendum.

The Head of Planning and Engineering had recommended that the application be granted in line with the following policies:

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

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

RAP3 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version).

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

The following people addressed the Committee:

Mr F Taylor Objector

Following consideration of the officer's report and presentation along with the submissions by a member of the public addressing the Committee, the Committee were of the opinion that the application should be refused against the officer's recommendation.

RESOLVED that application W07/1175 be REFUSED against the officers recommendations because it is unneighbourly and has an adverse impact on the privacy of the neighbour by overlooking and has a domineering impact and therefore did not comply with DP1 A, F & G and RAP3 A, B & C and DP2.

444. **32 KENILWORTH ROAD, LEAMINGTON SPA**

The Committee considered a report regarding an application from Mr P Akhter for the erection of a single storey extension and communal bin store and creation of car parking spaces.

The Head of Planning and Engineering had recommended the matter be presented to Committee to request that enforcement action be authorised in relation to 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).

DP5 - Density (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

DP8 - Parking (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

PLANNING COMMITTEE MINUTES (Continued)

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).

The consent for the development had been refused and as the development had taken place anyway, enforcement action was recommended by the Head of Planning and Engineering.

RESOLVED that enforcement action for application ENF128/12/07 be AUTHORISED requiring

- (1) the demolition of the single story side extension and the bin store to the front of the property;
- (2) internal bin store to be provided as previously approved;
- (3) the front and rear parking areas to be laid out as previously approved, to include the planting area; and
- (4) the boundary walls to the rear car parking area to be demolished and the hard surfaced area reinstated as garden with a compliance period of compliance of three months.

445. HILL FARM HOUSE, BIRMINGHAM ROAD, HATTON, WARWICK

The Committee considered an application from Mr Steven Robbins for the construction of new vehicular access from Barcheston Drive to Hill Farm House, extension to residential curtilage and erection of 1.2 metre high fence along the boundary with Aspley Court driveway.

The application was presented to Committee because an objection from the Hatton Parish Council had been received.

The Committee considered the additional information on the application which had been circulated as part of the addendum.

The Head of Planning and Engineering had recommended that the application be granted because he felt that it complied with the following policies:

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

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

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP6 - Access (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

PLANNING COMMITTEE MINUTES (Continued)

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

RESOLVED that application W07/0829 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), and specification contained therein, submitted on 6 August 2007 unless first agreed otherwise in writing by the District Planning Authority.
REASON: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) the access to the site shall not be used until it has been surfaced with a bound macadam material for 15 metres as measured from the near edge of the public highway carriageway, in accordance with details to be 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.

446. **3 LANSDOWNE CIRCUS, LEAMINGTON SPA**

The Committee considered an application from Mr A Attwood for the erection of a new garage, insertion of new roof windows & internal alterations.

The application was presented to Committee because an objection from the Royal Leamington Spa Town Council had been received.

The Head of Planning and Engineering had recommended that the application be granted because he felt that it complied with the following policies:

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

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

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

PLANNING COMMITTEE MINUTES (Continued)

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

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

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

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

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

RESOLVED that application W07/1084 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 448-01-A and specification contained therein, submitted on 20 August 2007 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 the new door, windows (including a section showing the window reveal, heads and cill details), eaves, verges, conservation style rooflights, garage door, security gate 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;

- (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;
- (5) notwithstanding the details in respect of the timber garage door shown on the submitted plans this shall be painted and not stained and retained as such thereafter. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995; and
- (6) there are public sewers which cross the site. No buildings shall be erected or trees planted within 2.5 metres of the sewer. You may wish to apply to Severn Trent Water to divert the sewer in accordance with Section 185 of the Water Industry Act 1991. **REASON:** To maintain essential access for maintenance, repair, renewal and to protect the structural integrity of the public sewerage system.

447. 3 LANSDOWNE CIRCUS, LEAMINGTON SPA

The Committee considered an application from Mr A Attwood for the erection of new garage after demolition of existing garage and outbuildings. Installation of two roof lights on front elevation and installation of one and replacement of existing roof lights to rear elevation and internal alterations to second floor to form two bedrooms.

The application was presented to Committee because an objection from the Royal Leamington Spa Town Council had been received.

The Head of Planning and Engineering had recommended that the application be granted in line with the following policies:

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

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

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

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

PLANNING COMMITTEE MINUTES (Continued)

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)
(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

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

RESOLVED that application W07/1104LB be GRANTED (after reference to the Secretary of State as the building is listed grade 2*) and subject to the following conditions:

- (1) the works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing 448-01-A and specification contained therein, submitted on 20 August 2007 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 new doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges conservation style rooflights, garage doors 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995; and
- (5) notwithstanding the details in respect of the timber garage door shown on the submitted plans this shall be painted and not stained and retained as such thereafter. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

448. IBM CENTRE, BIRMINGHAM ROAD, WARWICK

The Committee considered an application from Mourant & Co Trustees Ltd and Mourant Property Trustees Ltd for the reformatting of car parking provision to meet future occupier requirements of the Point 3 building; provision of entrance canopy and associated works including information on lighting levels.

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

The Head of Planning and Engineering had recommended that the application be granted in line with the following policies:

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

(DW) EMP5 - Employment Development in Urban Areas (Warwick District Local Plan 1995)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP10 - Flooding (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

UAP2 - Directing New Employment Development (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP8 - Parking (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

RESOLVED that application W07/1127 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 L910/B/06/01 & /02 & /04, 0627/PL03A & PL04A, 05105/0039 A, 06194/E/SK001 P4, and B06/002-7/ SK200/D and specification contained therein, submitted on 28 June 2007, 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 details of a scheme for the provision of foul and surface water drainage works 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 the risk of flooding is minimised and to minimise the risk of pollution, in accordance with the requirements of policy (DW) ENV3 of the Warwick District Local Plan, 1995;
- (4) no development shall be carried out until a method working statement demonstrating the extent and nature of the proposed works to provide car parking at the north (rear) and west of the Phase 3 building has been submitted to and approved by the local planning authority in consultation with the Highways Agency. **REASON** : To ensure the integrity and stability of the cutting adjacent to the A46 trunk road is not compromised. To ensure safety and free flow of the A46 trunk road users is maintained during the car parking construction phase;

- (5) no development shall be carried out on the site which is the subject of this permission, until details of external lighting 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 environment of the area, in accordance with policy (DW) ENV3 of the Warwick District Local Plan, 1995;
- (6) the landscaping scheme submitted as part of the application hereby permitted shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;
- (7) a strip of land 5 metres wide adjacent to the top of the banks of all watercourses fronting or crossing the site shall be kept clear of all new buildings and structures (including gates, walls and fences) and ground levels shall not be raised within such areas. **REASON** : To preserve access to the watercourse for maintenance and improvement, in accordance with policy (DW) ENV3 of the Warwick District Local Plan, 1995; and

- (8) when constructed, the 303 proposed car parking spaces for the Phase 3 development shall not be brought into use or be made available for use to existing occupants of Phase 1 and 2 on the site. **REASON:** To ensure current levels of sustainable modes of travel to the site are maintained through construction and up until occupancy of the Phase 3 building.

449. THE OLD SCHOOL HALL, CHURCH HILL, BISHOPS TACHBROOK

The Committee considered an application from The Tachbrook School Foundation for the change of use from a school hall to a single dwelling with erection of single storey extension.

The application was presented to Committee because the proposal would conflict with Policy RAP2 in the Warwick District Local Plan 1996-2011, in that no specific local need for this development had been identified.

The Head of Planning and Engineering had recommended that the application be granted in line 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)

RAP2 - Directing New Housing (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

RAP8 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

SC7a - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP12a - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP6 - Access (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

RESOLVED that application W07/1151 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 existing site plan showing site edged red and Drawing Nos. 0618/101, 0618/03 and 0618/04 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 conservation rooflights, lantern rooflight, 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;
- (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;
- (5) 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;

- (6) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : The site occupies a prominent site of awkward shape and configuration in the Conservation Area where it is considered essential to retain control over future development in the interests of the residential amenity of the occupiers of nearby dwellings and the character/appearance of the Conservation Area in accordance with the Policies ENV3, 6 and 8 in the Warwick District Local Plan 1995;
- (7) a landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan;

PLANNING COMMITTEE MINUTES (Continued)

- (8) the development hereby permitted shall not be commenced until the existing vehicular access to the site from Church Hill has been widened to 5 metres for a distance of 10 metres into the site, as measured from the near edge of 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;
- (9) the vehicular access for the development hereby permitted shall not be constructed in such a manner as to reduce the effective capacity of any highway drain. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan;
- (10) the access to the site for vehicles shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with 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;
- (11) the development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres extending along the frontage of the site to the commencement of the boundary wall in a westerly direction. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of 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;
- (12) the development shall not be occupied until a turning area has been provided within the site so as to enable vehicles to leave and re-enter 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;

- (13) the proposed car parking area for the development hereby permitted shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in accordance with details which have previously been approved by the District Planning Authority. **REASON** : To ensure adequate car parking facilities are available to serve the development and that they incorporate sustainable drainage systems in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan 1995; and
- (14) no development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise and a ventilation scheme, 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 future occupiers of the building in accordance with Policy ENV3 of the Warwick District Local Plan 1995.

450. 64 FRANKLIN ROAD, WHITNASH

The Committee considered an application from Mr R Murphy for erection of two storey extension to side with replacement garage to side.

The application was presented to Committee because an objection from Whitnash Town Council had been received.

The Head of Planning and Engineering had recommended that the application be granted in line with the following policies:

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

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

RESOLVED that application W07/1212 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings and specification contained therein, submitted on 19 July 2007 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; and
- (4) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission, shall be placed at any time in the side elevation of the extension. **REASON** : To retain control over future development so that the residential amenity of adjoining occupiers is protected and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995.

451. 13A RADFORD ROAD, LEAMINGTON SPA

The Committee considered an application from Mr J Sharp for the display of non-illuminated notice board and business signage.

The application was presented to Committee because an objection from the Royal Leamington Spa Town Council had been received.

PLANNING COMMITTEE MINUTES (Continued)

The Head of Planning and Engineering had recommended that the application be granted in line with the following policies:

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

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

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

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

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

(DW) ENV20 - Advertising Control (Warwick District Local Plan 1995)

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

RESOLVED that application W07/1214 be GRANTED subject to the standard conditions in the second schedule of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and that the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings and specification contained therein, submitted on 17 July 2007 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.

452. **102 BRIDGE END, WARWICK**

The Committee considered an application from Mr J Yarnold for the erection of replacement dwelling (after demolition of existing).

The application was presented to Committee because of the number of objections received from local residents.

The Committee had visited the site on 15 September 2007 because at his briefing the Chair had felt it would be beneficial to the Committee to visit the site before they determined the application.

The Head of Planning and Engineering had recommended that the application be granted in line with the following policies:

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

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

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

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

PLANNING COMMITTEE MINUTES (Continued)

DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

RESOLVED that application W07/1220 be GRANTED planning permission.

453. **102 BRIDGE END, WARWICK**

The Committee considered a retrospective application from Mr J Yarnold for the demolition of existing dwelling.

The application was presented to Committee because of the number of objections received from local residents.

The Committee had visited the site on 15 September 2007 because at his briefing the Chair had felt it would be beneficial to the Committee to visit the site before they determined the application.

The Head of Planning and Engineering had recommended that the application be granted in line with the following policies:

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

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

RESOLVED that application W07/1217CA be GRANTED Conservation Area consent and that Permitted Development rights be removed.

454. **ADJOURNMENT OF MEETING**

The Chairman adjourned the meeting of the Planning Committee held on Wednesday 19 September 2007 to Thursday 20 September 2007 at 6.00pm.

(The meeting ended at 9:40pm)

RESUMPTION OF ADJOURNED PLANNING COMMITTEE MEETING

Minutes of the adjourned Planning Committee meeting held on Thursday 20 September 2007 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor MacKay (Chairman); Councillors Barrott, Mrs Blacklock, Dhillon, Malcolm Doody, Edwards, Illingworth, Kinson and Shilton.

455. 32 STEPHENSON CLOSE, MILVERTON, LEAMINGTON SPA

The Committee considered an application from Mr I Tabor for the erection of a detached garage.

The application had been submitted for determination because an objection had been received from Royal Leamington Spa Town Council.

The Committee considered the additional information on the application which had been circulated at the meeting.

The Head of Planning and Engineering had recommended that the application should be granted because he felt that it complied with the relevant policies, listed below:

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

The 45 Degree Guideline (Supplementary Planning Guidance)

Distance Separation (Supplementary Planning Guidance)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

The following people addressed the Committee:

Councillor B Gifford Objector

Following consideration of the officer's report, presentation and addendum along with the representation from the speaker, the Committee were of the opinion that the application should be refused against officers recommendation for the same reasons as application W07/0557, excluding the reference to overlooking, because the Committee felt the minor alterations between this application and W07/0557 did not significantly reduce the impact of the proposal.

RESOLVED that application W07/1207 be REFUSED for the same reasons as application W07/0557, excluding the reference to overlooking, because the Committee felt the minor alterations between this application and W07/0557 did not significantly reduce the impact of the proposal.

456. ROYAL LEAMINGTON HOTEL, 64 UPPER HOLLY WALK, LEAMINGTON SPA

The Committee considered a retrospective application from Episode Leamington Ltd, for the erection of two umbrellas and wooden decking.

PLANNING COMMITTEE MINUTES (Continued)

The application was presented to Committee in order to request that enforcement action be authorised.

The Head of Planning and Engineering recommended that the application be refused and requested approval of enforcement action. The following were the relevant policies for the application:

(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)

DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

The following people addressed the Committee:

Mr Layton Objector

Mr Frampton Supporter

Following consideration of the officer's report and presentation along with the representations from the speakers, the Committee were of the opinion that the application should be refused in line with the officers recommendation along with the additional reference to the potential intensification of noise in the reasons for refusal.

RESOLVED that:

- (1) application W07/1231 be REFUSED because District-Wide Policy ENV3 of the Warwick District Local Plan 1995 requires all development proposals to achieve a high standard of design and to harmonise with their surroundings. DP2 of the Warwick District Plan (Post Enquiry Version) states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. Furthermore, Planning Policy Guidance PPG 24 *Planning and Noise* states that it is important that new development involving noisy activities should, if possible, be sited away from noise- sensitive land uses.

The application relates the erection of 2 umbrellas and wooden decking in the garden of a large detached hotel which is prominently located within the Conservation Area, and close to residential properties.

In the opinion of the District Planning Authority, the erection of 2 umbrellas and wooden decking in the

garden of a large detached hotel would result in an unacceptable intensification in the potential for noise nuisance due to its close proximity of the residential properties in Willes Road and Eastfield Road. It is considered the development results in an unacceptable and unneighbouring degree of noise and disturbance which adversely affects the amenities of the neighbouring residential properties Willes Road and Eastfield Road due to use of this semi-permanent structure , particularly during the evening. It is therefore considered to be contrary to the aforementioned policies; and

- (2) enforcement action be AUTHORISED to ensure the removal of the two umbrellas and wooden decking with a compliance period of two months.

457. 3 KINETON ROAD, KENILWORTH

The Committee considered an application for Mr D J Adams for the increase in roof height, insertion of dormer windows to side roof slopes and erection of a rear extension.

The application was presented to Committee following a request from Councillor Mrs Bunker.

The Head of Planning and Engineering recommended that the application be granted because 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 people addressed the Committee:

Mr Baxter Objector

Following consideration of the officer's report and presentation along with the representations from the speakers, the Committee were of the opinion that the application should be granted as per the recommendation in the report.

RESOLVED that application W07/1234 be GRANTED subject to

- (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 **amended** drawing 002 Rev A, and specification contained therein, submitted on 31st July, 2007 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) the first floor windows in the dormer extension facing towards 1 Kineton Road shall be non-opening, except for the en-suite at first floor, and obscure glazed and retained as such at all times thereafter. **REASON** : To protect the amenity of the occupiers of nearby properties.

458. 37 NEWBOLD TERRACE EAST, LEAMINGTON SPA

The Committee considered an application from Prof & Mrs Singer for the refurbishment of basement including the erection of rear lightwell, demolition of rear outbuilding and replacement with extension.

The application had been submitted to Committee for determination following a request from Councillor Ms Dean.

The Head of Planning and Engineering recommended that the application should be granted because he felt it complied with the relevant planning policies listed below:

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

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

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

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

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

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

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

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

The comments by the Warwick District Conservation Area Advisory Forum had not been included within the report and these were reported verbally to the meeting by the Planning Officer.

PLANNING COMMITTEE MINUTES (Continued)

The following people addressed the Committee:

Mrs Robson Objector
Mr Gilmore Supporter
Councillor Ms Dean Ward Councillor

Following consideration of the officer's report and presentation along with the representations from the speakers, the Committee were of the opinion that the application should be granted as per the recommendation in the report subject to an amendment to the reasoning of condition 5 to include reference to no parking or amenity or separate access for a dwelling.

RESOLVED that application W07/1300 be GRANTED subject to:

- (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 A07.274.PA.011, 012, 013 and 014 and specification contained therein, submitted on 6 August 2007 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 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;

- (5) this permission authorises the refurbishment of the basement and erection of an extension to the existing dwelling and shall not be construed as permitting the erection of a separate dwelling unit and also there is no parking, amenity space, or separate access for an independent dwelling. **REASON** : To permit the use of the basement as a separate dwelling unit does not meet one of the criteria set out within the Council's supplementary planning document: "Managing Housing Supply". This policy seeks to limit the over-provision of new homes in the District in accordance with policies CF3 and CF6 in the Regional Spatial Strategy, policy H.1 in the Warwickshire Structure Plan and policies UAP1 and SC8a in the Warwick District Local Plan (Revised Deposit Version);
- (6) all rainwater goods for the development hereby permitted shall be metal. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995; and
- (7) all window frames shall be constructed in timber and shall be painted and not stained. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

459. 37 NEWBOLD TERRACE EAST, LEAMINGTON SPA

The Committee considered a listed building consent application for the refurbishment of basement including one rear lightwell, demolition of outbuilding and replacement with shower and utility.

The application had been submitted to Committee for determination following a request from Councillor Ms Dean.

The Head of Planning and Engineering recommended that the application should be granted because he felt it complied with the relevant planning policies listed below:

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

PLANNING COMMITTEE MINUTES (Continued)

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)
DAP6 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)

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

RESOLVED that application W07/1320LB be GRANTED subject to:

- (1) the works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers A07.274.PA.011, 012, 013 and 014 and specification contained therein, submitted on 7 August 2007 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 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995;
- (5) all rainwater goods for the development hereby permitted shall be metal. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995; and
- (6) all window frames shall be constructed in timber and shall be painted and not stained. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

460. SINTRA, LAPWORTH STREET, BUSHWOOD, LOWSONFORD

The Committee considered an application from Mr and Mrs Ingram for the instillation of dormer windows and roof lights.

The application had been submitted to the Committee for determination because an objection had been received from Rowington Parish Council.

The Head of Planning and Engineering had recommended that the application be granted because he felt that it complied with the relevant polices, listed below:

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

(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)

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

RAP3 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DAP1 - Protecting the Green Belt (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

PLANNING COMMITTEE MINUTES (Continued)

The Planning Officer reported in the presentation that on Friday 14 September 2007 revised plans for the application had been submitted to the Council. The revised plans significantly reduced the number of roof lights proposed and removed some approved under a previous application.

The following person addressed the Committee:

Mr Cooper Objector

Following consideration of the officer's report and presentation along with the representations from the speakers, the Committee were of the opinion that the application should be granted as per the recommendation in the report subject to a Section 106 agreement to ensure that only the roof lights and dormer windows as set out on the amended plans for this application are installed and not the previously approved roof lights and an additional condition that no further roof alterations, including roof lights or dormer windows, are permitted without planning consent.

RESOLVED that subject the completion of a section 106 agreement, to ensure that only the roof lights and dormer windows as set out on the amended plans for this application are installed and not the previously approved roof lights, application W07/1304 be GRANTED subject to:

- (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 436-14 and specification contained therein, submitted on 7 August 2007, 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) the roofing materials for the development hereby permitted shall be of the same type, texture and colour as those of the permitted new roof. **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) no further roof alterations, including roof lights or dormer windows, are permitted without planning consent.

461. 29 CLARENDON AVENUE, LEAMINGTON SPA

The Committee considered a part retrospective application from Mr R Dhillon for the Change of use from dwelling into a house in multiple occupation including the construction of new front lightwells and new railings.

The application was submitted for determination by Committee because an objection had been received from Royal Leamington Spa Town Council.

The Head of Planning and Engineering recommended that the application be granted because he felt that it complied with the relevant policies, listed below,
(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 Local Plan 1996 - 2011 Revised Deposit Version)

At the conclusion of the presentation Councillor Dhillon informed the Committee that the applicant was not known to him.

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

RESOLVED that application W07/1279 be GRANTED subject to:

- (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(s) 02B, and specification contained therein, submitted on 20 August 2007, 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 the basement windows (including a section showing the window reveal, heads and cill details) 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;
- (4) within one month of the date of this permission, details of the bin storage area shall be submitted to and approved by the District Planning Authority. Within one month of the approval of such details, the bin storage area shall be completed in full accordance with the approved details and shall be retained for the storage of refuse at all times thereafter. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan;
- (5) 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

- (6) all window frames shall be constructed in timber and shall be painted and 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.

462. 3 THE TEMPLARS, BRIDGE END, WARWICK

The Committee considered an application from Mrs M Hogg for the erection of a front porch, pitched roof to existing garden room/utility, first floor rear and side extensions and dormer windows.

The application had been submitted for determination by the Committee because an objection had been received from Warwick Town Council.

The Committee had visited the site on 15 September 2007 because at his briefing the Chair had felt it would be beneficial to the Committee to visit the site before they determined the application.

The Head of Planning and Engineering recommended that the application be granted because he felt that it complied with the relevant policies, listed below:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)
DAP11 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

RESOLVED that application W07/1280 be GRANTED subject to:

- (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 nos. 1147-02A and -03A , and specification contained therein, received on 01/08/2007 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.

463. VOODOO, 35 REGENT STREET, LEAMINGTON SPA

The Committee considered a retrospective application from Messrs Momak Ltd for the retention of external furniture fittings including retractable blinds, decking, fixed seating, balustrades, planter, coolers including proposed new housing, and re-instatement of doorway.

The application was presented to Committee in order to request that enforcement action be authorised.

The Committee considered the additional information on the application which had been circulated at the meeting.

The Head of Planning and Engineering had recommended, in the report included with the agenda, that the application be refused and enforcement action be authorised as the application did not comply with the relevant policies, listed below.

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

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

DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DAP6 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DAP9 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

Following the publication of the report in the agenda the applicant had amended their application to omit the blinds nearest Windsor Street and mural and the colour of casing and trim of remaining blinds to be changed to black.

PLANNING COMMITTEE MINUTES (Continued)

It was considered by the Head of Planning and Engineering that the amendments satisfactorily addressed the concerns. Therefore the recommendation was amended to grant the application, subject to condition, but also a request for approval of enforcement action if the aspects omitted from the application were not removed.

Following consideration of the officer's report, presentation and addendum, the Committee were of the opinion that the application should be granted as per the recommendation in the addendum circulated at the meeting.

RESOLVED that:

- (1) application W07/1301be GRANTED subject to:
 - (A) the permission hereby granted shall relate strictly to the details shown on the approved drawing(s) 1475/12/A, 1475/13/A & 1475/14, and specification contained therein, submitted on 19 September 2007, 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.
 - (B) within 2 months of the date of this permission, the colour of the whole of the blinds, including casing and trim, shall be changed to black. **REASON** : To protect the character and appearance of this Listed Building, in accordance with Policy ENV11 of the Warwick District Local Plan.
 - (C) within 2 months of the date of this permission, the cooler housing shall be completed in strict accordance with the approved plans. **REASON**: To protect the character and appearance of this Listed Building, in accordance with Policy ENV11 of the Warwick District Local Plan; and
- (2) enforcement action be AUTHORISED to require the removal of the blind nearest to Windsor Street, and to require the colour of the casing and trim of the remaining blinds to be changed to black with a compliance period of 2 months.

464. VOODOO, 35 REGENT STREET, LEAMINGTON SPA

The Committee considered a retrospective application from Messrs Momak Ltd for the retention of external furniture fittings including retractable blinds, decking, fixed seating, balustrades, planter, coolers including proposed new housing, and re-instatement of doorway.

The application had been submitted to Committee for determination because the approval of enforcement action was sought.

The Committee considered the additional information on the application which had been circulated at the meeting.

The Head of Planning and Engineering had recommended, in the report included with the agenda, that the application be refused an enforcement action be authorised as the application did not comply with the relevant policies, listed below:

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

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

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

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

DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DAP6 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

DAP9 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

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

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

Following the publication of the report in the agenda the applicant had amended their application to omit the blinds nearest Windsor Street and mural and the colour of casing and trim of remaining blinds to be changed to black.

It was considered by the Head of Planning and Engineering that the amendments satisfactorily addressed the concerns. Therefore the recommendation was amended to grant the application, subject to condition, but also a request for approval of enforcement action if the aspects omitted from the application were not removed.

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

RESOLVED that application:

- (1) W07/1303LB GRANTED subject to the following conditions:

- (A) the consent hereby granted shall relate strictly to the details shown on the approved drawing(s) 1475/12/A, 1475/13/A & 1475/14, and specification contained therein, submitted on 19 September 2007, 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.
 - (B) within 2 months of the date of this consent, the colour of the whole of the blinds, including casing and trim, shall be changed to black. **REASON** : To protect the character and appearance of this Listed Building, in accordance with Policy ENV11 of the Warwick District Local Plan.
 - (C) within 2 months of the date of this consent, the cooler housing shall be completed in strict accordance with the approved plans. **REASON** : To protect the character and appearance of this Listed Building, in accordance with Policy ENV11 of the Warwick District Local Plan; and
- (2) enforcement action be AUTHORISED to require the removal of the mural and the blind nearest to Windsor Street, and to require the colour of the casing and trim of the remaining blinds to be changed to black, with a compliance period of 2 months.

465. THE WHEATSHEAF HOTEL, 54 WEST STREET, WARWICK

The Committee considered an application from Mr E Ali for the change of use of part of the ground floor to a takeaway (class A5) and restaurant (class A3).

The application had been referred to Committee for determination because an objection had been received from Warwick Town Council.

The Head of Planning and Engineering recommended that the application be granted because he felt that it complied with the relevant policies, listed below:
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DAP10 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Post Inquiry Version)

PLANNING COMMITTEE MINUTES (Continued)

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

RESOLVED that application W07/1308 be GRANTED, subject the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawings, and specification contained therein, received on 6th August 2007 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
- (3) the premises shall only be open to the public between the hours of 08.00am and 11.00pm. **REASON**: To protect the amenities of surrounding properties, in accordance with Policy ENV3 of the Warwick District Local Plan.

466. **4 THE COURTYARD, 81 GLASSHOUSE LANE & MAYFIELD, GLASSHOUSE LANE, KENILWORTH**

The Committee considered a report from the Head of Planning and Engineering that sought confirmation of provisional Tree Preservation Order TPO338 for 6 individual trees.

The Order had been submitted to Committee for confirmation because an objection had been received with regard to tree T6 within the order.

RESOLVED that Tree Preservation Order TPO338 be confirmed.

467. ADOPTION OF LOCAL PLAN

The new Warwick District Local Plan was due to be formally adopted on 21 September 2007. For this reason the Head of Development Control sought confirmation from the Committee that they were happy for the decisions notices to be updated to reflect the new policies numbers and not those stated in the reports/decisions of the Committee, if applicable, even though he had permission under the adopted scheme of delegation.

RESOLVED that when issuing the decision notices following this Committee, the Planning Department update the decisions so that they refer to the New Warwick District Council Local Plan, due to be adopted on 21 September 2007.

(The meeting ended at 8.40pm)