

APPENDIX "A"
PLANNING APPLICATIONS

W2004/1442 **1 – 3 Oxford Street, Leamington Spa.** Alterations and extensions to
 Leamington Spa create an additional flat and the construction of four dormers to the rear
 elevation.

The following addressed the Committee:
 Mr A Endean Objector
 Councillor B Crowther Ward Councillor

DECISION DEFERRED for further information on:

- 1) Description did not include all works (e.g. construction of lightwells);
- 2) Structural survey necessary to demonstrate this building can accommodate proposed alterations without collapse;
- 3) Refuse disposal arrangements;
- 4) Comments on the Party Wall Act as applicant has not contacted neighbour;
- 5) Concerns re impact on neighbour and his roof terrace i.e. alleged these would breach 45 code;
- 6) Concerns re design as it would result in the loss of chimneys, firewall breaking up roof line, dormers better flat room lead detail;
- 7) Noise transmission (bath rooms on party walls
- 8) Original plans as submitted should have been displayed;
- 9) The amended plans to be submitted for consideration by the Warwick District Towns Conservation Area Advisory Forum and Royal Leamington Spa Town Council; and
- 10) The possible intensification of use, with 17 bedrooms in the new proposal, with a greater demand for car parking.

W2004/1649 **Unit 10, Bridge Works, Farmer Ward Road, Kenilworth.**
 Kenilworth Retrospective application for the construction of a 2.4 meter high fenced enclosure.

The Head of Planning & Engineering had recommended that the application be granted subject to conditions as he considered that the application complied with the relevant policies listed below:

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

The following addressed the Committee:
 Councillor Mrs A Tyler Town Council

After considering the report of the Head of Planning and Engineering and considering the representation from Kenilworth Town Council the Committee were of the opinion that the application should be refused as it was visually detrimental to the character and appearance of the street scene in a prominent corner location, detrimental to the visual amenities of neighbours overlooking the site and unneighbourly. The Committee were also of the opinion that the applicant should be informed that if the fence and stored materials are not removed within 6 months, an enforcement notice will be issued requiring the fence to be taken down within one month and breach of conditions notice will be served with regard to condition 2 of planning permission 4380, requiring the cessation of use of the site for open storage within one month

DECISION

REFUSED because:

1. as it was visually detrimental to the character and appearance of the street scene in a prominent corner location, detrimental to the visual amenities of neighbours overlooking the site and unneighbourly and therefore contrary to Policy DW (ENV3) in the Warwick District Local Plan 1995 and Policies DP1/DP2 in the Warwick District Local Plan 1996 - 2001; and
2. the applicant be informed that if the fence and stored materials are not removed within 6 months, an enforcement notice will be issued requiring the fence to be taken down within one month and breach of conditions notice will be served with regard to condition 2 of Kenilworth Urban District Councils planning permission 4380, requiring the cessation of use of the site for open storage within one month.

W2004/1794
Leamington Spa

41a RUGBY ROAD, LEAMINGTON SPA. Change of use from residential to nursery with opening hours 8.00 am to 6.00 pm, Monday to Friday.

The Head of Planning & Engineering had recommended that the application be granted subject to conditions as he considered that the application 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 First Deposit Version)

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

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

The following addressed the Committee
Mr A Bartlett Applicant
Councillor B Crowther Ward Councillor

DECISION GRANTED subject the following conditions:

1. The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
2. The use of the garden for this purpose shall be restricted to weekdays Monday to Friday (excluding bank holidays) and between the hours of 10.00 am until 4.00 pm;
3. The maximum number of children using the garden at anyone time shall be six with these children being supervised by at least one suitably qualified adult; and
4. The total number of children attending the nursery shall not at anytime exceed 35 and the nursery shall only be operated between the hours of 8.00 am and 6.00 pm Monday to Friday (excluding bank holidays).

W2004/1850 **R/O 12 AMHERST ROAD, KENILWORTH.** Erection of a detached
Kenilworth dwelling.

DECISION DEFERRED to allow for a site visit to be undertaken as the Committee
felt it would be of significant benefit to them when considering the
application.

APPENDIX "B"
PLANNING APPLICATIONS

W2004/1855 Cubbington	R/O 1 KENILWORTH ROAD, CUBBINGTON. Demolition of existing garage and erection of a two bedroomed detached dwelling with external parking space.						
	<p>The following addressed the committee:</p> <table border="0"> <tr> <td>Councillor C Clearver</td> <td>Parish Council</td> </tr> <tr> <td>Mr J Payne</td> <td>Objector</td> </tr> <tr> <td>Mr D Riman</td> <td>Applicant</td> </tr> </table>	Councillor C Clearver	Parish Council	Mr J Payne	Objector	Mr D Riman	Applicant
Councillor C Clearver	Parish Council						
Mr J Payne	Objector						
Mr D Riman	Applicant						
DECISION	DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.						
W2004/1877 Leamington Spa	104 TELFORD AVENUE, LILLINGTON, LEAMINGTON SPA. Erection of rear ground floor and first floor extension.						
	<p>The Head of Planning and Engineering considered that the application should be granted as it complied with the following policies, which were relevant to the application:</p>						
	<p>(DW) ENV3 - Development Principles (Warwick District Local Plan 1995) DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version) DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)</p>						
	<p>The following addressed the Committee:</p> <table border="0"> <tr> <td>Mr K Hillyard</td> <td>Objector</td> </tr> </table>	Mr K Hillyard	Objector				
Mr K Hillyard	Objector						
	<p>Having considered the report from the Head of Planning & Engineering and the representation to them, the committee were of the opinion that the application would be overdevelopment, detrimental to the street scene and had an overbearing and unneighbourly impact.</p>						
DECISION	REFUSED because the application was overdevelopment, detrimental to the street scene and had an overbearing and unneighbourly impact.						
W2004/1905 Sherbourne	6 MOAT GREEN, SHERBOURNE. Erection of a tow storey side extension, rear dormers and detached garage/store.						
	<p>The Head of Planning and Engineering considered that the application should be granted as it complied with the following policies, which were relevant to the application:</p>						

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
(DW) H14 - Extensions to Dwellings in the Rural Area (Warwick District Local Plan 1995)
RAP3 - Extensions to Dwellings (Warwick District 1996 - 2011 First Deposit Version)

The following people addressed the Committee:

Mr Rees Objector
Mr G Wilson Applicant
Councillor B Butler Ward Councillor

DECISION DEFERRED to allow for a site visit to be undertaken as the Committee felt it would be of significant benefit to them when considering the application.

W2004/1933 **6 SOUTHFIELD DRIVE, KENILWORTH.** Erection of a single storey side garage extension.
Kenilworth

The Head of Planning and Engineering considered that the application should be granted as it complied with the following policies, which were relevant to the application:

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
The 45 Degree Guideline (Supplementary Planning Guidance)

The following addressed the committee:

Councillor Mrs A Tyler Town Council
Mr Woofenden Objector

DECISION GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
2. The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) plan no. 452-04 Rev.A, and specification contained therein, submitted on 1 November 2004 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and

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

W2004/1707 **VICTORIA CHAMBERS, 132-136 PARADE, LEAMINGTON SPA.**
Leamington Spa Alterations and conversion to provide 13 residential units and office accommodation.

The Head of Planning and Engineering considered that the application should be granted as it complied with the following policies, which were relevant to 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)

(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)

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

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

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

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

DP9 - Pollution Control (Warwick District 1996 - 2011 First Deposit Version)

DECISION

GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
2. The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1882-04, 1882-05/A and 1882-06/A and specification contained therein, submitted on 16 September 2004 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. The areas on the plans identified for offices shall be used for offices within Use Class B1 only and shall be used for this purpose between the hours of 3.00am and 10.00pm only.
REASON: To control the potential loss of amenity to the office element of the premises from noise of dance music emanating from the adjoining Rio's Nightclub;
6. Prior to the commencement of this development hereby permitted, a sound insulation test shall be conducted within the proposed residential accommodation to determine the extent of sound insulation required to protect that accommodation from the noise amplified music arising from the nightclub. The results of this test shall be made available to the District Planning Authority on completion. Following the noise test, a scheme for protecting the development from noise shall be submitted to and approved in writing by the District Planning Authority. The approved scheme shall be fully implemented in accordance with such approved details and shall thereafter be maintained. **REASON:** To protect future occupiers of the development and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995; and
7. There shall be no alterations to the structure, roof, doors, windows or external facades without the prior written approval of the District Planning Authority. **REASON:** To retain control over future alterations in the interests of occupiers of the building and to satisfy the requirement of Policy ENV3 of the Warwick District Local Plan 1995 and DP9 of the emerging Local Plan 1996-2011 (first deposit version).

W2004/1708LB **VICTORIA CHAMBERS, 132-136 PARADE, LEAMINGTON SPA.**
Leamington Spa Alterations and conversion to provide 13 residential units and office accommodation.

The Head of Planning and Engineering considered that the application should be granted as it complied with the following policies, which were relevant to 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)

(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)

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

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

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

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

DP9 - Pollution Control (Warwick District 1996 - 2011 First Deposit Version)

DECISION

GRANTED subject to the following conditions:

1. The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
2. The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 1882-04, 1882-05/A and 1882-06/A and specification contained therein, submitted on 16 September 2004, 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. The areas on the plans identified for offices shall be used for offices only (within Use Class B1) and shall be used for this purpose between the hours of 3.00am and 10.00pm only.
REASON: To control the potential loss of amenity to the office element of the premises from noise of dance music emanating from the adjoining Rio's Nightclub;
6. Prior to the commencement of this development hereby permitted, a sound insulation test shall be conducted within the proposed residential accommodation to determine the extent of sound insulation required to protect that accommodation from the noise amplified music arising from the nightclub. The results of this test shall be made available to the District Planning Authority on completion. Following the noise test, a scheme for protecting the development from noise shall be submitted to and approved in writing by the District Planning Authority. The approved scheme shall be fully implemented in accordance with such approved details and shall thereafter be maintained. **REASON:** To protect future occupiers of the development and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan 1995; and
7. There shall be no alterations to the structure, roof, doors, windows or external facades without the prior written approval of the District Planning Authority. **REASON:** To retain control over future alterations in the interests of occupiers of the building and to satisfy the requirement of Policy ENV3 of the Warwick District Local Plan 1995 and DP9 of the emerging Local Plan 1996-2011 (first deposit version).

W2004/1792 Baginton	<p>MIDDLEMARCH BUSINESS PARK, COVENTRY TRADING ESTATE, SISKIN DRIVE, COVENTRY. Erection of two 'Gatehouse' security cabins.</p> <p>The Head of Planning and Engineering considered that the application should be granted as it complied with the following policies, which were relevant to the application:</p> <p>(DW) ENV3 - Development Principles (Warwick District Local Plan 1995) DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version) DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)</p>
DECISION	<p>GRANTED subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. REASON : To comply with Section 91 of the Town and Country Planning Act 1990; and 2. The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (Ref Drawing Nos EST01015-1-11-01A, 10436/S/20, and 10436/S/20), and specification contained therein, submitted on 15th October 2004) 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.
W2004/1826 Warwick	<p>236 MYTON ROAD, WARWICK. Amendment to W20040742, insertion of a blank dormer on western elevation, extension to approved rear dormer and extension to approved rear living room.</p> <p>The Head of Planning and Engineering considered that the application should be granted as it complied with the following policies, which were relevant to the application:</p> <p>(DW) ENV3 - Development Principles (Warwick District Local Plan 1995) DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version) DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version) The 45 Degree Guideline (Supplementary Planning Guidance)</p>

DECISION

GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
2. The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) dated 12/10/04, and specification contained therein, submitted on 12 October 2004 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and
3. All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan

W2004/1857
Radford Semele

WALNUT TREE COTTAGE, THE VALLEY, RADFORD SEMELE, LEAMINGTON SPA. Erection of a two storey extension.

The Head of Planning and Engineering considered that the application should be granted as it complied with the following policies, which were relevant to the application:

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

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

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

DECISION

GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of five years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990;
2. The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing (RR/04/11/01 Revision B), and specification contained therein, submitted on 15th October, 2004 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3; and

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