Planning Committee

Minutes of the meeting held on Tuesday 17 July 2018 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Cooke (Chairman); Councillors Ashford, Boad, Barrott, Mrs Bunker, Day, Edgington, Heath, Mrs Hill, Mrs Stevens and Weed.

Also Present: Principal Committee Services Officer – Mrs Dury; Legal Advisor – Mr Howarth; Manager, Development Services – Mr Fisher; Business Manager, Development Management – Mr Sahota; and Mr Young – Business Manager, Development Management.

41. **Apologies and Substitutes**

(a) There were no apologies made.

(b) Councillor Ashford substituted for Councillor Morris.

42. **Declarations of Interest**

Minute Number 45 – W/18/0902 – 24 Courthouse Croft, Kenilworth

Councillor Mrs Bunker declared an interest because a member of the public had approached her for advice on procedure, but she had not discussed the application.

Minute Number 47 – W/18/0400 – 85 Rugby Road, Cubbington

Councillor Mrs Stevens declared an interest because she had been present at Cubbington Parish Council's meeting when the application was discussed; but she did not participate in the debate.

43. **Site Visits**

There were no site visits made.

44. **Minutes**

The minutes of the meeting held on 19 June 2018 were taken as read and signed by the Chairman as a correct record.

45. **W/18/0902 – 24 Courthouse Croft, Kenilworth**

The Committee considered an application from Mr Rae for the erection of a single storey side extension.

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

The officer was of the opinion that the proposed side extension was considered of an acceptable design for the area and did not create a negative impact upon the amenity of neighbouring properties in terms of loss of light, outlook and privacy. In addition the proposal retained

sufficient parking for two cars in accordance with the adopted guidance. The application was therefore recommended for approval.

An addendum circulated at the meeting advised that New Parking Standards had been adopted since the initial assessment of this application, the previous parking standards required two parking spaces for a four bed house and the recently adopted parking standards now required three spaces for a four bed house. Therefore an amended plan had been received showing that the property could accommodate three off road parking spaces in accordance with the adopted Parking Standards SPD.

The following people addressed the Committee:

- Councillor Illingworth, representing Kenilworth Town Council which had objected to the application;
- Ms Mushing, who spoke on behalf of a neighbour who objected to the application; and
- Mr Rae, the applicant.

The Chairman reminder Members that they should deal with the application as presented to them, not what the applicant had indicated might be changed in the proposals.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Mrs Stevens and seconded by Councillor Day that the application should be granted.

Members felt that a condition should be added to planning consent for obscure glazing to be used on window on the side elevation at ground floor level. Councillors Mrs Stevens and Day agreed that they were happy for this to become the substantive motion.

The Committee therefore

Resolved that W/18/0902 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 002, and specification contained therein, submitted on 14th May 2018. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

(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 BE1 of the Warwick District Local Plan 2011-2029; and

(4) obscure glazing to be installed on the ground floor side extension window.

46. **W/18/0842 - 2 Oaks Precinct, Caesar Road, Kenilworth**

The Committee considered an application from Mrs Harrison for a change of use from retail (use Class A1) to a podiatry advice centre (use Class D1).

The application was presented to Committee because the Ward member supported the application, which had been recommended for refusal and there had also been over five letters of support received from members of the public.

The application was deferred from the previous Planning Committee meeting on 19 June 2018 to seek further evidence of marketing and important unmet local need.

The officer was of the opinion that whilst the submitted information indicated that a need had been demonstrated in terms of the increasing number of clients using the business, it was considered that it had not been adequately demonstrated that the business would meet an important unmet local need because 60% of the clients were from Kenilworth and 40% from outside of Kenilworth. A number of representations had been received from the public in terms of the need for a podiatry clinic with the majority of the respondents being existing patients of the business. There was no information on how many clients the business had had to turn away which would more accurately show an unmet need existed, whilst reference was made to the other chiropody clinic in Kenilworth there was again no information that they were turning away patients.

An addendum circulated at the meeting advised that two additional letters of support had been received, one of which was a petition with 67 signatures, and the other was a letter from a single household raising points previously included in the report.

The following people addressed the Committee:

- Ms Harrison, the applicant; and
- Councillor Davies, the Ward Councillor, who supported the application.

Members felt that there was an important unmet local need, demonstrated by the business's full order book and the fact that the owner wished to expand the business because it was busy.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Edgington and seconded by Councillor Mrs Bunker that the application should be granted.

The Committee therefore

Resolved that W/18/0842 be **granted** contrary to the recommendations in the report because:

(1) the applicant has demonstrated that the proposal satisfies the requirements of Local Plan Policy TC17 in that it meets an important unmet local need; and

(2) authority is delegated to the Planning Officers in liaison with the Chairman of the Planning Committee, to determine the conditions to be placed on the planning consent.

47. **W/18/0400 – 85 Rugby Road, Cubbington**

The Committee considered an application from Mrs Warrington for the erection of a two storey and a single storey rear / side extension and a porch.

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

The officer was of the opinion that the proposed extensions would be suitable in design and scale for the main property overall, and would not impact upon the street scene. They would not cause material harm to the surrounding neighbours nor the dwelling which could be built under an extant planning permission at no. 87 and therefore the application should be approved.

An addendum circulated at the meeting advised that amended plans had been received, revising the internal layout of the first floor to ensure that all bedrooms had a suitable level of outlook. One of the bedrooms had been removed and the layout reconfigured so that 'Bed 3' had a window looking rearwards onto the garden.

Ms Marrow addressed the Committee in objection to the application.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, it was proposed by Councillor Day and seconded by Councillor Edgington that the application should be granted.

The Committee therefore

Resolved that W/18/0400 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 001, 050 and 200 submitted on 28th February 2018, drawings 100A, 150A, 300A and 400A submitted on 2nd July 2018 and drawing 151B submitted on 3rd July 2018 and specification contained therein. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; 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 BE1 of the Warwick District Local Plan 2011-2029.

48. **W/18/0676 – North Lodge, Coventry Road, Stoneleigh**

Amended plans had been submitted which had reduced the footprint and volume of the building to a level which was considered acceptable.

As amended, the proposed detached building was not considered to be materially larger than the one it replaced and therefore, was not considered inappropriate development within the Green Belt.

Therefore, this application was withdrawn from the agenda to be determined under delegated powers.

49. **W/18/0805 – The Oak, Stratford Road, Beaudesert, Stratford on Avon**

The Committee considered a part retrospective application from Westbourne Leisure Limited for the retention of the existing development on site comprising a 60-bedroom hotel. This included the demolition of the existing function room, a three-storey rear extension and the conversion of space on the ground and first floors of the existing public house/restaurant. Additionally a ground floor extension to the existing restaurant and external alterations including amendments to the rear extension to provide an amended roof line and new windows, two no. gables on the rear elevation, plus associated landscaping and car park alterations.

The application was presented to Committee because an objection had been received from Tanworth in Arden Parish Council.

The officer was of the opinion that the proposed development which lay within Warwick District would have no increased detrimental impact on the openness of the Green Belt or character of the countryside. The development would cause no harm to neighbouring residential amenity and would provide adequate parking. The application should therefore be approved.

An addendum circulated at the meeting advised that WCC Ecology had considered the bat survey that was submitted by the applicant and had confirmed that it had no objection, subject to notes relating to bats and nesting birds.

Following consideration of the report, presentation and information contained in the addendum, it was proposed by Councillor Boad and seconded by Councillor Mrs Bunker that the application should be granted.

The Committee therefore

Resolved that W/18/0805 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings PA-212, PA-213, PA-214 and PA-215, and specification contained therein, submitted on 25th April 2018. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; 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 BE1 of the Warwick District Local Plan 2011-2029.

50. **W/18/0954 – Priory Farm, Rising Lane, Lapworth**

The Committee considered an application from Mr Blackburn for the erection of a two storey side extension and first floor extension to the existing detached garage.

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

The officer was of the opinion that the proposed extensions to the existing garage were considered of an acceptable design that would not adversely affect the setting of the building and the wider street scene. The proposal would not create a negative impact upon the amenity of neighbouring properties in terms of loss of light, outlook and privacy. In addition the proposal retained sufficient parking for two cars in accordance with the adopted guidance. The application was therefore recommended for approval.

Following consideration of the report and presentation, it was proposed by Councillor Barrott and seconded by Councillor Heath that the application should be granted.

The Committee therefore

Resolved that W/18/0954 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (PAM 2701/03 & PAM 2701 02C), and specification contained therein, submitted on 14 May 2018 & 2 July 2018 respectively. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029;

(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 BE1 of the Warwick District Local Plan 2011-2029; and

(4) notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no alterations shall be made to the eastern elevation of the building hereby approved. **Reason:** That having regard to the design, layout and general nature of the

proposed development it is important to ensure that no further development is carried out which would affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the local planning authority in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

51. W/18/1069 – Corner of Princes Drive, Coventry Road, Kenilworth

This application was withdrawn and therefore taken off the agenda.

52. W/18/1122 – 33 Wilmhurst Road, Warwick

The Committee considered an application from Mr Jackson for the erection of a first floor side and single storey rear extension.

The application was presented to Committee because the applicant was a Warwick District Council employee.

The officer was of the opinion that the proposals would have an acceptable impact on the character and appearance of the area and on the living conditions of neighbouring dwellings. Therefore it was recommended that planning permission should be granted.

Following consideration of the report and presentation, it was proposed by Councillor Mrs Bunker and seconded by Councillor Barrott that the application should be granted.

The Committee therefore

Resolved that W/18/1122 be **granted** in accordance with the recommendations in the report, subject to the following conditions:

(1) the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);

(2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 1, and specification contained therein, submitted on 4th June, 2018. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029; 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 BE1 of the Warwick District Local Plan 2011-2029.

53. **Planning Appeals Report**

Members received a report from officers outlining the existing enforcement matters and appeals currently taking place.

Resolved that the report be noted.

(The meeting ended at 7.52 pm)

CHAIR
14 August 2018