Planning Committee

Minutes of the meeting held on Tuesday 1 February 2022 at the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillor Boad (Chairman); Councillors Ashford, R Dickson, Falp, Jacques, Kennedy, Leigh-Hunt, Morris, Quinney, and Tracey.

Also Present: Committee Services Officer – Rob Edwards, Legal Advisor – Caroline Gutteridge; Business Manager – Sandip Sahota; and Principal Planning Officer – Dan Charles.

132. **Apologies and Substitutes**

(a) Apologies were received from Councillor Tangri; and

(b) Councillor Falp substituted for the Whitnash Residents Association vacancy.

133. **Declarations of Interest**

There were no declarations of interest made.

134. **Site Visits**

The following site visits had been undertaken prior to the meeting:

W/21/0066 – Little Fieldgate, 55 Fieldgate Lane, Kenilworth – Councillors Dickson, Jacques and Kennedy made independent site visits to this address.

W/21/0263 – Land North of Bakers Lane, Kenilworth – Councillor Dickson made an independent site visit to this address.

W/21/1084 – Southfields, 57 Lillington Road, Royal Leamington Spa – Councillor Jacques made an independent site visit to this address.

W/21/1664 - Bluff Edge, Barford Road, Barford - Councillor Jacques made an independent site visit to this address.

W/21/1609 – 32 Wellesbourne Road, Barford - Councillor Jacques made an independent site visit to this address.

135. **Minutes**

The minutes of the meeting held on 11 January 2022 were taken as read and signed by the Chairman as a correct record.

136. **W/21/1084 – Southfields, 57 Lillington Road, Royal Leamington Spa**

The application was withdrawn from the agenda prior to the meeting to enable officers to carry out some further investigation prior to determination as to whether the site would be considered a C2 or C3 use

class from both a planning and legal standpoint, as this would have a bearing on the consideration of the application.

137. **W/21/0263 – Land North of Bakers Lane, Knowle, Solihull**

The Committee considered an application from Mr Smith for the change of use of land to the keeping of horses, erection of stables, construction of all-weather riding arena and laying of hardstanding. (Amendment: hay barn omitted from scheme, hardstanding reduced in size and access provided to paddock area).

The application was presented to Planning Committee because of the number of objections received, including from Lapworth Parish Council.

The officer was of the opinion that that the proposal was an appropriate form of development within the Green Belt. The scale of the building was considered to be appropriate for the land holding. The proposal raised no objection in design or amenity terms and was considered acceptable in relation to highway safety and impact on protected species.

For the above reasons, the proposal was recommended for approval, subject to conditions.

An addendum circulated prior to the meeting informed Members that additional representations had been received, including four letters of objection, an email from Saqib Bhatti MP on behalf of a constituent who objected to the application, and a Briefing Note which was sent to Members from the Local Residents Group who raised concerns about the application.

The following people addressed the Committee:

- Mr Gregory, speaking in objection; and
- Councillor Illingworth, District Councillor, speaking in objection.

Although WCC Highways had carried out an assessment and had raised no objection to the application, the Committee wanted to clarify whether they had carried out a site visit as part of that assessment. Members also raised a point that there was no reference in the report in the Summary of Representations from the Campaign for the Protection of Rural England (CPRE), who had submitted a lengthy objection and who had submitted a request for enforcement action on the wider site, and whose correspondence on the Council Planning Portal included a phrase referring to "let the photos speak for themselves"; photographs which did not appear to be on the Planning Portal. Members felt a site visit would be helpful to consider the cumulative effect of the various applications related to this site.

Following consideration of the report, addendum, presentation and the representations made at the meeting, it was proposed by Councillor Morris and seconded by Councillor Falp that the application be deferred.

Resolved that W/21/0263 be **deferred** to allow for a site visit to be undertaken, and to enable the Committee to see the full submission from Campaign for the Protection of Rural England (CPRE) including

their photographs along with more information being received from WCC Highways including confirmation of their site visit.

138. **W/21/0066 – Little Fieldgate, 55 Fieldgate Lane, Kenilworth**

The Committee considered an application from Mr Davis for the demolition of an existing bungalow and the erection of one two-storey dwelling.

The application was presented to Planning Committee because of the number of comments in support, when the application was recommended for refusal.

The officer was of the opinion that the proposal was considered harmful to both the setting of the Grade II Listed Building and Conservation Area. Although this harm was considered to be less than substantial, there were no public benefits to outweigh this with no clear or convincing justification presented, contrary to the aforementioned policy and legislation. Therefore, it was recommended the application should be refused.

The following people addressed the Committee:

- Mrs Nicholson, speaking in support.

A motion to grant the application, contrary to the recommendation in the report, was proposed by Councillor Kennedy, seconded by Councillor Jacques and on being put to the vote was lost.

Following consideration of the report, presentation and the representation made at the meeting, it was proposed by Councillor Morris and seconded by Councillor Tracey that the application be refused.

Resolved that W/21/0066 be **refused** because Policy HE1 of the Warwick District Local Plan 2011-2029 and the NPPF state that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal.

The proposal is considered harmful to both the setting of the Grade II listed building and Conservation Area. Although this harm is considered to be less than substantial, there are no public benefits to outweigh this with no clear or convincing justification presented, contrary to the aforementioned policy and legislation. No public benefits have been identified to outweigh this harm.

The development is thereby considered to be contrary to the aforementioned policy.

139. **W/21/1664 – Bluff Edge, Barford Road, Barford**

The Committee considered an application from Mr Guy for the erection of a first-floor extension above upper and lower ground floor levels; two storey front extension to lower ground level and proposed erection of single storey front extension to upper ground level; and the erection of a detached carport and replacement of an existing storage unit and the erection of entrance gates.

The application was presented to Planning Committee because more than five public responses supporting the application had been received, when the application was recommended for refusal.

The officer was of the opinion that the proposals resulted in a 97% increase over and above the original dwelling and therefore resulted in a disproportionate addition within the open countryside which was contrary to the aims and objectives of Local Plan Policy H14. It was therefore recommended that planning permission should be refused.

The following people addressed the Committee:

- Mr Guy, speaking in support.

In response to questions,

Following consideration of the report, presentation and the representation made at the meeting, it was proposed by Councillor Quinney and seconded by Councillor Ashford that the application be refused.

Resolved that W/21/1664 be **refused** because Policy H14 in the Local Plan states that extensions to dwellings in the open countryside will be permitted unless they result in disproportionate additions to the original dwelling (excluding any detached buildings), which

a) do not respect the character of the original dwelling by retaining its visual dominance;
b) do not retain the openness of the rural area by significantly extending the visual impression of built development; or
c) substantially alter the scale, design and character of the original dwelling.

As a guideline for properties outside of the designated Green Belt but within the designation of the open countryside, additions (taking into account any previous extensions) that represent an increase of more than 40% to the gross floor space of the original dwelling excluding any detached buildings, are likely to be considered disproportionate.

The proposed extensions, the subject of this application when also taking account of previous additions, equate to a 97% increase in the size of the building, with the addition of a first floor which is considered to, be contrary to the character of the original dwelling increasing its visual dominance,

reducing openness by significantly extending the impression of built development and substantially altering the scale, design and character of the original dwelling. On this basis it is considered that the proposal is unacceptable and contrary with the objectives of this local plan policy.

In the opinion of the Local Planning Authority, the proposed development represents a disproportionate addition to the original building.

The proposed development is therefore contrary to the aforementioned policies

140. **W/21/1443 – Land to the South and West of Coventry Airport, Coventry**

The Committee considered a reserved matters application from the Coventry and Warwickshire Development Partnership, pursuant to Condition 1 of planning permission ref: W/18/0522 (outline application including details of access for the comprehensive redevelopment of land South of Coventry Airport) for details of access, appearance, landscaping, layout and scale of the primary electrical substation for the site.

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

The officer was of the opinion that the development formed a detailed part of the wider site development approved under an earlier outline permission. The principle was therefore acceptable subject to an assessment being made of the other relevant planning considerations. The proposal constituted appropriate development in the Green Belt and would not impact on openness. There were no environmental health concerns about the proposal in terms of noise and general disturbance and therefore together with the distance to the nearest neighbouring properties officers were satisfied that the substation would not result in material harm to residential amenity. Having regard to the constraints which limited the location of the substation along with the revised landscaping proposals that illustrated the extent to which it would be screened, the development was also considered acceptable in terms of its visual impact. The recommendation was therefore to approve planning permission, subject to conditions.

An addendum circulated prior to the meeting advised that two further objections had been received.

Following consideration of the report, addendum and presentation, it was proposed by Councillor Dickson and seconded by Councillor Quinney that the application be granted.

Resolved that W/21/1443 be **granted** subject to the following conditions:

No.	Condition
(1)	the development hereby permitted shall be carried out strictly in accordance with the details shown on the following approved drawings, except as required by condition 2: GSC-PPL-HAD-OF-DR-CE-SK83 C, GSC-PPL-HAD--OF-DR-CE-105 K, GSC-PPL-HAD-OF-DR-CE-135 J, GSC-PPL-HAD-OF-DR-CE-SK124,MN210498-ELEC-003, MN210498-ELEC-009, TR1, B 707.1 Issue.2 and 31460-FE-028 A and specification contained therein, submitted on 28 July 2021 and revised drawing GSC-BCA-ELS-XX-DR-LA-1839-18-27-S5 Rev.P4 and specification contained therein, submitted on 20 December 2021. **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;
(2)	pursuant to Condition 1 of outline planning permission ref: W/18/0522, a schedule of materials to be used on the development hereby permitted, including the finish and colour, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029; and
(3)	the development hereby permitted shall be carried out in accordance with the details in the document entitled 'Substation Assessment' 103600-VAN-EN-PN-001 Rev.R00 (14 December 2021). All plant shall be installed with the same or lower sound power characteristics than those specified in the aforementioned report. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

141. **W/21/1609 – 32 Wellesbourne Road, Barford**

The Committee considered an application from Mr and Mrs Taylor-Watts for the erection of a detached outbuilding providing a garage and gym at ground floor and an office above.

The application was presented to Planning Committee because an objection had been received from Barford, Sherbourne and Wasperton Joint Parish Council.

The officer was of the opinion that the development proposals were in keeping with the character and appearance of the property and the surrounding conservation area. In addition, the principle of development had previously been established and the proposals were not considered to cause harm to heritage assets. Moreover, the proposals were not considered to present a harmful impact upon the amenity of the neighbouring properties. The proposal was considered to be in accordance with the policies listed and it was therefore recommended for approval.

Following consideration of the report, and presentation made at the meeting, it was proposed by Councillor Jacques and seconded by Councillor Tracey that the application be granted.

Resolved that W/21/1609 be **granted** subject to the following conditions:

No.	Condition
(1)	the development hereby permitted shall begin no 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) 1603-0500-03 and specification contained therein, submitted on 21st December 2021. **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)	prior to commencement of the development hereby permitted, the tree protection measures recommended in the Arboricultural Impact Assessment and Method Statement reference jwmb/rpt1/32wellesbournerd/AIAMS dated 6 August 2021 prepared by Arbortrack Systems Ltd shall be adopted and implemented. The development thereafter shall be implemented

No.	Condition
	in strict accordance with the approved details, and the approved protection scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason**: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029; and
(4)	all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the main house. **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.

142. **W/21/2069 – Chestnut House, The Old Nursery, Station Lane**

The Committee considered an application from Mr and Mrs Cooper for the conversion of an existing garage into a games room and the erection of a detached garage with store.

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

The officer considered that the development proposal was in keeping with the character and appearance of the property and the area. In addition, the proposals were not considered to present a harmful impact upon the amenity of the neighbouring properties in relation to light, outlook or privacy and were in accordance with the aforementioned policies and the application was therefore recommended for approval.

Following consideration of the report and presentation made at the meeting, it was proposed by Councillor Quinney and seconded by Councillor Kennedy that the application be granted.

Resolved that W/21/2069 be **granted** subject to the following conditions:

No.	Condition
(1)	the development hereby permitted shall begin no 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

No.	Condition
	amended);
(2)	development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 3940_001, 3940_004 and specification contained therein, submitted on 12th November 2021. **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 main house. **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.

143. **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 8.49pm)

CHAIRMAN
2 March 2022