Urgent Delegated Planning Decisions

Report of the remote meeting held on Thursday 21 October 2021 at 6.00pm, which was broadcast live via the Council's YouTube channel.

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

Also Present: Legal Advisor – Samantha Amphlett; Committee Services Officers– Rob Edwards and Sophie Vale (observing), Principal Planning Officer – Rebecca Compton, Manager – Development Services – Gary Fisher.

At the start of the meeting the Chairman explained that on 12 October, a significant technical issue occurred with the audio system at the Town Hall. This required significant technical investigation into the problem, which, at the time of this meeting, had not been resolved. In anticipation of this at Council the night before, it was agreed that delegated authority be given to the Development Manager to determine these applications subject to the views the Planning Committee provided to them in a vote at a remote meeting.

The Council took this decision because it recognised the exceptional circumstances it was faced with and that it was unfair on applicants by deferring the applications any further.

The process would be for each application to have a presentation from the Planning Officer. Next, registered speakers would be invited to address the Committee.

Following the registered speakers, the Committee then debated the application. During the debate, members raised technical questions and issues to which the Planning Officers or advisors responded.

The Committee would then take an indicative vote on each application which would be taken into account by the Development Manager when making the decision, which he then confirmed to the Committee in writing the morning of 22 October 2021 prior to the notification of the decisions being published, which would be appended to this report.

1. **Apologies and Substitutes**

(a) there were no apologies for absence made; and
(b) Councillor Margrave substituted for the Whitnash Residents Association vacancy, and Councillor Wright substituted for Councillor Tracey.

2. **Declarations of Interest**

Minute Number 5 – W/21/0856 – Tantara Lodge, Coventry Road, Stoneleigh, Coventry

Councillor Wright declared an interest because the application was in his ward. Although the Chairman advised that this did not constitute an

interest, Councillor Wright left the meeting whilst the application was considered.

Minute number 8 – W/21/1230 – 26 Ladycroft, Cubbington, Royal Leamington Spa

Councillor Wright declared an interest because he knew the architect of the above property. He left the meeting whilst the application was considered.

3. **Site Visits**

To assist with decision making, Councillors Dickson and Jacques visited the following application sites independently:

W/21/0856- Tantara Lodge, Coventry Road, Stoneleigh, Coventry.

4. **W/21/0649 – The Thistle Estate, Red Lane, Burton Green, Kenilworth**

The Committee considered an application from Mr and Mrs Chohan and Bibi for the demolition of an existing bungalow, erection of single storey extension to and change of use of existing outbuilding to a dwelling and erection of a new garage block.

The application was presented to Planning Committee due to the number of objections and an objection from Burton Green Parish Council having been received.

The Officer was of the opinion that the proposed development constituted appropriate development in the Green Belt, would not result in harm to openness, the character and appearance of the street scene nor have a harmful impact on the amenity of neighbouring properties. The development was therefore considered acceptable and was recommended for approval, subject to conditions.

An addendum circulated prior to the meeting advised that Condition 4 (demolition) was revised to allow the applicant 6 months to demolish the existing dwelling following first occupation of the proposed dwelling. The condition also required the existing bungalow to remain vacant once the new dwelling was occupied. The addendum also advised the following:

- Neighbourhood plan policy 2: New dwellings in Development Boundary, stated that proposals for new dwellings would be supported in principle subject to being in accordance with other policies in the plan.
- Neighbourhood plan policy 3: Responding to Local Character, stated that all new development should have regard to local character ensuring that new buildings and modifications to existing ones have sympathetic regard to their immediate setting and to the character of that part of the village.

Officers were satisfied that the development would not have a harmful impact on local character, the street scene was mixed with a range of styles and design and the proposed dwelling was of a good design. The

proposals were therefore considered to comply with the Burton Green Neighbourhood Plan.

The following people addressed the Committee:

- Mr Cotterill, objecting;
- Mr Morgan; supporting; and
- Councillor Illingworth, District Councillor, speaking in objection.

In response to questions from Members, the Development Services Manager suggested that conditions on noise abatement measures and minimising the carbon impact of the pool could be added. The Legal Advisor supported this suggestion, stating that these can both be implemented as conditions.

Following consideration of the report, presentation, information contained in the addendum and the representations made at the meeting, it was proposed by Councillor Jacques and seconded by Councillor Quinney that the committee should form a view that the application be granted.

On being out to the vote, the Councillors present were of the view that the Development Manager should **grant** W/21/0649 subject to the conditions in the report and addendum, and subject to additional conditions relating to i. sustainability/energy conservation and ii. the mitigation of noise levels – the specific wording of the conditions to be agreed by officers.

(Councillor Kennedy left the meeting during this item.)

5. **W/21/0856 – Tantara Lodge, Coventry Road, Stoneleigh, Coventry**

The Committee considered an application from Mr Reay for the retention of solar panels on front roof slope (retrospective).

This application was presented to Planning Committee as Stoneleigh Parish Council supported the proposals, and the application was recommended for refusal.

The Officer was of the opinion that the solar panels detracted from the character and integrity of the listed gate lodge and the registered park. There were no public benefits to outweigh this harm. Therefore, it was recommended that planning permission is refused.

An addendum circulated prior to the meeting advised that Councillor Kohler had concerns that the proposals and recommendation for refusal did not take the Climate Emergency into consideration and it could have been viewed that the proposals undermine WDC's Climate Emergency Action Plan.

As stated in paragraph 202 of the NPPF where a development proposal would 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, including securing its optimum viable use.

Officers considered that domestic solar panels would bring some benefits in respect of the climate emergency, such as the contribution of sustainable

energy. However due to the scale of the proposals the benefits would be limited and would not outweigh the harm to the heritage asset.

Update to report - planning history

The following planning history has been added as it was not included in the original report:

- W/03/0235 - Erection of a two-storey side/rear extension and a triple detached garage. Permission granted May 2004.
- W/03/0236/LB - Erection of a two-storey side/rear extension and a triple detached garage. Permission granted May 2004.

The following people addressed the Committee:

- Mr Frampton, supporting; and
- Councillor Kohler, District Councillor, speaking in support.

In response to questions from Members, the Development Services Manager highlighted the reasons for the recommendation for refusal. However, Members felt that the addition of solar panels did not represent any significant further harm to the heritage asset.

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

On being out to the vote, the Councillors present were of the view that the Development Manager should **grant** W/21/0856 subject to the conditions in the report and addendum.

(Councillor Dickson left the meeting during this item.)

6. W/21/0277 – Heritage House, 3 Millers Road, Warwick

The Committee considered an application from Mr S Thadwal for the part removal/demolition of offices and the addition of roller shutter to factory to create a covered loading bay and enlarged dropped kerb and gates. Also, the installation of external cladding.

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

The Officer was of the opinion that the proposals would not adversely impact on the character of the street scene or surrounding area and would not add to the existing parking pressures in the area. The proposals were therefore considered to be acceptable and in accordance with the policies listed.

An addendum circulated prior to the meeting advised that Condition 2 (plan numbers) was updated to reflect the most recent proposed drawing.

The following people addressed the Committee:

- Mr Kilbee, objecting. His speech was read out by the Committee Services Officer because he was unable to attend the remote meeting.

In response to questions from Members, the Principal Planning Officer stated that no comments or objections had been received from Warwick Town Council.

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

On being out to the vote, the Councillors present were of the view that the Development Manager should **grant** W/21/0277 subject to the conditions in the report and addendum**.**

7. **W/21/0939 – The Old Leper Hospital/Chapel/Master's House, Saltisford, Warwick**

The Committee considered an application from West Midlands Historic Building Trust for the conservation, repair, and alteration of the existing listed Master's House to provide a two-bed dwelling with contemporary building services, to include partial demolition of the south wing and the extension of a larger south wing. Proposals include the deconstruction, repair and reconstruction of unstable structural elements of the Master's House. The conservation, repair, and alteration of the listed St Michael's Chapel to provide a one bed dwelling with contemporary building services. The proposal also includes the construction of a new three storey apartment block to the north of the site with 8no. one bed dwellings together with associated hard and soft landscaping and proposed access.

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

The Officer was of the opinion that the proposal would ensure the optimum viable use of two listed buildings, through the provision of a high-quality development, which delivered high levels of amenity for the future occupiers via generous, well landscaped gardens, in a sought after edge of town centre location. The proposal delivered an acceptable level of parking and would not impact detrimentally on neighbouring amenity. The development should therefore be approved.

An addendum circulated prior to the meeting advised the following:

The Council were awaiting a final response from the LLFA on flooding issues. The LLFA were satisfied that a detailed scheme could be secured via condition however they requested assurances that the proposed surface water drainage proposals would be a viable option. This information was provided to the LLFA and officers were awaiting their final response. Officers recommended committee to delegate authority to the Head of Development Services in consultation with the Chair of Planning Committee to finalise the terms of the Section 106 agreement and officers also ask that this included the delegated authority to address any flooding issues.

Environmental Health raised an objection to the conversion of the Chapel to a residential dwelling on the grounds that the noise levels from Saltisford would exceed the WHO guidelines for community noise. Whilst the average

noise levels across the night would fall within the guidelines, there were instances during the night-time period when these guidelines were exceeded.

Officers were mindful of concerns regarding noise; however, officers were also mindful of the fact that the scheme would secure the long-term viable use of two Grade II* listed buildings and would secure the restoration of the Master's House that was in a serious state of disrepair. The benefit of bringing these heritage assets back into a viable use should be afforded substantial weight and given that on average the noise levels could be achieved, officers were satisfied that the scheme is acceptable.

A Traffic report was submitted to the LPA following the committee report to consider traffic and parking generated by the development. The report concluded that traffic generation and parking requirement would be low and would not create highway safety issues, in line with the response from the Highways Authority. The Traffic Report also proposed measures to manage traffic at the new access including new road markings and highway signage and an automated barrier at the main entrance. A condition was added to ensure the measures within the report were complied with to protect the amenity of neighbouring uses, the condition would read as follows:

The development hereby permitted shall not be occupied until the physical measures described in the Transport and Highways Technical Report dated October 2021 ("the Report") have been implemented in full and a Communication and Enforcement Strategy as proposed in the Report ("the Strategy") has been submitted to and approved in writing by the Local Planning Authority. The signage, markings and information provided in accordance with the Report within the development hereby permitted shall be maintained in good condition and the Strategy shall be observed at all times.

Local Plan policy CC1 required all developments to be designed to be resilient to and adapt to the future impacts of climate change.

Improving energy efficiency for the existing listed buildings would be limited due to potential impacts on the integrity of the historic fabric. The applicant put forward that thermal efficiency for the new apartment building would be maximised through a 'fabric first' approach, improving upon the current Building Regulations requirements.

Condition 2 (plan numbers) was updated to include all submitted proposed plans.
Condition 23 was added to secure the measures set out in the Traffic Report.

In response to questions from Members, the Development Services Manager stated that the Council were pushing sustainability as far as reasonably possible. He suggested that we encourage this further through the addition of a note detailing how the application could be made even more sustainable.

Following consideration of the report and presentation, it was proposed by Councillor Ashford and seconded by Councillor Morris that the application be granted.

On being out to the vote, the Councillors present were of the view that the Development Manager should **grant** W/21/0939 subject to the conditions in the report and addendum, and subject to an additional note relating to potential sustainability measures- the specific wording of the note to be agreed by officers.

8. **W/21/1230 – 26 Ladycroft, Cubbington, Royal Leamington Spa**

The Committee considered an application from Mr B Faulkner for the erection of side and rear extensions and roof dormer at the rear.

The application was presented to Committee due to an objection from the Parish having been received as well as more than 5 public representations contrary to recommendation.

The Officer was of the opinion that the proposed extension was sufficiently subservient and made a clear improvement to the quality of the street scene over and above the existing. The objectionable parts of the proposals referred to in the dismissed appeal were removed from the plans. The proposals had an acceptable impact on the amenity of neighbouring occupiers. The proposals complied with Local Plan Policies BE1, BE3, TR3 and the Residential Design Guide and Parking Standards SPD.

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

On being out to the vote, the Councillors present were of the view that the Development Manager should **grant** W/21/1230 subject to the conditions in the report.

(The meeting ended at 8.34 pm)

Urgent Delegated Planning Decisions

Thursday 21 October 2021

Note: This is a summary of decisions and is not the formal minutes of the Urgent Delegated Planning Decisions. It is intended to give early notice of the decisions taken.

Part A – General

1. **Apologies and Substitutes** – to be detailed in the minutes.
2. **Declarations of Interest -** to be detailed in the minutes.
3. **Site Visits –** to be detailed in the minutes.

Part B - Planning Applications

4. **W/21/0649 – The Thistle Estate, Red Lane, Burton Green**

The application was granted in accordance with the officer recommendation made in the report and addendum, and additional conditions relating to

i. sustainability/energy conservation; and
ii. the mitigation of noise levels – the specific wording of the conditions to be agreed by officers.

6. **W/21/0856 – Tantara Lodge, Coventry Road, Stoneleigh**

The application was granted contrary to officer's recommendation because it was considered that in this particular set of circumstances, the public sustainability benefits of the solar panels were not outweighed by the harm to heritage assets.

5. **W/20/0277 – Heritage House, 3 Millers Road, Warwick**

The application was granted in accordance with the recommendation made in the report.

7. **W/21/0939 – The Old Leper Hospital / Chapel Master's House, Saltisford**

Following the receipt of the final consultation response comments from the Local Lead Flood Authority and the completion of the S106 agreement, planning permission is to be granted in accordance with the officer recommendation set out in the report and addendum with an additional sustainability condition and a note reflecting the desire for the new build element and heating infrastructure to aim to be carbon zero.

8. **W/21/1230 – 26 Ladycroft, Cubbington**

The application was granted in accordance with the recommendation made in the report and addendum.