Planning Committee

Minutes of the meeting held on Wednesday 23 June 2021 in the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillor Boad (Chairman); Councillors Ashford, Cullinan, Davison, R. Dickson, Heath, Jacques, Leigh-Hunt, Matecki, and Murphy.

Also Present: Committee Services Officer – Rob Edwards; Legal Advisor – Caroline Gutteridge; Business Manager – Development Manager – Sandip Sahota; and Planning Officer – Andrew Tew.

30. **Apologies and Substitutes**

(a) there were no apologies and

(b) Councillor Matecki substituted for Councillor Morris and Councillor Davison substituted for Councillor Kennedy.

31. **Declarations of Interest**

There were no declarations of interest made.

32. **Site Visits**

W/21/0017 – Clapham Street, Royal Leamington Spa

Councillor Cullinan made an independent visit to this application site.

W/20/1975 – 6 Lower Ladyes Hill, Kenilworth

Councillors Dickson and Jacques had made independent site visits to this application site.

W/20/1464 - Shires Gate Trade Park, Unit 1, Tachbrook Park Drive, Warwick

Councillors Cullinan and Jacques made an independent site visit to this application site.

33. **W/21/0017 – 17 Clapham Street, Royal Leamington Spa**

The Committee considered an application from Mr Schofield and Mr Russell for the erection of a single storey side/rear extension after the demolition of the existing timber-framed garden room.

The application was presented to Committee because the application was submitted on behalf of a local Councillor.

It was considered that the proposal had been designed in a way which suitably reflected the traditionally open nature of the courtyard space, while retaining and respecting the character of the traditional rear wing arrangement of this property type. The new extension was considered to enhance the appearance of the rear of the dwelling, through the

replacement of a somewhat tired existing lean-to conservatory with an appropriately designed new one. The proposal would result in no material harm to the special architectural and historical character of the wider Conservation Area, aligning where appropriate with the relevant design principles set out in the WDC Residential Design Guide SPD. As a result, the proposal was considered to lie in accordance with the aforementioned policy, and it was recommended that the application be granted.

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

The Committee therefore

Resolved that W/21/0017 be **granted**, subject to the below 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 '02004-P01' submitted on the 6th January 2021, approved drawing '02004-P03 Rev.A' submitted on the 2nd June 2021, 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)	except for those detailed as painted, all facing bricks used in the construction of the replacement lean-to element of the scheme hereby permitted shall be reclaimed and 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.

34. **W/20/1975 – 6 Lower Ladyes Hills, Kenilworth**

The Committee considered a part retrospective application from Mr Robins for the formation of a driveway.

The application was presented to Committee because more than five comments of support were received, and the application was recommended for refusal.

It was considered that the creation of an access in the proposed location on Manor Road would lead to an increase in reversing vehicular movements adjacent to the junction with nearby Tainters Hill. The Highway Officer had noted that vehicle speeds at the southern boundary of the application site were close to the posted speed limit of 30 MPH and therefore such manoeuvres in this location would have safety implications for other road users.

Furthermore, it was considered that the proposal did not provide sufficient inter-visibility between drivers and pedestrians, thus similar concerns over the safety of the proposal were raised.

The concerns raised by the Highway Officer were shared by Kenilworth Town Council, several neighbours, as well as Planning Officers.

The officer was of the opinion that the application failed to satisfy the criteria of Local Plan Policy TR1 and was therefore unacceptable in highway safety terms. For this reason, the application was recommended for refusal.

Following consideration of the report and presentation, it was proposed by Councillor Ashford and seconded by Councillor Murphy that the application should be refused.

The Committee therefore

Resolved that W/20/1975 be **refused** because Warwick District Local Plan Policy TR1 states that development will only be permitted which provides safe, suitable and attractive access routes for pedestrians, cyclists and users of motor vehicles. Proposals will be expected to demonstrate that they are not detrimental to highway safety.

In the opinion of the Local Planning Authority, the formation of an access in the proposed location on Manor Road will lead to an increase in reversing vehicular movements adjacent to the junction with Tainters Hill. Vehicle speeds at the southern boundary of the application site are close to the posted speed limit of 30 MPH, and such manoeuvres in this location are likely to have safety implications for other road users.

Furthermore, it is considered that the proposal fails to provide sufficient inter-visibility between drivers and pedestrians, which poses highway and pedestrian safety concerns.

The development is therefore considered to be contrary to the policy.

35. **W/20/1991 – 34 Oakley Wood Road, Bishop's Tachbrook**

The Committee considered an application from Mr Mortimer for the erection of a single storey rear extension, a new front porch and carport fill extension and a garage conversion.

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

The officer was of the opinion that the application was acceptable and considered to comply with Local Plan Policies HE1, BE1, BE3, TR3 and NE2, and was therefore recommended for approval.

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

The Committee therefore

Resolved that W/20/1991 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) 14/01/2020 06 A, 14/01/2020 07 A, 14/01/2020 08 A, 14/01/2020 09 A, and specification contained therein, submitted on 21st April 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 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.

36. **W/20/1464 – Shires Gate Trade Park, Unit 1, Tachbrook Park Drive, Warwick**

The Committee considered an application from JPP for a new vehicular access point, fencing and internal remedial works for site security.

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

The officer was of the opinion that the proposed access was not considered to pose harm to highway or pedestrian safety and would have an acceptable impact in visual and amenity terms. The development was therefore recommended for approval.

Following consideration of the report and presentation, it was proposed by Councillor Matecki and seconded by Councillor Murphy that the application should be granted, subject to an amendment to condition 4 that HGV Vehicles shall only be permitted to use the access hereby approved between 07:30 and 19:00 on Monday to Saturday and 09:00 and 17:00 on Sunday, and the gates to be shut outside those times.

The Committee therefore

Resolved that W/20/1464 be **granted**, subject to the below 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) 21827-P03A, 21827-P04A and 21827-P07A and specification contained therein, submitted on 03 December 2020. **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)	the access to the site for HGV's shall not be used unless public highway verge crossings have been laid out and constructed in accordance with the standard specification of the Highway Authority. **Reason:** To ensure highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029; and

No.	Condition
(4)	HGV Vehicles shall only be permitted to use the access hereby approved between 07:30 and 19:00 on Monday to Saturday and 09:00 and 17:00 on Sunday, and the gates to be shut outside those times. **Reason:** To ensure there is no unacceptable disturbance to the detriment of the amenities of nearby residents in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

(The meeting ended at 6.53pm)

CHAIRMAN
20 July 2021