



THE TOWN COUNCIL OF ROYAL LEAMINGTON SPA
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON 15 FEBRUARY 2018 AT THE TOWN HALL,
ROYAL LEAMINGTON SPA

Present: Councillors John Knight (Chair), Heather Calver, Ann Morrison, Janet Alty, Daniel Howe, Jojo Norris and David Greenwood

Apologies: Councillors Jill Barker, Hayley Grainger and Tom Kenyon Brown

125. DECLARATIONS OF INTEREST AND REQUIREMENTS FOR DISPENSATIONS

There were none.

126. PUBLIC FORUM

One member of the public observing the meeting (Ms Cullinan).

Mr Corkill made a representation regarding application W/18/0156 13 Newbold Terrace CV32 4EG:

Mr Corkill is the son of one of the owners of 27 Newbold Street (Mrs Elizabeth Corkill) and had been asked to make clear her objections to this application to the town council planning committee on her behalf.

In their opinion, the variation of condition 2 of approval W/16/0902 as proposed would result in a development which was unneighbourly, having a very negative impact on their amenity in terms of light and privacy. The 3 storey wall of the proposed rear extension would overlap 2.5m of their rear garden and would block the French windows to the side of their property. There would also be a balcony overlooking their rear garden and looking into a habitable room. Their property has been detached since it was first built and was not designed to become a terraced or semi-detached property. The joining of the two properties would contravene the District Council's Distance Separation Guidelines.

The developer had originally agreed to purchase 27 Newbold Street when the original planning application was brought forward but pulled out of the sale.

The Chair thanked Mr Corkill for his representation and agreed to consider application W/18/0156 first.

127. MINUTES

The Minutes of the Planning Committee held on 25 January 2018, having been circulated, were considered and agreed.

RESOLVED that the Minutes of the Meeting of the Planning Committee held on 25 January 2018 are confirmed and signed as a correct record.

128. MATTERS ARISING

There were none.

JAK

129. PLANNING APPLICATIONS

Consideration was given to a schedule of planning applications (Report No. 6).

RESOLVED that no objections are raised to the planning applications in the schedule (Report No. 6), with the exception of the following which were discussed in greater detail:

W/18/0156 Mr Brian Lewis Proposed variation of Condition 2 of approval W/16/0902 (demolition of existing building and erection of 9 apartments) to allow for: the widening of the approved building by 0.75 metres to connect the building with 27 Newbold Street; alteration to the layout, windows and new balcony serving of apartment 2 (first floor); alterations to approved main entrance; alterations to windows to main staircase; increase in height of roof section to penthouse apartment by 0.7 metres 13 Newbold Terrace CV32 4EG

RESOLVED that the town council wishes to object to this application on the following grounds:

1. The proposed growth in this property would result in an unneighbourly development with a loss of light and privacy, having a very negative effect on the neighbour's amenity, including blocking up their windows.
2. The joining of the two properties clearly breaks the District Council's distance separation guidelines which state there should be a minimum of 1m between properties and not create a terraced effect.
3. The proposed height increase will cause the building to become overdominant in its surroundings and have a negative effect on the Conservation area.

W/18/0122 Mr Hayer Erection of a single and two storey side extension 9 Southlea Close CV31 3JW

RESOLVED that no objection is raised.

W/18/0073 Whitbread Hotels & Restaurants Proposed display of 1 x externally illuminated folded aluminium fascia, 1 x externally illuminated double sided projection sign, 1 x internally illuminated single sided menu frame Bar & Block 148-150 Parade CV32 4AG

RESOLVED that an objection is raised on the following grounds:

The proposed signage does not meet the District Council recommended guidelines for shopfronts on the Parade and would not therefore be in keeping with the Conservation area and would be out of place on this listed building.

W/18/0074LB Whitbread Hotels & Restaurants Proposed display of 1 x externally illuminated folded aluminium fascia, 1 x externally illuminated double sided projection sign, 1 x internally illuminated single sided menu frame Bar & Block 148-150 Parade CV32 4AG

RESOLVED that an objection is raised on the following grounds:

The proposed signage does not meet the District Council recommended guidelines for shopfronts on the Parade and would not therefore be in keeping with the Conservation area and would be out of place on this listed building.

JCN

W/18/0027LB Mr Kurt Listed Building Consent for proposed shopfront alteration (relocation of central double door) 63-65 Regent Street CV32 5DX

RESOLVED that an objection is raised on the following ground:

The town council supports the wish of the property owner to reconfigure the space to allow more customers but agrees with the Conservation officer that the current proposed shopfront alterations are not in keeping with the Conservation area. Further consultation with the Conservation officer should hopefully be able to resolve this issue.

W/18/0099LB Mr David Guilding Listed Building Consent for installation of vinyl design to windows on side and main entrance. Installation of vinyl design to internal wall in public concourse area Royal Pump Rooms Parade, CV32 4AA

RESOLVED that no objection is raised.

W/18/0160LB Marie Curie Shop Fit-Out Works to currently vacant and empty retail unit, to include provision of sales area, fitting rooms and ancillary staff areas. Shop frontage is to be decorated primarily with in RAL 7038 Agate Grey with the stall riser being RAL 9005 Jet Black. Signage is to be provided in the form of an aluminium composite tray sign with 30mm returns, over layed with matt finish white wood effect print and finished with built up foamex matt finish lettering and logo mounted on locators. Existing shop frontage and internal structure to be maintained in their existing condition with new finished applied 84 Warwick Street, CV32 4QG

RESOLVED that an objection is raised on the following ground:

The town council wishes to raise an objection to this application supporting the comments of the Conservation officer regarding the proposed aluminium tray sign above the window which is not in keeping with the Conservation area nor is it appropriate on this Listed property.

W/18/0164LB Mr & Mrs Saikhon Change of use first and second floors to residential (Use Class C3) to provide 2 no 2 bedroom flats 60-62 Regent Street CV32 5EG

RESOLVED that no objection is raised.

W/18/0118 Mr Tanna Proposed change of use from Class C3 (dwelling) to Class C4 (HMO) 2 East Dene Lillington CV32 7RF

RESOLVED that no objection is raised.

W/18/0103 Royal Mail Group Ltd Change of use of part of former Delivery Office from A1 (retail) to A3 (café) and interior works Leamington Spa Delivery Office 1 Priory Terrace CV31 1AA

RESOLVED that no objection is raised.

W/18/0104LB Royal Mail Group Ltd Change of use of part of former Delivery Office from A1 (retail) to A3 (café) and interior works Leamington Spa Delivery Office 1 Priory Terrace CV31 1AA

RESOLVED that no objection is raised.

JAK

W/17/2284 Mr D Thomas Alterations to form self contained flat in basement and alterations to rear elevation The Cottage 42 Heath Terrace CV32 5NA

RESOLVED that an objection is raised on the following ground:

Both proposed bedrooms have very little access to natural light or ventilation within a basement area resulting in poor living conditions for any future resident.

W/18/0066 Mr Franchi Change of use from C3 (dwelling) to C4 (HMO)
222 Rugby Road CV32 6DZ

RESOLVED that no objection is raised, subject to confirmation that the off street parking provision proposed meets the number of spaces required for this HMO.

W/18/0092 Diageo Pension Trust Ltd Full planning application for retail warehousing floorspace (Use Class A1: bulky goods) up to 10,405.6 sq m, including associated ancillary uses; a restaurant and cafe unit (Use Class A3) up to 139 sq m; access off Princes Drive and Myton Road; car parking; landscaping; boundary treatments; sub-station building, cycle storage and trolley parking structures; lighting; engineering operations including re-profiling and changes to land levels, services and diversion of a public sewer; and all other ancillary and enabling works on land at Princes Drive, Royal Leamington Spa Land at Princes Drive Edmondscote

RESOLVED that an objection is raised on the following grounds:

1. The proposed ingress and egress of traffic, including delivery lorries, onto this site via Princes Drive will result in a seriously detrimental effect on traffic flow and highway safety on this road, surrounding roads and the roundabout. Princes Drive is already notorious for traffic jams and close misses due to the close proximity of the tip and existing retail units plus through traffic, and adding further weight of traffic for this development will only serve to exacerbate this situation. Therefore policy TR1 of the Local Plan, points a), b) and c), are not met.
2. The town council has serious concerns that this development would create the significant negative impacts on health and wellbeing of people in the area as a result of pollution, noise or vibration caused by traffic generation specifically argued against in policy TR2 of the Local Plan, as well as significant negative impacts on air quality in that area.
3. Policy TC2, points a) and b), of the Local Plan are also not met by this proposal.
The town council also has serious concerns about the removal of the bund and the resulting effect of noise and disturbance on neighbouring residential properties.

W/18/0029 Mr B Gill Change of use from 6 bed apartment (Use Class C3) to 6 bed apartment for use as House in Multiple Occupation (Use Class C4) together with proposed demolition of pre-fabricated garage 36a Lillington Road CV32 5YZ

RESOLVED that no objection is raised.

W/18/0191 Mr David Ramsey Resubmission of W/17/2106: retrospective change of use from C3 to C4 property (small HMO for 5 people) Third floor flat 28 Clarendon Square CV32 5QX

RESOLVED that no objection is raised.

130. PLANNING DETERMINATIONS

A schedule of applications (Report No. 7) determined by the Planning Authority since the last meeting had been circulated and was considered.

131. PLANNING APPEAL NOTIFICATIONS

There were none.

132. PLANNING APPEAL DECISIONS

Application No: W/17/0280
Applicant: Mr Ian Potter
Site: Chestnut Court 4 Guys Cliffe Avenue CV32 6LY
Description: Replacement of existing timber sash/casement windows with new uPVC/composite sash/casement windows.
Decision: Dismissed

Application No: W/17/0354
Applicant: Mr Jan Grzegorzczuk
Site: 18 Sandown Close Lillington CV32 7SX
Description: Change of use of land to residential garden and the erection of a 2.2m high brick boundary wall with 2.4m high brick pillars
Decision: Dismissed

Application No: ACT363/15 (listed building enforcement notice)
Applicant: Mr Mohan Kandola
Site: Fizzy Moon 35 Regent Street CV32 5EE
Description: The contravention of listed building control alleged in the notice is, without listed building consent:
a) The painting of the first and second floor windows sills, reveals and flat rusticated arches grey
b) The painting of all the ground floor windows grey.
c) The painting of the reveals and sills to the single storey extension fronting Windsor Street grey
d) The display of a metal menu board
e) The installation of timber cladding to the front entrance steps of Regent Street elevation
f) The installation of planters on the flat roof and above the bay windows fronting Windsor Street.
The requirements of the notice are:
(i) Paint all of the first and second floor sills, reveals and flat rusticated arches WHITE
(ii) Paint all of the ground floor windows to Windsor Street elevation WHITE.
(iii) Paint all of the ground floor sills and reveals WHITE
(iv) Permanently remove the metal menu board and all associated fixtures and fittings from the Regent Street elevation.
(v) Permanently remove the timber cladding from the front steps of the building.

JCR

(vi) Permanently remove the planters on the flat roof and above the bay windows fronting Windsor Street.

The period for compliance with the requirements is one month.

Decision: It is directed that the listed building enforcement notice be corrected by renumbering the Requirements as shown above and varied by adding the words 'where fixed' to Requirement (vi). Subject to the correction and the variation, the appeal is dismissed and the listed building enforcement notice is upheld, and listed building consent is refused for the retention of the works

Application No: ACT038/17 (enforcement notice)

Applicant: Mrs Janette George

Site: 66 Radford Road CV31 1JG

Description: Change of use from C3 (dwelling house) to C4 (small HMO)

Appeal A

The breach of planning control as alleged in the notice is: Without planning permission change of use of the Land from Dwellinghouse (C3) to House in Multiple Occupancy ("HMO") (C4) use.

The requirements of the notice are: (i) Permanently cease the use of the Land as a class use C4 HMO; and (ii) Return the Land to its C3 use as a dwellinghouse.

The period for compliance with the requirements is 3 months from the date the notice takes effect.

The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.

Decision: The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Act as amended for the development already carried out, namely the use of the land and buildings at 66 Radford Road, Royal Leamington Spa CV31 1JG, as a House in Multiple Occupancy ("HMO") (C4) use.

Appeal B

The application Ref W/16/2169, dated 27 November 2016, was refused by notice dated 06 February 2017.

The development proposed is a change of use from C3 (Dwelling House) to C4 (Small HMO).

Decision: The appeal is allowed and planning permission is granted for a change of use from C3 (Dwelling House) to C4 (Small HMO) at 66 Radford Road, Royal Leamington Spa CV31 1JG in accordance with the terms of the application, Ref W/16/2169, dated 27 November 2016.

Application No: ACT 167/17 (enforcement notice)

Applicant: Mr R Dover

Site: Flat 2 Upper Holly Walk CV32 4JU

Description: The breach of planning control as alleged in the notice is: Without planning permission, the erection of a balcony structure to the rear of the property at first floor level.

The requirements of the notice are: (i) Permanently remove from the land the unauthorised balcony structure in its entirety (as shown in Appendix B attached to the notice) and; (ii) Permanently remove from the land all resulting waste and materials.

Decision: The appeal is dismissed and the enforcement notice is upheld.

Planning Committee Meeting 15 February 2018

10. Tree Preservation Orders

To consider any relevant Tree Preservation Orders.

The Tree Preservation Orders were noted.

11. Any Other Business

There was none.

The meeting commenced at 6:00pm and finished at 6:55pm.

Signed J.G. Knight
Dated 8 Mar 2018

