



THE TOWN COUNCIL OF ROYAL LEAMINGTON SPA

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON 3rd JANUARY 2019 AT THE TOWN HALL,
ROYAL LEAMINGTON SPA**

Present: Councillors John Knight (Chair), Janet Alty, Heather Calver, Ann Morrison, Jill Barker and Daniel Howe
One Member of the public was in attendance.

Apologies: Councillor Tom Kenyon Brown

Absent: Councillor Caroline Evetts

100. DECLARATIONS OF INTEREST AND REQUIREMENTS FOR DISPENSATIONS

It was recorded that Councillor Alty had registered an objection to application W/18/2200 as a councillor prior to this meeting.

101. PUBLIC FORUM

Mr Archie Pitts made a representation regarding application W/18/2200LB - Bandstand Pump Room Gardens Dormer Place:

There are only four of this particular style of bandstand left in existence and the bandstand from the Pump Room Gardens is one of very few in the country which was built with an undercroft. The bandstand is Grade 2 listed and the original planning application submitted stated that the bandstand would be restored to its original state. The Heritage Lottery Fund, the Friends of the Pump Room Gardens and Warwick District Council had agreed that the undercroft would be restored, and this element was part of the tender put out for contractors to carry out the restoration and improvement works.

Without consultation or communication with The Friends or the Heritage Lottery Fund, the District Council had had the entrance to the undercroft bricked up in September 2018. This work took place without permissions or notice. Mr Pitts stated that no justification had been put forward for the work to be done and that the work was contrary to Local Plan policy HE1 and paragraph 194 of the National Planning Policy Framework. The Conservation Advisory Forum had been consulted at its last meeting about this unscheduled work and had advised that the undercroft should be restored to its original state as intended.

Members discussed what advantages and disadvantages could come from sealing off the original entrance, and stated that the lack of communication from the District Council was inexplicable. It was also noted that the application was not listed as retrospective when some of the works proposed have already been completed.

The Chair thanked Mr Pitts for his representation and agreed to consider application W/18/2200LB first.

103. MINUTES

The Minutes of the Planning Committee held on 6th December 2018, having been circulated, were considered.

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RESOLVED that the Minutes of the Meeting of the Planning Committee held on 6th December 2018, are confirmed and signed as a correct record.

104. MATTERS ARISING

There were none.

105. 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:

In accordance with the Council's Code of Conduct, Councillor Alty, having declared a non-pecuniary interest in the above item by reason of having registered an objection to application W/18/2200 as a councillor prior to this meeting, did not take part in the discussion and voting thereon.

W/18/2200LB Warwick District Council Restoration/repair of the Bandstand. Listed Building Consent granted 28th July 2015 ref W/15/0928LB. Works are progressing on site and the following revisions to the proposal for the Bandstand Undercroft have been found to be necessary. Replacement floor bricked up and steps leading to doorway infilled with self compacting pea gravel and capped off with access hatch to Undercroft to be installed in floor deck. Original height doorway to the Undercroft to be deck installed (original beyond repair). New brick pavers to define the original access Bandstand Pump Room Gardens Dormer Place

RESOLVED that an objection is raised to this application for the following reason:

These works are contrary to policy HE1 of the Local Plan and paragraph 194 of the NPPF. The application does not specify why these works are necessary other than to state that the use of the undercroft for storage purposes is impractical - why is this the case? Surely access to the undercroft via the original entrance is more viable than descending a ladder accessed through the floor of the bandstand.

These works have already been begun without consultation with any relevant partners and without the necessary permissions. The Local Plan states in 5.152 that "the Council is committed to ensuring that listed buildings are given a high level of protection and enforcement action will be taken against unauthorised...works to them." How then does this fit with what has already taken place at the bandstand?

The town council is deeply concerned about the lack of consultation or communication around these works.

W/18/2244 Mr N Byrd Prior approval for proposed change of use of building from office use (B1a) to residential use (C3) under schedule 2, part 3, class 0 of the GPDO 2015 (resubmission of W/18/1008) 16 Cross Street CV32 4PX

RESOLVED that an objection is raised for the following reasons:

Supporting the observations of the Environmental Health Officer regarding:

d) Poor quality living standards for future occupiers unable to open windows due to the impacts as listed above and the amount of natural light into the development will be reduced by vehicles parking close to the building.

W/18/2207 Shell UK Retail Proposed removal of existing forecourt, canopy and underground tanks and installation of new tanks, forecourt, canopy and erection of remediation compound
Petrol filling station Clarendon Avenue CV32 5PY

RESOLVED that an objection is raised for the following reasons:

1. Support the comments of the Conservation Officer regarding the proposed doubling in size of the forecourt canopy, 3m high wall and the subsequent increased potential for advertising and branding signage - out of keeping with the conservation area.
2. Support the comments of the Environmental Health Officer regarding the requirement for the submission of required supporting information and answers to questions regarding the proposed remediation process over 6/7 years.

W/18/2264LB Starstone Capital Ltd Proposed removal of ATM machine and installation of shop front
Second floor offices 4-6 Victoria Terrace CV31 3AB

RESOLVED that no objection is raised - town council notes that this application lacks detail and clarity

W/18/2271LB Kigass Ltd Listed Building Consent for the demolition of single storey building and construction of 9 no flats (6 no two bed units and 3 no one bed units) with car parking
2-8 Kenilworth Street CV32 4QS

RESOLVED that no objection is raised

W/18/2270 Kigass Ltd Demolition of single storey building and construction of 9 no flats (6 no two bed units and 3 no one bed units) with car parking (resubmission of W/18/1433)
2-8 Kenilworth Street CV32 4QS

RESOLVED that no objection is raised

W/18/2340 Snowdown Ltd, House of Fraser Proposed change of use the building to retail (A1) including splitting of ground floor to provide 5 retail units, financial and professional services (A2), restaurant/cafe (A3), office (B1a) and leisure (D2) uses including gym and cinema; external alterations to the building's roof and elevations on Parade and Bedford Street; provision of new rooftop plant enclosures and associated works
House of Fraser 76-86 Parade CV32 4DA

RESOLVED that no objection is raised - the town council welcomes this application to protect and encourage future viable uses of this important town centre site

W/18/2339 Snowdown Ltd, House of Fraser Proposed change of use the building to: retail (A1), financial and professional services (A2), restaurant/cafe (A3), office (B1a) and leisure (D2) uses to provide a gym; external alterations to the roof and elevations on Parade and Bedford Street; provision of new rooftop plant enclosures and associated works
House of Fraser 76-86 Parade CV32 4DA

RESOLVED that no objection is raised - the town council welcomes this application to protect and encourage future viable uses of this important town centre site

W/18/2140 Mr P Williams Demolition of remnants of boundary wall and
erection of single dwelling 8 Leam Terrace CV31 1BB

RESOLVED that an objection is raised for the following reasons:

1. Support the comments of WCC Highways regarding the easterly minimum visibility splay distance not being achieved and therefore potential adverse impacts on highway safety, as well as the fact that the proposed gates need to be set back at least 6m.
2. Contravenes policy BE1 c) and d) in terms of established housing design in this part of the conservation area

W/18/2261 Ms G Chatham Proposed erection of a detached two storey
dwelling 4 Innage Close CV31 1BL

RESOLVED that an objection is raised for the following reasons:

1. Inadequate information provided in the FRA with regard to potential flooding risk and impacts on surrounding area in Flood Zone 3
2. Do not support the removal of the trees and hedgerow on site which contribute to the visual amenity of the area - if this goes ahead, what replacement planting will occur?
3. Overlooking and loss of privacy to neighbour's property

W/18/2108 GSK Development Solutions Ltd Change of use –
conversion of an existing building to a single residential dwelling Former
Stables corner of Plymouth Place and Farley Street

RESOLVED that no objection is raised

W/18/2318 Mr & Mrs P McElligot Erection of a two storey side
extension following the demolition of the existing garage. Relocation and widening of
existing vehicular access 9 Radford Road CV31 1NG

RESOLVED that no objection is raised

W/18/2212 Sureway Property Services Group Application for
removal of condition 15 for permission W/15/2154 Unit 1 Moss Street CV31 2DA

RESOLVED that an objection is raised for the following reason:

Inadequate provision of on-site parking proposed for a development which does not wholly house students.

The original application was changed based on the statement from the agent on 19th April 2016 that "we agree to change the description of the application to 32 bedroomed student accommodation...with the reasoning that Warwick District Council does not have specific car parking standards for student accommodation." But they do for HMOs so how will this now be expected to work? How many beds will be allocated for students and how many otherwise? Point 45 of the appeal inspector's report states a "condition restricts the development to use as a students residence to reflect the on site

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parking provision". Condition 15 was imposed in line with paragraph 203 of the NPPF - does removal mean the development is considered "unacceptable" again?

106. PLANNING DETERMINATIONS

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

107. PLANNING APPEAL NOTIFICATIONS

Application No: W/18/0649
Applicant: Mr P Twist
Site: 56 Leam Terrace CV31 1BQ
Description: Demolition of existing garage and erection of two-storey detached building to be used as Offices (use class B1a)

Application No: W/17/1408
Applicant: Mr P & N Birdi
Site: Land to the rear of 41-43 Tower Street CV31 2DP
Description: Erection of 4 no. 1 bedroom flats and associated parking

Application No: W/18/1392
Applicant: Mr Knowles
Site: 13 Clapham Street CV31 1JJ
Description: Erection of single storey side and rear wrap-around extension

Application No: W/18/0683
Applicant: Peter Clarke New Homes LLP & Peter Clarke & Co LLP
Site: Lime Garage Myton Road CV31 3NY
Description: Change of use from car showroom (use class Sui Generis) to Estate Agents (use class A2) & Sales hub (use class A1)

Applicant No: W/18/1292
Applicant: Mr A McCormick
Site: 1 Nursery Lane CV31 2PW
Description: Proposed erection of a two bedroom dwelling

Enforcement Appeal Notification ref: ACT 474//16
Applicant: Gee Bee Investments Ltd
Site: 4a Wise Terrace (19 Tachbrook Road)
Breach of Planning Control: Without planning permission, the use of Flat 1 as House in Multiple Occupation (C4 use) and use of Flats 2-4 as Large Houses in Multiple Occupation (Sui Generis use).

RESOLVED that the Appeal Notifications are noted.

108. PLANNING APPEAL DECISIONS

There were none.

109. TREE PRESERVATION ORDERS

There were no TPO's for report.



Planning Committee – 3rd January 2019

The meeting commenced at 6:00pm and concluded at 7:13pm.

Signed J.B. Kyg W
Dated 24 Jan 2019