



**THE TOWN COUNCIL OF ROYAL LEAMINGTON SPA**  
**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE**  
**HELD ON 29 MARCH 2018 AT THE TOWN HALL,**  
**ROYAL LEAMINGTON SPA**

Present: Councillors John Knight (Chair), Heather Calver, Ann Morrison, Jill Barker, Janet Alty, Daniel Howe and Andrew Thompson.

Apologies: Councillors Tom Kenyon Brown and Hayley Grainger

**145. DECLARATIONS OF INTEREST AND REQUIREMENTS FOR DISPENSATIONS**

Councillor Alty declared a non-pecuniary interest in application W/18/0218 by virtue of a personal knowledge of the applicant and Councillor Thompson declared a non-pecuniary interest in application W/18/0389 by virtue of being the Portfolio Holder for Health and Community Protection at Warwick District Council.

**146. PUBLIC FORUM**

Mrs Raj Chohan made a representation regarding application W/18/0128 – 16 Clemens Street CV31 2DL:

Mrs Chohan is the applicant in this instance and explained that the property was purchased in November 2017. The property had planning permission granted in January 2009 for the erection of a second floor extension and a single second and third storey rear extension to create enlarged retail units and six no. 1, 2 & 3 bedroom flats; installation of new shopfronts; replacement of windows; and installation of new windows. That permission expired in January 2012 as no foundations were dug, therefore a material commencement was not begun on the site and the permission as granted was not implemented.

Mrs Chohan would like to extend the property both in height to create second floor accommodation and by means of a three storey rear extension. The proposal would result in eight flats and two shops on the site. Mrs Chohan explained that she would be marketing and letting the accommodation as serviced apartments (a type of furnished apartment available for short-term or long-term stays, which provides amenities, housekeeping and a range of services for guests and where most taxes and utilities are included within the rental price). The flats would therefore not be targeted as long term lets or as students lets. This would reduce the need for dedicated car parking spaces on site.

Mrs Chohan is keen to renovate and improve the property as currently it is derelict and unused.

The Chair thanked Mrs Chohan for her representation and agreed to consider application W/18/0128 first.

Mrs Kate Harris made a representation regarding application W/18/0389 – Land off Leam Street CV31 1DY:

Mrs Harris spoke on this application as a nearby resident and on behalf of other residents whose properties neighbour the application site. The previous application

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on this site for two semi detached dwellings was refused by Warwick District Council in July 2014 and an appeal dismissed by the Planning Inspectorate in April 2015 on the grounds of unneighbourly development and negative effect on no 29 Leam Street and the proposed development failing to achieve satisfactory privacy and amenity levels for future occupiers.

Mrs Harris noted that some mature trees appear to have been removed from the site already (not sure if they carried TPOs?) and thus possible habitats have been removed. Half of the old pub car park has been filled in with hard core so it now stands approximately 3 ft higher than the alleyway and surrounding gardens. Cars parking there in future will overlook rooms of neighbouring properties.

Cars entering and exiting the application site will have to pass the front door of no 29 Leam Street, and would result in an increase in traffic on Leam Street/Leam Terrace. Access for construction traffic would be difficult given the narrow entryway to the site – question whether such traffic would have sufficient room to turn around.

Mrs Harris stated that she was of the opinion that the proposed houses would contravene the recommended separation distance with no 29 Leam Street.

The Chair thanked Mrs Harris for her representation and agreed to consider application W/18/0389 second.

#### **147. MINUTES**

The Minutes of the Planning Committee held on 8 March 2018, having been circulated, were considered and agreed.

**RESOLVED** that the Minutes of the Meeting of the Planning Committee held on 8 March 2018 are confirmed and signed as a correct record.

#### **148. MATTERS ARISING**

There were none.

#### **149. 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/18/0128                      Mrs R Chohan                      Increase in ridge height to create 2nd floor accommodation and erection of 3 storey rear extension to existing commercial property to create 8 flats and 2 shops with all associated works                      16 Clemens Street CV31 2DL

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

1. Lack of a sufficient bin storage area on site. The town council supports the comments of the recycling and development officer regarding the lack of sufficient provision for residents of this proposed development which would potentially exacerbate an existing problem of black refuse bags being left on the public highway on a daily basis due to a similar lack of sufficient bin storage at nearby properties on this road.

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2. Proposed onsite parking provision is insufficient for the size of the development/number of bedrooms. Six car parking spaces are proposed which falls below the requirements laid out in the District Council's Parking SPD. The town council appreciates the applicant aims to rent these flats as serviced apartments and therefore the necessity for on site parking spaces should reduce - however, there can be no guarantee that this will remain the case under future owners of the property. On street parking in this area is already under significant pressure and to add more cars from this development would only serve to add to this pressure. Policy TR3 of the Local Plan states that development will be expected to comply with the parking standards set out in the most recent Parking Supplementary Planning Document.

(Mrs Chohan left the meeting)

W/18/0389      LD Estates Ltd      Proposed construction of 2n two bedroom cottages  
Land off Leam Street CV31 1DY

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

1. Local Plan policy H1) states that "housing development on garden land, in urban and rural areas, will not be permitted unless the development reinforces, or harmonises with, the established character of the street and/or locality and respects surrounding buildings in terms of scale, height, form and massing." This is further reinforced by policy BE1f) which determines that developments should "respect surrounding buildings in terms of scale, height, form and massing". The proposed development does not meet these policies and results in excessive infill development and a negative impact on neighbours' amenity. The dwellings are too large for such a constrained site and would overlook both the terraced houses which back onto the site from Leam Terrace and, in particular, No 29 Leam Street. Part of the site has already been raised significantly so the existing car parking area overlooks existing properties.

2. Town council wishes to resubmit its objection submitted to application W/14/0728 - inadequate and contrived access provision. Policy TR1c) of the Local Plan states that new development should "create safe and secure layouts for motorised vehicles, cyclists, pedestrians and public transport and integrate the access routes into the overall development." The issues raised by the challenging access to this site are unchanged i.e. the access to the proposed dwellings would cross the front of No.'s 27 and 29 Leam Street, passing very close to the front of No 29. Vehicles entering and exiting the site would have to carefully and slowly negotiate a narrow, awkwardly positioned access point, thus potentially causing noise and disturbance for those at No.'s 29 and 27. This therefore would cause significant intrusion on No 29 and not be in keeping with policy TR1c)

3. Leam Street already has ongoing problems with on street parking and this proposed development will add construction traffic with associated noise issues. There is also the question of how large lorries etc will be able to negotiate the street and access the site via the narrow entry point. Three parking spaces are proposed but there is no confirmation that should the residents have visitors with cars or should each household have two cars or more that Leam Street will be able to cope with the additional on street parking this would bring. An up to date on street parking survey would have been of assistance.

4. Town Council questions whether WDC distance separation guidelines are adhered to in this case and would like confirmation that this is indeed the case.

The town council is also concerned that trees with TPOs may have already been removed from this site and would like to know (if this is the case) was this done with permission? Such removal would mean this development is already impacting on the site and the conservation area.

(Mrs Harris left the meeting)

W/18/0373                      Azzurri Group                      Proposed display of replacement halo-illuminated and non-illuminated fascia signage, replacement externally illuminated projecting hanging sign and replacement internally illuminated menu board  
Zizzi 85-87 Parade CV32 4AY

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

The town council supports the comments of the conservation officer regarding a) the height of the branded lettering proposed which exceeds the recommended height of 300 mm within the Shopfront Design Guidance by 100mm and b) the secondary lettering as described also contravening the Shopfront Design Guidance for shops on the Parade.

The application states that this advertisement as described is not already in place. This is clearly not the case as this signage has already been installed on this shopfront and the application has become retrospective. The issues as outlined above could have been adjusted and made acceptable in the design stage - this is now not an option unfortunately.

W/18/0321LB                      Mr S Hain                      Erection of a single storey rear extension  
1 Clarendon Place CV32 5QL

**RESOLVED** that no objection is raised

W/18/0320                      Mr S Hain                      Erection of a single storey rear extension                      1  
Clarendon Place CV32 5QL

**RESOLVED** that no objection is raised

W/18/0435                      Mr Berte                      Erection of a new single bed dwelling (C3 residential)  
Land to the rear of 37 Haddon Road Lillington CV32 7QY

**RESOLVED** that no objection is raised

W/18/0234                      Mr Hartland                      Erection of single storey side rear infill extension and other internal alterations  
56 Plymouth Place CV31 1HN

**RESOLVED** that no objection is raised

W/18/0330                      Deeley Homes Ltd & Norman Ernest Brown & Wilga Myburgh Brown  
Development of 4 residential dwellings together with associated access, parking and landscaping  
Land to the rear of 2-8 Vicarage Road Lillington CV32 7RH

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

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1. The proposed development contravenes policy H1 of the Local Plan which states that "housing development on garden land, in urban and rural areas, will not be permitted unless the development reinforces or harmonises with the established character of the...locality and respects surrounding buildings in terms of scale, height, form and massing". The proposed dwellings comprise four large 5 bedroom houses and considered together their scale, mass and bulk result in an effect which is overdominant within the setting and comprises overdevelopment of this site.

2. Policy NE4 b) of the Local Plan requires that a development proposal should "consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquility" and NE4 c) states development should "relate well to local topography and built form and enhance key landscape features". The dwellings as proposed would impact negatively upon the setting and significance of the Grade 2 listed St Mary Magdalene Church, the old vicarage and the octagonal houses, as well as the wider Lillington conservation area. The design of the properties do not reflect the surrounding styles or vernacular of any existing neighbouring properties. The development would also have a detrimental effect on this area of natural habitat and upon trees with TPOs.

3. The town council considers that the public benefit of this development does not outweigh the harm that would be caused to the significance of the neighbouring heritage assets as listed above. Four 5 bedroom houses do not meet local housing needs and such properties are already on offer at the developments to the south of Leamington. Policy DS4 e) of the Local Plan is not therefore met.

4. Likewise, policy BE1 d), e) and f) of the Local Plan cannot be satisfied by this proposal. The design of these properties and the constrained site layout with houses backing onto the church do not contribute positively to the character and quality of their environment.

5. Finally, policy HE2 states that "gardens and open spaces that add to the historic appearance and interest of conservation areas should be protected from development" and this is supported by paragraph 48 of the NPPF which states that residential gardens should not be considered as windfall sites. This site is not included within the agreed allocated housing sites within the Local Plan. This garden area which visually links to the churchyard next door is highly valued by the local community as a green asset and greater thought should be given to the design and layout of this site.

#### **150. PLANNING DETERMINATIONS**

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

#### **151. PLANNING APPEAL NOTIFICATIONS**

Application No: W/17/1545  
Applicant: Starstone Capital Ltd  
Site: 13 St Marys Road CV31 1JN  
Description: Erection of 1 no. dwelling

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**152. PLANNING APPEAL DECISIONS**

There were none.

**153. TREE PRESERVATION ORDERS**

There were none.

**154. ANY OTHER BUSINESS**

The meeting commenced at 6:00pm and finished at 7:03pm.

Signed ..... J.G. King W  
Dated ..... 19 April 2018