



THE TOWN COUNCIL OF ROYAL LEAMINGTON SPA
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON 7th JANUARY 2020 AT THE TOWN HALL,
ROYAL LEAMINGTON SPA

Present: Councillors Julija Boulton, Jennifer McAllister, Janet Alty, Judith Clarke, Mubarik Chowdry, Nick Wilkins and Amanda Stevens.

Apologies: Councillor David Brunson

113. DECLARATIONS OF INTEREST AND REQUIREMENTS FOR DISPENSATIONS

There were none.

114. PUBLIC FORUM

No representations were made

115. MINUTES

The Minutes of the Planning Committee held on 16th December 2019, having been circulated, were considered.

RESOLVED that the Minutes of the Meeting of the Planning Committee held on 16th December 2019 are confirmed and signed as a correct record.

116. MATTERS ARISING

There were none.

117. 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/19/1981 Mr L Vraitch Change of use from a dwelling (use
class C3) to a 5 bed HMO (use class C4) (retrospective) 115
Brunswick Street CV31 2EF

RESOLVED that an objection is raised on the following grounds:

1. Significant breach of Local Plan policy H6a) at 20%
2. Would create a continuous frontage of three or more HMO's thereby contravening Local Plan policy H6d)
3. This part of Brunswick Street is clearly not a mixed use area but wholly residential.

JB

W/19/2073 Clarke Telecom Ltd Removal of 3no. existing antennas and replacement with 6 no antennas on new headframe of monopole and ancillary development thereto including 9 no. remote radio units (RRU's)

RESOLVED that no objection is raised

W/19/2077 Investry Ltd Proposed mixed use development comprising ground floor retail (A1), restaurant (A3), offices (B1a) and gym (D2) including purpose built student accommodation providing a total of 182 rooms (comprising en-suite cluster flats and studios) across two separate five storey buildings. The proposal includes 184 secure cycle parking spaces, 22 public cycle spaces, 10 e-bike charging stations and 2 disabled parking spaces
Land between High Street, Lower Avenue and Bath Place

RESOLVED that an objection is raised on the following grounds:

- 1) Development would contravene Local Plan policy H6a) significantly and lead to an increase in activity along a nearby residential street (Bath Place) as residents walk into town along a safer and more pleasant route.
- 2) Not in line with Local Plan policies BE1c) and BE1d) in that the proposed development with its two blocks of five storey buildings does not enhance or reinforce the character of the Old Town area in general nor is it in keeping with this particular location with its small, creative, well-used local businesses and industrial heritage.
- 3) The blocks would dominate this location in terms of massing, scale, bulk and height. This would negatively impact on All Saints House, the Chinese restaurant and the Motoring Centre, and constitute unnecessary overdevelopment of the site. They would be the tallest structures in this particular block.
- 4) Does not comply with Local Plan policy BE3 in that the development would have a negative impact on the amenity of those living in All Saints House in terms of visual intrusion and noise disturbance, and the poor air quality in this location would create an unacceptable standard of amenity for future residents and users of this site.
- 5) Would contravene Local Plan policy TR3b) in that by providing retail/restaurant/gym facilities on site and no on-site parking provision, this would lead to detrimental on-street parking and congestion. Bath Place public car park is well-used so should not be depended on to provide additional parking for this site.
- 6) Contravenes Policy RLS3n) of the emerging Neighbourhood Plan which states that proposed development in Leamington Spa should protect key views, especially of landmark buildings. The view of All Saints Church will be compromised as the Heritage Statement confirms: "The proposals will result in the loss of some long-distance views towards the tower of the Grade II* Church of All Saints." (p2). Planning officers have stated this view is important and should be protected.
- 7) Does not accord with Policy RLS18 in that student accommodation is not one of the uses that the emerging Neighbourhood Plan supports within the Creative Quarter and, indeed, Bath Place car park is a potential redevelopment site within the Creative Quarter which the emerging Neighbourhood Plan supports certain uses of which specifically underpin the Creative Quarter aspirations (p63).
- 8) The Old Town area (including this site) contains local businesses which are independent, creative and artisanal; wholeheartedly supporting the aspirations and ethos of the Creative Quarter. Development here should be of a scale and design which reflects and positively adds to this. Instead it is proposed that thriving, independent, creative businesses are removed from this location,

impacting negatively on the local economy. Existing retail units are empty in the town centre - what evidence is there more are required? What happens to these units if they remain unfilled?

9) Leamington Spa and particularly the Old Town area already contains a number of built and planned PBSAs and many student HMOs. One recently built PBSA has just applied again to have its planning condition that it house solely students overturned and instead house a mix of residents. If development does take place on this site, a mix of residents would be preferable, including live/work units to support the Creative Quarter and a social housing element.

W/19/1957LB Mr Uniss Ali Mohammed Retention of existing external decoration and shopfront signage 40-42 Bedford Street CV32 5DY

RESOLVED that no objection is raised - the town council notes that, according to the WDC Shopfronts & Advertisements Guidance, as an area outside the Parade in the town centre, Bedford Street/Regent Street has "room for some diversity in shopfront design". However, it seems somewhat incongruous on this listed building to have part of it painted pale green and it is unfortunate no advice was sought by the applicant prior to this work being done. Should the Conservation officer recommend the colour be returned to magnolia, the town council would support that.

W/19/1961 Mr & Mrs Child Proposed change of use from C3 (4 bedroom residential) to 6 bedroom house in multiple occupation use class C4
16 Augusta Place CV32 5EL

RESOLVED that no objection is raised - support the comments of Contract Services regarding the requirements for an appropriately sized communal bin with accompanying appropriate bin store on site with room to manoeuvre and the installation of a dropped kerb

W/19/2144 Mr D Jeevan Single storey rear infill extension to create enlarged kitchen/living room 52 Leicester Street CV32 4TB

RESOLVED that no objection is raised

W/19/1911 Mr & Mrs Scale Demolition of numbers 43-49 Cubbington Road, Leamington Spa and the erection of 1no. two-storey replacement dwelling together with the demolition of an existing garage block and the erection of a two-storey garage block 47 Cubbington Road Lillington CV32 7AA

RESOLVED that no objection is raised. It would be beneficial to the legacy of the hexagonal houses if the new design could better observe the original unique design on the exterior of the property - perhaps this could be reviewed further?

W/19/2008 Mr & Mrs Paterson Demolition of outbuildings, bay window and extension (total volume 100m³) and erection of single storey rear extension 13 Vicarage Road Lillington CV32 7RH

RESOLVED that no objection is raised

W/19/2095 Mr M Tanna Application for change of use from residential dwelling (C3) to a 5 bed HMO (C4) 18 Taylor Avenue Lillington CV32 7SB

RESOLVED that an objection is raised on the following grounds:

1) Lack of required parking provision proposed on site leading to detrimental on-street parking, creating in turn pedestrian/vehicular safety issues. A parking survey (conducted during Higher Education term time) is required to demonstrate there is enough safe on-street parking capacity available. We therefore support the comments of the Highways department.

The town council also questions whether there is sufficient light available to Bedroom 5 and the Dining room?

W/19/2006 Sureway Property Services Removal of Condition
15 of planning permission ref: W/15/2154 [Demolition of existing commercial buildings
and erection of a 47 bedroomed House in Multiple Occupation (HMO)] to allow for
unrestricted occupancy (resubmission of W/18/2212) Unit 1 Moss
Street CV31 2DA

RESOLVED that no objection is raised as Highways have now removed their objection. However, the town council notes that the parking survey was conducted on 13th/14th August 2019 which is clearly outside Higher Education term time. Point 2.9, p 10 of the WDC Parking Standards states any parking surveys conducted in Leamington Spa must be completed during Higher Education term time therefore we request that another survey is carried out - this time in accordance with the Parking Standards SPD.

The planning inspector at the previous appeal stated that "the appeal site suffers from a high level of parking stress" - it is important then to look at how the area manages during termtime as this area now has a high proportion of students resident there.

W/19/1063 Mr Jagtar Singh Gill Erection of single storey
rear extension 96 Radford Road CV31 1LE

RESOLVED that no objection is raised

118. PLANNING APPEAL NOTIFICATIONS

Application No: W/19/1164
Applicant: Midland Heart Limited
Site: 24 Church Hill CV32 5AY
Description: Retrospective planning application for the replacement of sash windows, doors and associated works

Application No: W/19/1265
Applicant: Ms S Walton
Site: 21 Elizabeth Road Queensway CV31 3LJ
Description: Change of use of class C3 (residential unit) to class C4 (HMO)

119. PLANNING APPEAL DECISIONS

Application No: W/19/0596
Applicant: Ballinger Properties
Site: 29 Leam Street CV31 1DY
Description: Removal of a brick boundary wall
Decision: Allowed

TH

120. TREE PRESERVATION ORDERS

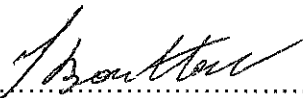
There were none.

121. ANY OTHER BUSINESS

Mr Neil Pearce of Avon Planning Services has been in touch regarding application W/19/1197 - 89 Shrubland Street CV31 2AR to which the town council lodged an objection on 16th October 2019 on the grounds of contravention of Policy H6a) whereby the HMO calculation is at 28% and the fact that this road is not a main thoroughfare. Mr Pearce is the agent for this application and wishes to inform the Planning Committee that an appeal has been lodged against WDC for non-determination of the application and that, at the same time, WDC have issued an enforcement notice against the applicant which Mr Pearce is also appealing.

Our objection was part based on the considerable breach of the H6a) policy within the Local Plan using the HMO calculation as provided by WDC as the local planning authority. Should this calculation turn out not to be accurate at appeal, we would review this application and would seek assurances from WDC that the calculations are rectified and made accurate as soon as possible - not just in this case but future cases.

The meeting commenced at 6:00pm and concluded at 7:12pm.

Signed 

Dated 23/01/2020

