

ROBERT NASH ACIS DMS
Clerk to the Town Council

THE TOWN COUNCIL

OF

ROYAL LEAMINGTON SPA
TOWN HALL, PARADE,
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6th September 2018

Dear Councillor

PLANNING COMMITTEE – THURSDAY 13th SEPTEMBER 2018

You are invited to attend a Meeting of the Planning Committee in ROOM 5, at the **TOWN HALL, ROYAL LEAMINGTON SPA**, commencing at **6.00 p.m.** on **THURSDAY 13th SEPTEMBER 2018**.

Yours faithfully,

CLERK TO THE TOWN COUNCIL

To: Councillors: Janet Alty, Jill Barker, Heather Calver, Daniel Howe,
Caroline Evetts, Tom Kenyon-Brown, John Knight, Ann Morrison

(All other Members of the Town Council – Agenda for information only, via website)

MEMBERS ARE INVITED TO DECLARE ANY INTEREST THEY MAY HAVE IN ITEMS IDENTIFIED FOR CONSIDERATION AT THE MEETING

AGENDA

1. Apologies
2. Declarations of Interest and Requirements for Dispensations
3. Public Forum
To receive any representation from Members of the Public in accordance with Standing Order No. 36.
4. Minutes
To approve and sign the Minutes of the Meeting of the Planning Committee held on 23rd August 2018 (Report No. 4)
5. Matters Arising

6. Planning Applications

To consider a schedule of planning applications received from the Planning Authority (Report No 6)

7. Determination of Planning Applications

To consider Applications determined by the Planning Authority (Report No. 7)

8. Planning Appeal Notifications

To consider the following Planning Appeal Notifications:

Application No: W/18/0290

Applicant: Ms Mulley & Mr Stevens

Site: 44 St Mary's Road CV31 1JP

Description: Erection of first floor side extension over existing single storey side extension

Application No: W/18/0139

Applicant: Mr C Tarrant

Site: 4 The Grange Mews Beverley Road CV32 6PX

Description: Replace windows, frame and glazed door from timber frames to UPVC frames

Application No: W/18/0820

Applicant: Mr Tony Dunn

Site: 52 St Fremund Way Whitnash CV31 1AB

Description: Erection of first floor side extension with a rear dormer

Application No: W/18/0235

Applicant: Mr & Mrs Owen

Site: 57 Highfield Terrace CV32 6EE

Description: Erection of single storey and first floor rear extension

9. Planning Appeal Decisions

To consider the following Appeal Decisions, if any

10. Tree Preservation Orders

To consider the following Tree Preservation Orders, if any

11. Any Other Business



The Town Council of Royal Leamington Spa

PLANNING DETERMINATIONS 2 AUGUST 2018

Planning Permission has been **REFUSED** by the Planning Authority in respect of the following applications:

W/18/1049 Pure Gym Ltd Change of use from Class B8
(storage and distribution) with ancillary offices to Class D2 (24-hour gymnasium) with
ancillary offices, minor external alterations and alterations to existing parking provision
1 Tancred Close CV31 3RZ

RESOLVED that no objection is raised

WDC Reason for Decision

1. Local Plan policy EC3 states that outside of town centres the redevelopment or change of use of existing and committed employment land and buildings (Use Classes B1, B2 and B8) for other uses will not be permitted unless certain criteria can be met. The application property represents an employment site outside of the town centre. It is considered that the proposal fails to meet any of the criteria listed under Local Plan policy EC3. The proposed change of use is therefore considered to be contrary to the aforementioned policy.

2. Policy BE3 of the Warwick District Local Plan 2011-2029 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. There has not been a submission of an adequate, agreed noise impact assessment as part of the application. It is therefore considered that it has not been adequately demonstrated that the development will not have an unacceptable adverse impact on the amenity of nearby residents. The proposal is thereby considered to be unneighbourly and contrary to the aforementioned policy

W/18/1185 Mr D Larner Erection of two storey front extension and
single storey rear extension and rebuilding of rear wall 28 Leam Street,
Leamington Spa, CV31 1DY

RESOLVED that no objection is raised

WDC Reason for Decision

1. Policy HE2 of the Warwick District Local Plan 2011-2029 requires development to preserve or enhance the special architectural and historic interest of the District's Conservation Areas. Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029 state that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design. Furthermore, development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users/occupiers of the development. The proposed scheme would almost double the size of the dwelling and the resultant increase in the bulk and mass of the building would make it a dominant feature which would result in the building being out of keeping with the character of the area which is noted for its uniform Victorian terraced housing and modest mews type properties. In addition it would cause unacceptable harm to the living conditions of the occupiers of the neighbouring

property at No.32 Leam Street by reason of loss of light and outlook. The development is thereby considered to be contrary to the aforementioned policies.

2. Policy FW1 of the Warwick District Council Local Plan 2011-2029 requires applications to implement a flood alleviation scheme to reduce the risk of flooding to the proposed development site and deliver significant flood risk reduction benefits to the wider community. The application site is located within Flood Zone 2 and insufficient information has been submitted to demonstrate that the development would be resilient to or not exacerbate flooding issues. As such the application is considered to be contrary to the aforementioned policy and the requirements in the NPPF.

3. Policy NE3 of the Warwick District Local Plan 2011-2029 states that proposals will be expected to ensure that they do not lead to a loss of biodiversity by means of appropriate ecological assessment being undertaken. In addition the Natural Environment and Rural Communities Act 2006 (the NERC Act) places a duty on local authorities and other public bodies to consider the biodiversity when carrying out all of their functions (Paragraph 40(1)). Where an application fails to satisfy these obligations, this may be treated as a valid reason for refusal. Appropriate biodiversity / ecology / wildlife surveys including relevant protected species surveys and mitigation are required if the proposal is likely to have an impact on wildlife and biodiversity (National Planning Policy Framework Section 11). Within the planning system, the ODPM Circular (06/2005) states that the presence of a protected species is a material consideration within the planning process (paragraph 98). It also states that the presence of a protected species must be established prior to the determination of an application (Paragraph 99). The County Ecologist has raised concern that the proposal might affect a potential roost given the scale of the proposals. No ecological assessment has been submitted with the application to allow a full assessment of the impact the proposal would have on protected species and as such it has not been demonstrated that the development would not have an adverse impact on protected species. The proposal is therefore contrary to the aforementioned policy



THE TOWN COUNCIL OF ROYAL LEAMINGTON SPA
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON 23rd AUGUST 2018 AT THE TOWN HALL,
ROYAL LEAMINGTON SPA

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

Apologies: Councillor Tom Kenyon-Brown.

43. DECLARATIONS OF INTEREST AND REQUIREMENTS FOR DISPENSATIONS

Councillor Evetts declared a personal interest in applications Nos 18/1433 and 18/1434LB – Kigass Ltd at 2-8 Kenilworth Street, by reason of being known to the applicant..

44. PUBLIC FORUM

No representations

45. MINUTES

The Minutes of the Planning Committee held on 2nd August, 2018, having been circulated, were considered and agreed.

RESOLVED that the Minutes of the Meeting of the Planning Committee held on 2nd August, 2018 are confirmed and signed as a correct record.

46. MATTERS ARISING

Councillor Morrison noted that in relation to application W18/1352, subsequent to the determination of the application, a further application had now been lodged with the Planning Authority within the 100 metre radius of 12 Staunton Road which would ensure that the concentration of Houses in Multiple Occupation would exceed the 10% limit within Policy H6.

47. 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:

W18/1184 Mr S Nijjar. Prior approval under part 3 class M for proposed change of use from mixed retail to residential dwelling (C3). 53 Eagle St CV31 2AT

RESOLVED that an objection is raised on the following grounds:

The application makes insufficient provision for parking within the site. The survey conducted by the applicant to demonstrate the impact on existing on-street parking in the vicinity of the site has not been conducted in accordance with the Lambeth methodology required by the Highway Authority.

18/1468 Mr Panaich. Variation of condition 2 of planning permission W/17/1694 (change of use of upper floors to 9 no apartments, including demolition of rear and side extensions, rebuilding of side extension & rear wall, repairs to external fabric, re-roofing of pitched roof alterations to rear roof, infill of void adjacent to rear mezzanine levels, internal alterations, replacement of rear windows and dormers, installation of roof lights and associated external works) to allow the omission of the ground floor studio unit thus reducing the total number of apartments to 8 no and to retain the existing use of the ground floor, in its entirety, as Use Class A4 (drinking establishment). Victoria Colonnade CV31 3AA

RESOLVED that an objection is raised on the following grounds:

The Council notes the objections of the Environmental Health Officer with regard to the requirements to ensure appropriate safeguarding of the residential units from noise break out associated with the licensed activities on the ground floor. The application to vary the previous planning permission is therefore unacceptable in its present form.

18/ 1392 Mr Knowles. Erection of single storey side and rear wrap around extension, 13 Clapham St CV31 1JJ

RESOLVED that no objection is raised. The Council notes the comments of the Case Officer of 7th August and has no further observations on the application.

W/18/1276. Miss Melanie Duggan. Retrospective permission for installation of fence to front of property. 2 Satchwell Place CV31 1HT

RESOLVED that no objection is made to a revised application which provides for a fencing solution using materials in keeping with the setting of this historic building. The proposed fencing materials are inappropriate to the setting of the listed building in the Conservation Area.

18/1474LB Mr Panaich. Proposed amendment to previously approved Listed Building Consent (W/17/1695/LB) seeking to omit studio apartment 3 on the ground floor, retain existing ground floor use (use class A4) and rear elevation, together with the necessary internal and external alteration to facilitate the amendments, (including provision of ground floor toilets, admin room, cellar, amendments to apartment 5 elevations, sound insulation to first floor and replacement of roof lights to third floor staircases with smoke vents). Victoria Colonnade CV31 3AA

RESOLVED that no objection is made, subject to the application incorporating the recommendations of the Conservation Officer in his email of 21st August.

18/1033 Mr & Mrs Twigger. Erection of single storey side/rear extension and 1 no dormer roof extension to the rear roof slope. 100 Northumberland Road CV32 6HG

RESOLVED that no objection is made, subject to the reduction in the height of the proposed dormer to ensure integration with the existing roof-line.

18/1435 William Davis Ltd & Hallam Land Management Ltd. Development of up to 180 dwellings, public open space, landscaping access to Gallows Hill, sustainable urban drainage systems, footpaths/cycle ways and associated infrastructure. All matters reserved, safe for access points to site. Land South of Gallows Hill/Banbury Road, Warwick CV34 6RN

RESOLVED that no objection is made, subject to the following observations:-

1. The Council supports the observations of the Conservation Area Forum regarding dispersal of the larger blocks of development to allow tree planting between buildings.
2. The development will have a significant impact on vehicular movements and place an increased burden on the road infrastructure in the area. Emphasis will need to be given to connectivity for vehicles and non- vehicular movements such as those for pedestrians and cyclists.

18/1279 Mr M Singh Ranautta. Erection of a single storey front, side and rear extension. 23 Parklands Avenue, Lillington CV32 7BH

This application had been withdrawn by the applicant

48. PLANNING DETERMINATIONS

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

RESOLVED that the applications determined by the Planning Authority which are contrary to the Town Council's observations and comments are noted.

49. PLANNING APPEAL NOTIFICATIONS

The following Planning Appeals to the Secretary of State were noted:-

Application No: 18/0110
Applicant: NJS Investments Ltd
Site: 62A Brunswick Street, Leamington Spa
Description: Proposed second floor extension to the existing property to form 2 additional two bedroom flats

Application No: 18/0239
Applicant: Mr Bhopal
Site: 5 Radford Road
Description: Conversion of front basement room from store to bedroom to facilitate change of use of property from a 6 bed HMO (use class C4) to a 7 bed HMO (sui generis)

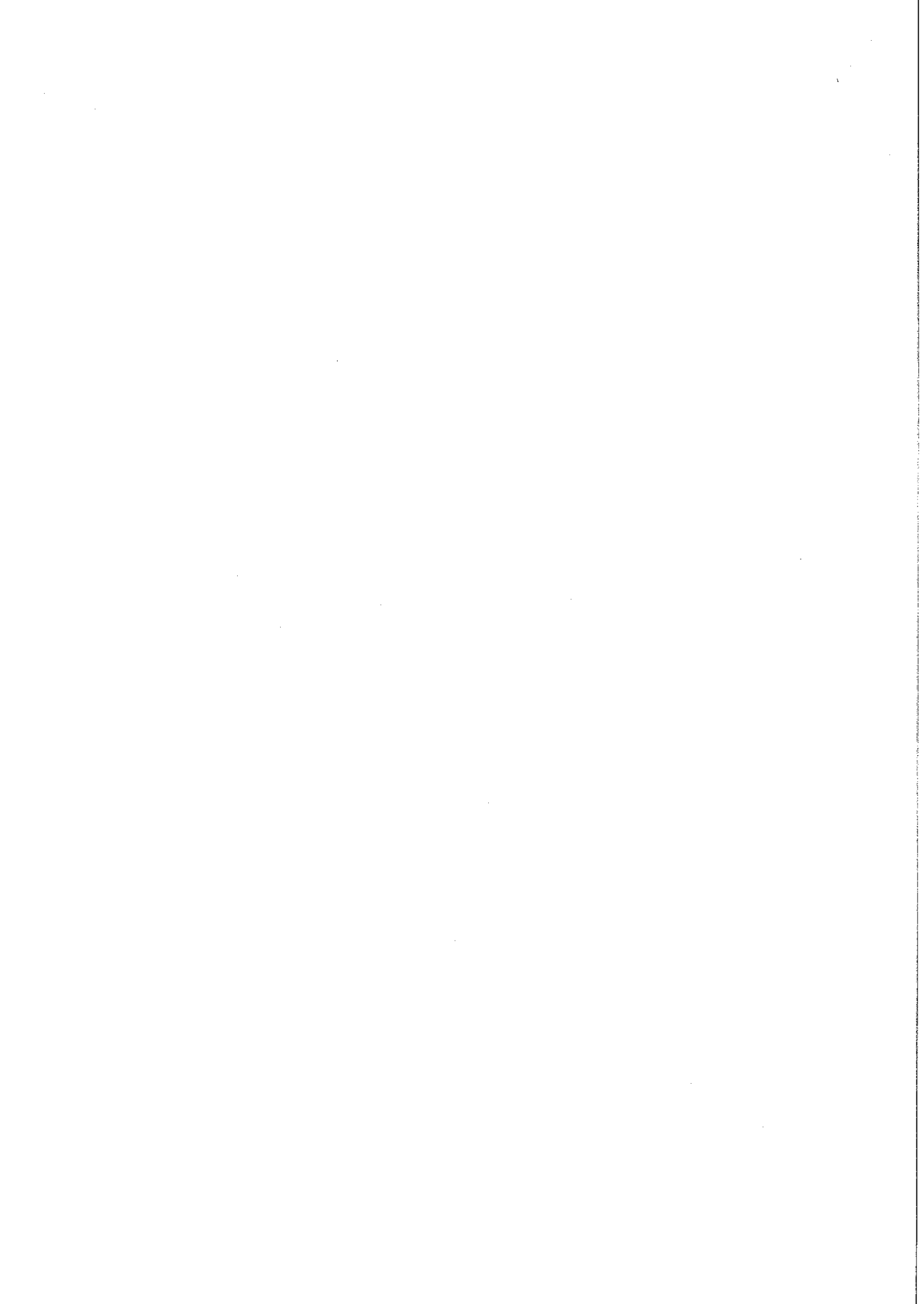
50. PLANNING APPEAL DECISIONS

No planning appeal decisions were reported.

The meeting commenced at 6:00 pm and concluded at 6:46 pm.

Signed

Dated



No.	Application No	Applicant	Proposal	Location	Ward	Link to WDC Portal
1	W/18/1601	Mr D Bolton	Change of use of the Church Manse from C3 (residential property) to B1 (office associated with the church).	The Manse, Charlotte Street, CV31 3EB	Brunswick	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81987&activeTab=s-ummary
2	W/18/1375	Mr S Kandola	Change of use from a single dwelling house (C3) to an 8 bed House in Multiple Occupation (HMO) (Sue-Generis) (Retrospective).	29 Grosvenor Rd CV31 2NN	Brunswick	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81742&activeTab=s-ummary
3	W/18/1398	Mr Remi Mobed	Erection of a two storey side extension, new dormer to the front elevation, roof extension, and new access onto Archery Road.	2 Adelaide Road, CV31 3PW	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81772&activeTab=s-ummary
4	W/18/1568	Mr & Mrs Bains	Erection of canopy over the doorway, enlarge and replace existing window with a square bay window (retrospective).	3A Oxford St CV32 4RA	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81950&activeTab=s-ummary
5	W/18/1551	Warwick District Council	Improvements to existing municipal car park as part of the Leamington Spa Car Park Displacement Programme. Improvements include new asphalt surfacing, lighting, CCTV, pay machines and formalised parking bays.	Car Park, Archery Road, Leamington	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81932&activeTab=s-ummary
6	W/18/1577	Newbold Buildings Ltd	Change of use from HMO to three dwellings (2 no two bedroom dwellings and 1 no three bedroom dwelling), with proposed two storey side extension and ancillary external works.	27 Edmondscore Road CV32 6AG	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81983&activeTab=s-ummary
7	W/18/1577	S R Signs Ltd	Erection of replacement illuminated and non illuminated signs to the exterior of the building.	The Fox and Vivian 32 Clarendon Avenue CV32 4RZ	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81962&activeTab=s-ummary

8	W/18/1242 LB Mr Greg Callaghan	Listed building consent for alterations to dwelling to provide an additional two bedroom dwelling within the existing basement, and restoration of existing dwelling to include: conversion of loft space with 2 no front dormers and 2 no rear dormers, rear ground floor extension, rear decked walkway and balustrades at ground floor level, internal and external alterations, refurbished and replaced windows and doors, demolition of existing dilapidated garage and erection of new garage, store/study and garden room and new rear boundary treatment and gates.	41 Clarendon Square CV32 5QL	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=W/ARW1_DCAPR_81594&activeTab=suimary
9	W/18/1622 C/O Agent	Variation of condition 2 (plan numbers) to application number W/16/1766 (change of use, demolition and redevelopment of existing building to create 4 no 4 bed and 1 no 2 bed town houses with amenity space and below ground level parking), to allow for alterations to fenestration, internal layout alterations, extension at rear of site and alterations to exterior amenity areas.	Lockhart Court, Wood St., CV32 4HQ	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=W/ARW1_DCAPR_82012&activeTab=suimary
10	W/18/1668 LB AlphaDrive Supercare Hire	Existing retained timber shop front to be repainted. Certain internal walls to rear of property at both ground and basement levels to be removed and also new stud-walls to be constructed to suit. Non original guarding to staircase to be replaced with timber mews.	12 Victoria Terrace CV31 3AB	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=W/ARW1_DCAPR_82063&activeTab=suimary
11	W/18/1628 LB Premier Inn Hotels Ltd	Listed Building Consent for proposed display of signage.	150 Parade, CV32 4AG	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=W/ARW1_DCAPR_82019&activeTab=suimary

12	W/18/1596	Dr Mills	Change of use of second and third floors from offices (use class B1) to treatment therapy rooms (use class D1).	Second Floor 158 Parade, CV32 4AE	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81982&activeTab=summmary
13	W/18/1625	Mr M Ranautia	Notification for prior approval for a proposed larger home extension for the erection of a single storey rear extension; 4.00 metres in depth, 3.61 metres in height and 2.117 metres to the eaves.	23 Parklands Ave, Lillington CV32 7 BH	Crown	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_82015&activeTab=summmary
14	W/18/1516	Mr Sam Smith	Partial demolition and extension of existing single storey rear extension.	103 Leam Terrace CV31 1DF	Leam	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81896&activeTab=summmary
15	W/18/1602	Mr J Whitehead & Ms D Hepburn	Resubmission of W/18/0591: Proposed erection of a single storey dwelling.	Land adjacent, 2 Mill Road CV31 1BE	Leam	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81988&activeTab=summmary
16	W/18/1567	Mrs M Enright	Erection of a single storey side/rear extension following the demolition of the existing rear conservatory.	96 Telford Avenue, Lillington CV32 7HP	Manor	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81949&activeTab=summmary
17	W/18/1170	Mr & Mrs Doncaster	Proposed demolition of existing dwelling and the erection of a replacement detached dwelling.	26 Cloister Crofts CV32 6QQ	Manor	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81503&activeTab=summmary
18	W/18/1584	Mr & Mrs Birk	Erection of a two storey side extension and extension of the front porch.	33 Hopton Crofts CV32 6NT	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81970&activeTab=summmary

19	W/18/1571	Mr C Franch	Proposed change of use from C3 residential (existing 1 no one bedroom flat and 1 no two bedroom flat) into 6 bedroom house in multiple occupation (use class C4)	222 rugby Road CV32 6DZ	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 81953&activeTab=s ummary
20	W/18/1659 LB	Mr A McAllister	Removal of a partition wall, believed to have been erected in 1992. This improvement is designed to return the room to how it was originally designed.	Flat 2, 6 Bertie Terrace CV32 5BL	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 82052&activeTab=s ummary
21	W/18/1386	Mr T Wilson	Erection of two storey extension to side/rear and two storey extension to side/front and garden playroom outbuilding with roof terrace above.	69 Wathen Rd CV32 5UY	Newbold	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 81758&activeTab=s ummary

22	W/18/1503	Mr & Mrs Hammond	Erection of single storey rear/side extension.	21 Villiers St CV32 5YH	Newbold	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81881&activeTab=s ummary
23	W/18/1422	Mr & Mrs De Zoysa	Reconstruction of ground floor rear extension and erection of first floor rear extension.	34 Leicester St CV32 4TE	Newbold	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81796&activeTab=s ummary
24	W/18/1361	Mr J White	Erection of a front canopy porch, pergola over the existing drive and alterations to fenestration.	Killock Cottage, Woodcote Rd CV32 6QB	Newbold	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81726&activeTab=s ummary
25	W/18/1327	Ms Woolley	Erection of rear dormer, alteration to existing single storey rear extension roof and demolish shed.	1 Waller St CV32 5UR	Newbold	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81689&activeTab=s ummary
26	W/18/1605	Miss Grundy	Proposed single storey front extension and a single storey rear extension.	57 Leicester St CV32 4TD	Newbold	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81992&activeTab=s ummary
27	W/18/1547	Mr & Mrs Heer	Erection of single storey rear extension, partial demolition of existing porch and erection of replacement porch and insertion of new window to front elevation.	5 Otters Rest, Whitnash CV31 1AD	Sydenham	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_81928&activeTab=s ummary

28	W/18/1570	Mr Parker	Erection of a two storey side extension.	36 St Margarets Road CV31 2NS	Sydenham	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR_81952&activeTab=suimary
29	W/18/1292	Mr McCormick	Proposed erection of a two bedroom dwelling.	1 Nursery Lane CV31 2PW	Sydenham	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR_81650&activeTab=suimary
30	W/18/1649	Mr Stuart Brown	Erection of first floor side extension (re-submission of W/18/1131)	10 Chatsworth Gardens, Sydenham CV31 1WA	Sydenham	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR_82042&activeTab=suimary