



ROBERT NASH ACIS DMS
Clerk to the Town Council

THE TOWN COUNCIL

OF

ROYAL LEAMINGTON SPA

TOWN HALL, PARADE,

ROYAL LEAMINGTON SPA

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14th November 2019

Dear Councillor

PLANNING COMMITTEE – THURSDAY 21st NOVEMBER 2019

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 21st NOVEMBER 2019**.

Yours faithfully,

CLERK TO THE TOWN COUNCIL

To: Councillors: Alty, Boulton, Brunson, Choudry, Clarke, McAllister, Stevens and Wilkins

(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 for absence.
2. Declarations of Interest and 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 meeting of the Planning Committee held on 31st October 2019 (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 note the following Planning Appeal Notification:

Application No: W/19/0509

Applicant: Mr Tara c/o The Planning Group Ltd

Site: 21-23 Clemens Street CV31 2DW

Description: Proposed change of use from existing offices to 2 no. residential flats on the first and second floors only

Application No: W/19/0737

Applicant: Mr A Johnson

Site: The Limes 21 Beauchamp Avenue CV32 5RG

Description: Erection of front wall and railings along front boundary

9. Planning Appeal Decisions

To consider the following Planning Appeal Decisions, if any.

10. Tree Preservation Orders

To consider the following Tree Preservation Orders, if any.

11. AOB



THE TOWN COUNCIL OF ROYAL LEAMINGTON SPA
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON 31st OCTOBER 2019 AT THE TOWN HALL,
ROYAL LEAMINGTON SPA

Present: Councillors Julija Boulton, Jennifer McAllister, Janet Alty, Mubarik Chowdry, Navdeep Kaur Atwal and Louisa Radice.

Apologies: Councillors David Brunson and Nick Wilkins

85. DECLARATIONS OF INTEREST AND REQUIREMENTS FOR DISPENSATIONS

There were none.

86. PUBLIC FORUM

No representations were made

87. MINUTES

The Minutes of the Planning Committee held on 10th October 2019, having been circulated, were considered.

RESOLVED that the Minutes of the Meeting of the Planning Committee held on 10th October 2019 are confirmed and signed as a correct record.

88. MATTERS ARISING

There were none.

89. 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/19/1574 Rowley Construction and Property Services Ltd
Change of use from part of retail storage at ground and first floor to provide a total of
5 no residential flats (4 no 1 bedroom and 1 no 2 bedroom) with the addition of a
second floor and external alterations 15-17 Clemens Street CV31 2DW

RESOLVED that an objection is raised on the following ground:

No on-site parking is available or proposed - the WDC Parking SPD requires a parking survey to be undertaken if this is the case and this should be carried out during higher education term time. This does not appear to have been done therefore levels of available parking for future residents cannot be measured yet. Court Street car park to the rear of this property is a public car park and a housing allocation within the Local Plan so may not be available to provide parking in the medium to long term.

The town council notes another residential development proposed in the Leamington Spa AQMA, and whilst acknowledging the bedrooms are located to the back of the building, residents will still be living in a poor air quality area which should be acknowledged.

W/19/0832 EI Group Proposed installation of 2 x trough lights to existing, 2 x sets fascia signage The Cricketers Arms 19 Archery Road CV31 3PT

RESOLVED that no objection is raised

W/19/1346 Insomnia Coffee Company Change of use from retail use to coffee shop use Clarks 75-77 Parade CV32 4AY

RESOLVED that no objection is raised - given the comments registered by residents about the future use of this property in the town centre, would a change of use to A1/A3 not give more flexibility?

W/19/1471 Mr S Malle Proposed variation of condition 2 (plan numbers) of application W/10/1370 to allow for 4 additional bedrooms at first floor and 4 additional bedrooms at second floor 13-17 Kenilworth Street CV32 4QS

RESOLVED that no objection is raised

W/19/1679 Mr Mark Burchett Proposed erection of a porch extension and a single storey side/rear extension 9 Epsom Road Lillington CV32 7AR

RESOLVED that no objection is raised – the Town Council notes the possible boundary issues and hopes this is resolved with the relevant parties before any permissions are granted.

W/19/1139 Mr Shalbinder Malle Construction of two storey rear extension to provide 2 no 3 bedroom apartments 28 Kenilworth Road CV32 6JE

RESOLVED that an objection is raised on the following grounds:

1. The proposed extension is not subservient to the existing listed dwelling and would dominate the existing building due to its height, length and massing, contrary to the WDC Residential Design Guide.
2. As such, this proposal would cause substantial harm to a designated heritage asset and no attempt has been made to show that this is not the case. This contravenes Local Plan Policy HE1.
3. This extension would make a negative contribution to the surrounding conservation area which does not support Local Plan Policy HE2.
4. It is also considered that the proposed extension does not meet the requirements of Local Plan Policy BE1 a), d) and f) due to its size and unharmonious design.

W/19/1748LB Mr S Malle Construction of two storey rear extension to provide 2 no 3 bedroom apartments 28 Kenilworth Road CV32 6JE

RESOLVED that an objection is raised on the following grounds:

1. The proposed extension is not subservient to the existing listed dwelling and would dominate the existing building due to its height, length and massing, contrary to the WDC Residential Design Guide.

2. As such, this proposal would cause substantial harm to a designated heritage asset and no attempt has been made to show that this is not the case. This contravenes Local Plan Policy HE1.

3. This extension would make a negative contribution to the surrounding conservation area which does not support Local Plan Policy HE2. 4. It is also considered that the proposed extension does not meet the requirements of Local Plan Policy BE1 a), d) and f) due to its size and unharmonious design.

W/19/1562 Mr J Kohli Proposed conversion from single dwelling to form
5 no 1 bedroom and 4 no 2 bedroom apartments. Demolition of existing single storey
side extension and erection of replacement two storey side extension 54
Kenilworth Road CV32 6JW

RESOLVED that an objection is raised on the following grounds:

Support the comments of the environmental health officer regarding the potential noise issue due to the party wall between apartments 2/3 and 1/4 on the first floor creating noise disturbance for the bedroom in 1/4 from the kitchen/living area in 2/3. This should be reviewed and amended to prevent this occurring.

No comments as yet from conservation - we defer to their expertise in this case. Also note that the design and access statement states on page 3 that WDC does not have a 5 year land supply - this is inaccurate and misleading.

W/19/1379 Dr Davies Proposed residential development consisting
of 2 two storey 3 bedroom units 32 Russell Terrace CV31 1EZ

RESOLVED that the Town Council would like to maintain an objection to this application on the same grounds as none seem to have been addressed since the previous application (W/19/0144):

1. The NPPF defines brownfield land as "previously developed land". It specifically excludes "land in built up areas such as private residential gardens..." from this definition. Therefore, this is not a brownfield application but a request to develop a garden and does not meet the criteria in policy H15 in the Local Plan regarding custom build homes.
2. The parking survey was conducted outside the higher education term time and is not therefore in line with the WDC Parking SPG.
3. Lack of parking spaces provided on the site in line with the Parking SPG - it is suggested spaces can be made available on street by the developer. This would need to be agreed by the Highways department and there is no evidence of this.

We would add another ground: 4. Proposed height of the building would dominate the property to the left and the question of overlooking is raised by the presence of non-obscured windows in the side of the building.

It is suggested two trees will need to be removed - can they be replaced elsewhere on the plot or elsewhere in the neighbourhood?

W/19/1444 Mr J Sidhu Erection of first floor rear extension Dental
Surgery 4 Priory Terrace CV31 1BA

RESOLVED that an objection is raised on the following grounds:

1. Breach of the 45-degree line to the neighbouring property

2. No additional parking provision proposed - should be an additional 4 spaces for a new surgery room according to the WDC Parking SPD

80. PLANNING DETERMINATIONS

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

81. PLANNING APPEAL NOTIFICATIONS

Application No: W/19/1167

Applicant: Mr David Manning

Site: 77 Northumberland Road CV32 6HQ

Description: Retention of existing boundary wall, gates, piers and railings in a modified form (stone pier caps and top two courses of brickwork on each pier to be removed and replaced by a single soldier course of matching bricks).

82. PLANNING APPEAL DECISIONS

There were none.

83. TREE PRESERVATION ORDERS

There were none.

84. ANY OTHER BUSINESS

There was none.

The meeting commenced at 6:00pm and concluded at 7:15pm.

Signed

Dated



The Town Council of Royal Leamington Spa

PLANNING DETERMINATIONS 21ST NOVEMBER 2019

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

W/19/1512 Mr Jones Erection of first floor side extension
2A St Fremund Way Leamington Spa CV31 1AB

RESOLVED that no objection is raised subject to the 45-degree line being complied with

WDC Reason for Decision

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 first-floor rear extension is not considered acceptable in terms of scale and design as the extension would be contrary to Section 8 of the Residential Design Guide SPD as first floor flat roof extensions are deemed to constitute poor design. Additionally, the height and general massing of the extension would dominate the existing dwelling, and would not be in keeping with the surrounding properties. It is also considered the completed structure would create an incongruous form of development that would not harmonise with, or enhance, the existing settlement in terms of physical form in line with the requirements of Policy BE1.

The extension breaches the 45-degree line from windows serving habitable rooms on the ground and first floor of the rear elevations of adjacent properties, and as a result is not considered acceptable in terms of light and outlook to the neighbours.

In consideration of these factors the proposed extension is not considered to meet the design guidance stipulated within the WDC Residential Design Guide SPD, and will not meet the requirements of Local Plan Policy BE1, BE3 or paragraph 130 of the NPPF

W/19/1132 LD Estates Ltd Proposed construction of 2no.
Mews Townhouses with car parking at ground floor level Land off
John Street CV32 5EP

RESOLVED that no objection is raised

WDC Reason for Decision

The proposed development would not provide a satisfactory living environment for the future occupiers of the proposed development due to the close proximity

of the rear of the properties in Regent Street and the Telephone Exchange, which would lead to the potential for overlooking and lack of privacy to their private amenity space. The development would therefore be contrary to Policy BE3 of the Warwick District Local Plan (2011-2029) and the Warwick District Council Residential Design Guide SPD.

Insufficient information has been submitted with the application to demonstrate that the proposed development would provide an acceptable noise environment for the future occupiers of the dwellings. Moreover, there are inconsistencies and discrepancies between the information provided in the original 'Environmental Noise Impact Assessment Report Ref: IMP 5459-2' submitted 26 June 2019 and the subsequent 'Environmental Noise Impact Assessment Report Ref: IMP 5459-3' submitted 30 September 2019 which make it difficult to be able to determine the precise impacts and recommend appropriate mitigation.

W/19/0890 Mr. Greg Stock Erection of a replacement
garage and raising of the boundary wall 19 Lansdowne Circus CV32
4SW

RESOLVED that no objection is raised

WDC Reason for Decision

Policy HE1 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.

The proposed pitched roof over the existing garage would be detrimental to the character and appearance of the Conservation Area as garages fronting the highway in this particular street are low key and in line with existing boundary treatments to not appear visually prominent in the street scene. The proposal would therefore not reflect the character of this particular area.

W/19/1253LB Mr & Mrs Leith Proposed replacement of
sash windows facing Lillington Road and Binswood Avenue Waverley
House 70 Binswood Avenue CV32 5RY

RESOLVED that no objection is raised

WDC Reason for Decision

Policy HE1 of the Warwick District Local Plan 2011-2029 states that consent will not be granted to alter or extend a listed building where those works will adversely affect its special character or historic interest, integrity or setting. In the opinion of the Local Planning Authority it is viewed that the replacement glazing units proposed would result in material harm to the heritage asset, failing to preserve its historic integrity. This is a result of the loss of the original sash windows, which form part of the building's historic fabric.

No.	Application No	Applicant	Proposal	Location	Ward	Link to Portal
1	W/19/1459	Gurbakhas Sohal	Extension and conversion of 3 bedroom dwelling to 2 two bedroom flats	29 The Close CV31 2BL	Brunswick	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_84567&activeTab=summary
2	W/19/1190	Mr Jun Xu	Installation of new air ventilation and kitchen extraction system	Unit SU1c 17-19 Livery Street Regent Court CV32 4NG	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_84277&activeTab=summary
3	W/19/1559	Rickett Architects Ltd	Refurbishment, change of use and extension of existing C3 dwelling to B1 office space with associated car parking	Victoria Lodge Park Drive CV31 3PJ	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_84697&activeTab=summary
4	W/19/1644LB	Orbit Housing	Replacement of existing windows with new timber windows	Denby Buildings Regent Grove CV32	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_84798&activeTab=summary
5	W/19/1764	Orbit Housing	Replacement of existing windows with new timber windows	Denby Buildings Regent Grove CV32	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_84935&activeTab=summary
6	W/19/1662	Mr R Smart	Formation of a larger light-well to the front elevation	22 Norfolk Street CV32 5YQ	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_84820&activeTab=summary
7	W/19/1671	Mrs Julie Perkins	Internal alterations, replacement of external staircase to rear, new parking to front, erection of a new front gate, replacement of roof to coach house	27 Beauchamp Avenue CV32 5TD	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI_DCAPR_84832&activeTab=summary

8	W/19/1672LB	Mrs Julie Perkins	Internal alterations, replacement of external staircase to rear, new parking to front, erection of a new front gate, replacement of roof to coach house	27 Beauchamp Avenue CV32 5TD	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARW1 DCAPR 84833&activeTab=summary
9	W/19/1673	Barclays Bank plc	1 no new A1 external marketing poster in front elevation, 1 no new A4 FSA sign in front elevation, 2 no 3M vinyl text signage in front elevation	Barclays Bank 48-50 Parade CV32 4DD	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARW1 DCAPR 84834&activeTab=summary
10	W/19/1705LB	Denfield Ltd	Change of use of lower ground, ground and first floors from occupation by The Oddfellows Society (sui generis) to use as Class B1 (a) offices	6 Clarence Terrace CV32 5LD	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARW1 DCAPR 84868&activeTab=summary
11	W/19/1708	Denfield Ltd	Change of use of lower ground, ground and first floors from occupation by The Oddfellows Society (sui generis) to use as Class B1 (a) offices	6 Clarence Terrace CV32 5LD	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARW1 DCAPR 84871&activeTab=summary
12	W/19/1726LB	Carsington Homes Ltd	Proposed internal alterations and extensions to facilitate the conversion of offices into 5 no residential apartments. Retention of lower ground floor as offices and fenestration alterations. Installation of CCTV cameras (amendment to previously approved W/18/1808LB)	9-11 Dormer Place CV32 5AA	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARW1 DCAPR 84890&activeTab=summary
13	W/19/1743	Mr M Panesar	Proposed two storey side extension	15 North Villiers Street CV32 5XZ	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARW1 DCAPR 84912&activeTab=summary
14	W/19/1799LB	Mr Doug Allsop	Removal of existing partition walls between kitchen and lounge, including small portion of original wall. Make good walls, floors and ceilings where required	Flat D Grove Court 52 Grove Street CV32 5AG	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARW1 DCAPR 84974&activeTab=summary

15	W/19/1802	Mr Wright	Erection of two storey side extension, and single storey front and rear extension	20 North Villiers Street CV32 5XY	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 84977&activeTab=summary
16	W/19/1825	Mrs B Sohal	Erection of single storey rear extension	18 Leicester Street CV32 4TQ	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 85000&activeTab=summary
17	W/19/1828	Mr Matharu	Retrospective application for the retention of installed light-wells and basement windows	9 Leicester Street CV32 4TG	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 85003&activeTab=summary
18	W/19/1830	Miss Martin	Change of use from B1a office to A4 drinking establishment (coffee and cocktail bar)	144 Parade CV32 4AG	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 85005&activeTab=summary
19	W/19/1837	Specsavers	Proposed replacement non-illuminated fascia signage and window vinyl	Specsavers 69 Parade CV32 4BA	Clarendon	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 85012&activeTab=summary
20	W/19/1841	Mr David Coleman	Erection of single storey rear extension	99 Kinross Road Lillington CV32 7EN	Lillington	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 85016&activeTab=summary
21	W/19/1848	Mr P Hogg	Erection of two storey side and rear, part single storey rear extension and a loft conversion	9 Farm Road Lillington CV32 7RP	Lillington	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 85024&activeTab=summary

22	W/19/1893	Mr & Mrs Smith	Erection of first floor side extension over existing garage and a porch extension	71 Kinross Road Lillington CV32 7EN	Lillington	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 85071&activeTab=summary
23	W/19/1416	Mr Kandola	Proposed conversion of existing cellar to bedrooms, new light-well and windows	29 Kenilworth Road CV32 6JG	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 84516&activeTab=summary
24	W/19/1567	Mr M & Mrs R Coombs & Inglefield-Coombs	Proposed removal of tree adjacent existing garage frontage, ground floor extension and removal of part garage to provide off road car parking space. External alterations including new flush casement windows, white powder coated aluminium folding door set, conservation type roof windows and balustrading to existing floor bedroom terrace.	Barwell Cottage Barwell Close CV32 6QA	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 84709&activeTab=summary
25	W/19/1552	Mr M & Mrs R Coombs & Inglefield-Coombs	Proposed removal of tree adjacent existing garage frontage, ground floor extension and removal of part garage to provide off road car parking with first floor extension over retained part of garage. External alterations including new flush casement windows, white powder coated aluminium folding door set and conservation type roof windows.	Barwell Cottage Barwell Close CV32 6QA	Milverton	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 84690&activeTab=summary
26	W/19/1557	Mrs J Williams	Erection of a single dwelling and associated works on land to the rear of 8 Leam Terrace	8 Leam Terrace CV31 1BB	Willies	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 84695&activeTab=summary
27	W/19/1643	Mr M Kirtland	Proposed replacement garage block to provide garage and storage facilities to existing domestic property. First floor to provide home office space, storage and WC	11 Willies Terrace CV31 1DL	Willies	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 84797&activeTab=summary

28	W/19/1745	Miss Elizabeth Sheasby	Rebuilding and extension of existing garage	202 Radford Road CV31 1LQ	Willes	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 84914&activeTab=summary
29	W/19/1782	Heart of England District Lodge of The Oddfellows Society	Change of use from Class B1 (a) offices to use by The Oddfellows Friendly Society (sui generis)	22 New Street CV31 1HP	Willes	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 84957&activeTab=summary
30	W/19/1838	Leamington Central Ltd	Elevation alterations and erection of new two storey side extension west of Unit 5 (as approved under application W/19/1355)	Former Polestar Food Ltd St Marys Road CV31 1PS	Willes	https://planningdocuments.warwickdc.gov.uk/online-applications/applicationDetails.do?keyVal=WARWI DCAPR 85013&activeTab=summary

