

KENILWORTH TOWN COUNCIL

Minutes of the Meeting of the PLANNING COMMITTEE

Held at Jubilee House, commencing 9.30 pm, on Thursday 24 February 2022

PRESENT: Councillor K S Dickson (Chair)

Councillors: P Austin, R J Barry, A G Chalmers, M F Coker, S A Cooke,
A M Dearing, J A Dearing, G D Hyde, P J Jones, A W Milton.

Town Clerk: Miss M S Field.

Deputy Town Clerk: N A Eaton

No Members of the Public were present.

P.471 APOLOGIES

Councillors: A J Firth.

P.472 DECLARATIONS OF INTEREST

P J Jones	W/21/2273	Member	Personal
A W Milton	W/21/2273	Ex Member	Personal
G D Hyde	W/22/0163	Applicant Known	Personal

P.473 MINUTES

The Minutes of the Planning Committee held on 03 February 2022 were moved, seconded, and approved.

P.474 MATTERS ARISING

The Chair detailed a response from Gary Fisher in response to an update request on Castle Pavilion Planning Issues.

Councillor M Coker replied that he would be sending his own reply to this and read this out.

Members supported all of the comments raised and asked that the Town Clerk contacts WDC Chief Executive and relevant Portfolio Holders, advising them that they endorse and support the response from Councillor Coker, as set out.

NEW MATTERS

P.475 PLANNING APPLICATIONS - WARWICK DISTRICT COUNCIL

It was RESOLVED that:

Warwick District Council (WDC) be advised as stated in respect of the following applications:

<u>Reference</u>	<u>COMMENT</u>
Application No: W/21/2273 Description: Installation of 2 Padel Courts, 8no. flood lights and associated works. Address: Kenilworth Tennis and Squash Club, Crackley Lane, Kenilworth, CV8 2JS	Whilst having no reason to object, Members commented that an assessment should be made of any potential noise and light nuisance.
Application No: W/22/0069 Description: Change of use of 'Office No 4' from Office (Use Class E) to Beauty Therapy (Sui Generis). Address: Holmes Court House, 29A Bridge Street, Kenilworth, CV8 1BP	The Town Council has no reason to object to this application.
Application No: W/22/0116 Description: Erection of single storey rear extension. Erection of first floor side extension above existing garage. Address: 15 Tintagel Grove, Kenilworth, CV8 2PG	Whilst having no reason to object, Members commented that the extension roof did not appear subservient.
Application No: W/22/0144 Description: Rear extension to replace existing extension, rear extension, replacement roof and garage conversion. Address: 26 Amherst Road, Kenilworth, CV8 1AH	The Town Council has no reason to object to this application.
Application No: W/22/0163 Description: Erection of front porch Address: 8 Trentham Gardens, Kenilworth, CV8 2NW	The Town Council has no reason to object to this application.
Application No: W/22/0171 Description: Erection of a single storey side and rear extension. Address: 6 Queens Close, Kenilworth, CV8 1JR	Whilst having no reason to object, Members commented that this proposal may effectively obstruct the right of way for No 7 to access the rear of their property. In addition Officers should check for compliance with the 45° rule, at the front.

	With reference to the WDC Local Plan policy SC0 "Sustainable Communities" and the Kenilworth Neighbourhood Plan policy KP15 "Environmental Standards of New Buildings", Kenilworth Town Council requests that the applicants address matters relating to the environmental impact of the development with the aim of the resulting property, in its entirety, having an improved energy efficiency and water efficiency, where affected, compared to the existing property
Application No: W/22/0179 Description: Internal alterations and extension to rear. New raised patio area. And revisions to porch, roof and front elevation. Address: 12 Inchbrook Road, Kenilworth, CV8 2EX	The Town Council has no reason to object to this application.
Application No: W/22/0187 Description: Erection of single storey side/rear extension. Address: 36 Farmer Ward Road, Kenilworth, CV8 2DL	The Town Council has no reason to object to this application.
Application No: W/22/0190 Description: Erection of first floor front and side extension and erection of front porch. Address: 2 Berkeley Road, Kenilworth, CV8 1AP	Whilst having no reason to object, Members commented that this was a large extension, out of scale and not subservient to the main house.
Application No: W/22/0210 Description: Erection of single storey rear extension and garage conversion. Address: 36 Dudley Road, Kenilworth, CV8 1GQ	The Town Council has no reason to object to this application.
Application No: W/22/0212 Description: Proposed part removal of existing garden wall to form new maintenance access into garden from road. Proposed erection of double hinged gate. Proposed new hardstanding as part of patio works. Address: 48 New Street, Kenilworth, CV8 2EZ	Members OBJECTED to the application. It was considered that there would be an increased risk of accidents because of the need for safe access and egress onto an already busy road, effectively reduced to one lane for most of the day by residents on street parking. In addition, the existing garden wall is in a sensitive location, in a character area. It forms a significant part of this major entrance route into the Town. The above objections were considered material considerations, in contravention of relevant Planning Policy, specifically with respect to the Warwick District Local Plan policy TR1 (Access and Choice) and the Kenilworth Neighbourhood Plan Policy KP13 (General Design Principles).

	In addition to these objections, Members COMMENTED that this application was mis described. It constituted access to a new driveway and car parking.
Application No: W/22/0213 LB Description: Proposed part removal of existing garden wall to form new maintenance access into garden from road. Proposed erection of double hinged gate. Proposed new hardstanding as part of patio works. Address: 48 New Street, Kenilworth, CV8 2EZ	Members OBJECTED to the application. It was considered that there would be an increased risk of accidents because of the need for safe access and egress onto an already busy road, effectively reduced to one lane for most of the day by residents on street parking. In addition, the existing garden wall is in a sensitive location, in a character area. It forms a significant part of this major entrance route into the Town. The above objections were considered material considerations, in contravention of relevant Planning Policy, specifically with respect to the Warwick District Local Plan policy TR1 (Access and Choice) and the Kenilworth Neighbourhood Plan Policy KP13 (General Design Principles). In addition to these objections, Members COMMENTED that this application was mis described. It constituted access to a new driveway and car parking.
Application No: W/22/0233 Description: Erection of single storey front extension. Address: 31 Park Hill, Kenilworth, CV8 2JG	The Town Council has no reason to object to this application.

In addition, the following Environmental Impact Statement would be submitted, in respect of the stated applications (to apply where approval is granted);

W/22/0116, W/22/0144, W/22/0163, W/22/0171, W/22/0179, W/22/0187, W/22/0190, W/22/0210, W/22/0233

Environmental comment for extensions:

With reference to the WDC Local Plan policy SC0 “Sustainable Communities” and the Kenilworth Neighbourhood Plan policy KP15 “Environmental Standards of New Buildings”, Kenilworth Town Council requests that the applicants address matters relating to the environmental impact of the development with the aim of the resulting property, in its entirety, having an improved energy efficiency and water efficiency, where affected, compared to the existing property.

P.476 ATTENDANCE AT WARWICK DISTRICT PLANNING COMMITTEE MEETING

Agenda Items. Members considered the material reviewed during this meeting, and in respect of the agenda applications listed above it was:

RESOLVED that should representation be invited in respect of any of the applications considered within Item P.475 above if they came before WDC, then a decision would be made at that time in the light of the information then available.

Councillor M F Coker was nominated and agreed to represent the Town Councils objections to W/22/0212 and W/22/0213 LB (48 New Street).

P.477 APPEALS - DECISIONS AND NOTIFICATIONS

Notifications

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) –
PLANNING APPEAL AGAINST REFUSAL OF A HOUSEHOLDER APPLICATION
Address of site to which the appeal relates: 6 Lower Ladyes Hills, Kenilworth, CV8 2GN
Proposed development: Formation of driveway (part retrospective application)
Appellant's name: Mr Robins
Appeal reference number: APP/T3725/D/21/3282879
Appeal Start Date: 04/02/2022

Members OBJECTED to the application on the basis of the creation of the new access for the driveway. It was considered that there would be an increased risk of accidents because of the need for safe access and egress onto an already busy road and this may also adversely affect the safety of pedestrians in this area. Members also noted that no apparent permission was in place for any dropped curb.

The above objections were considered material considerations, in contravention of relevant Planning Policy, specifically with respect to the Warwick District Local Plan policy TR1 (Access and Choice).

In addition to these objections, Members COMMENTED that Officers should ask for a Highways Report to demonstrate that this proposal is not detrimental to highway safety.

The above submission will be forwarded to the Planning Inspector. Members are invited to submit any additional comments, to be received by 03 March.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) –
PLANNING APPEAL AGAINST REFUSAL OF A HOUSEHOLDER APPLICATION
Address of site to which the appeal relates: 2 Elizabeth Way, Kenilworth, CV8 1QP
Proposed development: Erection of timber fence (retrospective application)
Appellant's name: Mr P Homer
Appeal reference number: APP/T3725/D/22/3290873
Appeal Start Date: 09/02/2022

Whilst having no reason to object, Members commented that this high fence could adversely affect the streetscene. They noted the open aspect of other neighbouring gardens.

The above submission will be forwarded to the Planning Inspector. Members are invited to submit any additional comments, to be received by 09 March.

P.478 PLANNING CONTRARY DECISIONS, WITHDRAWALS AND RELATED MATTERS

Members NOTED the following updates:

(1) Contrary Decisions

Application No: W/21/1858

Description: Proposed erection of single storey side extension.

Address: 128 Warwick Road, Kenilworth, CV8 1HS

WDC Officers REFUSED – impact on amenity of nearby property, including 45° rule.

KTC Members had no reason to object

(2) Withdrawals.

Application No: W/21/1730 and W/21/1731 LB

Description: Proposed installation of replacement windows. Proposed rear dormer extension. Proposed installation of rear bi-fold doors and proposed canopy to rear garden. Proposed first floor rear extension.

Address: 23 High Street, Kenilworth, CV8 1LY

(3) Others.

Application No: W/21/1950

Description: Proposed construction of a residential unit (Use Class C3), with limited site clearance and creation of enhanced dementia garden to adjoining care home and bio-diversity enhancement, including associated landscaping, access, drainage, ground and engineering works.

Address: Land to the North of Kenilworth Manor, Thickthorn Orchards Kenilworth, CV8 2SQ

WDC Officers REFUSED permission – Multiple reasons.

KTC Members OBJECTED – Multiple reasons.

P.479 CORRESPONDENCE & SPECIAL MATTERS

P.480 NEXT MEETING

It was NOTED that the next scheduled meeting would be held in Jubilee House, Smalley Place **on Thursday 17 March 2022, at 7pm.**

The meeting concluded at 10.16 pm.

Signed:

Dated: