

KENILWORTH TOWN COUNCIL

Minutes of the Meeting of the PLANNING COMMITTEE

Held at Jubilee House, commencing 9.20pm, on Thursday 20 October 2022

PRESENT: Councillor K S Dickson.

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

Town Clerk: Miss M Field
Deputy Town Clerk: N A Eaton

1 member of the press and 2 members of the public were present.

P.582 APOLOGIES

Councillors: A M Dearing, R J Spencer.

P.583 DECLARATIONS OF INTEREST

M F Coker	W/22/1373	Lives nearby	Personal
J A Dearing	W/22/1505	Applicant Known	Personal

P.584 MINUTES

The Minutes of the Planning Committee held on 29 September 2022 were moved, seconded, and approved.

P.585 MATTERS ARISING

The Chair reported on an update from Will Holloway, Planning Enforcement Manager on specific issues (Minute P.580 refers):

Corner Princes Drive/Coventry Road, Kenilworth

An Enforcement Notice is being drafted to be served following the withdrawal of the application. This was following the advice that the application was likely to be refused.

The case officer will be able to assist and will update you further once served.

2 Elizabeth Way, Kenilworth

Unfortunately the case officer is off on long term sick and we have not had the capacity to re-allocate all of his cases at this time. The situation is that the next step will be the service of an Enforcement notice on this.

Once re allocated I will advise you as to whom is the new case officer and request a timeline for the service of the Notice.

NEW MATTERS

P.586 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/22/1577 Description: Installation of a solar farm and battery storage facility with associated infrastructure (re-submission of W/21/2080). Address: Land West of Honiley Road (A4177), Honiley, Kenilworth	The Town Council has no reason to object to this application.
Application No: W/22/0141 Description: Reserved Matters application pursuant to condition 1 of planning permission W/18/2123 for details of access, appearance, landscaping, layout and scale of 5no. dwellings. Address: 200 Warwick Road, Kenilworth, CV8 1HU	Whilst having no reason to object, Members COMMENTED that Officers should ensure compliance with the Residential Design Guide. These were considered very small units. Members were disappointed at the passive solar design and pointed out much higher energy efficiency standards incorporated into recently built WDC two bedroom houses. Members endorsed comments from WCC Highways, concerning inadequate bin storage, overflow parking arrangements and cycle storage. Members asked that Officers check technical detail for the access road is accurate with respect to road width and in all ways satisfactory.
Application No: W/22/1328 Description: Erection of a second floor extension to create 2no. 2 bed flats and the erection of a single storey side extension to create a new commercial unit for Use Class E(c) (financial services, professional services, any other services which is appropriate to provide in a commercial, business or service locality) or for the hiring, selling and/or displaying of motor vehicles (sui-generis) and new vehicular access. Address: Bridge Works, Farmer Ward Road, Kenilworth, CV8 2DH	Whilst having no reason to object, Members COMMENTED that designated car parking space appeared inadequate, with some joint useage with employees. Officers should assess compliance with the Parking Standards SPD. Bin storage also appeared inadequate. Members felt this proposal may constitute massing
Application No: W/22/1365 Description: Installation of 6no. electric vehicle charging points, the creation of charging zone and canopy, substation enclosure, LV panel and associated forecourt works. Address: Kenilworth Service Station, Warwick Road, Kenilworth, CV8 1HY	Members OBJECTED to this proposal for the following reasons: • Disturbance and intrusion in a sensitive area due to close proximity of neighbouring property. • The design was out of keeping with the streetscene, being a prefabricated drop in solution in a location adjacent to the St Johns Conservation area. These objections were considered material considerations, in contravention of relevant Planning Policy, specifically with respect to the Warwick District Local Plan policy BE3 (Amenity)

	and Kenilworth Neighbourhood Plan policy KP13 (General Design Principles), In addition to these objections, the Town Council commented that: - Any usage of EV charging points would need to be time restricted to prevent late night nuisance to neighbours - The number of chargers was considered overdevelopment of available space, resulting in likely forecourt congestion - Proposed relocation of air and water points in close proximity to the entrance is likely to cause congestion and ensuing nuisance to neighbours - Submitted plans appeared inconsistent, lacking detail on proposed tree removal
Application No: W/22/1373 Description: Replacement rear roof, new drop kerb, rear access gate and internal fencing. Address: 36 High Street, Kenilworth, CV8 1LZ	Whereas they had no reason to object, Members COMMENTED that they were concerned as to the effect of proposed alterations on adjoining property.
Application No: W/22/1374 LB Description: Proposed internal alterations and external reconfiguration of rear roof. Address: 36 High Street, Kenilworth, CV8 1LZ	Members COMMENTED that they had no reason to object, provided all work associated with this proposal was to the satisfaction of the Conservation Officer.
Application No: W/22/1450 Description: Conversion of existing hotel into 14no. apartments; demolition of 1no. existing dwelling and erection of 3no. dwellings. Address: 149 -151 Warwick Road, Kenilworth, CV8 1HY	Members made a holding OBJECTION to this application, pending additional information from any Highways Report. Parking provision was considered inadequate. Increase in traffic movement along an already busy Warwick Road was considered unacceptable. These objections were considered material considerations, in contravention of relevant Planning Policy, specifically with respect to the Parking Standards SPD, Warwick District Local Plan policy TR2 (Traffic Generation) In addition to these objections, the Town Council commented that: - A Construction Management Statement should be obtained - A Sustainability report should be obtained - EV parking provision is inadequate - Colour of any rendering should be specified to harmonise with the existing streetscene
Application No: W/22/1505 Description: Erection of single storey front and side extension. Address: 16 Hermitage Way, Kenilworth, CV8 2DW	Whilst having no reason to object, Members COMMENTED that any rendering should have an appropriate final finish, in keeping with the existing streetscene.

Application No: W/22/1515 LB Description: Internal re-arrangement of master bedroom, ensuite and laundry Room. Address: The Old School House, 2 Barrowfield Lane, Kenilworth, CV8 1EP	Members COMMENTED that they had no reason to object, provided all work associated with this proposal was to the satisfaction of the Conservation Officer.
Application No: W/22/1539 TC Description: The replacement of the existing monopole with a new monopole with headframe accommodating 6no. antennas, the upgrade of the equipment within the existing equipment cabinet, along with ancillary works. Address: Telecommunications Mast at Unit 9, Bridge Works, Farmer Ward Road, Kenilworth	The Town Council has no reason to object to this application.
Application No: W/22/1558 Description: Change of Use from Retail (Class E) to public house/restaurant (Sui Generis/Class E) together with the provision of external terrace, acoustic screening and canopy to the rear; demolition of a concrete delivery canopy and roller shutter doors; alterations to the front & rear fenestration; and installation of plant equipment (re-submission of application ref. W/22/1242). Address: 18-24 The Square, Kenilworth, CV8 1EB	Members welcomed this reapplication and its consideration of their previous concerns. Whilst having no reason to object, Members COMMENTED that: • A planning condition should restrict the use of the beer garden til 9pm • A planning condition was required to ensure elimination of noise and smell nuisance, including from extract ventilation • A planning condition should restrict delivery times for HGV vehicles as appropriate • Any noise assessment should include the beer garden and consider properties in Barrow Road. • A Traffic Survey should be undertaken • Members remained concerned at delivery vehicles blocking the rear access road • Members expressed concern as to pedestrian safety due to increasing useage of adjacent alleyways. A contribution for appropriate additional lighting should be sought from the applicant.
Application No: W/22/1569 Description: Erection of single storey side and rear wrap-around extension Address: 38 St Nicholas Avenue, Kenilworth, CV8 1JU	The Town Council has no reason to object to this application.
Application No: W/22/1570 Description: Single storey side extension.	The Town Council has no reason to object to this application.

Address: The Highfield, 4 Barrow-field Lane, Kenilworth, CV8 1EP	
Application No: W/22/1598 Description: Singe storey rear and side extension Address: 1a De Montfort Road, Kenilworth, CV8 1DF	The Town Council has no reason to object to this application.
Application No: W/22/1599 Description: Erection of single storey side extension, replacement porch and single storey rear extension, and garage conversion to garden room Address: 12 Leagh Close, Kenilworth, CV8 2FN	Whilst having no reason to object, Members COMMENTED that they were concerned as to the ownership and status of a boundary wall, shown as being removed in this proposal.
Application No: W/22/1605 Description: Erection of two storey rear extension and single storey side extension. Address: 21 Malthouse Lane, Kenilworth, CV8 1AB	The Town Council has no reason to object to this application.
WDC/17CC015 - Improvement of Stoneleigh Junction on A46 - Revised details for re-discharge of conditions 6 and 19.	Whilst having no reason to object, Members COMMENTED that an Ecological Watching Brief should be undertaken, alongside the proposed Archaeological.

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

W/22/1373, W/22/1374LB, W/22/1505, W/22/1515LB, W/22/1558, W/22/1569, W/22/1570, W/22/1598, W/22/1599, W/22/1605.

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.

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

W/22/0141, W/22/1328, W/22/1450.

Environmental comment for new builds

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 achieving a **net zero carbon development** and in ensuring that water efficiency is optimised in line with policy FW3 of the WDC Local Plan.*

P.587 ATTENDANCE AT WARWICK DISTRICT PLANNING COMMITTEE MEETING

Members considered the material reviewed during this meeting. In respect of the agenda applications listed above, Councillor A W Milton was nominated and agreed to represent the Town Council's objection to W/22/1365 (Kenilworth Service Station, Warwick Road, Kenilworth, CV8 1HY) and W/22/1450 (149 -151 Warwick Road, Kenilworth, CV8 1HY).

Councillor G Hyde reported on his attendance at WDC Planning Committee on 11 October, representing the Town Council's objection to –

Application No: W/22/0178

Description: Application for variation of Condition 15 for planning permission W/16/0851 (Variation of W/05/2054) to read "Deliveries for the supermarket shall be undertaken between 0600 hours and 2300 hours Mondays to Sundays, and in accordance with the 'Updated Quiet Delivery Procedures –Delivery Management Plan', dated November 2021'.

Address: Waitrose Foodstore, 51 Bertie Road, Kenilworth, CV8 1JP

Whereas KTC asserted that condition 15 for planning permission W/16/085 was set to protect the amenity of the area and remains justified as stated, WDC approved a variation of this condition to read: 'The use of the service area for the supermarket shall be limited to between 06.00 hours and 23.00 hours Monday to Sunday.' (subject to conditions).

P.588 APPEALS - DECISIONS AND NOTIFICATIONS

DECISION

Appeal Ref: APP/T3725/W/22/3293599

Little Fieldgate, 55 Fieldgate Lane, Kenilworth CV8 1BT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The application Ref W/21/0066, dated 12 January 2021, was refused by notice dated 3 February 2022.
- The development proposed is the demolition of existing dormer bungalow and construction of a replacement two storey dwelling.

This Appeal was Dismissed.

KTC had no reason to object.

NOTIFICATION

Appeal against refusal of permission

Site Address: Dunns Pitts Farm, Hollis Lane, Kenilworth, CV8 2JY

Description of development: Retrospective application for the erection of an agricultural building.

Application Reference: W/22/0182

Appellant's name: Dr M Keeler

Appeal reference: APP/T3725/W/22/3302954

Appeal start date: 11/10/2022

KTC had no reason to object.

P.589 PLANNING CONTRARY DECISIONS, WITHDRAWALS AND RELATED MATTERS

Members NOTED the following updates:

(1) Contrary Decisions

W/22/0178 (see minute P.587 above).

(2) Withdrawals.

Application No: W/22/1315

Description: Erection of single storey side and rear extension

Address: Mayfield, Glasshouse Lane, Kenilworth, CV8 2AL

Applicant: Ms K Stone

(3) Others.

None.

P.590 CORRESPONDENCE & SPECIAL MATTERS

1. Members considered correspondence received from WCC with respect to –WDC/17CC015 - Improvement of Stoneleigh Junction on A46 - Revised details for re-discharge of conditions 6 and 19. It was RESOLVED that comments be submitted as recorded in minute P.586 above.
2. Councillor M Coker gave an update report on the Castle Pavilion. Warwick District Council has imposed an Article 4 direction. This restricts the scope of permitted development rights, meaning that any events taking place on the land may now require planning permission. Serving and enforcement of such a direction is now subject to due process.

Members NOTED this update.

P.591 NEXT MEETING

It was NOTED that the next scheduled meeting would be held in Jubilee House, Smalley Place **on Thursday 10 November 2022, at 7pm.**

The meeting concluded at 10.22 pm.

Signed:

Dated: