

KENILWORTH TOWN COUNCIL

Minutes of the Meeting of the PLANNING COMMITTEE

Held at Jubilee House, commencing 9:27pm, on Thursday 29 February 2024

PRESENT: Councillor K S Dickson (in the Chair)

Councillors: D A T Bailey, A Chalmers, A M Dearing, N A Eaton, P J Jones, Z Leventhal, A J G Marsh and A Milton.

Town Clerk: Miss M Field

Deputy Town Clerk: Miss G Honey

P.133 **APOLOGIES**

Cllr R J S Minto.

P.134 **DECLARATIONS OF INTEREST**

A Milton W/24/0187 Applicant Known Personal

P.135 **MINUTES**

The Minutes of the Planning Committee held on 1 February 2024 were moved, seconded, and approved.

P.136 **MATTERS ARISING**

None

NEW MATTERS

P.137 **PLANNING APPLICATIONS - WARWICK DISTRICT COUNCIL**

Amended, Deferred or Other Consideration Applications:

None

New applications:

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/23/1726 Description: Application for approval of reserved matters for Phase 2 (revised) Residential	Members wish to maintain their previous OBJECTION to this application in full. There was concern that comments previously raised had not been

Development of 143 dwellings, Public Open Space and ancillary infrastructure relating to appearance, landscaping, layout and scale in pursuance of hybrid planning permission W/20/2020. Address: Land at Thickthorn, Kenilworth Applicant: Persimmon Homes	satisfactorily addressed including the timing of the completion of the spine road and the block method of bringing this scheme forward. A question was raised over the source and independence of the environmental health comments. The objections were considered material considerations, in contravention of relevant Planning Policy, the Warwick District Local Plan BE3 (Amenity), and the Kenilworth Neighbourhood Plan section KP13 (General Design Principles). The comments were made following consideration of the Kenilworth Neighbourhood Plan sections KP4 (Land East of Kenilworth), KP8 (Traffic), KP9 (Cycle Routes), KP15 (Environmental Standards of New Buildings), the Land East of Kenilworth Development Brief, the Warwick District Local Plan CC1 (Planning for Climate Change Adaptation), CC2 (Renewable Energy), BE2 (Developing Significant Housing Sites), Strategic Policy DS3 (Supporting Sustainable Communities) and also the WDC Climate Emergency Declaration.
Application No: W/23/1711 Description: Erection of first floor side extension and conversion of existing garage. Address: 269 Warwick Road, Kenilworth, CV8 1FB Applicant: Mrs Bateman	The Town Council has no reason to object to this application.
Application No: W/23/1829 Description: Installation of an Air Source Heat Pump of the following dimensions to the front of the application property: depth 0.64m, width 1.38m, height 0.87m. Address: 27 Finham Road, Kenilworth, CV8 2HY Applicant: E. Yip	The Town Council has no reason to object to this application.
Application No: W/24/0002 Description: Demolition of existing lean-to extension and erection of replacement single storey rear extension Address: 30 Priory Road, Kenilworth, CV8 1LL Applicant: MR M ALPER	The Town Council has no reason to object to this application.
Application No: W/24/0011 Description: Erection of a balcony to the rear of the application property Address: Lindsview, 43A High Street, Kenilworth, CV8 1LY Applicant: M. Hier	Members wish to OBJECT to this application. The property is in a conservation area and immediately adjacent to and overlooking the Scheduled Ancient Monument of Abbey Fields. It was felt that the glazing and scale of the proposed balcony did not demonstrate a positive response to the site characteristics and surroundings. Further, members felt the views from Abbey Fields would be affected thus the development would not retain

	the unique atmosphere of the historic site. The above objections were considered material considerations, in contravention of relevant Planning Policy, the Kenilworth Neighbourhood Plan section KP13(b) (General Design Principles) and KP13G (Design Management in Abbey Fields).
Application No: W/24/0031 Description: Alterations to existing house, single storey front, side and rear extensions Address: 30 Thornby Avenue, Kenilworth, CV8 2DY Applicant: Mr Kramark	The Town Council has no reason to object to this application.
Application No: W/24/0086 Description: Erection of first floor side extension and other alterations Address: 31 Common Lane, Kenilworth, CV8 2ER Applicant: Mr Stuart Williamson	The Town Council has no reason to object to this application.
Application No: W/24/0141 Description: Erection of single storey extension Address: 16 Percy Road, Kenilworth, CV8 1DR Applicant: Ms Claire Litchfield	The Town Council has no reason to object to this application.
Application No: W/24/0148 Description: Application for change of use of car park to external seating area and erection of timber pergola with polycarbonate roof. Address: The Bear and Ragged Staff, 68 Warwick Road, Kenilworth, CV8 1HH Applicant: Greene King	The Town Council has no reason to object to this application.
Application No: W/24/0149 LB Description: Application for change of use of car park to external seating area and erection of timber pergola with polycarbonate roof. Change of paint colours to building and internal alterations to include new tiled flooring and customer toilet fittings. Address: The Bear and Ragged Staff, 68 Warwick Road, Kenilworth, CV8 1HH Applicant: Greene King	Whilst having no reason to object, Members did raise concerns about the change in colour of the frontage of the building, however, deference was made to the Conservation Officer on this point.
Application No: W/24/0161	The Town Council has no reason to object to this application.

Description: Proposed erection of a single storey rear and side wrap-around extension. Repositioned gate and extended 1.8 meter high fence along the side boundary. Address: 26 Willoughby Avenue, Kenilworth, CV8 1DG Applicant: Mr Mahon & Mrs Cottrell	
Application No: W/24/0165 HS2 Description: Plans and Specifications submission under Schedule 17 to the High Speed Rail (London – West Midlands) Act 2017 for works comprising: • Construction of the A46 Kenilworth Bypass Over-bridge, a triple span integral structure approximately 50m long and 40m wide. • Earthworks: Highways embankment with a maximum height of 7.8m. • Highways: Reinstatement of the A46 highways including provision for one extra lane on each direction for potential future usage. • Fencing: Vehicle restraint system (VRS). Address: Land at the A46 Kenilworth Bypass, Park Hill, Kenilworth CV8 2UA Applicant: High Speed Two (HS2)	The Town Council has no reason to object to this application.
Application No: W/24/0187 Description: Installation of air source heat pump to front elevation of the property and replacement fibre cement slate roof covering. Address: 140 Windy Arbour, Kenilworth, CV8 2BH Applicant: Mr and Mrs Ashworth	The Town Council has no reason to object to this application.

P.138 ATTENDANCE AT WARWICK DISTRICT PLANNING COMMITTEE MEETING

Members considered the material reviewed during this meeting. In respect of the agenda applications listed above, Councillor Z Leventhal was nominated and agreed to represent the Town Council's objection to Application No: W/24/0011 - Erection of a balcony to the rear of the application property at Lindsview, 43A High Street, Kenilworth, CV8 1LY.

In respect of Application No: W/23/1726 - Application for approval of reserved matters for Phase 2 (revised) Residential Development of 143 dwellings, Public Open Space and ancillary

infrastructure relating to appearance, landscaping, layout and scale in pursuance of hybrid planning permission W/20/2020 at Land at Thickthorn, Kenilworth, Member representation will be decided when further information is known.

P.139 APPEALS - DECISIONS AND NOTIFICATIONS

Site Address: Oaks Farm, Farm Road, Kenilworth, CV8 1DX

Description of development: Installation of replacement windows (5) on south elevation of Oaks Farm

Application Reference: W/23/0342/LB

Appellant's name: Mrs C Archer

Appeal reference: APP/T3725/Y/23/3328257

Appeal start date: 06/02/2024

An appeal has been made to the Secretary of State against the decision of Warwick District Council to refuse listed building consent. All representations must be received by 12 March 2024. KTC had no reason to object subject to any comments from the Conservation Officer. The Conservation Officer has not commented on the application.

KTC had no reason to make further comment on this application.

P.140 PLANNING CONTRARY DECISIONS, WITHDRAWALS AND RELATED MATTERS

Members NOTED the following updates:

(1) Contrary Decisions

Application No: W/23/1825 TC

Description: Prior approval for the erection of a 25.0m telecommunications monopole, supporting 6no. antennas, 2no. 300mm dishes and additional equipment housing cabinets and associated ancillary works.

Address: Communications Mast, Leamington Road, Kenilworth

Applicant: Cornerstone

This application was REFUSED by WDC Officers on the grounds the development would result in the removal of a Highways Authority tree and lead to further impact on the roots of other surrounding trees, which would result in harm to the character and appearance of the streetscene. In addition, the Sequential Test carried out is limited in its approach and has not sufficiently explored potentially viable alternative options, nor considered areas immediately adjacent to the site which are not considered to result in harm.

KTC had no reason to object but raised concerns about the proximity of the mast to the new housing development and the visual impact of this on residents.

Application No: W/23/0983

Description: Replace existing barn block with a high quality innovation cantilevered 4 bedroom sustainable dwelling

Address: High House Farm, Purlieu Lane, Kenilworth, CV8 1PQ

Applicant: Miss A Malik

This application was REFUSED by WDC Officers on the grounds the development represents an unsustainable form of development contrary to Policy H1, it is inappropriate development within the greenbelt, the building is not considered to respect the rural character of the area or positively contribute to the landscape character, the proposal by reason of its design, siting and size is considered to result in an incongruous feature within the landscape and is considered to

result in an unacceptable level of amenity for future occupiers through adverse noise, disturbance and odours due to the proximity of the new dwellinghouse to the existing agricultural and equestrian buildings.

KTC had no reason to object but asked Officers to be mindful of the visual impact from Kenilworth Castle and assess the position within the greenbelt and any affect on the openness of the area.

(2) Withdrawals

None

(3) Others

Application No: W/22/1973

Description: Erection of replacement dwelling

Address: 74 Birches Lane, Kenilworth, CV8 2AG

Applicant: Mr Herd

This application was REFUSED by WDC Officers on the basis insufficient information has been provided to demonstrate that the proposed development would not adversely affect protected species contrary to Policy NE2 of the Local Plan. KTC objected to this application on the grounds of massing and affect on the neighbouring properties.

Application No: W/23/1400

Description: Erection of 3no. dwellings

Address: 200 Warwick Road, Kenilworth, CV8 1HU

Applicant: Mr Ray Tebby

This application was REFUSED by WDC Officers on the basis the development offered sub standard levels of amenity due to overlooking and harmful loss of privacy for neighbours and occupiers, the rear of properties 2 and 3 have an unacceptable outlook and thus an oppressive internal environment, parking is inadequate and there is insufficient information on how the development would not adversely affect protected species or demonstrate how the development will provide net gains for biodiversity. KTC objected to this application due to net biodiversity loss, lack of energy efficiency measures and access and egress issues.

Application No: W/23/1676

Description: Application for Variation of Condition 2 of planning permission W/21/0397 to allow for amendments to the design, to include: Increased depth of barn to allow for second stable.

Address: Hammonds Barn, Purlieu Lane, Kenilworth

Applicant: Dr Alan Malik

This application was REFUSED by WDC Officers on the basis the development would reduce the openness of the greenbelt, insufficient information has been provided to demonstrate that the proposed development would not adversely affect protected species or Biodiversity and no information has been submitted to demonstrate how the development will provide net gains for biodiversity. KTC objected to this application on the basis the revised design does not constitute a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

P.141 CORRESPONDENCE & SPECIAL MATTERS

The Chair reported that Enforcement action for ACT/1020/20 - The Corner House, Crackley

Hill, Coventry Road, Kenilworth, CV8 2EE is on hold pending a retrospective planning application to retain the boundary treatment.

P.142 NEXT MEETING

It was NOTED that the next scheduled meeting would be held in Jubilee House, Smalley Place **on Thursday 21 March 2024 at 7pm.**

The meeting concluded at 9:59pm.

Signed:

Dated: