

# KENILWORTH TOWN COUNCIL

## Minutes of the Meeting of the PLANNING COMMITTEE

commencing at 7.06 pm on Tuesday 8 January 2008

PRESENT: Councillor Mrs S V Howell (in the Chair).

Councillors Mrs P M Cain, A J L Cockburn, M F Coker  
Mrs U S Durrant, Mrs P W Edwards, J E Hatfield, A J  
Mobbs, P J Ryan and N J Vincett.

Mr G D Symes - Town Clerk.  
Mrs Marie Gormley (staff training)

No members of the media were present; three members of  
the public were present for part of the proceedings.

P.204 APOLOGIES

Councillors Mrs D R Harrison, (other business), S C Harrison, (indisposed), R I G Davies  
(other business).

P.205 DECLARATIONS OF INTEREST

None declared.

P.206 MINUTES

The Minutes of the Planning Committee Meeting held on 18 December 2007 were agreed  
a true record and duly signed.

MATTERS ARISING

P.207 W20071885 & W20071947LB, 29 THE SQUARE – ZIZZI (P.187)

Councillor Coker informed Members that he had been advised that the above applications  
had been approved under delegated powers by the District Council. He was gravely  
concerned that, if accurate, this was inappropriate as strenuous objections had been raised.

A number of Members endorsed Councillor Coker's concerns; the Clerk confirmed that no  
notification had been received (*a check of the District web site gave the same result*).

The Clerk was asked to establish the current situation and report his findings to Members.

*(Post Meeting Note. Warwick District Council confirmed that the above applications had  
not been approved and were expected to go before the District Planning Committee at the  
end of the current month; Members were advised accordingly).*

P.208 THE WARWICK DISTRICT COUNCIL CORE STRATEGY ISSUES PAPER (P.196, P.197 and TC.98)

Councillor Vincett advised Members that, following a meeting of the Working Party in December 2007, he had requested a Word version of the Warwick District Council Core Strategy – Issues Papers response/questionnaire form, which he had now received.

He would complete the questionnaire and it would be available to Members in due course, ready to meet the submission deadline of 18 January 2008.

This update was NOTED.

### STANDING MATTERS

P.209 PROGRESS REPORT - 'KENILWORTH TOWN CENTRE – A FRAMEWORK FOR IMPROVEMENT' DOCUMENT AND ASSOCIATED MATTERS (*See item (2007) P.1156 for earlier items*, TC.616, TA.4, P.31, P.44, P.55, P.66, P.77, P.90, P.104, P.129, P.141, P.174, TC.115, F.24 and P.186)

Members had received a comprehensive briefing from the Town Centre Business Development Manager immediately prior to the meeting and felt that there were no additional matters to consider.

Councillor Coker as Vice Chairman of the Public Sector of the Kenilworth Town Centre Partnership (KTCP) advised Members that following discussions it had been agreed that future meetings of the Partnership would be notified well in advance and held on those Thursday's when there were no scheduled Council Meetings.

Once the dates had been agreed the KTCP Calendar of Meetings would be incorporated within the Town Council Calendar.

It was also agreed that substitutes would be welcome in the event of representatives not being available to attend meetings. Copies of the minutes would be issued in time for the Town Council Meetings. In concluding, Councillor Coker hoped these amendments would allay Members concerns and keep them fully informed.

These updates were NOTED.

### NEW MATTERS

P.210 PLANNING APPLICATIONS

It was **RESOLVED** that the Head of Planning be informed that the Committee offered the following observations on the applications relating to the Kenilworth area.

It was RESOLVED that:

No reason to object:

W20072001 (amended application), W20072052, W20072055LB, W20072056, W20072060, W20072078 and W20072086.

Objections, comments and observations:

W20061949  
KENILWORTH PLOT 6,  
FIELDGATE LAWN,  
FIELDGATE LANE

Members expressed grave concern that nearby residents had not been able to access the amended plans, which were not held at the Warwickshire Direct - Kenilworth.

They considered that Warwick District Council could appear negligent in their duties as the proper authority in not ensuring that all parties were treated fairly in the planning process.

The application was therefore DEFERRED until such a time as all parties had adequate time to view the relevant proposals.

W20072027  
KENILWORTH 5 CASTLE GREEN  
(DEFERRED FROM Kitchen extension to  
18 DECEMBER rear with replacement  
2007) of front door and timber  
framed windows.

From the additional information Members reiterated their OBJECTION to the application as it was unneighbourly and would cause a reduction of amenity especially to the residents of No 6 Castle Green. (*see also* W20072028LB).

W20072028LB  
KENILWORTH 5 CASTLE GREEN  
(DEFERRED FROM Kitchen extension to  
18 DECEMBER rear with replacement  
2007) of front door and timber  
framed windows.

From the additional information Members reiterated their OBJECTION to the application as it was unneighbourly and would cause a reduction of amenity especially to the residents of No 6 Castle Green. (*see also* W20072027).

W20072077  
KENILWORTH 15A SOUTHBANK  
ROAD  
Proposed two storey  
side extension.

Members had no objection in principle, but COMMENTED that they would ask officers to ensure that the new extension compliments the existing brickwork so far as possible.

If representation was invited or considered essential in respect of any other of the above stated applications when they came before Warwick District Council, then nominations would be made prior to the designated determination hearing.

P.211 ATTENDANCE AT WARWICK DISTRICT PLANNING COMMITTEE MEETING

It was NOTED that no information had yet been received in respect of the meeting scheduled for 30/31 January 2008.

Following enquiries regarding the progress of the updated Draft Residential Design Guide (RDG), the Town Clerk noted that the matter would be before Warwick District Council Planning Committee on 10 January 2008. A copy of the draft RDG was included in the agenda for that meeting.

P.212 APPEALS

Members were advised of the following updates:

a. Hearing Notification

Appeal By 02 (UK) Ltd: W20070646TCP - Site At Highways Verge, Crackley Lane.

In confirmation of earlier advice, a Hearing has been notified by the Planning Inspectorate, which will start at 10.00 am on Tuesday 11 March 2008.

The venue is the Town Hall, Parade, Leamington Spa.

b. Appeal Notification

W20071107, 9 School Lane - Alterations and extensions to approved car port/store to form communal garden room and store (Revised scheme to W20070266:- part retrospective).

A Written Representations appeal. All written comments are required to be received by the Planning Inspectorate by 25 January 2008.

These items were NOTED.

P.213 CONTRARY DECISIONS AND WITHDRAWALS

a. Contrary Decisions. It was NOTED that four Contrary Decisions had been received:

i. W20052054 (Amendment), Land Including and To South East of Talisman Square.

Warwick District Council had REFUSED the amendment; a full application rather than an amendment was required.

ii. W20071643, Change of Use From Retail A1 to A2 Financial Services (Betting Shop) at 13 The Square.

Warwick District Council had REFUSED the application.

iii. W20071823, 3 Garlick Drive

Warwick District Council had GRANTED planning permission.

iv. W20071893, 8 Gloster Drive.

Warwick District Council had REFUSED the application.

b. Withdrawals

It was NOTED that one Withdrawal had been notified from Warwick District Council:

W20071934, 76 Rawnsley Drive.

#### GENERAL PLANNING CORRESPONDENCE

P.214 WEST MIDLANDS REGIONAL SPATIAL STRATEGY, PHASE TWO REVISION  
DRAFT SUBMISSION TO THE SECRETARY OF STATE – NOTIFICATION OF THE  
FORMAL CONSULTATION.

Members reviewed the previously circulated *West Midlands Regional Spatial Strategy (WMRSS) Phase Two Revision, Draft Revision Matters, December 2007* letter and leaflet that introduced the consultation period (7 January – 28 March 2008) for this policy. The 16 page *Overview* document which detailed the documents and policies amended was available from the Assembly website.

The full consultation review fell within the terms of the Regional Spatial Strategy Working Party and it was

RESOLVED that the WMRSS Phase Two Draft Submission should be passed to the Regional Spatial Strategy Working Party for detailed consideration and submission of recommendations to the Council.

P.215 WARWICK DISTRICT COUNCIL PLANNING FORUM 7 FEBRUARY 2008

Members were advised that the next District Planning Forum was to be held at 7.00 pm on Thursday 7 February 2008 at the Town Hall, Royal Leamington Spa. The deadline for Agenda Items is Monday 28 January 2008. This was NOTED.

A possible agenda item was discussed but would be explored further outside of the meeting.

Representation was sought at the meeting and Councillor P J Ryan confirmed that he would attend. Further representation would be reviewed separately.

P.216 TREE PRESERVATION ORDER

It was NOTED that one Tree Preservation Order (TPO) had been received:

TPO 366: 3 The Courtyard, Glasshouse Lane, Kenilworth

Covers one birch situated in the rear garden. The deadline for objections is 25 January 2008. .

P.217 CHIROPRACTOR - WARWICK ROAD/CLARENDON ROAD KENILWORTH

Councillor Coker updated Members on the lengthy correspondence, which had been circulated previously under separate cover, with the District Council regarding the signage on the forecourt of the business premises.

Following receipt of advice regarding deemed consent under Class 6 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, he had spoken with the business concerned. He was advised that they were intending to have the supports painted, to remove the 'rough' appearance but completion had been delayed by seasonal factors and the weather. The work should however be completed within the next 28 days.

This report was NOTED.

P.218 NEXT MEETING

It was NOTED that the next scheduled meeting of the Planning Committee would be held on Thursday 17 January 2008.

The meeting concluded at 7.50 pm.

**Signed .....**

**Dated.....**