

# MINUTES OF PLANNING COMMITTEE

18TH DECEMBER 2013

## PRESENT:

Councillors Ms Robbins (Chairman), Butlin, Cranham, G Francis, Mrs Garcia (substituting for Councillor M Walton), Mrs New, Pacey-Day, Sandison, Srivastava and Helen Walton.

## 62. MINUTES

The minutes of the meeting held on 27<sup>th</sup> November 2013 were approved and signed by the Chairman.

## 63. APOLOGIES

Apologies for absence from the meeting were received from Councillors Mrs Avis and M Walton.

## 64. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Scout Hut, The Kent, Hilmorton, Rugby – Councillor Srivastava (personal interest as defined by the Council's Code of Conduct for Councillors by virtue of knowing an individual involved in the application process).

Item 4 of Part 1 – 12 Regent Street, Rugby – all Members of the Committee (personal interests as defined by the Council's Code of Conduct for Councillors by virtue of knowing the councillor related to the applicant).

## 65. APPLICATIONS FOR CONSIDERATION

The Committee considered the report of the Head of Planning and Culture (Part 1 – agenda item 4).

All the representations received prior to the preparation of the agenda and considered by the Committee were referred to in the individual reports.

Subsequent representations also considered by the Committee related to the following application.

(a) Parish Councils

R13/1901 – additional comments from Wolvey Parish Council

(b) Third Parties

None

**RESOLVED THAT** – the Head of Planning and Culture be authorised to issue decision notices as indicated in relation to the applications below.

- (a) outline application for Class C3 residential development of up to 131 dwellings and provision of 0.4 hectare of land for the provision of a Class C2 Extra Care facility, with associated works and landscaping, all matters reserved except for access at former Warwickshire College, Lower Hillmorton Road, Rugby, CV21 3QS (R13/0124) – the Chairman informed the Committee that this application had been deferred pending further negotiations with the applicant.
- (b) redevelopment of land comprising part full planning permission for the erection of a building (Unit 1) and use for purposes falling within classes B1(c) (Light Industrial), B2 (General Industrial) and B8 (Storage or Distribution) of the Town and Country Planning (Use Classes) Order 1987, as amended, including ancillary offices, together with the construction of access road, parking and service areas and associated works and installation of oil and gas storage tanks.  
Part outline planning permission for the erection of a building (Unit 2) and use for purposes falling within classes B1(c) (Light Industrial), B2 (General Industrial) and B8 (Storage or Distribution) of the Town and Country Planning (Use Classes) Order 1987, as amended, together with ancillary offices, parking and service areas and associated works - all matters reserved.  
- extension of time limit for implementation of planning permission ref. R10/0103, dated 08/09/2010 at HTC Precision Sheet Metal Ltd, Watling Street, Rugby, CV23 0AJ - Councillor Helen Walton moved and Councillor Cranham seconded that the Head of Planning and Culture be authorised to approve the extension of the time limit for the implementation of planning permission R10.0103 subject to conditions.
- (c) retention of buildings for storage of micro-lights and use of land as runway for the micro lights at land at Grove Farm, Wolds Lane, Wolvey (R13/1901) – Councillor Helen Walton moved and Councillor Cranham seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report together with
- (i) condition 3 being amended to read, “No more than 6 micor-lights shall be stored in the buildings hereby approved with the use of the micro-lights and run-way being personal to the occupiers of each building only”; and
- (ii) two additional conditions being inserted to read:
- “Condition 5  
The use of the buildings and run-way shall only take place during daylight hours”.
- “Condition 6  
The development shall not be carried out other than in accordance with the application forms, plans and supporting statement as part of the application received by the Local Planning Authority on 24<sup>th</sup> October 2013.”
- (d) display of high level fascia at 12 Regent Street, Rugby (R13/0183) - Councillor Cranham moved and Councillor Butlin seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.

- (e) erection of a replacement scout hut (resubmission of planning permission reference R12/0266, dated 15/06/12) at Scout Hut, The Kent, Hillmorton, Rugby (R13/0978) - Councillor Helen Walton moved and Councillor Sandison seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report together with the following additional conditions and informatives.

#### CONDITION 7

No works or development shall take place until an arboricultural method statement/tree protection plan (BS5837:2012 – Trees in relation design demolition and construction: Recommendations) for the protection of the retained trees has been agreed in writing with the Local Planning Authority. This scheme shall include:-

- (a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area of every retained tree on site and on neighbouring ground in relation to the approved plans and particulars. This should show the details and positions of the Tree Protection Barriers. The positions of all trees to be removed shall be indicated on this plan.
- (b) a schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998:2010 – Recommendations for tree work
- (c) the details and positions of any Ground Protection Zones within tree root protection areas.

#### CONDITION 8

No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the Local Planning Authority. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

#### INFORMATIVE 3:

In view of the nearby grass snake record and allotments, care should be taken when clearing the ground prior to development, and if evidence of specially protected species such as reptiles or amphibians is found (Great Crested Newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and Great Crested Newts are additionally deemed European Protected Species.

#### INFORMATIVE 4:

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their roost sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010 making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat roost, even if the roost is only occasionally used. Where a bat roost is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing

Service on 0845 601 4523. The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

**INFORMATIVE 5:**

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible.

NB - birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE 6:**

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity, in accordance with the National Planning Policy Framework. Such as bat and bird boxes which can be used by a variety of species, native species planting of hedges and wild flower meadows, and habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

**INFORMATIVE 7:**

Lighting can significantly affect the behaviour of some animals such as moths, birds and mammals, even to the extent of jeopardising their survival or reducing their breeding success. We recommend that where lighting is to be installed or updated, lights should be low pressure sodium with a full cut-off lantern in order to minimise the spread of the light. We also recommend that the lights are put on a timer so that they can be switched off as soon as possible in the evening. We recommend that floodlighting is avoided wherever possible, particularly in rural areas. Where floodlighting is considered essential, operational times should be kept to a minimum.

- (f) change of use to vehicle hire and erection of modular building, canopied washbay and railings (previous approval R13/1348) at 12 Corporation Street, Rugby, CV21 2DP (R13/1957) - Councillor Helen Walton moved and Councillor Sandison seconded that the Head of Planning and Culture be authorised to grant temporary planning permission subject to the conditions in the report together with an additional condition being inserted to read, "The proposed drainage scheme shall be installed in accordance with the approved details and shall be maintained thereafter."

**66. STOPPING UP OF PART OF FOOTPATH R103 AND DIVERSION OF PART OF BRIDLEWAY R102, RUGBY**

The Committee considered the report of the Head of Business and Transformation (Part 1- agenda item 5) concerning the stopping up of a footpath and diversion of part of a bridleway.

**RESOLVED THAT** - the Borough of Rugby (Part of Footpath R103 and Bridleway R102) Public Path Order 2013 be confirmed.

**67. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS**

The Committee considered advance notice of site visits submitted at the meeting.

**RESOLVED THAT** – the site visit itinerary for the former radio mast site be approved subject to the inclusion of an opportunity to stop at the proposed Clifton by-pass near to Butlers Leap and the Paddox junction.

**68. DELEGATED DECISIONS – 8<sup>TH</sup> NOVEMBER 2013 – 4<sup>TH</sup> DECEMBER 2013**

The Committee considered the report of the Head of Planning and Culture (Part 1 – agenda item 6) concerning decisions taken by her during the above period.

**RESOLVED THAT** – the report be noted.

**CHAIRMAN**