

MINUTES OF PLANNING COMMITTEE

26TH MAY 2010

PRESENT:

Councillors Gillias (Chairman), Butlin, Cranham, Lewis, Kirby, Mrs Parker, Ms Robbins, Roberts, Sandison, Spiers (substituting for Councillor Mrs Parker), Miss Watts (substituting for Councillor Day) and Whistance.

Councillor Stokes was also in attendance.

4. MINUTES

The minutes of the meetings held on 21st April and 20th May 2010 were approved and signed by the Chairman.

5. APOLOGIES

Apologies for absence from the meeting were received from Councillors Day, Lane and Mrs Parker.

6. DECLARATIONS OF INTEREST

Item 4 of Part 1 – 69a to 87 Hillmorton Road, Rugby (R09/0652/OPS) – Councillors Cranham, Gillias, Roberts and Ms Robbins (personal interests as defined by the Council's Code of Conduct for Councillors by virtue of the applicants being members of the Conservative Party).

Item 4 of Part 1 – 34, Cavendish Close, Cawston, Rugby, CV22 7GB – Councillor Stokes (prejudicial interest as defined by the Council's Code of Conduct for Councillors by virtue of being the applicant).

Councillor Stokes left the meeting during the item in which he had declared an interest.

7. 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 applications.

(a) Parish Councils

(b) Third Parties

R10/0321 – two letters of objection raising concern for wildlife safety and possible entrapment plus an email from Councillor Mrs New objecting on the same grounds.

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

- (a) erection of a first floor and a two storey extension at Brookside Cottage, Green Lane, Copston Magna, LE10 3HE (R10/0418) – the Head of Planning and Culture be authorised to refuse planning permission for the reasons stated in the report subject to reasons 1 and 2 being combined and reason 3 being renumbered to reason 2.
- (b) conversion of existing integral garage to living space at 34 Cavendish Close, Cawston, Rugby, Warwickshire, CV22 7GB (R10/0224) – the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (c) outline application with all matters reserved for the development of up to 145 dwellings at land east of Calvestone Road, Cawston, Rugby (R09/0972/MAJP) – the Head of Planning and Culture be granted delegated powers to approve the application subject to the applicants entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure affordable housing and contributions towards education, libraries and public open space maintenance, subject to the conditions in the report and subject to the following amendments:

Revised Conditions

Condition: 3

Details of the following reserved matters shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced and shall be carried out as approved.

- a) The layout of development on the site;
- b) The scale of the development to include the height, width and length of each building proposed in relation to its surroundings;
- c) The appearance of the development including the external built form, its architecture, materials, decoration, lighting, colour and texture;
- d) The hard and soft landscaping of the site including the design and treatment of all open spaces;
- e) The formation of means of access to and within the site.

Condition: 23

This permission shall relate only to:

- i) Site Location Plan edged red, ref.no J003481 rev c received by the Local Planning Authority on 26 November 2009.
- ii) Design and Access Statement, November 2009 incorporating Parameters Plans (Paul Drew Design – received by the Local Planning Authority on 16 November 2009.
- iii) The following associated supporting technical documents:
 - Ecological Report (Baker Shepherd Gillespie, November 2009, Final – received by the Local Planning Authority on 16 November 2009)

- Badger Report (Baker Shepherd Gillespie, May 2009, Final – received on 18 November 2009)
- Transport Assessment (Brookbanks Consulting, ref.no 1362/TA/01, issued on 09.11.09 – received on 17 November 2009)
- Noise Assessment (Wardell Armstrong, ref.no LE10475 Report no 002, June 2009 - received on 16 November 2009)
- Air Quality Assessment (Wardell Armstrong, ref.no LE10475 Report no 001 Rev A, February 2010 – received on 16 February 2010)
- Flood Risk Assessment (Brookbanks Consulting, ref.no 1362/FRA/01, issued on 29.04.09 – received on 16 November 2009)
- Archaeological Evaluation (Cotswold Archaeological Trust, October 2000, ref.no 001226 – received on 16 November 2009)
- Existing Tree Report (Ian Stemp Landscape Associates, Ref IFS.08.761, Revised 22.01.2010 – received on 25 January 2010) and associated drawings Existing Tree Survey & Root Protection Plan ref.nos 08.761.001 and 08.761.002 – (received on 16 November 2009).

Additional Conditions

Condition: 25

Accesses for vehicles/pedestrians to the site from Calvestone Road shall be located in general accordance with the positions identified on the Parameters Plans and Sketch Masterplan.

Condition: 26

The development shall not be commenced until the applicant/developer has submitted a traffic calming scheme along with a Stage 1 Road Safety Audit for Calvestone Road, with designers response if required, for the approval in writing of the Local Planning Authority in consultation with the Highway Authority. The development shall not be occupied until the traffic calming measures so approved have been fully implemented.

Additional Informatives

INFORMATIVE: 7

The Highway Authority advise that the access details off Calvestone Road required in connection with condition 3 should include fully detailed designs together with a Stage 1 Road Safety Audit, with designers response if required.

INFORMATIVE: 8

The traffic calming measures required in accordance with condition 26 shall be entirely at the applicants/developers expense.

- (d) construction of a ménage and erection of a single storey building for stabling and storage, the provision of parking facilities with associated vehicular access at land adjacent to Vicarage Farm, Brandon Road, Church Lawford (R/09/0896/PLN) – the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.

- (e) erection of new office and training building (Building A), new access and internal road, gatehouse, sub-station, covered parking structure, associated works, landscaping, lighting and temporary car parking at NPIA, Leamington Road, Ryton-on-Dunsmore (744/(R10/0353) – the Head of Planning and Culture be authorised to refer the application to the Government Office for the West Midlands as the proposals constitute inappropriate development in the Green Belt of over 1,000 sq.m, with a recommendation for approval subject to conditions in the report.
- (f) erection of a temporary two storey building and ancillary works (temporary for a period of up to 5 years) at NPIA, Leamington Road, Ryton-on-Dunsmore (R10/0276) – the Head of Planning and Culture be authorised to refer the application to the Government Office for the West Midlands as the proposals constitute inappropriate development in the Green Belt of over 1,000 sq.m, with a recommendation for approval subject to the conditions in the report.
- (g) installation of additional fencing and roof netting to enclose the multi-use games area and the installation of one 6 metre high flag pole within the park at Caldecott Park, Lancaster Road, Rugby, CV21 2QN (R10/0321) – the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (h) erection of 99 dwellings, approval of reserved matters (layout, scale, appearance and landscaping) against planning permission R/07/1454/MAJP at land off School Street, Long Lawford (475 (R10/0128) – Subject to the variation of the S106 legal agreement attached to planning permission R07/1454/MAJP (approved by appeal reference APP/E3715/A/07/2060256/NWF) the Head of Planning & Culture be given delegated powers to approve the following reserved matters:
 - 3a) layout of the development,
 - 3b) scale and appearance of buildings including facing materials, and the details submitted in relation to planning conditions 4, 7, 8, 15, 16, 17, 18 & 19.

subject to the variation of the s106 legal agreement attached to planning permission R07/1454/MAJP (approved by appeal reference APP/E3715/A/07/2060256/NWF) and the submission of an acceptable landscaping scheme which shall include the further consideration of the boundary treatment and landscaping between plots 96 to 99 and the adjoining properties in School Street the Head of Planning & Culture be given delegated powers to approve reserved matter 3c) landscaping and condition 5.
- (i) change of use from Class B1(c) to Class A1 of the Town and Country Planning (Use Classes)(Amendment) Order 2005 for a temporary period to 31st December 2010 (retrospective) at 30 Butlers Leap, Rugby – the Head of Planning and Culture be authorised to grant temporary planning permission for a period expiring on 31st January 2011 subject to the conditions in the report.
- (j) outline application for the erection of 5 detached dwellings including details of access and site layout at 69a to 87 Hillmorton Road, Rugby (R/09/0652/OPS) – the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report

Amended Conditions

CONDITION 2:

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

<u>Plan No.</u>	<u>Description.</u>	<u>Date Received.</u>
07155.0001	Site Location Plan	15 th July 2009
07155.00006 Rev A	Proposed Site Plan	11 th Feb 2010

New Conditions

CONDITION 20:

The following sound insulation and noise reduction measures shall be provided in the development hereby approved:

- (a) all residential windows throughout the development shall have a minimum manufacturers rating of Rw 33 (including the frame and associated furniture)
- (b) all habitable rooms must be provided with a means of background ventilation in accordance with Building Regulation requirements (using wall or window mounted vents). All such vents should, when open, have a manufacturers sound reduction rating similar to that of the room window system as set out in part (a) above
- (c) the site boundary to the existing service station must be provided with earth mounding and barrier fencing to achieve an overall height of 3 metres above the existing ground level of the service station. The barrier fence shall have a maximum mass of 10 kgm⁻³ and be continuous from ground level to its top.
Full details of the above sound insulation and noise reduction measures shall be submitted to and approved in writing by the Local Planning Authority before development is commenced.

CONDITION 21:

No windows shall be fitted at first floor level in the northern half of the western elevation of Plot 1, facing towards Caldecott Road.

Additional informatives

1. In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: -
Monday – Friday - 7.30 a.m. - 18.00 p.m.,
Saturday - 8.30 a.m. - 13.00 p.m.
NO WORK ON SUNDAYS & BANK HOLIDAYS.
2. For further information regarding Sustainability Packs. Contact the Sustainable Project Officer on 01926 412105. These packs currently cost approximately £35/per pack.
3. The granting of Planning Permission does not give the Applicant/Developer consent to carry out works on the Public Highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to Warwickshire County Council's Rugby Area Team – Tel 01926 412515, Fax: 01788 533644 before any work is carried out, this shall include for materials and skips which are stored within the highway extents. A charge will be made for the carrying out of inspections and the issue of permits.

4. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the [applicant{s}/ developer{s}] must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

5 In view of nearby reptile records and composition of the surrounding habitat, care should be taken when clearing the ground prior to development. If any evidence of specifically protected species such as Adder, Grass snake, Slow worm, or Common lizard is found, work should stop while Warwickshire Museum Ecology Unit (01926 418 060) or Natural England is contacted. Section 9 (part 1) of the Wildlife & Countryside Act 1981, makes it an offence to intentionally or recklessly kill or injure any of the species listed above.

8. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

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

RESOLVED THAT – site visits be held at the following sites at times and dates to be arranged.

- (i) Paddox Farm, Birdingbury
- (ii) The Forge, The Green, Broadwell.

9. STATISTICS OF PLANNING APPLICATIONS – MAY 2009 – APRIL 2010

The Committee considered the report of the Head of Planning and Culture (Part 1 – agenda item 6) concerning statistics for the period May 2009 to April 2010.

RESOLVED THAT – the report be noted.

10. DELEGATED DECISIONS – 10TH APRIL 2010 TO 13TH MAY 2010

The Committee considered the report of the Head of Planning and Culture (Part 1 – agenda item 7) concerning decisions taken by her during the above period.

RESOLVED THAT – the report be noted.

CHAIRMAN