

MINUTES OF PLANNING COMMITTEE

2ND APRIL 2014

PRESENT:

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

92. MINUTES

The minutes of the meeting held on 12th March 2014 were approved and signed by the Chairman.

93. APOLOGIES

Apologies for absence from the meeting were received from Councillors M Francis, Mrs New, Srivastava and M Walton.

94. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Rugby Town Junior Football Club, Kilsby Lane, Rugby – Mrs C Waleczek (non-pecuniary officer interest by virtue of her son being a member of the Club).

95. 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

None

(b) Third Parties

R13/2074 – further objection from a director of Rugby First

R13/1612 - further objection from a director of Rugby First

At the meeting, the following representations were made under the Council's public speaking procedure in respect of the following application.

(i) Land adjacent to 2 Colledge Close, Brinlow (R14/0250)

Mr R Gerber, RAG Architects Ltd – supporter

(ii) Rugby Town Junior Football Club, Kilsby Lane (R14/0288)

Mr L Coulter, Chair of Rugby Town Junior Football Club – supporter

(iii) Land at Junction One Retail Park, Leicester Road, Rugby (R13/2074)

Ms A Arnell, Turley – opposer

Mr S Rose, Indigo Planning – supporter

(iii) Land north at Technology Drive, Technology Drive, Rugby (R13/1612)

Ms A Arnell, Turley – opposer

Mr P Rudd, Barton Willmore – supporter

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

(a) change of use from leisure (Use Class D2) to retail (Use Class A1) and associated external alterations at American Amusements, Unit 7 Junction One Retail and Leisure Park, Rugby (R13/2084) – the application be deferred pending further information to be considered.

(b) erection of 1 bedroom dwelling (resubmission of R13/1673) at land adjacent to 2 Colledge Close, Brinklow (R14/0250) - Councillor Helen Walton moved and Councillor Cranham seconded that the Head of Planning and Culture be authorised to refuse planning permission for the reason stated in the report.

(c) use of land for purposes not associated with the use of football pitches by Rugby Town Junior FC, to include the use for the holding of car boot sales for 14 days per calendar year, and the use for outdoor sports not in connection with Rugby Town Junior FC for 14 days per calendar year at Rugby Town Junior Football Club, Kilsby Lane, Rugby (R14/0288) - Councillor Cranham moved and Councillor Butlin seconded that the Head of Planning and Culture be authorised to refuse planning permission for the reason stated in the report.

(d) installation of an all weather sports pitch and provision of floodlights and mesh fencing, together with the creation of two grass pitches with associated ground works at Rugby Town Junior Football Club, Kilsby Lane, Rugby (R14/0108) - Councillor Helen Walton 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) installation of 3 no. all weather sports pitches and provision of floodlights (removal of conditions 6 and 7 of planning permission R09/0799/PLN dated 04/01/2010 as amended by planning permission R11/0535 dated 13/05/2011 to allow the facility to be used by all age groups and members of the general public not associated with the club or nominated members/groups as outlined within condition 6) at Rugby Town Junior Football Club, Kilsby Lane, Rugby (R14/0109) - Councillor Helen Walton 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.

- (f) variation of condition 2 of R13/0236 (construction of new sports hall and sports hall facilities building, parking facilities and associated works) to make amendments to siting and design of approved sports hall and facilities building at Bilton High School, Lawford Lane, Rugby, CV22 7JT (R14/0725) – Councillor Helen Walton 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 together with condition 9 being amended to read, “All tree protection measures and tree removal works identified within the arboricultural report/tree protection plan relating to the approved design details (including the erection of protective fencing as per BS5837:2012 - Trees in relation to design, demolition and construction: recommendations) shall be implemented prior to the construction phase. Protective measures shall remain in place until completion of all construction works. Root protection areas shall be treated as sacrosanct with no building activity, ground disturbance or storage of building materials taking place within them. No retained tree, with the exception of tree 285 identified within the Betts Arboricultural Survey Report reference 6213/4256/2, shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.”
- (g) retrospective permission for the change of use of part of building from a warehouse (Use Class B8) to a dance studio, fitness studio, hairdressers and beauticians with 2 associated offices and WCs (sui generis) at Impact Dance, Mill Road, Rugby (R13/1547) - Councillor Cranham moved and Councillor Butlin seconded that the Head of Planning and Culture be authorised to grant temporary planning permission for a period of two years subject to the conditions in the report together with an additional informative being inserted to read, “The applicant and agent are advised that any further application(s) for the application site – in part or as a whole – for purposes other than the authorised Use Class B2/B8 employment purposes, must be accompanied a full, detailed and comprehensive marketing report undertaken by an appropriate professional marketing the site for its authorised employment purposes over a period of one year.”
- (h) demolition of existing buildings and erection of 9 one- bed flats, 6 two-bed flats and 10 two-bed houses with access, parking and associated works at former Citroen Garage, Victoria House, 50 Albert Street, Rugby (R13/0951) - Councillor Helen Walton moved and Councillor Cranham seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the applicant entering into a Section 106 Agreement and subject to the conditions in the report.
- (i) erection of a terrace of 5 units providing 5,670 sqm non-food Class A1 retail floor space together with car parking, landscaping and associated works at land at Junction One Retail Park, Leicester Road, Rugby (R13/2074) - 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.
- (j) outline planning application with means of access for consideration (all other matters reserved for subsequent approval) for up to 9,964 sqm (gross internal area) including mezzanines of non-food, bulky goods retail with associated car parking, service areas and landscaping at land north of Technology Drive, Technology Drive, Rugby (R13/1612) - Councillor Cranham moved and Councillor Helen Walton seconded that, subject to the referral of the application to the National Planning Casework Unit, as the development results in out of town development of more than 5000sqm of

floorspace, the Head of Planning & Culture be granted delegated powers to grant planning permission subject to conditions and informatives together with:

- (1) condition 31 being amended to read, "Notwithstanding the provisions of the Town and Country Planning Use Class Order 1987 (as amended) or any order revoking or re-enacting that order, the primary use of the 9,964 sqm of retail floor space hereby permitted shall be for non-food bulky goods retail and shall not be used for the sale of clothing, footwear, pharmaceutical goods or recreational goods"; and
 - (2) an additional informative being inserted to clarify the Council's interpretation of recreational goods as referred to in condition 31."
- (k) proposed first floor extension and infill extension to ground floor at 10 Staverton Leys, Rugby (R14/0183) - Councillor Butlin moved and Councillor Helen Walton seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (l) change of use of church meeting rooms to a residential dwelling at 35 Church Road, Shilton (R14/0314) - Councillor Pacey-Day moved and Councillor Helen Walton seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (m) variation of condition 1 of application 772 from temporary to permanent planning permission for applicant and family to use of land as a gypsy site for the siting of two static caravans and two touring caravans and associated development at Greenbanks Caravan Park, Oxford Road, Ryton on Dunsmore, CV8 3JY (R14/0260) - Councillor Cranham moved and Councillor Helen Walton seconded that, subject to the referral of the application to the National Planning Casework Unit, as the proposal by reason of its scale, nature and location, would have a significant impact upon the openness of the Green Belt, the Head of Planning & Culture be granted delegated powers to grant planning permission subject to conditions and informatives.

96. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

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

RESOLVED THAT – no further site visits be scheduled.

97. DELEGATED DECISIONS – 21 FEBRUARY 2014 – 13TH MARCH 2014

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.

98. MOTION TO EXCLUDE THE PUBLIC UNDER SECTION 100(A)(4) OF THE LOCAL GOVERNMENT ACT 1972

RESOLVED THAT - under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it involved the likely disclosure of information defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act and that in all of the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

99. ENFORCEMENT

The Committee considered the private report of the Head of Planning and Culture (Part 2 – agenda item 1) concerning the current position relating to enforcement cases.

RESOLVED THAT – the report be approved.

CHAIRMAN