

MINUTES OF PLANNING COMMITTEE

28TH SEPTEMBER 2016

PRESENT:

Councillors Mrs Simpson-Vince (Chairman), Mrs Avis, Mrs A'Barrow, Butlin, Cranham, Ms Edwards (substituting for Councillor Brown), Ellis, Gillias, Lewis, Sandison, Srivastava and Helen Taylor.

32. MINUTES

The minutes of the meeting held on 7th September 2016 were approved and signed by the Chairman.

33. APOLOGIES

An apology for absence from the meeting was received from Councillor Brown.

34. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Welkin Cottage, Main Street, Easenhall, Rugby – Councillor Gillias (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being Ward Councillor and by virtue of work undertaken at the property and others in the village through his employment).

Item 4 of Part 1 – Land south of Coventry Road and north of Lime Tree Avenue, Coventry Road, Cawston, Rugby – Councillor Lewis (non-pecuniary interest by virtue of members of the Friends of Lime Tree Village being known to him).

Item 4 of Part 1 – Land south of Coventry Road and north of Lime Tree Avenue, Coventry Road, Cawston, Rugby – Councillor Butlin (non-pecuniary interest by virtue of being a Warwickshire County Councillor).

Item 4 of Part 1 – Land off Alfred Green Close, Rugby – Councillor Sandison (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being Ward Councillor).

Item 4 of Part 1 - Land south of Coventry Road and north of Lime Tree Avenue, Coventry Road, Cawston, Rugby – Councillor Mrs A'Barrow (non-pecuniary interest by virtue of having raised concerns during the consultation process).

Councillor Mrs A' Barrow left the meeting during the item in which she had declared an interest and took no part in the voting and discussion thereon.

35. APPLICATIONS FOR CONSIDERATION

The Committee considered the report of the Head of Growth and Investment (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

None

(b) Third Parties

R15/1881 and R15/2288:

Letter from agent and a letter on behalf of objector

At the meeting, the following representatives attended under the Council's public speaking procedure in respect of the following applications.

(i) R15/1881 and R15/2288 Unit 12 Tripontium Centre, Newton Lane, Newton

Mr Bhupinder Thandi, Cerda Planning (object)
Mr Stephen Whale, Carson-McDowell Solicitors (support)
Councillor Leigh Hunt, Ward Councillor (object)

(ii) R13/1401 Fields south of Black Spinney adjacent to A5, east of School Farm, School Lane, Churchover

Mr Herbert (support)
Councillor Leigh Hunt, Ward Councillor (object)

(iii) R15/2068 Yew Tree House, 34 Brookside, Stretton-on-Dunsmore

Mr Hall (object)
Ms R Mann (support)

(iv) R16/1625 Land off Alfred Green Close, Rugby

Mr Onions (object)
Mrs Parkes, Tyler Parkes (support)
Councillor Mrs Roodhouse, Ward Councillor (object)

(v) R16/0933 Welkin Cottage, Main Street, Easenhall

Ms K Simmons (object)
Mr D Sidhu, Bilton Architectural Services Ltd (support)

RESOLVED THAT - the Head of Growth and Investment be authorised to issue decision notices as indicated in relation to the applications below.

- (a) retrospective planning permission for the change of use from B1 (Light Industry with Associated Office Accommodation) to B8 (Regional Distribution Centre Local Depot with Associated Office Accommodation) and proposed alterations to front elevation of building at Units 12 and 14, The Tripontium, Newton Lane, Newton (R15/2288) – Councillor Cranham moved and Councillor Helen Taylor seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report together condition 4 being amended to read, “A

maximum of two vehicular deliveries shall take place on the hardstanding between the hours of 0600 and 0700 Monday to Friday inclusive. Any loading or unloading associated with these shall take place within the unit known as Units 12 and 14, The Tripontium, Newton Lane.”

- (b) retention of levelling of land to front of building and laying of a 0.1m permeable surface comprising hard core blinded by quarry dust. Erection of a 2.35m high palisade fencing along the site boundaries and a 4m acoustic fencing along the site boundary with the site access road at The Tripontium, Newton Lane, Newton (R15/1881) - Councillor Cranham moved and Councillor Helen Taylor seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report together with the following amendments:

(i) the hours of use for the vehicular parking area in condition 10 being amended to read, “Monday to Friday 0600 to 2030 hours, Saturday 0730 to 1800 hours”; and

(ii) an additional condition being inserted to read, “Within one month of the date of this decision, a Method Statement for the maintenance and repair of the reclaimed, rolled road plaining surfacing to be laid across the parking area shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.”

- (c) provision of a ground mounted solar PV park of up to 12MWp comprising 2 substations, electrical cabins, storage cabin, solar arrays, perimeter fencing and gates, CCTV poles and cameras, access tracks and a new highway junction at fields south of Black Spinney adjacent to the A5, east of School Farm on School Lane, Churchover (R13/1401) – Councillor Helen Taylor moved and Councillor Gillias seconded that the Head of Growth and Investment be authorised to refuse planning permission for the following reason.

It is considered that the proposed solar farm would have a detrimental impact on and cause substantial harm to heritage assets comprising Churchover Conservation Area and the Grade II* listed Holy Trinity Church in Churchover, while also resulting in the loss of agricultural land causing a detrimental impact on the rural landscape. As such the proposal conflicts with the provisions of Rugby Borough Core Strategy policies CS1 and CS16, saved Local Plan policies GP2 and GP5 as well as paragraphs 109, 127 and 134 of the NPPF.

The Committee considered that the proposed development would have a detrimental impact on, and cause significant harm to the heritage assets in the surrounding area, particularly the Holy Trinity Church in Churchover which is a Grade II* Listed Building. The Committee also considered that the loss of agricultural land would have a detrimental impact on the landscape.

- (d) conversion and external alterations of existing outbuildings to form 2 no. dwellings, together with the construction of an additional dwelling house, erection of a double garage and provision of new access at Yew Tree House, 34 Brookside, Stretton-on-Dunsmore, Rugby (R15/2068) - Councillor Helen Taylor moved and Councillor Cranham seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report.

- (e) erection of 9 no. dwellings and associated access at land off Alfred Green Close, Rugby (R16/1625) - Councillor Cranham moved and Councillor Butlin seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report together with two additional conditions being inserted to read:
- (i) "The proposed access via Alfred Green Close shall remain the sole access to the site for vehicles, bicycles, and pedestrians in perpetuity"; and
 - (ii) "The boundary wall to the eastern elevation of the rear garden of Unit 8 shall be constructed prior to the commencement of any development."
- (f) residential development of up to 150 dwellings including vehicular access from Coventry Road, open space, landscaping, surface water attenuation ponds, footpaths, cycleways and associated infrastructure (outline planning application to include access with appearance, landscaping, layout and scale reserved) at land south of Coventry Road and north of Lime Tree Avenue, Coventry Road, Cawston, Rugby (R15/1816) - Councillor Cranham moved and Councillor Butlin seconded that the Head of Growth and Investment be given delegated powers to grant planning permission subject to conditions, informatives and the completion of a legal agreement to include affordable housing, education, policing, open space on-site, open space off-site, indoor sports facilities, youth services, libraries, biodiversity offsetting and sustainable travel packs.
- (g) variation of condition 21 of planning approval R15/0540 (for the erection of 113 dwellings including new vehicular access to Coventry Road) to allow the approved site access to be constructed before any dwelling is occupied rather than before development commences at land at Williams Fields, Coventry Road, Cawston, Rugby (R16/1448) - Councillor Helen Taylor moved and Councillor Sandison seconded that the Head of Growth and Investment be given delegated powers to grant planning permission subject to conditions, informatives and a Deed of Variation allowing the existing Section 106 Legal Agreement for application R15/0540 to refer to this application.
- (h) erection of detached dwelling and formation of new site access at Welkin Cottage, Main Street, Easenhall, Rugby (R16/0933) - Councillor Butlin moved and Councillor Mrs Avis seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report together with an additional condition being inserted to read, "Notwithstanding any indication given on the approved plans, full details of a quick growing holly hedge, to include the specific type/species, shall be submitted to and approved in writing by the Local Planning Authority and planted to the front boundary within three months of the date of the permission."
- (i) change of use of temporary car park (for a period of 5 years) at land at Evreux Way and North Street, Rugby, CV21 2DT (R15/2240) - Councillor Butlin moved and Councillor Cranham seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report.
- (j) demolition of existing public house buildings and the erection of part one and a half storey and two and a half storey building to provide a 50 bedroom care home together with car parking and landscaping at site of the Old Bull and Butcher, Oxford Road, Ryton-on-Dunsmore (R16/1701) - Councillor Helen Taylor moved and Councillor Gillias seconded that, subject to the

referral of the application to the National Planning Casework Unit, as the proposal by reason of its scale and location would have a significant impact on the openness of the Green Belt, the Head of Growth and Investment be given delegated powers to grant planning permission subject to the conditions in the report.

36. AMENDED PROCEDURE FOR MEMBERS' REQUESTS FOR SITE VISITS BY PLANNING COMMITTEE

The Committee considered the report of the Head of Growth and Investment (Part 1 – agenda item 5) concerning a proposed amendment to the procedure for Members' requests for site visits by Planning Committee.

RESOLVED THAT – a decision on the item be deferred to the next meeting of the Committee.

37. AMENDMENT TO THE SCHEME OF DELEGATION – VARIATION AND REMOVAL OF PLANNING CONDITIONS ATTACHED TO MAJOR APPLICATIONS AND REVOCATION OF HAZARDOUS SUBSTANCE CONSENTS

The Committee considered the report of the Head of Growth and Investment (Part 1 – agenda item 6) concerning a proposed amendment to the scheme of delegation with regard to the variation and removal of planning conditions attached to major planning applications and the revocation of hazardous substance consents.

RESOLVED THAT – a decision on the item be deferred to the next meeting of the Committee.

38. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

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

RESOLVED THAT – a site visit not be held at The Crescent, Brinklow (R16/1731).

39. DELEGATED DECISIONS – 11TH AUGUST – 31ST AUGUST 2016

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

RESOLVED THAT - the report be noted.

CHAIRMAN