

MINUTES OF PLANNING COMMITTEE

26TH SEPTEMBER 2012

PRESENT:

Councillors Ms Robbins (Vice-Chairman in the Chair), Allen, Mrs Avis, G Francis, M Francis, Gillias (substituting for Councillor Butlin), Keeling (substituting for Councillor Mrs New), Pacey-Day, Roodhouse (substituting for Councillor Sandison), Srivastava, Helen Walton and Wright.

43. MINUTES

The minutes of the meeting held on 5th September 2012 were approved and signed by the Chairman.

44. APOLOGIES

Apologies for absence from the meeting were received from Councillors Butlin, Mrs New and Sandison.

45. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Ashlawn School, Ashlawn Road, Rugby – Mrs C Waleczek (officer interest by virtue of her son being a pupil of Ashlawn School).

46. 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

None

(b) Third Parties

R11/0330 - additional comments were also received from Sustainable Rugby and from the Residents for the Protection of Rainsbrook Valley.

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

(a) conversion of the existing garage and room over to form a residential annexe, erection of a two storey rear extension and associated alterations at Willow Bank Farm, Smeaton Lane, Stretton under Fosse (R12/1334) – Councillor Helen Walton moved and Councillor G Francis seconded that the Head of Planning and Culture be authorised to grant planning permission subject to standard conditions.

The Committee considered that the proposed development did not constitute inappropriate development in that it consisted of extensions that were not considered to be disproportionate additions over and above the size of the original dwelling and, as such, would not have an adverse impact on visual amenity or the openness of the Green Belt. It, therefore, complied with Policy CS1 and Policy CS16 and part 9 of the National Planning Policy Framework (NPPF).

- (b) change of use from a church parish office (Class D1 use) to a centre and emergency hostel for homeless and badly housed people (sui generis use) at 17 Lawford Road, Rugby (R12/0907) – Councillor Helen Walton moved and Councillor Roodhouse seconded that the application be deferred pending consideration of further amendments to the scheme submitted by the applicant.
- (c) change of use of land for the siting of two mobile home, and one day room for a gypsy traveller family, together with the formation of a hardstanding area, and parking provisions (resubmission of previously withdrawn application ref: R12/0025 dated 28th March 2012) at land at Gypsy Lane, Wolvey (R12/0972) – Councillor Gillias moved and Councillor Pacey-Day seconded that the Head of Planning and Culture be authorised to refuse planning permission for the reasons stated in the report together with the following reasons being amended to read:

REASON FOR REFUSAL 1

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to the NPPF not to grant planning permission except in very special circumstances, for new buildings other than for the purposes of agriculture and forestry, outdoor sports and recreation facilities, cemeteries and other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it, for the limited extension, alteration or replacement of existing buildings and for limited infill in specified villages.

It is considered that the proposed change of use of land for the siting of two mobile home, and one day room for a gypsy traveller family, together with the formation of a hardstanding area, and parking constitutes inappropriate development which is, by definition, harmful to the Green Belt and would have adverse impact on the openness of the Green Belt. The proposal conflicts with one of the purposes the Green Belt serves, which is to assist in safeguarding the countryside from encroachment.

In the opinion of the Local Planning Authority, there are no special circumstances, which would justify the granting of planning permission for the change of use of land as proposed in the face of a strong presumption against inappropriate development derived from the prevailing policies. The proposed development is therefore contrary to policies CS1 and CS22 of the Rugby Borough Core Strategy 2011 and the NPPF.

REASON FOR REFUSAL 3

Policy H of the Planning Policy For traveller Sites states that Local Planning Authorities should consider amongst other things the availability of alternative accommodation for the applicants. It is considered that suitable, available, acceptable and affordable alternative accommodation is available to the applicant's. The proposal is therefore contrary to guidance contained with Policy H.

- (d) the creation of a cemetery and crematorium facility together with a building including 2 ceremony rooms, an office, a book of remembrance room, associated administration rooms and floral tribute area as well as external areas including a cemetery, an interment area and garden of remembrance, cycle, car and coach parking spaces along with associated landscaping and highways works at and south of Ashlawn Road, Rugby (R11/0330) – Councillor Gillias 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 together with condition 26 being amended to read, “Unless otherwise agreed in writing with the Local Planning Authority, no cremation services, burial services or any other form of services shall take place outside the hours of 09:00 hours and 17:30 hours Mondays to Fridays and 09:00 hours and 14:00 hours on Saturdays. No cremation services, burial services or associated services shall take place on Sundays or Public/Bank Holidays.”
- (e) erection of a detached single storey garage at 11 Bell Lane, Monks Kirby (R12/0920) - Councillor Wright moved and Councillor Allen seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (f) erection of a three storey extension to form a new performing arts centre and classroom facilities including the formation of a new multi use games area, the conversion of the existing tennis courts into a car park and the erection of welded mesh panel fencing with gates around the perimeter of the school at Ashlawn School, Ashlawn Road, Rugby (R12/1466) – Councillor G Francis moved and Councillor Srivastava seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (g) erection of 6 dwellings (in lieu of part of previously approved development) with associated access, car parking and landscaping, amended parking arrangements for previously approved dwellings on plots 1-6 at 21 Dunsmore Avenue, Rugby (R12/0753) – Councillor Gillias 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 together with an additional condition being inserted to read, “ Unless otherwise agreed in writing by the Local Planning Authority the dwelling hereby permitted shall be constructed to achieve a minimum water efficiency standard equivalent to Code Level 4 of the Code for Sustainable Homes (i.e. a maximum indoor water consumption of 105 litres per person per day)”
- (h) change of use to dwelling and erection of single storey extension to rear at former BT Repeater Station, Daventry Road, Willoughby (R12/1162) – Councillor Helen Walton moved and Councillor Wright seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report, subject to condition 2 being amended to refer to an amended plan.

- (i) erection of a steel-framed access ramp from the Black Path up to the Network Rail footbridge as part of the Rugby Viaduct Cycleway scheme at Black Path, off Technology Drive, Rugby (R12/1418) - Councillor Helen Walton moved and Councillor Gillias seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (j) remedial works to Newton Bridge and adjacent land comprising earthworks including excavation and re-deposition of materials and re-profiling of embankments together with realignment of footpath and alterations to pedestrian and vehicular access at Newton Bridge and Park, Newton Lane, Newton, Rugby (R12/0066) - Councillor Helen Walton moved and Councillor Gillias seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report together with a revision to condition 2 to include reference to a Great Crested Newt survey and the following additional conditions and informatives being inserted to read:

CONDITION: 6

Notwithstanding the information shown on the approved drawings, construction of the new vehicular access (ingress) shall not be commenced until a revised drawing has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, showing the construction of a revised access radii and/or revised over-run area within the access to take account of the swept path of vehicles turning left into the site from Newton Lane (north). The works shall thereafter be carried out in accordance with the approved revised drawing.

CONDITION: 7

The vehicular access to the site shall not be used until it has been constructed to include the following requirements all of which are specified in 'Transport and Roads for Developments – The Warwickshire Guide 2001' (published by Warwickshire County Council).

- a) A minimum width of 3.0 metres with a gradient not steeper than 1 in 10 and hard surfaced in a bound material for a distance of 7.5 metres from the near edge of the highway carriageway.\
- b) Any gates or barriers opening into the site and not being placed within the vehicular access any closer than 7.5 metres from the near edge of the highway carriageway.
- c) The access not allowing surface water to run off the site onto the highway.

CONDITION: 8

During the construction period, no vehicles calling at the site or being in the control of the developer/occupier or Contractors employed by the developer/occupier shall be loaded, unloaded or parked on the highway (Newton Lane - C84). Adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

INFORMATIVE: 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, 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.

INFORMATIVE: 4

In accordance with the 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.

INFORMATIVE: 5

Before the access improvement works required by this planning permission are commenced to the existing highway, the developer shall enter into an Agreement under Section 184 of the Highways Act 1980 with the Highway Authority (Warwickshire County Council).

- (k) new picket fence to front to enclose new garden area and close board fence to side at Boat Inn, Birdingbury Wharf, Rugby Road, Birdingbury (R12/1478) - Councillor Helen Walton moved and Councillor Wright seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (l) proposed two storey and single storey extensions to side and rear at 19 Langton Road, Rugby (R12/1426) - Councillor Helen Walton moved and Councillor G Francis seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report together with an additional condition being inserted to read, "The accommodation for car parking as shown on the approved plan no. RLR19/05B received by the Local Planning Authority on 11 September 2012 shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles and shall not be used for any other purpose."
- (m) erection of two storey side extension, first floor rear extension, a single storey rear extension to link the existing garage to the main dwelling house and conversion and alteration to existing garage at 64 Overslade Lane, Rugby (R12/0657) - Councillor Helen Walton moved and Councillor Wright seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.

47. 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 held prior to the next meeting of the Committee.

48. DELEGATED DECISIONS – 24TH AUGUST – 13TH SEPTEMBER 2012

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