

MINUTES OF PLANNING COMMITTEE

17TH OCTOBER 2012

PRESENT:

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

49. MINUTES

The minutes of the meeting held on 26th September 2012 were approved and signed by the Chairman.

50. APOLOGIES

Apologies for absence from the meeting were received from Councillors Allen, G Francis and Ms Robbins.

51. 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

R12/1194 – 4 further objections.

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 80 dwellings with associated open space, landscaping, infrastructure and newt reserve (resubmission of refused application ref. R10/1131 dated 28th February 2012) at land off Priory Road and School Street, Wolston (R12/1194) – Councillor Pacey-Day moved and Councillor Wright seconded that the Head of Planning and Culture be authorised to refuse planning permission for the reasons listed below.

REASON FOR REFUSAL 1:

The proposed development seeks permission for a total of 80 dwellings. On developments of this size the Council specifically seeks a target of 40% affordable housing provision to meet the identified needs of the Borough's residents. Whilst the Council will consider a reduced target where the provision of such targets threaten the financial viability of a particular development scheme, it is of the opinion that, despite the applicants submitted viability assessment, the proposed provision of 14 affordable units and one market dwellings subject to a local occupancy condition is insufficient to meet the required level of affordable housing and consequently the development is considered to be contrary to Policy CS19 of Rugby Borough Councils Core Strategy, June 2011.

REASON FOR REFUSAL: 2

The Council seeks to ensure that new development complements, enhances and utilises where possible, the historic environment and that it does not have a significant-impact on existing designated and non-designated heritage assets and their settings. The Council is of the opinion the development, by reason of its siting within close proximity to The Priory, a Grade II* Listed Building, would have an adverse impact upon its setting contrary to policy CS16 of the Rugby Borough Council Core Strategy June 2011

The Committee considered that the proposed development would have a detrimental impact on the setting of the Grade II* Listed Building, The Priory, located adjacent to the site and would, therefore, conflict with policy CS16. It also considered that the provision of affordable housing allocated on site was excessively substandard to the Council's target of 40% and would, therefore, conflict with policy CS19.

(b) erection of day room for use ancillary to use of an existing Gypsy Caravan Site, including the demolition of existing building (amendments to previously approved planning application R12/0206 dated 16th April 2012) at land rear of Bryants Bungalow, Brandon Lane, Toll Bar End (R12/1287) – Councillor Sandison 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.

(c) amendment to conditions 1, 5, 36 and 37 and removal of condition 15 of Council's resolution to grant outline planning permission at Rugby Gateway, west of Leicester Road, Rugby (R10/1272) – Councillor Helen Walton moved and Councillor Wright seconded that the Head of Planning and Culture be authorised to amend conditions as listed below:

Condition 1 be amended to read:

Application for approval of the reserved matters specified in Condition 3 below, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before the expiration of 12 years from the date of this permission.

Condition 5 be amended to include:

Southern Access Roundabout Plan - 11050822/GA009F Received –
26/09/12

Condition 15 officers be given delegated powers to omit, subject to no objection being made by the Highways Agency.

Condition 36 be amended to read:

Post excavation analysis, publication of results and archive deposition in respect of Phases 3 and 5 (as Defined in the Cotswold Archaeology 'Written Scheme for further Archaeological Works, December 2011, 3363), shall be undertaken in accordance with the approved Worcestershire Archaeology document 'Written Scheme of Investigation for Archaeological Works at Rugby Gateway, Warwickshire (Version 1.2, dated 20th April, 2012).

Condition 37 be amended to read:

Post excavation analysis, publication of results and archive deposition in respect of Phases 1 and 2 (as defined in the Cotswold Archaeology 'Written Scheme for further Archaeological Works, December 2011, 3363), shall be undertaken in accordance with the approved methodologies as set out in the Cotswold Archaeology letters dated 28th May, 2012 and the 18th July, 2012.

If any trees within these Phases are to be removed a Written Scheme of Investigation for Archaeological Works on the site of the tree shall be submitted to and approved in writing by the Local Planning Authority, in accordance with the applicants' e-mail of 28th September 2012.

(d) extension to the existing marina complex to provide an additional 123 berths, including erection of an operational building and associated works and deposition of spoil (application for new planning permission to replace planning permission R08/1844/MAJP to extend time limit for implementation) at land to the south of Blue Haven Marina, Hillmorton Wharf, Crick Road, Rugby, CV21 4PW (R12/0397) – Councillor Mrs Parker 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 informative being inserted to read, "The applicant/developer is advised to contact Warwickshire Wildlife Trust when works are carried out on site. It is also recommended that a Habitat Management Plan be put in place for the operation of the marina."

52. 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 be held at 17 Lawford Road, Rugby, at a time and date to be arranged.

53. DELEGATED DECISIONS – 14TH SEPTEMBER 2012 – 4TH OCTOBER 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.

54. 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 outweighs the public interest in disclosing the information.

55. ENFORCEMENT

The Committee considered the private report of the Head of Planning and Culture (Part 2 – agenda item 1) concerning progress on enforcement activities.

RESOLVED THAT – the report be approved.

CHAIRMAN