

MINUTES OF PLANNING COMMITTEE

30TH JANUARY 2013

PRESENT:

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

77. MINUTES

The minutes of the meeting held on 9th January 2013 were approved and signed by the Chairman.

78. APOLOGIES

An apology for absence from the meeting was received from Councillor Pacey-Day.

79. DECLARATIONS OF INTEREST

Item 4 of Part 1 – 34 Clifton Road, Rugby - Councillor Sandison (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

Item 4 of Part 1 – Holly Lodge Day Nursery, Fareham Avenue, Rugby – Councillor Mrs New (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

Item 4 of Part 1 – 1 Bawnmore Park, Rugby – Councillor Mrs Parker (pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of calling the application to Committee for determination and making representations on the proposal).

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

80. 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

None

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

- (a) repositioning of garage doors from south to north elevation of dwelling and external alterations to infill existing door position, including new window and door. Formation of new driveway, soft landscaping to change existing parking area to garden including extension of hard paving area and erection of boundary wall with pedestrian gate (resubmission of refused application R11/0729) at Manor Barn, Church Road, Church Lawford, Rugby, CV23 9EG (R12/1940) – Councillor Helen Walton moved and Councillor M Francis seconded that the Head of Planning and Culture be authorised to grant planning permission subject to standard conditions together with a specific condition restricting new windows.

The Committee considered that the proposed development would be in keeping with the area and would not be detrimental to the visual amenity and character of the building, therefore complying with policies CS1 and CS16.

- (b) demolition of existing dwelling and erection of 3 detached dwellings with associated parking and works at 1 Bawnmore Park, Rugby (R12/1684) – Councillor Sandison moved and Councillor Ms Robbins seconded that the Head of Planning and Culture be authorised to refuse planning permission for the reason stated in the report together with an additional reason being inserted to read, “It is considered that the proposal represents an over-intensification of the site resulting in the proposed development being out of keeping with the character and appearance of the area contrary to the provisions of policy CS16 of the Rugby Borough Core Strategy that seeks to ensure developments do not cause harm to the qualities and character of the area in which they are situated.”
- (c) erection of 89 dwellings and garages; construction of associated infrastructure comprising estate roads, foul water pumping station and balancing pond; provision of open space and all ancillary and enabling works – submission of reserved matters in respect of phase 1 comprising access, appearance, landscaping, layout and scale pursuant to outline planning permission ref. R06/0064/MAJP dated 17.09.2007 at land at Leicester Road, Leicester Road, Rugby (R12/1610) – Councillor M Francis moved and Councillor Ms Robbins seconded that the Head of Planning and Culture be authorised to approve the details comprised in the reserved matters submission in respect of layout, scale appearance, access and landscaping together with related details in respect of roads, drainage, parking, site boundaries treatment, levels, refuse storage and noise attenuation in accordance with condition nos. 4a), 4b), 4c) – part, 4d), 4e), 5a), 5b), 5c), 5d), 5f), 5i) and 33 attached to outline planning permission ref. R06/0064/MAJP dated 17th September 2007, subject to the conditions in the report together with the following amended and additional drawings, additional conditions and informatives being inserted to read:

Revised and additional drawings numbers PL03 Rev L, PL06 Rev H, PL07 Rev J, PL10 Rev A, PL15 Rev C, PL16 Rev C, PL47 Rev A, 1415 04 Rev F, 1415 05 Rev G, 1415 06 Rev F, 1415 09 Rev B, 1415 16 Rev C, 1415 17 Rev A, 213, 214, 215, 216 and 217.

Condition 47. "The development shall be laid out in general accordance with approved drawing no. PL07 Rev J."

Informative f) "With regard to drainage, the Environment Agency advise that the details should be discussed further with the Agency before the drainage works commence whilst the Council's Land Drainage Officer advises that such discussions should include consideration of the potential addition of a grille to the outfall on the balancing pond side of the headwall together with a non-return valve."

Informative g) "For the avoidance of doubt, the originally submitted drawings ref. nos PL04 Rev A (Adoptable Highways Plan) and PL05 Rev A (Proposed Tracking Plan) and subsequent revisions, are for information purposes only and the Highway Authority advise that these aspects will be considered as part of the Section 38 Agreement process."

- (d) variation of condition 1 of R12/1465 dated 12th September 2012 varying condition 1 of R02/0511/04875/P dated 5th August 2012 for the retention of two modular buildings for nursery/day care purposes for a further 10 year period at Holly Lodge Nursery, Fareham Avenue, Rugby (R12/2309) – Councillor Sandison moved and Councillor Ms Robbins seconded that the Head of Planning and Culture be authorised to grant temporary planning permission subject to the conditions in the report.
- (e) proposed conversion and extension of existing builders yard and office to a residential dwelling at The Forge, The Square, Dunchurch, Rugby (R12/1539) – Councillor G Francis moved and Councillor Ms Robbins seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (f) change of use of land from a paddock to a mixed use of a paddock and for the siting of residential caravans, trailers and commercial vehicles, and the formation of hard standings and erection of timber sheds in so far as it relates to the creation of a one pitches only (variation of condition 3 of appeal reference APP/E3715/C/11/215065-70 dated 12/12/11 to allow no more than two static caravans) at land south side of Top Road, Barnacle (R12/0843) – 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.
- (g) retention of a detached outbuilding at 16 Brambling Close, Rugby (R12/1848) – Councillor M Francis moved and Councillor Srivastava seconded that the Head of Planning and Culture be authorised to refuse planning permission and enforcement action be instigated to secure the removal of the unauthorised development if a satisfactory solution cannot be negotiated by officers.

The Committee considered that the development was overbearing and had a detrimental visual impact on neighbouring amenities and, as such, conflicted with Policy CS16.

- (h) change of use of existing building for the purposes of rodent breeding (sui generis)(retrospective) at Magpie Lodge Farmyard, Lilbourne Road, Clifton-upon-Dunsmore, Rugby (R12/2223) – Councillor Ms Robbins and Councillor Mrs Avis seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (i) erection of animal shelter at Plot 5D, Moor Lane, Willoughby (R12/1821) – Councillor Sandison moved and Councillor Mrs New seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (j) change of use of property from Use Class D1 (non-residential institutional) to 5 no. residential apartments (C3) and associated works including erection of a single storey rear extension at 34 Clifton Road, Rugby, CV21 3QF (R12/1520) – Councillor Ms Robbins moved and Councillor M Francis seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.

81. PLANNING APPEALS UPDATE

The Committee considered the report of the Head of Planning and Culture (Part 1 – agenda item 5) concerning progress on planning appeals for the period 1st October to 31st December 2012.

RESOLVED THAT – the report be noted.

82. 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 113 Townsend Lane, Long Lawford at a time and date to be arranged.

83. DELEGATED DECISIONS – 14TH DECEMBER 2012 TO 17TH JANUARY 2013

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.

84. 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.

85. ENFORCEMENT

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

RESOLVED THAT – the report be noted.

CHAIRMAN