

MINUTES OF PLANNING COMMITTEE

6TH NOVEMBER 2013

PRESENT:

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

49. MINUTES

The minutes of the meeting held on 16th October 2013 were approved and signed by the Chairman.

50. APOLOGIES

Apologies for absence from the meeting were received from Councillors Butlin, G Francis and M Walton.

51. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Homefield, land at Rugby Road, Dunchurch, Rugby (R11/1026) – Councillor Cranham (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of a family member being an employee at Bilton Grange School.)

52. 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

None

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

(i) R11/0726 – Homefield, land at Rugby Road, Dunchurch, Rugby, CV22 6QT

Mr N Pearce (on behalf of Rugby Road Residents' Association) – objector
Ms R Padfield (Sworders – applicant's agent) – supporter
Councillor H Roberts (Ward Councillor) – objector

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

- (a) outline application for the development of 50 dwellings including access and landscaping at Homefield, land at Rugby Road, Dunchurch, Rugby, Warwickshire, CV22 6QT (R11/0726) – Councillor Cranham moved and Councillor Helen Walton seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the applicant entering into a Section 106 Agreement covering obligations in respect of affordable and local needs housing, the provision and maintenance of open space, education, library, travel packs and rights of way contributions, and subject to the conditions in the report together with corrections and amendments to conditions and additional conditions and informatives as listed at Annex 1 to the minutes.
- (b) retention of double garage at 1 Walkers Terrace, Ansty Road, Brinklow (R13/1693) - Councillor Cranham moved and Councillor Sandison seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report.
- (c) change of use from A3 restaurant to a mixed A3/A5 restaurant/hot food takeaway at 64 Craven Road, Rugby (R13/1332) - Councillor Helen Walton moved and Councillor Hazelton seconded that the Head of Planning and Culture be authorised to grant planning permission subject to the conditions in the report together with the following amendments to conditions.

“CONDITION 2:

The development shall not be carried out other than in accordance with the plans no. 2013-068-001 and 2013-068-004 received by the Local Planning Authority on 12 September 2013 and amended plan no. 2013-068-003 Rev C (Option A) received by the Local Planning Authority on the 6 November 2013.”

“CONDITION 3:

Within four weeks from the date of this permission, the external equipment and ducting shall be removed from its current position and reinstated on the side elevation of the property so that the ducting runs up between the two kitchen windows of the flat above, as indicated on the approved elevation drawing. The flue outlet should terminate no less than 1 metre above the apex to the main roof of the rear addition. All equipment should be attached to the building using anti-vibration mounts. Until these required works are undertaken, the A5 hot food takeaway shall only operate until 20:00 pm each day.”

“CONDITION 5:

Once the extraction system has been relocated and installed to the satisfaction of the Local Planning Authority, in accordance with Condition 3 of this permission, the opening hours shall be limited to 10:00AM to 02:00AM Mondays to Sundays only.”

“INFORMATIVE 8:

Further to this, the applicant should contact the Council’s Environmental Protection Team on (01788) 533857 to ensure that the system installed is in accordance with the approved scheme. The system shall be installed and maintained in accordance with the manufactures recommended details.”

53. 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 quarterly period 1st July 2013 to 30th September 2013.

RESOLVED THAT – the report be noted.

54. 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 Brandon Grange Farm (R13/1805) on a date and time to be arranged

55. DELEGATED DECISIONS – 27TH DECEMBER 2013 TO 17TH OCTOBER 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.

CHAIRMAN

PLANNING COMMITTEE – 6TH NOVEMBER 2013

Item	Application Ref Number	Location Site and Description	Page Number
1	R11/0726	Homefield, Land at Rugby Road, Dunchurch, Rugby, Warks, CV22 6QT Outline application for the development of 50 dwellings including access and landscaping.	3

Correction to Conditions

CONDITION: 4

Under 'Documents', the date of 24/10/2013 should be added to Tree Report/Impact Survey, Penkridge Arboriculture.

CONDITION: 5

The illustrative Masterplan referred to should read Rev B.

CONDITIONS: 13 and 14

The reference to condition 10 should read condition 11.

Revised Condition

CONDITION: 33

All tree protection measures, including the tree protection plan, identified within the Tree Report/Impact Survey (including the installation of 'no dig' surfaces, protective fencing and ground protection) relating to the approved design details shall be fully implemented prior to the commencement of construction works on the site and to the satisfaction and written approval of the Local Planning Authority. Protective fencing and ground protection 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 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.

REASON:

To safeguard and ensure the retained trees are incorporated successfully into the development in the interests of the amenities of the locality.

Additional Conditions

CONDITION: 34

No development shall commence unless and until a contaminated land assessment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of any contamination and measures to avoid risk (to the site users, building and environment) when the site is developed, together with a Method Statement detailing the remediation requirements. Development shall not be carried out other than in accordance with the approved remediation details.

REASON:

In the interests of health and safety.

CONDITION: 35

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval of the addendum shall form part of the Method Statement.

REASON:

In the interests of health and safety.

CONDITION: 36

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON:

In the interests of health and safety.

Additional Informatives

INFORMATIVE: 9

Prior to the commencement of any construction works the Council's Tree Officer should be contacted to arrange a site visit to inspect the tree protection measures - tel 01788 533634, email Dave.Gower@Rugby.gov.uk

INFORMATIVE: 10

The detailed design of any proposed balancing pond (detention basin) comprised in the proposed sustainable urban drainage scheme should be finalised in discussion and consultation with RoSPA and include a Safety Evaluation.