

# MINUTES OF PLANNING COMMITTEE

19 APRIL 2023

## PRESENT:

Councillors Gillias (Chairman), Mrs Brown, Mrs Garcia (substituting for Councillor Eccleson), Mrs Hassell, Lawrence, Lewis, Mrs Maoudis, Sandison, Slinger, Srivastava, Mrs Timms (substituting for Councillor Daly) and Willis

## 72. MINUTES

The minutes of the meeting held on 15 March 2023 were approved and signed by the Chairman.

## 73. APOLOGIES

Apologies for absence from the meeting were received from Councillors Daly and Eccleson.

## 74. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Plot 19, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0637) – Councillor Mrs Maoudis (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 – Plot 16, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0664) – Councillor Mrs Maoudis (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 – Plot 17, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0665) – Councillor Mrs Maoudis (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 – Plot 18, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0666) – Councillor Mrs Maoudis (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 – Plot 14, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0772) – Councillor Mrs Maoudis (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 – Plot 15, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/1055) – Councillor Mrs Maoudis (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

## 75. MOTION FOR CONSIDERATION

**RESOLVED THAT** – the resolution to grant planning permission in respect of planning application R22/0637 (Plot 19, Top Park, Top Road, Barnacle, Coventry CV7 9FS) be rescinded and the application be reconsidered by this meeting.

## 76. APPLICATIONS FOR CONSIDERATION

The Committee considered the report of the Chief Officer for 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

R22/0637; R22/0664; R22/0665; R22/0666; R22/0772; R22/1055 – Plots 14 to 19 Top Park, Top Road, Barnacle – the following further representations were received after the preparation of the agenda from:

- 17 additional households in the locality, three councillors, local residents who had previously submitted representations and four anonymous objectors. No new matters were raised within these correspondences that were not already under consideration at the time of the agenda publication.
- Shakespeare Martineau on behalf of Shilton and Barnacle Parish Council and Wolvey Parish Council – a letter of objection was received and circulated to the Committee in advance of the meeting. The Council's response to the letter was read out by the Legal and Governance Manager at the meeting.

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

(i) R22/0637 Plot 19, Top Park, Top Road, Barnacle, Coventry CV7 9FS

Simon Stanion, Shakespeare Martineau (objector)  
Nathaniel Green, Green Planning Studio (supporter)  
Councillor Adrian Warwick (County Councillor) (objector)

(ii) R22/0664 Plot 16, Top Park, Top Road, Barnacle, Coventry CV7 9FS

Stephen Rudge (objector)  
Emily Temple, ET Planning (supporter)  
Councillor Adrian Warwick (County Councillor) (objector)

(iii) R22/0665 Plot 17, Top Park, Top Road, Barnacle, Coventry CV7 9FS

Anita Burdekin (objector)  
Emily Temple, ET Planning (supporter)  
Councillor Adrian Warwick (County Councillor) (objector)

(iv) R22/0666 Plot 18, Top Park, Top Road, Barnacle, Coventry CV7 9FS

Stephen Rudge (objector)  
Emily Temple, ET Planning (supporter)  
Councillor Adrian Warwick (County Councillor) (objector)

(v) R22/0772 Plot 14, Top Park, Top Road, Barnacle, Coventry CV7 9FS

Stephen Rudge (objector)  
Emily Temple, ET Planning (supporter)  
Councillor Adrian Warwick (County Councillor) (objector)

(vi) R22/1055 Plot 15, Top Park, Top Road, Barnacle, Coventry CV7 9FS

Stephen Rudge (objector)  
Emily Temple, ET Planning (supporter)  
Councillor Adrian Warwick (County Councillor) (objector)

(vii) R22/0828 Hillmorton Yard, The Locks, Rugby CV21 4PP

Ian Gidley, Land and Planning Consultants (agent) (supporter)

**RESOLVED THAT** – the Chief Officer for Growth and Investment be authorised to issue decision notices as indicated in relation to the applications below:

- (a) Retention and occupation of 2no. mobile homes and use of the site as 2no. Gypsy and Traveller pitches. Retention of 2no. sheds, 1no. outbuilding for use as a sensory room, fencing and gates, vehicular access via the existing access track and surfacing of the plot with gravel. Siting of 2no. touring caravans at Plot 19, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0637) - Councillor Mrs Maoudis moved and Councillor Mrs Timms seconded that the Chief Officer for Growth and Investment be authorised to refuse planning permission for the following reason:

#### **REASON FOR REFUSAL**

“The site is located in the Green Belt and comprises inappropriate development which is, by definition, harmful. The development causes harm to the openness of the Green Belt and conflicts with purposes of the Green Belt. The development lies in the open countryside outside any settlement boundary. The development is harmful in terms of its impact upon the landscape and character of the area and provides little opportunity for landscaping improvements to mitigate that harm. The development is not of a high quality, inclusive and sustainable design and fails to respond to the character of the area within which it is located. The development is contrary to policies GP1, GP2, DS2, NE3, SDC1 and SDC2 of the Rugby Borough Council Local Plan 2011-2031, the Planning Policy for Traveller Sites 2015, and the National Planning Policy Framework 2021. The development comprises ‘Intentional Unauthorised Development’ as per the 2015 Written Ministerial Statement. The harm to the Green Belt and other harm resulting from the development is not clearly outweighed by other considerations and, accordingly, ‘Very Special Circumstances’ do not exist.”

- (b) Retention of 1no. pitch for Gypsy and Traveller use, including retention of 1no. tourer caravan, 1no. utility building (timber), 1no. shed, gravel hardstanding, small area of block paving, small grass area, vehicular access off access track and pedestrian access off Top Park access road. Retention of gates across both accesses and boundary fencing. Replacement of 1no. existing tourer with 1no. static caravan and siting of a second static caravan at Plot 16, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0664) - Councillor Mrs Maoudis moved and Councillor Mrs Timms seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to refuse planning permission for the following reason:

### **REASON FOR REFUSAL**

“The site is located in the Green Belt and comprises inappropriate development which is, by definition, harmful. The development causes harm to the openness of the Green Belt and conflicts with purposes of the Green Belt. The development lies in the open countryside outside any settlement boundary. The development is harmful in terms of its impact upon the landscape and character of the area and provides little opportunity for landscaping improvements to mitigate that harm. The development is not of a high quality, inclusive and sustainable design and fails to respond to the character of the area within which it is located. The development is contrary to policies GP1, GP2, DS2, NE3, SDC1 and SDC2 of the Rugby Borough Council Local Plan 2011-2031, the Planning Policy for Traveller Sites 2015, and the National Planning Policy Framework 2021. The development comprises ‘Intentional Unauthorised Development’ as per the 2015 Written Ministerial Statement. The harm to the Green Belt and other harm resulting from the development is not clearly outweighed by other considerations and, accordingly, ‘Very Special Circumstances’ do not exist.”

- (c) Retention of 1no. pitch for Gypsy and Traveller use, including retention of 1no. mobile home, dog kennels, 1no. shed, gravel hardstanding, a paved patio, 2no. amenity buildings, vehicular access off access road and pedestrian access off Top Park access road. Retention of gates across both accesses and boundary fencing. Replacement of 2no. existing tourer caravans with 2no. mobile homes and removal of 1no. existing shed at Plot 17, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0665) - Councillor Mrs Maoudis moved and Councillor Mrs Timms seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to refuse planning permission for the following reason:

### **REASON FOR REFUSAL**

“The site is located in the Green Belt and comprises inappropriate development which is, by definition, harmful. The development causes harm to the openness of the Green Belt and conflicts with purposes of the Green Belt. The development lies in the open countryside outside any settlement boundary. The development is harmful in terms of its impact upon the landscape and character of the area and provides little opportunity for landscaping improvements to mitigate that harm. The development is not of a high quality, inclusive and sustainable design and fails to respond to the character of the area within which it is located. The development is contrary to policies GP1, GP2, DS2, NE3,

SDC1 and SDC2 of the Rugby Borough Council Local Plan 2011-2031, the Planning Policy for Traveller Sites 2015, and the National Planning Policy Framework 2021. The development comprises 'Intentional Unauthorised Development' as per the 2015 Written Ministerial Statement. The harm to the Green Belt and other harm resulting from the development is not clearly outweighed by other considerations and, accordingly, 'Very Special Circumstances' do not exist."

- (d) Retention of 1no. pitch for Gypsy and Traveller use, including 1no. static caravan and 1no. tourer caravan, 1no. wooden shed, gravel hardstanding, vehicular access off access track and pedestrian access off Top Park access road. Retention of gates across both accesses and fencing around boundary. Erection of a utility building at Plot 18, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0666) - Councillor Mrs Maoudis moved and Councillor Mrs Timms seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to refuse planning permission for the following reason:

### **REASON FOR REFUSAL**

"The site is located in the Green Belt and comprises inappropriate development which is, by definition, harmful. The development causes harm to the openness of the Green Belt and conflicts with purposes of the Green Belt. The development lies in the open countryside outside any settlement boundary. The development is harmful in terms of its impact upon the landscape and character of the area and provides little opportunity for landscaping improvements to mitigate that harm. The development is not of a high quality, inclusive and sustainable design and fails to respond to the character of the area within which it is located. The development is contrary to policies GP1, GP2, DS2, NE3, SDC1 and SDC2 of the Rugby Borough Council Local Plan 2011-2031, the Planning Policy for Traveller Sites 2015, and the National Planning Policy Framework 2021. The development comprises 'Intentional Unauthorised Development' as per the 2015 Written Ministerial Statement. The harm to the Green Belt and other harm resulting from the development is not clearly outweighed by other considerations and, accordingly, 'Very Special Circumstances' do not exist."

- (e) Retention of 1no. Gypsy and Traveller pitch comprising 1no. static caravan, 1no. touring caravan, 1no. timber dog kennel, block paved parking area, gravel pathway, red brick walls and metal gates to front boundary, timber fencing to side and rear boundaries, and vehicular and pedestrian access off Top Park access road. Proposed erection of a brick outbuilding with a tiled roof at Plot 14, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/0772) - Councillor Gillias moved and Councillor Mrs Garcia seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to refuse planning permission for the following reason:

### **REASON FOR REFUSAL**

"The site is located in the Green Belt and comprises inappropriate development which is, by definition, harmful. The development causes harm to the openness of the Green Belt and conflicts with purposes of the Green Belt. The

development lies in the open countryside outside any settlement boundary. The development is harmful in terms of its impact upon the landscape and character of the area and provides little opportunity for landscaping improvements to mitigate that harm. The development is not of a high quality, inclusive and sustainable design and fails to respond to the character of the area within which it is located. The development is contrary to policies GP1, GP2, DS2, NE3, SDC1 and SDC2 of the Rugby Borough Council Local Plan 2011-2031, the Planning Policy for Traveller Sites 2015, and the National Planning Policy Framework 2021. The harm to the Green Belt and other harm resulting from the development is not clearly outweighed by other considerations and, accordingly, 'Very Special Circumstances' do not exist."

- (f) Retention and 1no. Gypsy and Traveller pitch comprising 1no. static caravan, 1no. touring caravan, 1no. stable, 1no. brick outbuilding, a gravelled parking area, a block paved pathway, walls and gates along the front boundary, fencing along the side and rear boundaries, and vehicular access off Top Park access road at Plot 15, Top Park, Top Road, Barnacle, Coventry CV7 9FS (R22/1055) - Councillor Mrs Maoudis moved and Councillor Mrs Timms seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to refuse planning permission for the following reason:

#### **REASON FOR REFUSAL**

"The site is located in the Green Belt and comprises inappropriate development which is, by definition, harmful. The development causes harm to the openness of the Green Belt and conflicts with purposes of the Green Belt. The development lies in the open countryside outside any settlement boundary. The development is harmful in terms of its impact upon the landscape and character of the area and provides little opportunity for landscaping improvements to mitigate that harm. The development is not of a high quality, inclusive and sustainable design and fails to respond to the character of the area within which it is located. The development is contrary to policies GP1, GP2, DS2, NE3, SDC1 and SDC2 of the Rugby Borough Council Local Plan 2011-2031, the Planning Policy for Traveller Sites 2015, and the National Planning Policy Framework 2021. The development comprises 'Intentional Unauthorised Development' as per the 2015 Written Ministerial Statement. The harm to the Green Belt and other harm resulting from the development is not clearly outweighed by other considerations and, accordingly, 'Very Special Circumstances' do not exist."

- (g) Demolition of industrial unit (use class B2) and the erection of two pairs of semi-detached 3-bedroom dwellings (4 units) at Hillmorton Yard, The Locks, Rugby CV21 4PP (R22/0828) - Councillor Willis moved and Councillor Sandison seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to standard conditions together with delegated authority to be granted to officers to draft appropriate conditions.

## **77. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS**

**RESOLVED THAT** – no further site visits be approved.

**78. DELEGATED DECISIONS – 23 FEBRUARY TO 22 MARCH 2023**

The Committee considered the report of the Chief Officer for Growth and Investment (Part 1 – Agenda Item 7) concerning decisions taken by her under delegated powers during the above period.

**RESOLVED THAT** – the report be noted.

**CHAIRMAN**