

MINUTES OF PLANNING COMMITTEE

7 DECEMBER 2022

PRESENT:

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

45. MINUTES

The minutes of the meeting held on 9 November 2022 were approved and signed by the Chairman.

46. APOLOGIES

Apologies for absence from the meeting were received from Councillors Mrs Brown, Eccleson and Mrs Maoudis.

47. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Land South of Baileys Lane, Baileys Lane, Long Lawford CV23 9FS (R22/0500) – Councillor Willis (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 – 39 Park Road, Rugby CV21 2QU (R22/0778) – Councillor Lawrence (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of his historic connection to Park Road or being a former resident of Park Road and a former member of the Park Road Residents' Association).

Item 6 of Part 1 – Land adjacent to 3 Main Street, Stretton under Fosse (TPO No 426) – Councillor Gillias (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

48. 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

R21/0985 – two further representations from Syncreon Technology UK (Unit 1 occupier) and Oxalis Planning (applicant) were received after the preparation of the agenda stating the following:

Syncreon Technology UK Limited (Unit 1 occupier)

- Reiterated their will to stay within this area but that they need to expand to match their customers growth.
- The benefits of the scheme should be considered including the A5 improvements.

Oxalis Planning (applicant) sought deferral of the application to January committee to resolve the outstanding highways objections. However it was considered that there was not a resolution which is achievable within this timeframe.

R22/0500 – one additional consultee response from Rugby Borough Council's Tree Officer was received after the preparation of the agenda requesting additional conditions for:

- an arboricultural method statement to protect the retained trees; and
- a final specification of all proposed hedge planting to be submitted and approved in writing by the LPA.

R22/0623 – one additional letter of objection was received after the preparation of the agenda stating the following:

- Increase in car parking
- Assumption that seven residents will not have cars is not reasonable

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

(i) R21/0985 Land at Padge Hall Farm, Watling Street, Burbage

Mr John Homes, Oxalis Planning (agent) (supporter)

(ii) R22/0623 95 King Edward Road, Rugby CV21 2TE

Councillor Richard Harrington (Ward Councillor)

(iii) R22/0778 39 Park Road, Rugby CV21 2QU

Mr Nick Allen (objector)

Mr Ali Karimi (applicant) (supporter)

Councillor Richard Harrington (Ward Councillor)

In accordance with the Council's public speaking procedure, Councillor Harrington left the meeting once all speakers had made their representations to the Committee.

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

- (a) Change of use from Dwelling House (C3) into a total number of 6 rooms HMO (Sui Generis) and alterations at 39 Park Road, Rugby CV21 2QU (R22/0778) - Councillor Mistry moved and Councillor Slinger seconded that the Chief Officer for Growth and Investment be authorised to refuse planning permission for the following reason:

REASON FOR REFUSAL:

“The proposed change of use from a dwellinghouse (C3) to a House in Multiple Occupation (Sui Generis), by reason of the overall increase in the number of people residing at the property, does not provide adequate parking within an area that already has inadequate and unsatisfactory parking facilities and a high demand for on street parking. The additional demand for parking will be detrimental to the residential amenities of the existing and future neighbouring occupiers. The proposal is therefore contrary to Policy D2 and SDC1 of the Rugby Borough Council Local Plan 2011-2031 (June 2019).”

- (b) Conversion of 4 bedroom house into 6 bedrooled HMO (7 people) including rear dormer window at 95 King Edward Road, Rugby CV21 2TE (R22/0623) - Councillor Gillias moved and Councillor Willis seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to:

- 1) Conditions and informatives set out in the report together with an additional informative being inserted to read,

“INFORMATIVE 8

The occupiers of the HMO should dispose of waste appropriately in the bins provided within the site as shown on the proposed site plan.”

- 2) The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

- (c) Hybrid planning application comprising: Outline application (all matters reserved except for site access from the A5) for the demolition of existing structures and the erection of distribution and industrial buildings (Use Class B2 and B8) including ancillary offices and associated earthworks, infrastructure and landscaping, and highways improvements at Dodwells roundabout; a Full application for the development of a distribution building (Use Class B8), including ancillary offices with associated access, hard standing, parking, and on plot landscaping. The proposals include improvements to the existing railway bridge on the A5 Watling Street including increased height clearance. This is a cross boundary application with Hinckley and Bosworth Borough Council and Nuneaton and Bedworth Borough Council (EIA development) on land at Padge Hall Farm, Watling Street, Burbage (R21/0985) - Councillor Sandison moved and Councillor Slinger seconded that the application be deferred pending further consultation with Warwickshire County Council and Leicester County Council to resolve highway issues.

- (d) Construction of 2 bedroomed bungalow on land south of Baileys Lane, Baileys Lane, Long Lawford CV23 9FS (R22/0500) - Councillor Sandison moved and Councillor Mistry seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to conditions and informatives set out in the report together with additional conditions being inserted to read,

“CONDITION 17

No works, demolition or development shall take place until a final arboricultural method statement and tree protection plan for the protection of the retained trees (such method statement and plan to be in accordance with sections 5.5 & 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) has been submitted to and approved in writing by the Local Planning Authority. This arboricultural method statement and tree protection plan must include details and positioning of tree protection fencing, any ground protection measures to create construction exclusion zones and an auditable system of monitoring. The approved arboricultural method statement and tree protection plan shall be implemented in full prior to any works, demolition or development taking place. Protective measures must remain in place until the completion of all construction works. 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 LPA. Prior to any works, demolition or development taking place, a site meeting between the applicant, the Local Planning Authority arboricultural officer and designated arboricultural consultant responsible for the site will take place to inspect tree protection measures.

REASON: to ensure all retained trees are protected from damage during the construction phase.”

“CONDITION 18

A final specification of all proposed hedge planting must be submitted and approved in writing by the LPA. This specification will include details of the quantity, size, species, position and the proposed time of planting of all hedging to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. If within a period of 5 years from the date of planting of any hedge, that hedge, or any hedge planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another hedge of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

REASON: in the interests of biodiversity and visual amenity.”

- (e) Application for full planning permission for storage and distribution floorspace (Class B8 use), with ancillary offices, gatehouse, associated car parking, HGV parking, landscaping and infrastructure on land northeast of Castle Mound Way, Castle Mound Way, Rugby (R22/0551) - Councillor Lawrence moved and

Councillor Mistry seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to:

- 1) conditions and informatives set out in the report together with an additional informative being inserted to read,

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Wherever possible, the occupier is encouraged to promote working practices and operations that prevent HGV and other vehicle users having to park on the public highway/Castle Mound Way, including overnight parking.”

- 2) the completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within the report;
 - 3) the Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice; and
 - 4) the Chief Officer for Growth and Investment (in consultation with the Planning Committee Chairman or Vice Chairman) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.
- (f) Amendment to R18/1153 to increase floor area of units 6, 8 and 10 to incorporate the unit approved under R20/0916 and associated external appearance amendments at 41 King Edward Road, Rugby CV21 2TA (R22/0694) - Councillor Gillias moved and Councillor Daly seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to conditions and informatives set out in the report.

During the officer’s presentation, the Committee was informed that due to the extensive planning history of the site, application R13/2073 was missed in the officer’s report. The detail of R13/2073 was covered in the officer’s presentation.

49. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

RESOLVED THAT – no further site visits be approved.

50. TREE PRESERVATION ORDER NO. 426

The Committee considered the report of the Chief Officer for Leisure and Wellbeing (Part 1 – Agenda Item 6) concerning a tree preservation order relating to two mature Oak trees located in a wooded area on land adjacent to 3 Main Street, Stretton under Fosse.

RESOLVED THAT – Tree Preservation Order No. 426 be confirmed without modification to the schedule.

51. DELEGATED DECISIONS – 20 OCTOBER TO 16 NOVEMBER 2022

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