

MINUTES OF PLANNING COMMITTEE

9 NOVEMBER 2022

PRESENT:

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

38. MINUTES

The minutes of the meeting held on 12 October 2022 were approved and signed by the Chairman.

39. APOLOGIES

An apology for absence from the meeting was received from Councillor Eccleson.

40. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Land on the East Side of Kilsby Lane, Hillmorton, Rugby (R15/1366) – Councillor Daly (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 – Coventry Stadium, Rugby Road, Coventry CV8 3GJ (R18/0186) – Councillor Gillias (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of his historical involvement with the sport of speedway and past chairmanship of the Speedway Control Board).

Councillor Gillias spoke as Ward Councillor as part of the public speaking process and, in accordance with the procedure, left the meeting once he made his presentation on the application.

Item 4 of Part 1 – Coventry Stadium, Rugby Road, Coventry CV8 3GJ (R18/0186) – 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 – 301 Clifton Road, Rugby CV21 3QZ (R22/0171) – 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 – Dunchurch Park Hotel and Conference Centre, Rugby Road, Dunchurch, Rugby CV22 6QW (R22/0193) – Councillor Mrs Roberts (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 – Dunchurch Park Hotel and Conference Centre, Rugby Road, Dunchurch, Rugby CV22 6QW (R22/0193) – Councillor Mrs Maoudis (pecuniary

interest as defined by the Council's Code of Conduct for Councillors by virtue of being an employee of Dunchurch Parish Council).

Item 4 of Part 1 – 7-8 Church Street, Rugby CV21 3PH (R22/0479) – Councillor Sandison (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

41. 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

R18/0186 – two further representations from Sky Blues In The Community and Nationwide Doors Ltd and three further letters from local residents were received after the preparations of the agenda stating the following:

Sky Blues In The Community:

- Does not confirm support for the proposals prior to permission being granted.
- Neutral view on the application however generally supports objectives to increase the number of accessible pitches.

Managing Director of Nationwide Doors Ltd reaffirmed his offer to help rebuild the stadium.

Local Residents:

- The legal case not being heard until after the determination of this application
- Committee report being prejudiced and biased
- Local people not being heard
- State of disrepair of the stadium has been caused by the developer's neglect
- All evidence not being considered
- Housing need is already met

R22/0193 – one further representation from member of the public was received after the preparation of the agenda stating the following:

- They do not believe Policy D1 of the Local Plan has been complied with, as coaches still cannot turn around after passing the security barrier and some therefore turn around near their home.
- They consider that traffic has increased rather than decreased and includes larger vehicles that they experienced prior to the pandemic.
- They feel that local businesses have seen a reduction in trade which they believe is because the hotel are attracting less tourists and business guests.

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

(i) R15/1366 Land on the East Side of Kilsby Lane, Hillmorton, Rugby

Mr Guy Longley, Pegasus Group (agent) (supporter)

(ii) R18/0186 Coventry Stadium, Rugby Road, Coventry CV8 3GJ

Mr David Carter, Save Coventry Speedway and Stox Campaign Group (objector) supported by Mr Jeff Davies, Save Coventry Speedway and Stox Campaign Group (objector)

Mr Gareth Hooper, DPP Planning (agent) (supporter)

Councillor Anthony Gillias (Ward Councillor)

(iii) R22/0171 301 Clifton Road, Rugby CV21 3QZ

A statement on behalf of Ms Christine Marriot (objector) was read out by the Chief Officer for Growth and Investment

(iv) R22/0193 Dunchurch Park Hotel and Conference Centre, Rugby Road, Dunchurch, Rugby CV22 6QW

Mr Rhys Bradshaw, DLP Planning (agent) (supporter)

In accordance with the Council's public speaking procedure, Councillor Gillias 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:

- Outline planning permission for the erection of up to 130 dwelling houses, including vehicular access from Kilsby Lane, open space, landscaping, surface attenuation pond, pedestrian and cycle links to Crick Road together with associated works (all matters reserved with the exception of access (in part) from Kilsby Lane) on land on the east side of Kilsby Lane, Hillmorton, Rugby (R15/1366) - Councillor Sandison moved and Councillor Daly seconded that the Chief Officer for Growth and Investment be authorised to refuse planning permission for the reasons stated in the report.
- Demolition of existing buildings and outline planning application (with matters of access, layout, scale, and appearance included) for residential development (Use Class C3) including means of access into the site from the Rugby Road, provision of open space and associated infrastructure and provision of sports

pitch, erection of pavilion and formation of associated car park at Coventry Stadium, Rugby Road, Coventry CV8 3GJ (R18/0186) - Councillor Daly moved and Councillor Lawrence seconded that the Chief Officer for Growth and Investment be authorised to refuse planning permission for the following reason:

REASON FOR REFUSAL:

The development would result in the loss of a sporting facility that has both local and national significance and although an alternative sporting provision is proposed there is not a clearly identified need for the alternative sporting provision and therefore it is considered that the proposed benefits of the new facility do not clearly outweigh the loss of the stadium. The proposal would therefore be contrary to Policy HS4(C) of the Local Plan (2019), Policy LF1 of the Brandon and Bretford Neighbourhood Development Plan (2019) and Paragraph 99(c) of the National Planning Policy Framework (2021).

- (c) Change of use of shop to a hot food takeaway, single storey rear and side extension and re-location of existing side door at 301 Clifton Road, Rugby CV21 3QZ (R22/0171) - this application had been deferred pending further consultation with the Highway Authority and the applicant about appropriate mitigation measures regarding the highway and parking associated with the change of use together with a request to the applicant to undertake a road safety audit.
- (d) Retrospective temporary planning application for ancillary accommodation comprising of 40 cabins for a period of 18 months at Dunchurch Park Hotel and Conference Centre, Rugby Road, Dunchurch, Rugby CV22 6QW (R22/0193) - Councillor Mrs Roberts moved and Councillor Sandison seconded that the Chief Officer for Growth and Investment be authorised to refuse planning permission for the reasons stated in the report.
- (e) Change of use of 1st and 2nd floor to 10 flats including extension on first floor roof at 7-8 Church Street, Rugby CV21 3PH (R22/0479) - Councillor Sandison moved and Councillor Willis 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:

Condition 2 being amended to read, "Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Application Form received on 17/05/2022

Drawing number AG14400-8840 SP and LOC received on 17/05/2022

Drawing number Ag14400-981 Existing Ground Floor Plan received on 17/05/2022

Drawing number Ag14400-861 Existing First Floor Plan received on 17/05/2022

Drawing number Ag14400-862 Existing Second Floor Plan received on 17/05/2022

Drawing number Ag14400-870A Existing Elevations Sheet 2 of 3 received on 23/06/2022

Drawing number Ag14400-871A Existing Elevations Sheet 1 of 3 received on 23/06/2022
Drawing number Ag14400-874A Existing Elevations Sheet 3 of 3 received on 23/06/2022
Drawing number Ag14400-891C Proposed Elevations Sheet 1 of 4 received on 31/10/2022
Drawing number Ag14400-950B Proposed Elevations Sheet 2 of 4 received on 31/10/2022
Drawing number Ag14400-956B Proposed Elevations Sheet 3 of 4 received on 31/10/2022
Drawing number Ag14400-958A Proposed Elevations Sheet 4 of 4 received on 31/10/2022
Drawing number Ag14400-8000A Proposed Ground Floor Plan received on 23/06/2022
Drawing number Ag14400-8001 Rev B Proposed First Floor Plan received on 20/10/2022
Drawing number Ag14400-8002 Rev B Proposed Second Floor Plan received on 11/07/2022
Bat and Breeding Survey by Colin Hicks of Western Ecology September 2022 received on 14/10/2022

REASON: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.”

Additional informatives being inserted to read,

“INFORMATIVE 10

Bats can be found in many buildings, even those that initially appear to be unsuitable or have been subject to a bat survey and found no evidence. Therefore, if any evidence of bats is found on site, work should stop while a bat survey is carried out by an experienced bat worker, and any recommendations made following the survey are undertaken. It should also be noted that as bats are a mobile species and can move into a property with potential access at any time. A further survey may be required if the works are not undertaken within two years. Bats and roosts are protected under the 1981 Wildlife and Countryside Act, the Countryside and Rights of Way Act 2000, and The Conservation of Habitat and Species Regulations 2017 (as amended).”

“INFORMATIVE 11

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.”

“INFORMATIVE 12

Consideration should be given to the provision of suitable bat and bird boxes within the new build or adjacent trees in order to increase opportunities for wildlife. Many bat and bird populations have declined dramatically in recent

years due to loss of roost, nest and foraging sites as a result of development. However, a variety of bat and bird species use boxes and they can be particularly useful in the built environment, where natural nesting places can be scarce. Please ensure that the boxes are appropriately sited and not lit at night in the case of bat boxes. Further advice and information can be obtained from the Bat Conservation Trust (BCT), and the Royal Society for the Protection of Birds (RSPB). WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of boxes to use.”

42. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

RESOLVED THAT – no further site visits be approved.

43. PLANNING APPEALS UPDATE

The Committee considered the report of the Chief Officer for Growth and Investment (Part 1 – Agenda Item 6) concerning progress on planning appeals for the period 1 July 2022 to 30 September 2022.

With regard to Appendix B to the report, the Development and Enforcement Manager provided the Committee with the following update:

- (a) Land Rear of Cross In Hand Farm, Lutterworth Road, Monks Kirby – the statement circulated in advance of the meeting, and published on the council website [here](#), was endorsed by Planning Committee.

RESOLVED THAT – the report be noted.

44. DELEGATED DECISIONS – 22 SEPTEMBER TO 19 OCTOBER 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