

# MINUTES OF PLANNING COMMITTEE

19 JUNE 2019

## PRESENT:

Councillor Picker (Vice-Chairman in the Chair), Bearne, Mrs Brown, Brown, Cranham (substituting for Councillor Miss Lawrence), Butlin, Ellis, Gillias, Pacey-Day (substituting for Eccleson), Roodhouse, Sandison and Mrs Timms (substituting for Councillor Mrs Garcia).

**Observer:** Councillor Mrs New.

## 10. MINUTES

The minutes of the meeting held on 22 May 2019 were approved and signed by the Chairman.

## 11. APOLOGIES

Apologies for absence from the meeting were received from Councillors Eccleson, Mrs Garcia and Miss Lawrence.

## 12. APPLICATIONS FOR CONSIDERATION

The Committee considered the report of the Head of 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

Additional objection letter received from Cemex raising similar issues to previous objections and the potential for conflict between vehicles and pedestrians crossing the access.

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

(i) R17/0971 Former Gala Bingo Site, Evreux Way, Rugby

Ms Helen Hudson (objector)

In accordance with Council procedure, Councillor Mrs New left the meeting once all presentations had been made and was not present for the debate.

**RESOLVED THAT** - the Head of Growth and Investment be authorised to issue a decision notice as indicated in relation to the application below.

(a) erection of two storey drive through restaurant and associated works at former Gala Bingo site, Evreux Way, Rugby (R17/0971) – Councillor Sandison moved and Councillor Roodhouse seconded that the Head of Growth and Investment be authorised to refuse planning permission for the following reasons.

It was considered that the proposed development would be detrimental to the economic sustainability, detract from the vitality, and fail to support a prosperous town centre and, as such, conflict with Policy TC1. It was also considered that the proposal conflicted with Policy HS5 due to the detrimental impact on the air quality within the town centre as it would fail to achieve or exceed air quality neutral standards.

Further to debate, Councillor Cranham moved and Councillor Butlin seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report together with the following conditions being amended to read:

**CONDITION: 9**

Unless non-material variations are agreed in writing with the Local Planning Authority the premises shall not be opened for business other than between the hours of 06.00 to 23.00.

**CONDITION: 12**

No part of the development hereby permitted shall be first brought into use as a drive through restaurant unless and until a delivery and servicing strategy, which identifies the location and timings of deliveries, which shall not occur between the hours of 07.00 and 21.00, within the perimeter of the development site has been submitted and approved in writing by the Local Planning Authority. The deliveries to the site and servicing of the site shall not be carried out other than in accordance with the approved details.

Conditions 13, 14, 15 and 17 be amended to refer to “first brought into use as a drive through restaurant” instead of “occupied”.

Further to discussion, 3 members requested a recorded vote under Standing Order 3A Paragraph 15.4 on the proposed amendment for refusal of the application.

**For the motion** – Councillors Mrs Brown, Brown, Ellis, Roodhouse and Sandison – **5 votes**

**Against the motion** – Councillors Bearne, Butlin, Cranham, Gillias, Pacey-Day, Picker and Mrs Timms – **7 votes**

The Chairman declared the amendment lost.

3 members then requested a recorded vote under Standing Order 3A Paragraph 15.4 on the substantive motion.

**For the motion** – Councillors Bearne, Butlin, Cranham, Gillias, Pacey-Day, Picker and Mrs Timms – **7 votes**

**Against the motion** – Councillors Mrs Brown, Brown, Ellis, Roodhouse and Sandison – **5 votes**

The Chairman declared the motion carried.

**RESOLVED THAT** – the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report together with the following conditions being amended to read:

CONDITION: 9

Unless non-material variations are agreed in writing with the Local Planning Authority the premises shall not be opened for business other than between the hours of 06.00 to 23.00.

CONDITION: 12

No part of the development hereby permitted shall be first brought into use as a drive through restaurant unless and until a delivery and servicing strategy, which identifies the location and timings of deliveries, which shall not occur between the hours of 07.00 and 21.00, within the perimeter of the development site has been submitted and approved in writing by the Local Planning Authority. The deliveries to the site and servicing of the site shall not be carried out other than in accordance with the approved details.

Conditions 13, 14, 15 & 17 be amended to refer to “first brought into use as a drive through restaurant” instead of “occupied”.

**13. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS**

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

**14. DELEGATED DECISIONS – 18 APRIL 2019 TO 14 MAY 2019**

The Committee considered the report of the Head of Growth and Investment (Part 1 - agenda item 6) concerning decisions taken by her during the above period.

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

**CHAIRMAN**