

MINUTES OF PLANNING COMMITTEE

5 DECEMBER 2018

PRESENT:

Councillors Mrs Simpson-Vince (Chairman), Mrs A'Barrow, Mrs Avis, Bearne, Brown, Butlin, Garcia, Gillias, Roodhouse (substituting for Councillor Lewis), Sandison, Srivastava and Ms Watson-Merret (substituting for Councillor Miss Lawrence).

48. MINUTES

The minutes of the meeting held on 7 November 2018 were approved and signed by the Chairman.

49. APOLOGIES

Apologies for absence from the meeting were received from Councillors Miss Lawrence and Lewis.

50. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Oakfield Recreation Ground, Bilton Road, Rugby (R18/0214) – Councillor Mrs Avis (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 – Land west of Bryants, Brandon Lane, Brandon (R18/1555) - Councillor Bearne (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 – 66 Hillmorton Road, Rugby (R18/1851) - Councillor Sandison (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

51. 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

None

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

(i) R18/0214 Oakfield Recreation Ground, Bilton Road, Rugby

Councillor Brader (Ward Councillor)(object)

Following the case officer's presentation and the public speaking presentation, Councillors Brader, Mistry and Mrs O'Rourke left the meeting.

RESOLVED THAT - the Head of Growth and Investment be authorised to issue decision notices as indicated in relation to the applications below.

(a) erection of an extra care retirement village for the elderly (62 apartments and 14 bungalows) including provision of communal facilities, landscaping, car parking and public open space at Oakfield Recreation Ground, Bilton Road, Rugby (R18/0214) – Councillor Brown moved and Councillor Butlin seconded that the Head of Growth and Investment be authorised to refuse planning permission for the reasons stated in the report subject to:

(i) reason 1 being amended to include reference to policies HS1 and HS2 of the Emerging Modification Local Plan 2018; and

(ii) the wording of the final paragraph on page 19 being amended to read as follows: "Whilst visually the site therefore has the appearance of being amenity green space this is actually not the case because its principal use is as a school playing field. This is an important distinction because school playing fields are not designated as amenity green space in the OSR. As outlined earlier, the Council and Local Plan Inspector were aware of this issue when considering open space provision and designation in the emerging Local Plan. It is therefore noteworthy that Merrtens was not included as forming part of current amenity green space provision within the recent major and minor modifications the Inspector agreed prior to consultation."

(b) change of use of land to form a residential caravan site for 10 gypsy families together with the erection of amenity buildings at land west of Bryants, Brandon Lane, Brandon (R18/1555) - Councillor Srivastava moved and Councillor Ms Watson-Merret seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives in the report together:

(i) an informative being included to read, "The applicant should note that the proposed caravans do not benefit from General Permitted Development rights within Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England)(Amendment)(No.2) Order 2017.

(ii) an additional condition being inserted to read, "The site shall not be occupied by any persons other than members of the nuclear family of Mr F Rooney."

REASON

The proposal is only considered acceptable within the Green Belt based on the needs of the intended occupants.

- (c) erection of 26 dwellings with detached garages and parking bays (amendment to design, number of units and layout approved by R16/0984 and R11/1521 resulting in 7 additional dwellings) at land south of Coventry Road and north east of Cawston Lane, Rugby (R18/1522) – the Chairman informed the Committee that this application had been deferred until a future meeting.
- (d) construction and operation of a Go Ape high ropes course with an associated reception cabin at Coombe Abbey Country Park, Brinklow Road, Coventry (R18/1212) - Councillor Gillias moved and Councillor Butlin seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives in the report together with conditions 5 and 6 of the report being amended to read:

CONDITION 5

The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. Such approved measures shall thereafter be implemented in full.

REASON:

To ensure a net biodiversity gain in accordance with NPPF.

CONDITION 6

All tree protection measures identified within the arboricultural report (Ref:CJ 2018 117 dated 30 November 2018) relating to the approved design details must be implemented prior to the construction phase and to the satisfaction and written approval of the LPA. 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. Pre-commencement site meeting to be arranged with the applicant, LPA tree officer and designated arboricultural consultant responsible for the site to inspect tree protection measures.

REASON:

To ensure retained trees are successfully incorporated into the design and are suitably protected from damage during the construction phase.

- (e) demolition of the existing building and construction of 10 no.1 bed apartments at Finchley Court, 41 King Edward Road, Rugby (R18/1153) - Councillor Brown moved and Councillor Butlin seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives in the report.
- (f) provision of a dropped kerb at 66 Hillmorton Road, Rugby (R18/1851) - Councillor Butlin moved and Councillor Mrs Simpson-Vince seconded that the Head of Growth and Investment be given delegated powers to grant planning permission subject to the conditions and informatives in the report and any further conditions required by Warwickshire County Council Highways.

52. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

The Committee considered advance notice of site visits submitted at the meeting.

RESOLVED THAT – site visits not be held at the following locations.

- (a) Lilbourne Road, Clifton-upon-Dunsmore (R18/2022)
- (b) Rugby Town Junior Football Club, Kilsby Lane, Rugby (R18/1992)

53. DELEGATED DECISIONS – 11 OCTOBER – 7 NOVEMBER 2018

The Committee considered the report of the Head of Growth and Investment (Part 1 - agenda item 7) concerning decisions taken by her during the above period.

RESOLVED THAT – the report be noted.

CHAIRMAN