

MINUTES OF PLANNING COMMITTEE

30 NOVEMBER 2016

PRESENT:

Councillors Mrs Simpson-Vince (Chairman), Mrs Avis, Mrs A'Barrow, Cranham, Gillias, Lewis, Sandison, Srivastava and Helen Taylor.

54. MINUTES

The minutes of the meeting held on 9th November 2016 were approved and signed by the Chairman.

55. APOLOGIES

Apologies for absence from the meeting were received from Councillors Butlin and Ellis.

56. 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

R16/1387 - Environment Agency resulting in no objections subject to conditions and that a Petition holding 712 signatures and 116 letters were received objecting to the application.

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

(i) The Old Hall, 24 Lilbourne Road, Clifton-upon-Dunsmore (R14/2166 and R16/0566)

Mr A Hudson (agent)(support)
Councillor Leigh Hunt (Ward Councillor)(object)

(ii) Former Tribune Estate, Leicester Road, Rugby (R16/1387)

Mr Barry Cansfield, Pegasus Group (object)
Mr Tom Cochrane, Hammersons (support)
Councillor Ms Edwards (Ward Councillor)(support)

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

- (a) conversion and extension of existing dwelling to form 4 dwellings and erection of 2 new dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form residential unit at The Old Hall, 24 Lilbourne Road, Clifton-upon-Dunsmore (R14/2166) – Councillor Helen Taylor moved and Councillor Cranham seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the applicant entering into a Section 106 or Section 111 Agreement and subject to the conditions in the report.
- (b) listed building consent for internal and external alterations to facilitate the works proposed as part of planning application ref R14/2166 which seeks the conversion and extension of existing dwelling to form 4 dwellings and erection of 2 new dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form a residential unit at The Old Hall, 24 Lilbourne Road, Clifton-upon-Dunsmore (R16/0566) - Councillor Helen Taylor moved and Councillor Cranham seconded that the Head of Growth and Investment be authorised to grant listed building consent subject to the conditions in the report.
- (c) proposed extension to existing agricultural building at Fields Farm, Lower Green, Woolscott (R16/1234) - Councillor Cranham moved and Councillor Helen Taylor seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report together with condition 3 being amended to read “No development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing outer wall and roof materials have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.”
- (d) variation of condition 2 of R12/1188 (erection of 112 dwellings, associated infrastructure and landscaping, demolition of existing buildings) to make amendments to approved housetypes and garages and repositioning plots 16-24 at land south of Back Lane, Long Lawford (R16/1933) - Councillor Helen Taylor moved and Councillor Cranham seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions in the report and amendments to conditions 5, 6 and 22 to reflect submitted updated information.
- (e) continuation of use of enlarged temporary marquee at Coombe Abbey Hotel, Brinklow Road, Binley, Warwickshire, CV3 2AB (R16/0968) – Councillor Helen Taylor moved and Councillor Srivastava seconded that, subject to the referral of the application to the National Planning Casework Unit, the Head of Growth and Investment be given delegated powers to grant planning permission subject to the conditions in the report.
- (f) demolition and comprehensive redevelopment comprising 9 new (Class A1) retail units and a restaurant/café (Class A3), vehicular access and servicing facilities, junction improvements, car parking and cycle parking, hard and soft landscaping and associated works at former Tribune Estate, Leicester Road, Rugby (R16/1387) - Councillor Helen Taylor moved and Councillor Cranham seconded that, subject to the referral of the application to the National Planning Casework Unit, as the development results in out of town development of more than 5,000 sqm of floorspace, the Head of Growth and Investment be given delegated powers to grant planning permission subject to the applicant entering into a Section 106 Agreement and subject to the conditions in the report together with the following additions and amendments:

(i) condition 2 being amended to read, "Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Flood Extents - Existing - EFP2-WIE-00-ZZ-DR-D-072-P02
Flood Extents - Revised Model - EFP2-WIE-00-ZZ-DR-D-072-P02
FRA Supplementary Note - EFP2-WIE-00-ZZ-RP-D-0006-P01

Received by the Local Planning Authority on the 28th November 2016

Phase 2 Soft Landscape Plan - EFP2-HED-00-00-DR-L-0001_P4

Received by the Local Planning Authority on the 22nd November 2016

Notable Plant Species Plan - WIE10766-108_GR_EC_5
Biodiversity Impact Assessment

Received by the Local Planning Authority on the 17th November 2016

Proposed Site Layout - EFP2-PWA-00-00-DR-A-0005 G9
Site Layout - EFP2-PWA-00-00-DR-A-0006 G6
RT East & West Elevation - EFP2-PWA-R0-ZZ-DR-A-0023 G4
RT Sections Zone 1 - EFP2-PWA-R1-ZZ-DR-A-0030 G4
EFP2-WIE-00-ZZ-RP-D-0003-B03 - Flood Risk Assessment

Received by the Local Planning Authority on the 11th November 2016

EFP2-WIE-00-ZZ-RP-J-0002-B03 - Air Quality Assessment

Received by the Local Planning Authority on the 10th November 2016

EFP2-WIE-00-ZZ-RP-J-0003-B01_PSR - Protected Species Report;

Received by the Local Planning Authority on the 28th September 2016

RT North Elevation - EFP2-PWA-R0-ZZ-DR-A-0021 G4
RT Ground Floor Plan Zone 1 - EFP2-PWA-R1-00-DR-A-0010 G4

Received by the Local Planning Authority on the 26th September 2016

Location Plan - EFP2-PWA-00-00-DR-A-0001
Existing Site Plan - EFP2-PWA-00-00-DR-A-0002
RT Ground Floor Plan Zone 2 - EFP2-PWA-R2-00-DR-A-0011
RT Roof Plan Zone 1 - EFP2-PWA-R1-02-DR-A-0014
RT Roof Plan Zone 2 - EFP2-PWA-R2-02-DR-A-0015
RT South Elevation - EFP2-PWA-R0-ZZ-DR-A-0020
RT Sections Zone 2 - EFP2-PWA-R2-ZZ-DR-A-0031
RT Section R7 - EFP2-PWA-R0-ZZ-DR-A-0032
Unit A Ground Floor Plan - EFP2-PWA-A0-00-DR-A-0040
Unit A Roof Plan - EFP2-PWA-A0-02-DR-A-0041
Unit A Elevations 1 - EFP2-PWA-A0-ZZ-DR-A-0045
Unit A Elevations 2 - EFP2-PWA-A0-ZZ-DR-A-0046
Unit A Sections - EFP2-PWA-A0-ZZ-DR-A-0047
Site Elevations - EFP2-PWA-00-ZZ-DR-A-0060
Phase 2 Site Boundary Conditions Plan - EFP2-HED-00-00-DR-L-0003
Phase 2 Tree Removal Plan - EFP2-HED-00-00-DR-L-0005
Phase 2 Site Boundary Sections - EFP2-HED-00-00-DR-L-0004
EFP2-PWA-00-ZZ-RP-A-0100-G2 - Design and Access Statement;
Q60555 - Retail Assessment;
EFP2-WIE-00-ZZ-RP-D-0004-B02 - Transport Assessment;

EFP2-SDP-00-ZZ-RP-M001 - Energy Statement;
EFP2-WIE-00-ZZ-RP-U-0001-B01 - Preliminary Environmental Risk
Assessment;
EFP2-WIE-00-ZZ-RP-J-0001-B02_PEA - Preliminary Ecological Appraisal

Received by the Local Planning Authority on the 15th September 2016

(iii) 3 additional conditions being inserted to read:

“CONDITION:

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), dated 10 November 2016, Ref EFP2-WIE-00-ZZ-RP-D-003-B03 and FRA addendum Ref EFP2-WIE-00-ZZ-RP-D-0006-P01 and the following mitigation measures detailed within the FRA and as shown on drawing Nos, EFP2-WIE-00-ZZ-DR-D-0072 and 0074 (both P02) and EFP2-WIE-00-ZZ-DR-D-0075 to 0080 (all P01):

1. Provision of a minimum of 9533m³ of fluvial flood plain compensation storage - Section 3.16 to 3.20 and Table 4.
2. Finished floor levels are set no lower than 86.45m above Ordnance Datum (AOD) - Section 3.8

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority”;

“CONDITION:

The development hereby permitted shall not be commenced until such time as a scheme to ensure adequate compensation for the loss of flood plain to the development up to a 1 in 100 year critical flood event, as defined by the flood levels included in the Flood Risk Assessment (dated 10 November 2016, Ref EFP2-WIE-00-ZZ-RP-D-003-B03), has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Environment Agency. The scheme shall demonstrate through the submission of plans, drawings and calculations that the area of floodplain to be created exceeds the loss of floodplain upon completion of the development.

The scheme to be submitted shall also show the location of the excavation works and provide detailed designs of the compensation area through the submission of plans and cross-sectional drawings.

The scheme shall be fully implemented at the ground works phase of the development and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Environment Agency”

“CONDITION:

Upon completion of the scheme of floodplain compensation an ‘as built’ topographical survey of the area of floodplain compensation will be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency”; and

(iii) an additional informative being inserted to read, "The Council would advise the applicant to make contact with the County Council Ecologists and/or Warwickshire Wildlife Trust to allow access onto the site before work commences to allow flora and fauna studies and sampling of existing vegetation.

57. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

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

RESOLVED THAT – no further site visits be approved.

58. DELEGATED DECISIONS – 13TH OCTOBER TO 2ND NOVEMBER 2016

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

RESOLVED THAT - the report be noted.

59. MOTION TO EXCLUDE THE PUBLIC UNDER SECTION 100(A)(4) OF THE LOCAL GOVERNMENT ACT 1972

RESOLVED THAT - under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it involved the likely disclosure of information defined in paragraphs 1, 2 and 6 of Schedule 12A of the Act.

60. ENFORCEMENT OPTIONS

The Committee considered the private report of the Head of Growth and Investment (Part 2 – agenda item 1) concerning options to progress an ongoing enforcement case.

RESOLVED THAT –

- (1) Option 2 be followed, as detailed in the report, with a deadline of 31 January 2017;
- (2) if Option 2 is unsuccessful, Option 3 be pursued, as detailed in the report; and
- (3) regular progress reports be brought to Committee.

CHAIRMAN