

MINUTES OF PLANNING COMMITTEE

6 NOVEMBER 2019

PRESENT:

Councillors Miss Lawrence (Chairman), Bearne, Mrs Brown, Brown, Butlin, Cranham (substituting for Councillor Picker), Eccleson, Mrs Garcia, Gillias, Roodhouse and Sandison.

37. MINUTES

The minutes of the meeting held on 9 October 2019 were approved and signed by the Chairman.

38. APOLOGIES

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

39. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Oakdale Nurseries, Rugby Road, Coventry, CV8 3GJ – Councillor Bearne (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

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

(i) R19/1203 Bush Hill Farm, Bush Hill Lane, Wolfhampcote

Mr R Palmer (support)

(ii) R18/0167 Oakdale Nurseries, Rugby Road, Coventry, CV8 3GJ

Councillor Mrs Timms (Brandon and Brefford Parish Councillor)(object)
Ms S Turnbull (agent)(support)
Councillor Poole (Ward Councillor)(object)

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 three modern industrial units within Class B1 and B2 (outline – access only) at The Trossachs, Parrotts Grove, Coventry, CV2 1NR (R18/1676) – the Chairman informed the Committee that the application had been withdrawn.
- (b) alterations to existing access and redevelopment of existing caravan site for six residential dwellings (following withdrawal of application reference R19/0800) at Bush Hill Farm, Bush Hill Lane, Wolfhampcote, Rugby, CV23 8AX (R19/1203) – Councillor Butlin moved and Councillor Brown seconded that the Head of Growth and Investment be authorised to refuse planning permission for the reason stated in the report.
- (c) land opposite Draycote Water, Southam Road, Rugby (R18/0829) – Councillor Cranham moved and Councillor Brown 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 the following amendments to conditions and additional condition:

Additional Condition:

CONDITION 4:

Unless non-material variations are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Supporting Information - Proposed Site Plan "For Illustrative Purposes Only" - 1835-02A

Received by the Local Planning Authority on the 20th December 2018

The Site Location Plan - 1835-01 B

Received on the 3rd October 2019

REASON:

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

Amended Conditions:

CONDITION 3:

Details of the following reserved matters shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

- a - Layout,
- b - Scale,
- c - Appearance,
- d - Access &
- e – Landscaping

REASON:

To ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION 5:

No above ground 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 materials and roof tiles/material 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.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

CONDITION 6:

Full details of the siting, design and materials of the proposed communal bin and communal cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The communal bin and communal cycle stores shall be provided, in accordance with the approved details before the first occupation of the holiday lodges.

REASON:

In the interest of visual and residential amenity.

CONDITION 12:

The landscape details submitted in accordance with Condition 3 shall include a specification of all proposed tree planting. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees 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. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified.

REASON:

To maintain and enhance continuity of tree cover within the site.

CONDITION 17:

The lodges hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended).

REASON:

In the interests of sustainability and water efficiency.

Condition 15 is changed to informative 6

CONDITION 15 changed to INFORMATIVE 6:

The development hereby permitted shall either:

a.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.

b.) Not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation to be cleared on site for evidence of

nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by the ecologist.

Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act.

Part of Condition 18 will become informative 7

CONDITION 18:

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON:

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

INFORMATIVE 7:

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered.

- (d) proposed replacement rear extension at 58 Hillary Road, Rugby, CV23 6ET (R19/1210) - Councillor Cranham 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.
- (e) retrospective application for conversion of the integral garage at 8 Turnstone Close, Rugby, CV23 0WF (R19/1118) - 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.
- (f) erection of a dwelling house (retrospective change of house type) at rear of 139-143 Clifton Road, Rugby, CV21 3QN (R19/0510) - Councillor Sandison 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 an additional condition being inserted to read, "Prior to first occupation of the dwelling hereby approved, details of all proposed walls, fences and gates, including elevations, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved boundary treatments have been completed in accordance with the approved details.

REASON:

In the interest of visual and residential amenity.

- (g) removal of condition 3 of application R18/0067 (change of use of existing dwelling to a HMO) to enable occupiers to apply for parking permits (for a maximum of 3 parking permits and 1 visitor space) at 7 Grosvenor Road, Rugby, CV21 3LF (R19/1147) - Councillor Sandison moved and Councillor Cranham seconded that the Head of Growth and Investment be authorised to grant the removal of condition 3 of application R18/0067 subject to the conditions in the report, with conditions 3 and 4 being amended to read:

CONDITION:3

Within 28 days of this decision a scheme of mitigating works for sound insulation of the ceiling/floors and all party walls shall be submitted to and approved by the Local Planning Authority and the approved scheme shall be implemented and maintained thereafter.

REASON:

In the interest of residential amenities.

CONDITION:4

Within 28 days of the date of this decision full details of the siting, design and materials of the proposed bin and cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall be provided, in accordance with the approved details within 3 months of the approved details.

REASON:

In the interest of visual and residential amenity.

- (h) outline planning permission for the redevelopment of the former garden centre/nursery site to provide a 'care village' residential retirement development of 124 independent living units and a 36 bed care centre (Use Class C2), all matters except access reserved (amended scheme) at Oakdale Nurseries, Rugby Road, Coventry, CV8 3GJ (R18/0167) - Councillor Gillias moved and Councillor Mrs Garcia seconded that the Head of Growth and Investment be authorised to refuse planning permission for the following reason.

REASON FOR REFUSAL:

The site lies outside the village boundary and is located in the designated Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to the NPPF not to grant planning permission except in very special circumstances, for new buildings other than for the purposes of agriculture and forestry, outdoor sports and recreation facilities, cemeteries and other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it, for the limited extension, alteration or replacement of existing buildings and for limited infill in specified villages.

Therefore the proposed Care Village constitutes inappropriate development within the Green Belt and would have a detrimental impact on the openness of the area by virtue of the extent of potential built form that would be provided. It is considered that the very special circumstances submitted did not outweigh the harm to the Green Belt and that there is no identified need for such development detailed in the Brandon and Bretford Neighbourhood Plan.

In the opinion of the Local Planning Authority, there are no special circumstances, which would justify the granting of planning permission for the Care Village in the face of a strong presumption against inappropriate development derived from the prevailing policies. The proposed development is therefore contrary to policies GP2, GP3 & GP5 of the Rugby Local Plan 2011-2031, June 2019, policies H2 and H4 of the Brandon and Bretford Neighbourhood Plan June 2019 and the NPPF.

The Committee considered that the proposal constituted inappropriate development within the Green Belt and would have a detrimental impact on the openness of the area. It was considered that the special circumstances submitted did not outweigh the harm to the Green Belt. The Committee also considered that there was no identified need detailed in the Brandon and Bretford Neighbourhood Plan.

41. PLANNING APPEALS UPDATE

The Committee considered the report of the Head of Growth and Investment (Part 1 – agenda item 5) concerning progress on planning appeals for July – September 2019, not April – June 2019 as stated in the Agenda.

The Development and Enforcement Manager informed the Committee that, further to the publication of the agenda, the appeal relating to 8 Swedish Cottages, Birdingbury Road, Hill had been dismissed.

RESOLVED THAT – the report be noted.

42. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

RESOLVED THAT – Members of the Committee use their own transport to attend the site visit at Clifton Cottages, Watling Street, Clifton-upon-Dunsmore (R19/1113).

43. DELEGATED DECISIONS – 12 SEPTEMBER TO 22 OCTOBER 2019

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