

MINUTES OF PLANNING COMMITTEE

9 DECEMBER 2020

PRESENT:

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

44. MINUTES

The minutes of the meeting held on 11 November 2020 were approved.

45. APOLOGIES

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

46. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Stave Hall Farm, Fosse Way, Monks Kirby, CV23 0RL (R19/0143) – Councillors Mrs Garcia and Gillias (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillors).

Item 4 of Part 1 – Brownsover Surgery, 41 Bow Fell, Brownsover, Rugby, CV21 1JF (R19/0434) – Councillors Brown and Srivastava (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillors).

Item 4 of Part 1 – Land to the West of Heath Lane, Brinklow (R20/0335) – Councillor Mrs Garcia (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 – Harborough Fields Farm, Churchover Lane, Harborough Magna, Rugby, CV23 0ER (R20/0438) – Councillor Mrs Garcia (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 – Harborough Fields Farm, Churchover Lane, Harborough Magna, Rugby, CV23 0ER (R20/0438) – Councillor Gillias (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of undertaking work through his business at Harborough Fields Farm House).

Item 4 of Part 1 – 13 The Locks, Rugby, CV21 4PP (R20/0689) – Councillors Miss Lawrence and Picker (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillors).

47. 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

R17/1089 – four additional objections were received from one neighbouring property after the preparation of the agenda detailing similar issues to those listed on the agenda also:

- Consider ecological reports are out of date;
- Development would be quicker and less expensive with an alternative access;
- Concern regarding access to property during construction;
- Consider the development will be contrary to their human rights and cause planning blight.

R17/1089 – Councillor Bearne confirmed he agreed with the comments made by Councillors Bragg and Poole.

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

(i) R17/1089 Land North of Coventry Road, Long Lawford

Mr P Taylor (objector)

Mrs K Clifton, Define Planning and Design (agent) (supporter)

(ii) R20/0438 Harborough Fields Farm, Churchover Lane, Harborough Magna, Rugby, CV23 0ER

Dr Christopher Down (objector)

Mr O Saward, Climate ER (agent) (supporter)

Councillor Mrs Timms (ward councillor)

In accordance with the Council's public speaking procedure, Councillor Mrs Timms left the meeting once all speakers had made their representations to the Committee.

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 a stable block on land to the west of Heath Lane, Brinklow, Rugby, Warwickshire, CV23 0NX (R20/0335) – Councillor Mrs Garcia moved and Councillor Gillias seconded that the Head of Growth and Investment be authorised to refuse planning permission for the reasons stated in the report.
- (b) development of 149 dwellings with associated landscaping, public open space and infrastructure, including an amended junction between the A428 Coventry Road and Back Lane on land north of Coventry Road, Coventry Road, Long Lawford (R17/1089) – Councillor Picker moved and Councillor Gillias seconded that the Head of Growth and Investment be authorised to refuse planning permission for the following reasons:

REASON FOR REFUSAL: 1

The proposed realignment of Back Lane, the proposed junction of Back Lane and Coventry Road and associated highway works would have a detrimental impact on highway safety and be contrary to policy D1 of the Rugby Borough Local Plan 2011-2031, June 2019 and paragraphs 108 and 109 of the National Planning Policy Framework.

REASON FOR REFUSAL: 2

The proposed realignment of Back Lane, the proposed junction of Back Lane and Coventry Road and associated highway works would by virtue of their siting, design and layout have a detrimental impact on the residential amenity of the neighbouring property, Lelleford House, and fail to safeguard the living conditions contrary to policy SDC1 of the Rugby Borough Local Plan 2011-2031, June 2019.

REASON FOR REFUSAL: 3

The proposal to provide 15.4% of dwellings as affordable housing is significantly below the affordable housing target of 30% for green field sites. This fails to meet the identified need for affordable housing within the Borough contrary to policy H2 of the Rugby Borough Local Plan 2011-2031, June 2019 and paragraph 62 of the National Planning Policy Framework.

The Committee considered that the proposed development would be detrimental to highways safety and have a detrimental impact on the residential amenity of Lelleford House and, therefore, conflicted with Policy D1. It also considered that the allocation of affordable homes proposed on the site (15.4%) was significantly below the target allocation of 30% and, therefore, conflicted with Policy H2.

- (c) development of a solar photovoltaic farm comprising solar arrays, substations, communications container, battery storage and spare parts containers, interconnection facility, CCTV, internal tracks, access and associated development at Harborough Fields Farm, Churchover Lane, Harborough Magna, Rugby, CV23 0ER (R20/0438) - Councillor Cranham moved and Councillor Sandison seconded that the Head of Growth and Investment be authorised to grant planning permission subject to referral to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009 due to the application site being within the Green Belt together with Condition 5 being amended to read, "A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local

Planning Authority prior to the commencement of the development and shall cover the areas indicated on the Landscape Management Plan to include both the site area and the land within the Blue Line. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implantation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON:

To ensure a net biodiversity gain in accordance with NPPF.”

- (d) change of use of land and existing kennels to recreational fishing lake with associated accommodation and facilities at Stave Hall Farm, Fosse Way, Monks Kirby, CV23 0RL (R19/0143) - Councillor Miss Lawrence moved and Councillor Sandison seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives set out in the report together with an additional informative being inserted to read,

“INFORMATIVE: 10

It is recommended that an active electric vehicle charging point is installed on site, to encourage the use of electric vehicles in the interest of sustainability.”

- (e) change of use from former healthcare surgery (Class E) to church (Class F1) and ground floor side extensions and first floor extensions to building (amended plans) at Brownsover Surgery, 41 Bow Fell, Brownsover, Rugby, CV21 1JF (R19/0434) - Councillor Mrs Garcia moved and Councillor Butlin seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives set out in the report.
- (f) change of use for part of existing car park area associated with car sales and rentals to provide a modular style building for the purpose as a dog grooming

parlour with associated car parking and recreational area (Sui Generis use class) at 1 Somers Road, Rugby, CV22 7DB (R20/0655) - Councillor Miss Lawrence moved and Councillor Picker seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives set out in the report.

(g) retrospective application for 2 (no) outbuildings at 13 The Locks, Rugby, CV21 4PP (R20/0689) - Councillor Picker moved and Councillor Butlin seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives set out in the report.

48. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

RESOLVED THAT – no further site visits be approved.

49. DELEGATED DECISIONS – 22 OCTOBER 2020 – 18 NOVEMBER 2020

The Committee considered the report of the Head of Growth and Investment (Part 1 – Agenda Item 6) concerning decisions taken by her under delegated powers during the above period.

RESOLVED THAT – the report be noted.

CHAIRMAN