

MINUTES OF PLANNING COMMITTEE

19 JULY 2023

PRESENT:

Councillors Gillias (Chair), Edwards, Harrington, Mrs Hassell, Lawrence, Lewis, Mrs Maoudis, Mistry (substituting for Councillor Karadiar), Russell (substituting for Councillor Mrs Garcia), Sandison, Srivastava and Ward

17. MINUTES

The minutes of meeting held on 21 June 2023 were approved and signed by the Chair.

18. APOLOGIES

Apologies for absence from the meeting were received from Councillors Mrs Garcia and Karadiar.

19. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Binley Woods Service Centre and 64 Rugby Road, Binley Woods, Coventry CV3 2AX (R22/0207) – Councillor Gillias (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 adjacent to Crown Inn, 2 Main Street, Rugby CV211HW (R23/0078) – Councillor Srivastava (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 – Biart Place, Rugby (R23/0282) – Councillors Edwards and Sandison (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being Ward Councillors).

Item 4 of Part 1 – Biart Place, Rugby (R23/0282) – Councillors Harrington, Mrs Hassell, Lawrence, Lewis, Mrs Maoudis and Ward (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being Borough Councillors).

20. APPLICATIONS FOR CONSIDERATION

The Committee considered the report of the Chief Officer for 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

R23/0282 – two further representations were received after the preparation of the agenda stating the following:

Councillor Roodhouse raised concerns regarding highway safety and a request for a safe walking route and improved crossing (from a Puffin to a Toucan Crossing) towards Whinfield Recreation Ground, Eastlands School and St Andrews to be secured by a Section 106 agreement.

Councillor Sandison raised concerns regarding highway safety, a request for an upgrade of the existing crossing from a Puffin to a Toucan Crossing and a request for an improved cycle route from the Bottom of South Street to connect to Abbey Street and St Andrews Benn Primary School.

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

i) R22/0207 Binley Woods Service Centre and 64 Rugby Road, Binley Woods, Coventry CV3 2AX

Councillor Paul Salisbury, Chair of Binley Woods Parish Council (objector)
Mr George Smith, Marrons Planning (agent) (supporter)
Councillor Heather Timms, Ward Councillor (objector)

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 Chief Officer for Growth and Investment be authorised to issue decision notices as indicated in relation to the applications below:

(a) Demolition of the existing single and two-storey car sales, workshop and car wash premises, demolition of the existing two storey dwelling (No. 64 Rugby Road) for the residential redevelopment of the site consisting of two apartment buildings (28 units) and associated external works at Binley Woods Service Centre and 64 Rugby Road, Binley Woods, Coventry CV3 2AX (R22/0207) - Councillor Lawrence moved and Councillor Gillias seconded that the Chief Officer for Growth and Investment be authorised to refuse planning permission for the following reasons:

REASON FOR REFUSAL

Policy SDC1 states that development will only be supported where the proposals are of a scale, density and design that responds to the character of

the areas in which they are situated. Policy SDC1 further states that factors including the massing and height should also be a key consideration in the determination of planning applications. The development proposed, by virtue of its height, mass and density forming overdevelopment of the site would result in an overall design that is incongruous and out of keeping with the character of the area. The development would therefore have an adverse impact on the visual amenities of the streetscene and would fail to add to the overall quality of the area. The application is therefore considered to be contrary to Policy SDC1 of the Local Plan.

- (b) Erection of 2 no. three-bed semi-detached dwellings (Use C3) on land adjacent to the public house accessed from Main Street, with associated parking and landscaping, including reconfiguration of beer garden and car park on land adjacent to Crown Inn, 2 Main Street, Rugby CV211HW (R23/0078) - Councillor Mistry moved and Councillor Lawrence seconded that the Chief Officer for Growth and Investment be authorised to refuse planning permission for the reasons stated below together with paragraph 10.8 of the officer report being amended to read: "The ability for a goods vehicle to be able to turn and manoeuvre within the site, exiting in forward gear has been shown in a plan at appendix C of the technical note. However, this looks extremely tight and relies on the car park being empty. It is also noted that one of the required spaces for the new dwellings is located to the front the dwelling in the public car park area and outside of the residential curtilage for the new houses, as shown on the land use plan 22.3393.801 revision P1."

REASON FOR REFUSAL 1:

"The construction of 2no. dwellings, due to their positioning within the site, would encroach into the open and verdant character, on a prominent corner within the street scene. The development would have an adverse impact on the visual amenities of the street scene and would fail to add to the overall quality of the area. The development is therefore contrary to Section 12 of the National Planning Policy Framework and Policy SDC1 of the Rugby Local Plan."

REASON FOR REFUSAL 2:

"The proposal runs parallel with the side elevation of West House, and it is considered that the design, scale and location of the dwellings are such that they would result in an overbearing impact and an adverse impact on light to the property which would be detrimental to the residential amenities of West House. The development is therefore contrary to Section 12 of the National Planning Policy Framework and Policy SDC1 of the Rugby Local Plan."

REASON FOR REFUSAL 3:

"The development would reduce the off-street parking provision provided by the car park for the Crown Inn, resulting in reliance upon on-street parking for users of the public house. The level of parking retained for the public house is not in accordance with RBC parking standards and the development would result in inadequate and unsatisfactory parking facilities for the pub which is likely to lead to displacement on to the public highway, on a busy road junction, which would have a detrimental impact on highway safety. As such the application fails to

accord with Policy D2 of the Local Plan and paragraph 111 of the National Planning Policy Framework.”

REASON FOR REFUSAL 4:

“The location of residential development in close proximity to a public house would create a level of noise and disturbance that would be detrimental to the amenities of future occupiers. The mitigation measures supplied by the agent of change do not address the potential for disturbance to the residential private amenity space. The use of mechanical ventilation via windows to mitigate noise disturbance within the dwellinghouse is not considered acceptable as this imposes restrictions upon the way the residential dwelling functions which fails to meet good design standards and fails to safeguard the living conditions of future occupiers. The development is therefore contrary to Section 12 of the National Planning Policy Framework and Policy SDC1 of the Rugby Local Plan.”

- (c) Erection of 100no. dwellings with associated access, roads, car parking and landscaping at Biart Place, Rugby (R23/0282) - Councillor Mrs Maoudis moved and Councillor Ward seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to:
- 1) the conditions and informatives set out in the report and any additional conditions recommended by Warwickshire County Council Highways the conditions and informatives set out in the draft decision notice appended to the report; and any additional conditions recommended by Warwickshire County Council Highways;
 - 2) the completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report and any additional planning obligations recommended by Warwickshire County Council Highways;
 - 3) the Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice; and
 - 4) the Chief Officer for Growth and Investment (in consultation with the Planning Committee Chair) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within the report.

21. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

The Committee was informed that Councillor Willis retracted his request for a site visit at 62-70 School Street, Wolston, Coventry CV8 3HF (R23/0351) together with the call-in for determination of the planning application by the Committee.

On 21 June 2023, the Chief Officer for Growth and Investment refused the planning application under delegated powers.

RESOLVED THAT – the retraction for a site visit at 62-70 School Street, Wolston, Coventry CV8 3HF (R23/0351) be noted.

22. DIVERSION OF FOOTPATH R222 LEAMINGTON HASTINGS

The Committee considered the report of the Chief Officer for Growth and Investment (Part 1 – Agenda Item 6) concerning a public path diversion order for the above location.

RESOLVED THAT – the Borough of Rugby (Part of Bridleway R222 Leamington Hastings) Public Path Diversion Order 2023 be confirmed unopposed.

23. DELEGATED DECISIONS - 1 JUNE TO 28 JUNE 2023

The Committee considered the report of the Chief Officer for Growth and Investment (Part 1 – Agenda Item 7) concerning decisions taken by her under delegated powers during the above period.

RESOLVED THAT – the report be noted.

CHAIR