

The **REGULATORY COMMITTEE** met at
WARWICK on the **19th APRIL, 2005**

Present:-

Councillor Peter Barnes (Chair of Committee)
“ Richard Chattaway (Vice Chair of
Committee)
“ George Atkinson
“ Alan Cockburn
“ Joan Lea
“ Barry Longden
“ Helen McCarthy
“ Dave Shilton
“ Ray Sweet, BEM
“ Sid Tooth
“ John Wells

1. General

(1) Apologies

An apology for non-attendance was submitted from Councillor Haydn Thomas

(2) Members Disclosure of Personal and Prejudicial Interests

Nil.

(3) Minutes of the meeting held on the 8th March 2005 and matters arising

(i) Minutes

Resolved:-

That the minutes of the Regulatory Committee's 8th March 2005 meeting be approved and be signed by the Chair.

(ii) Matters arising

None.

2. Applications for Determination

The Chair said that there was a member of the public present to speak on agenda no. 2(7) and therefore he would vary the order of business on the agenda to deal with that item next.

(7) Bayton Road Industrial Estate, Bedworth – Materials Recycling Facility

The report of the Director of Planning, Transport and Economic Strategy was considered.

The Chair invited Mr Neal to speak.

Mr. Paul Neal, resident of 28 Rosemullian Close, Bedworth: He said that Rosemullian Close adjoined the development site. The operation of the proposed recycling facility was twenty-four hours a day. The boundary of the application site was only 5 metres away and consisted of a sparse hedgerow with some short deciduous trees that afforded no protection. The operation of the recycling facility would be detrimental to the health, safety and well-being of local residents. He therefore asked the Committee to reject the application.

Jasbir Kaur, Development Manager in Planning, Transport and Economic Strategy Department, reported that she had received an e-mail from the applicant requesting the Committee to defer a decision on the application to enable the applicant to modify the proposal. As the point at issue concerned a straightforward policy matter, the recommendation for refusal would not change but it was for the Committee to decide whether they should accede to the applicant's request.

The Committee agreed unanimously to deal with the application at this meeting.

Jasbir Kaur said that the Nuneaton and Bedworth Borough Council had objected on policy grounds and that its Environmental Health Officer had objected because its proximity to residential properties made it an unsuitable location. There had been seven letters of objection. and two petitions against the proposal.

Councillor Barry Longden commented that he saw no difference between this application and one approved by the Committee in respect of Poole Road in his division.

Councillor Richard Chattaway, seconded by Councillor Ray Sweet, moved and it was then Resolved with Councillor Barry Longden abstaining:-

That the Regulatory Committee authorises the refusal of planning permission for the operation of a Materials Recovery Facility, Transfer Station and associated Transport and Storage/Distribution Yard on land at 21 and 23a Crondal Road, Bayton Road Industrial Estate, Bedworth for the following reasons:-

- (a) The proposed development would be contrary to Policy Emp 4 of the Nuneaton and Bedworth Borough Local Plan and would if approved adversely affect the amenities of neighbouring residents to an unacceptable degree.
- (b) The proposed development would be contrary to Policy Emp5 of the Nuneaton and Bedworth Borough Local Plan (Second Deposit Draft) and would if approved adversely affect the amenities of neighbouring residents to an unacceptable degree.
- (c) The proposed development is contrary to Policies 1, 6 and 8 of the Waste Local Plan for Warwickshire because it would have significant adverse impact on the character of the locality and amenity of local occupiers by reason of odour, noise, dust and visual intrusion.

(1) Aylesford School and Language College, Warwick – Construction of a Synthetic Turf All Weather Sports Pitch plus Associated Works

The report of the Director of Planning, Transport and Economic Strategy was considered.

Ian Grace, Principal Planner, drew the Committee's attention to the advice of the Warwick District Council Environmental Health Officer regarding earlier closing times for the use of the pitch as set out in paragraph 2.5 of the report. The application for a later opening time was because the facility was booked in two-hour blocks and therefore a 9 pm closure would restrict its use by the public. Because of the distance of the facility from residential properties and the fact that there had been no objection to the later closing time during public consultation, the recommendation was to accept the later closing time but only for twelve months to assess whether the operation of the hours would cause any problems. At the end of the twelve months the 9 pm closing time would apply automatically unless a further application was made to vary the condition.

Councillor Alan Cockburn favoured the earlier closing time because there were proposals to build new houses that would be closer to the facility.

It was then Resolved, with Councillor Alan Cockburn voting against:-

That the Regulatory Committee authorises the grant of planning permission for the construction of a synthetic turf all weather sports pitch (STP), plus associated works including the erection of a 3m high galvanised weld mesh fence to the perimeter of the all weather pitch with four single pedestrian access gates and a double vehicular access gate, plus the installation of floodlighting columns at Aylesford School and Language College, Shelly Avenue, Warwick, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(2) Park and Ride Facility, Bishopton Lane, Stratford-upon-Avon – Amendments to Conditions 17 and 19 during March to August

The report of the Director of Planning, Transport and Economic Strategy was considered.

Ian Grace reported that Stratford on Avon District Council, its Environmental Health Officer and Severn Trent Water had no objections. The owner of Lower Lodge Farm had objected about the lack of landscaping on the site. Ian Grace confirmed that there was sufficient room to carry out the necessary landscaping.

It was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the revision to the approved layout for the park and ride car park development, approved under local authority ref no: S1739/01CC052 and amendments to condition 17 of the planning permission and relaxation of condition 19 of the permission to permit construction to proceed during months March to August at Bishopton Lane, Stratford-upon-Avon, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(3) Oakfield Primary School, Oakfield Road, Rugby – Erection of 3 Metre High Green Powder Coated Steel Palisade Security Fencing to the Northern Boundary

The report of the Director of Planning, Transport and Economic Strategy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the erection of 3 metre high green powder coated steel palisade security fencing to the northern boundary of Oakfield Primary School, Oakfield Road, Rugby, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(4) Change of use to Part of Lillington Primary School to Office Accommodation for Special Education Needs Staff

The report of the Director of Planning, Transport and Economic Strategy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the change of use of part of Lillington Primary School to office accommodation for Special Education Needs (SEN) staff, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(5) Brinklow Quarry – Extraction and Sale of Clay

The report of the Director of Planning, Transport and Economic Strategy was considered

Members' concerns about the routing of vehicles were allayed by assurances that the existing routing of vehicles would ensure that they neither passed through villages nor Bedworth and Nuneaton town centres. Officers were asked to look at a shorter route using the Ansty Road to see if that would prove to be a suitable alternative.

It was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the extraction and sale of clay at Brinklow Quarry, Brinklow, Rugby, subject to the conditions and for the reasons contained in Appendix B of the Report of the Director of Planning, Transport and Economic Strategy.

(6) Ling Hall Quarry, Rugby – Variation of Condition 3 (Approved Plans) of Planning Permission R16/03CM022 (Concrete Batching Plant)

The report of the Director of Planning, Transport and Economic Strategy was considered.

Jasbir Kaur referred to the three letters of objection relating to possible pollution and said that the Rugby Borough Council's Head of Environmental Health had given the view that any such impact would be insignificant.

It was then Resolved:-

That the Regulatory Committee authorises, subject to the Environment Agency confirming that there would be no contamination of the water supply, the grant of planning permission in the terms set out in Appendix B of the report of the Director of Planning, Transport and Economic Strategy to vary Condition 3 (Approved Plans) of Planning Permission R16/03CM022 (Construction and operation on a concrete batching plant) to allow revised details for the construction and operation of a Concrete Batching Plant adjacent to Ling Hall Quarry, Coalpit Lane, Lawford Heath, Rugby.

(7) **Bayton Road Industrial Estate, Bedworth – Materials Recycling Facility**

This item had been dealt with prior to item 2(1).

3. **Any other items**

None.

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Chair of Committee

The Committee rose at 10.55 a.m.