

The **REGULATORY COMMITTEE** met at **WARWICK** on the **3rd APRIL, 2007**

Present:-

Councillor Peter Barnes (Vice Chair of Committee)
(in the Chair)
“ Richard Chattaway
“ Gordon Collett
“ Michael Doody
“ Pat Henry
“ Barry Longden
“ Sue Main
“ Brian Moss
“ Mike Perry
“ Ian Smith
“ John Wells

Councillor Eithne Goode also attended.

Officers

Ian Marriott, Community & Environmental Legal Services Manager, Performance & Development Directorate
Sue Broomhead, Senior Planner, Environment & Economy Directorate
Jasbir Kaur, Development Manager, Environment & Economy Directorate
Matthew Williams, Planner, Environment & Economy Directorate
Phil Maull, Senior Committee Administrator, Performance & Development Directorate

In the absence of the Chair of the Committee, the Vice Chair took the chair.

1. General

(1) Apologies

It was noted that Councillor Gordon Collett had replaced Councillor Joan Lea for the meeting.

(2) Members Disclosure of Personal and Prejudicial Interests

Personal interests relating to any item on the agenda arising by virtue of the member serving as a District/Borough councillor were declared as follows:-

- (i) Councillor Peter Barnes – Stratford-on-Avon District Council.
- (ii) Councillor Gordon Collett – Rugby Borough Council
- (iii) Councillor Michael Doody – Warwick District Council.

- (iv) Councillor Pat Henry – Nuneaton and Bedworth Borough Council.
- (v) Councillor Sue Main – Stratford-on-Avon District Council.
- (vi) Councillor Brian Moss – North Warwickshire Borough Council.
- (vii) Councillor Mike Perry – Stratford-on-Avon District Council.

(3) Minutes of the meeting held on the 23rd January and 27th February 2007 and matters arising

- (i) 23rd January 2007**
 - (a) Minutes**

Resolved:-

That the minutes of the Regulatory Committee's 23rd January 2007 meeting be approved and be signed by the Chair.

(b) Matters arising

Nil.

- (ii) 27th February 2007**
 - (a) Minutes**

Resolved:-

That the minutes of the Regulatory Committee's 27th February 2007 meeting be approved and be signed by the Chair.

(b) Matters arising

Nil.

2. Applications for Determination

(1) Construction of a New 1500 Pupil Community School Campus at North Leamington School and Manor Hall Educational Development Centre, Leamington Spa

The report of the Strategic Director for Environment and Economy was considered.

Jasbir Kaur and Sue Broomhead introduced the report.

Members sought clarification on the following issues:-

- The nearest floodlight would be forty metres away from residences and the light would be directed towards the pitch.
- It was proposed that there would be provision for 150 car parking spaces while there were 186 members of staff. This was in line with government guidelines and the school considered that this would be

sufficient because the school would adopt a green travel plan that would encourage staff to car share and use alternative means of travelling to school. Members were concerned that there would not be adequate parking available.

- There was concern that although there was provision for parents to pick up and to drop off children on site, the school was proposing to discourage parents from doing this. It was noted that pedestrian access would be retained from Park Road and parents would be able to use this to pick up and drop of children.

Roger Williams, Resident Lillington Road

He supported the new school and wished to further the Headmaster's stated goal of making it appreciated as an asset to the entire community. This would not be achieved if local residents and commuters resented it because of daily problems caused by parking and traffic. He recognised that traffic peaks around large schools were common and that it was a matter of achieving the best possible palliative measures rather than total avoidance of the problem.

He referred to the proposal for approximately 150 car parking spaces, including disabled visitors parking. He and other local residents counted 157 cars parked at the current sites for the school over two fine days in January. It was assumed that this number would increase in wet weather. It was understood that current planning regulations meant that if adequate parking provision were made for a development, permission was likely to be refused. However it was completely unacceptable if politically correct anti-car green targets for the school were met by externalising the problem on the local community. The only locations for external parking that were close to the pedestrian crossing were Lime Avenue (narrow and unsafe) or the grass verges of Leicester Lane and Lillington Road causing considerable aggravation to neighbours and visual degradation of the environment. The solution would be to ensure that overflow parking was of a satisfactory standard and was available for daily use and the Head teacher making it a condition of employment that those who came by car must use the school's facilities.

On the issue of dropping off and picking up children, the residents had counted 167 cars arriving at the present sites to pick up pupils in fine weather. They estimated that 250 pupils were picked up, mainly spread around suburban streets such as Cloister Way, Cloister Crofts, Almond Avenue and Park Road. Only Park Road was near the new site and 44 cars had used that road but this had caused congestion and it was clear that it could not cope with more vehicles at the peak hour. This left 123 cars picking up 185 children in the vicinity of the roundabout at the Lime Avenue, Leicester Lane, Lillington Road, Sandy Lane junction and the nearby pedestrian crossing. Leicester Lane was a main road in and out of Leamington Spa and the prospect of 185 children milling around the congested junction looking for their parents' cars was dangerous. The solution was to provide a much bigger dropping off and picking up facility in the school grounds and to construct a long lay-by on the North side of Sandy

Lane with provision for children to cross Sandy Lane safely to access the lay-by.

Resident representing a group of nineteen households around the roundabout

Increased traffic and 30% more pupils using the pedestrian crossing would lead to delays in the vicinity of the roundabout. This would result in more driver frustration make the roundabout more dangerous to use. There would be increased parking in Lime Avenue, which unlike Cloister Way was a through road. It was suggested that double yellow lines should be introduced on Lime Avenue on its approach to the roundabout. Also wooden posts should be installed to prevent cars being driven onto the verges.

Councillor Eithne Goode, local member for residents affected by the proposal

There was no doubt about the need for the new school as it was currently split over four sites. Parking on the site of the new school would be an issue because it would include sixth formers who would wish to bring their own cars to school. There should be scope for additional parking on a suitable surface. Park Road was a cul de sac and was not able to deal with increased traffic.

Mr. Julian Humphries, Vice Chair of Governors – North Leamington School

The proposal was to provide a purpose-built twenty-first century school for the area that could be held up as a model for other large secondary schools in Warwickshire. The existing school was spread over four sites with most subjects being delivered on at least two sites. Pupils spent 35 to 40 minutes a day travelling between sites. The school was not fit for purpose and the internal arrangements of long corridors and narrow steep steps presented health and safety issues. The maintenance backlog amounted to £3.6m. In 2005 DfES funding of £12m was secured towards the cost of the new school. The new school would be beneficial for the education of its pupils, it would be a tangible demonstration of the Council's commitment to Every Child Matters and would be a model for future schools.

In response to a question from Councillor Mike Perry, Mr. Humphries confirmed that teachers would supervise pupils being dropped off and picked up on site.

As a point of clarification Mark Gore, Head of Service – Education Partnerships & School Development Division, said that the existing school pupil number was 1800 but this would fall to 1500 for the new school.

Jasbir Kaur said that the Highways Authority view was that double yellow lines and wooden posts to protect the verges were unnecessary as they would impact on the area twenty-four hours a day while the problem was for twenty minutes a day. A better solution would be to reduce the speed of traffic and it was proposed that the 30 mph speed limit would be extended into Sandy Lane and improvements would be made to the crossing facilities. The vegetation along Sandy Lane would be cut back to provide more room on the path for

pedestrians and cyclists. If it became apparent that there was a problem with traffic on Lime Avenue, drivers were likely to go early to avoid the traffic or find an alternative route. Parents would make arrangements for picking up and dropping off children safely.

Councillor Barry Longden said that the school was a tremendous facility but there were other important considerations in relation to the affect the development would have on people and traffic flows. He was in favour of the suggestion for bollards to protect the verges. He did not believe that double yellow lines were the answer because there was a problem with police enforcement of them. Loading bays would be a better option and was easier to police, as blue badge holders (disabled) were allowed to park on double yellow lines. Provision should be made on site for parents to drop off and pick up their children. Also there was a need for additional parking on site. The school would offer excellent facilities but, unless those issues were dealt with satisfactorily, he would not support the application.

Councillors John Wells, Pat Henry, Richard Chattaway, Ian Smith and Sue Main supported Councillor Barry Longden's comments relating to the traffic issues. Councillor Richard Chattaway also supported those views.

Councillor Michael Doody drew comparison to Myton Road where traffic parked on both sides of the roads outside the schools when parents dropped off their children. The situation would be worse in Sandy Lane because it was a country lane.

Councillor Gordon Collett said that he did not feel the application should be delayed further and suggested that if the Committee wished to add conditions requiring action to be taken to provide additional parking and adequate dropping off and picking up facilities within the school site, details to be approved by the Chair and Committee spokespersons and the local member for the Division in which the school was sited.

After further discussion, the Committee agreed to adjourn the meeting from 11.30 a.m. to 11.37 a.m. to enable officers to draft an additional recommendation and conditions.

Ian Marriott said that the officers advice was that a further 30 parking spaces was adequate for the school's needs. They also considered that there was no need to change the dropping of point because there were three arms to it. He then read out the additional recommendation to the committee.

It was then Resolved, nine members having voted for the motion and two (Councillors Michael Doody and Barry Longden) against:-

- (i) That the application be referred to the Secretary of State in accordance with Circular 11/2005 – The Town and Country Planning (Green Belt) Direction 2005, and subject to the application not being called in for her determination the Regulatory Committee authorises the grant of planning permission for the construction of a new 1,500 pupil community school campus at North Leamington School and Manor Hall Educational Development Centre, Sandy Lane, Leamington Spa subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy and the following two additional conditions 18 and 19 and reasons:-

18. No development shall commence until details of the construction of an additional 30 car parking spaces suitable for daily use and of a turning space facilitating their use have been submitted to and approved in writing by the county planning authority. The development shall not be used until those spaces have been provided in accordance with the approved details.

Reason: To ensure that a sufficient number of the planned overspill spaces are available for daily use, if required in order to meet demand, so that congestion and conflict in neighbouring streets are not exacerbated.

19. No development shall commence until a traffic management and parking plan has been submitted to and approved in writing by the county planning authority. The plan shall include arrangements for:

- (a) delivering and collecting pupils from the site in motor vehicles;
- (b) the availability for daily and occasional use of parking spaces within the site;

- (c) any associated signage and other works; and
- (d) periodic monitoring and review of the arrangements and their impacts.

In the event that monitoring indicates that any approved arrangements are not operating satisfactorily, amendments to the arrangements shall be agreed with the county planning authority. The approved arrangements and any amendments agreed with the county planning authority shall be implemented at all times except during an emergency.

Reason: To ensure that arrangements for vehicle movement and parking within the site are adequate and safe, so that congestion and conflict in neighbouring streets are not exacerbated and in the interests of users of the site and the amenity of the neighbouring area.

- (ii) That the Strategic Director for Environment and Economy be authorised to approve details and arrangements under Conditions 18 and 19 only after consultation with the Chair and Group Spokespersons and the County Councillor for the area in which the school will be situated.

(2) Southam Quarry – Development of a Facility for the Disposal of By-Pass Dust

The report of the Strategic Director for Environment and Economy was considered.

Matthew Williams introduced the report. He reminded members that the application had been deferred from the last meeting because of concerns that Natural England had about arrangements for the protection and relocation of Greater Crested Newts. Those concerns had now been addressed to Natural England's satisfaction.

Councillor Barry Longden said that he had not received sufficient assurances to satisfy him that by-pass dust was safe and he would therefore vote against the application.

It was then Resolved, ten members voting in for the motion and one (Councillor Barry Longden) against:-

That the Regulatory Committee authorises the grant of planning permission for the use and preparation of land for disposal of by-pass dust and associated operations at Southam Quarry, Long Itchington, subject to the signing of a Section 106 Agreement covering vehicle routing and the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(3) Construction of a 50m² Single Storey Extension at Severn Trent Water, Longbridge Office, Stratford Road, Warwick

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the construction of a 50m² single storey extension to the main office buildings at Severn Trent Water, Longbridge Office, Stratford Road, Warwick, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(4) Land off Bodymoor Heath Road, Marston – Erection of a Control Kiosk, Electricity Meter Box, Permanent Hard Standing and Dropped Kerb with Planting and Fencing

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the erection of a control kiosk, electricity meter box, permanent hard standing and dropped kerb with planting and fencing at land at Marston Sewerage Pumping Station, Bodymoor Heath Road, Marston, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(5) Kingsbury Water Park – Outdoor Education Activity Centre

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the construction of an education outdoor activity centre at Kingsbury Water Park, Bodymoor Heath, Kingsbury, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(6) Bubbenhall Landfill Site – Five Metre High Litter Fence

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the installation of a five metre high litter fence at Bubbenhall Landfill Site, Weston Lane, Bubbenhall, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(7) Children’s Centre at Boughton Leigh Infant School, Brownsover, Rugby

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the construction of a single storey children’s centre with associated facilities at Boughton Leigh Infant School, Hollowell Way, Brownsover, Rugby, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(8) Westgate Primary School, Warwick – Construction of a Modular Building to Create a Children’s Centre with Associated Facilities

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the construction of a modular building to create a children’s centre with associated facilities at Westgate Primary School, Warwick, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(9) Birchwood Primary School, Dordon – Construction of a Single Storey Children’s Centre with Associated Facilities

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the construction of a single storey children’s centre with associated facilities at Birchwood Primary School, Dordon, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(10) Security Fencing at Water Orton School, Water Orton

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for the erection of palisade fencing and a metre wide double access gates to western boundary all to be powder coated green at Water Orton, Warwickshire, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(11) Security Fencing at Abbey CE Infants School, Aston Road, Nuneaton

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for works to boundary of the site including the demolition of boundary wall and the erection of 2 metre and 2.4 metre high palisade fencing with triple spiked tops, coloured green (RAL6005) at Abbey C E Infants School, Aston Road, Nuneaton, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(12) Street Lighting along the Approved Rugby Western Relief Road

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the discharge of condition number 4 of Planning Permission R1442/02CC093 for street lighting of the approved Rugby Western Relief Road.

3. Development Control Forums

It was noted that this report had not been circulated and would be submitted to the next meeting because it had not been possible to complete the usual consultation arrangements.

4. Any other items

Nil.

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Chair of Committee

The Committee rose at 12.10 p.m.