

Regulatory Committee

Tuesday, 7 July 2020

Minutes

Attendance

Committee Members

Councillor Mark Cargill (Vice-Chair, in the Chair)
Councillor John Cooke
Councillor Neil Dirveiks
Councillor Bill Gifford
Councillor Caroline Phillips
Councillor David Reilly
Councillor Clive Rickhards
Councillor Kate Rolfe
Councillor Jill Simpson-Vince
Councillor Adrian Warwick
Councillor Chris Williams
Councillor Wallace Redford

Officers

Jasbir Kaur, Planning Manager
Ian Marriott, Legal Service Manager
Sally Panayi, Planning Assistant
Matthew Williams, Senior Planning Officer
Ian Budd, Assistant Director - Education Services
Craig Cusack, Assistant Director - Enabling Services
Bern Timings, School Organisation and Planning Manager

Others Present

Alison Doyle, Local Resident for Item 3
Debby Hughes, Head Teacher for High Meadow School, Item 3
Steve Lamb, Applicant for Item 4
Martin Rose, Applicant for Item 4

1. General

Before the meeting started, the Committee held one minute's silence for Councillor Richard Chattaway who passed away in June 2020.

Councillor Chattaway was remembered as a robust character who was strongly committed to his beliefs. He worked well with everyone across Warwickshire County Council. He was remembered as being immensely proud of his family and the work he did for his community. He will be a great loss to the Council and the Committee sent their thoughts to his family.

(1) Apologies

Apologies were received from Councillor Anne Parry. Councillor Wallace Redford replaced Councillor Parry for this meeting.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests.

Councillor Neil Dirveiks confirmed that he was on the planning committee for North Warwickshire Borough Council. Both applications to be determined by the Committee today have previously been presented to the planning board at North Warwickshire when Councillor Dirveiks was present and voted. It was confirmed that Councillor Dirveiks would withdraw from the Committee for both applications.

(3) Minutes of the Previous Meeting

The minutes from the meeting held on the 26 May 2020 were agreed as a true and accurate record. There were no matters arising.

2. Delegated Decisions

There were no delegated decisions to note.

3. Planning application NWB/20CC002 Installation of a Second Temporary Classroom and Retention of Existing Temporary Classroom Until September 2022, High Meadow Community School, Norton Road, Coleshill, B46 1ES.

Sally Panayi, Planning Assistant presented the report to the Committee confirming that the application was for the installation of a second temporary classroom and retention of existing temporary classroom until September 2022, at High Meadow Infant School in Coleshill.

The Committee noted that this is the fourth application in relation to High Meadow School in 12 months. Ms Panayi explained that there is a complicated planning history of which she gave details in her presentation, including a previous requirement by the Committee to relocate the existing classroom by turning it 90 degrees. It had not been possible to relocate the existing classroom during the Easter holidays as had been intended because of the coronavirus pandemic. The playground area was required for the movement of vehicles pending construction of a new internal access road within the site and the process of relocation would take 10 working days. This rendered it impracticable to relocate the existing classroom.

The Committee was asked to note the impact of the current coronavirus pandemic. The guidelines for social distancing mean that the planned work will take longer than originally thought. The possibility of a second wave of coronavirus could create further delays. The proposed date of September 2022 for the retention of the temporary classroom allows flexibility against a second wave of the virus and potential further lockdown restrictions.

It was noted that the current easing of some restrictions has allowed some work to recommence at the site.

The Committee noted the details for the current application and noted the following reasons given for recommending the approval of the application –

- Previous applications for the site have been approved.
- Measures and conditions are in place to reduce the impact of the temporary classrooms and to control the hours of use of the temporary classrooms at the school.
- The application is for a temporary period.
- The severe impact of the pandemic on education and children; the operational needs of a school are material considerations for deciding on an application.

It was confirmed that there has been some relaxation in some planning rules since the outbreak of coronavirus for progress to be made on restarting construction projects. The Government is keen to assist planning and development in a reasonable and proportionate manner.

Following an in-depth discussion in relation to alternative sites for accommodation for use by pupils while the 4-classroom extension is under construction, the Committee noted that other sites had been considered. It was confirmed that the alternative site options were considered to be unsuitable and would be too disruptive to children.

Public Speaking

Alison Doyle, local resident asked the Committee to note her full objection to the application stating that 'classroom one' is currently in an unauthorised position.

Having objected to the previous applications, Ms Doyle confirmed that all her original points of objection remained; these included the impact of the loss of light to her property due to the position of the temporary building and the impact of noise from the site.

Ms Doyle confirmed that some of the conditions attached to previous applications have helped to mitigate some issues, but it was impossible to tell if they all worked due to the impact of the pandemic, as the school has not been open to full capacity. Ms Doyle asked that the classrooms if approved be removed as soon as possible and once the extension is completed all use of the temporary buildings should cease.

Debby Hughes, Head Teacher at High Meadow school spoke to the Committee in support of the application.

Ms Hughes stated that the school community was proud of all their achievements and asked the Committee to consider the application with kindness.

It was confirmed to the Committee that several alternative sites had been considered; including new and existing classrooms at the school and at other properties owned by Warwickshire County Council. Ms Hughes confirmed that these sites would be unsuitable for several reasons including the transport of children back and forth between sites. It was also noted that there were children with special needs and specific medical needs who could not be off site. There were also members of staff who need to remain with teacher-mentors as they complete their qualification. Finally, teachers with safeguarding responsibility would not be available at alternative sites.

Ms Hughes concluded by stating that there was no spare space at the school for children starting in September 2020 if the application was refused.

Following the public speaking, the Committee felt that supporting the removal of both temporary classrooms at the earliest opportunity, while understanding the time constraints, and potential future impact of coronavirus, would be beneficial.

Debate

Councillor Adrian Warwick noted that an application that was originally for six weeks was now in its third year and that was not right for the children or the neighbours. Councillor Warwick stated that while the pandemic was undoubtedly an emergency it could not be forever used as an excuse. Councillor Warwick proposed that the Committee respect the decision made in January 2020 regarding the position of classroom one and ensure the matter is completed no later than October 2021 (October half term).

Following a question from Councillor Jill Simpson-Vince, it was confirmed that, as a result of the pandemic, cleaning of the school is now a much longer and deeper programme.

After concern was expressed about the protection of the cherry tree that would be close to the second classroom, and its crown, the Committee was advised that the applicant could be asked to address this in the Landscaping and Environmental Management Plan that was required by the conditions.

Clare Gibb, Property Consultant confirmed that lock-down restrictions had stopped the classroom being rotated as agreed by the Committee in January 2020. It was noted that, after a review of the social distancing guidelines for the construction industry, it would be possible to comply with a requirement to relocate the existing classroom were one to be imposed. The Committee noted that a second wave of the pandemic or any further lock-down restrictions could prevent or delay compliance with such a requirement.

The Committee also agreed to bring forward the date for removal of the classrooms to 22 August 2022 in order to allow a cushion of 10 working days between that deadline and the start of term. Having been advised by Clare Gibb, Property Consultant, Property Services, that relocation of the existing classroom by October 2021 was achievable, the Committee favoured such a requirement but with provision for extension of that deadline, in consultation with the Chair, if extenuating circumstances caused delays.

Following a discussion, conditions in substantially the following form were proposed as part of a revised recommendation –

Amended Condition 2:

The temporary classrooms hereby permitted shall cease to be used from the date that the school is able to use the four classrooms permitted by planning permission reference NWB/19CC006 and the temporary classrooms shall be removed from site at the first practicable opportunity after that date and in any event before 22 August 2022.

Amended Condition 8:

The temporary classrooms hereby permitted shall not be used outside the hours of 7:30 and 16:30 on weekdays (meaning Monday to Friday) or at any time on weekends or outside term time except for preparation by classroom staff and cleaning and maintenance and use for parent-teacher consultations until no later than 19:00 hours on no more than three weekdays in a school year in each classroom.

Relocation Condition:

The temporary classrooms hereby permitted shall (if present on the site) be located in the positions shown on [drawing number] no later than October 2021 (or such other date as the local planning authority may agree) and remain in those positions so long as they remain present on site.

The recommendation was proposed by Councillor Adrian Warwick and was seconded by Councillor Jill Simpson-Vince. A vote was held, and the Committee voted unanimously in favour of the recommendation to grant planning permission.

4. Planning Application : NWB/19CM020 - Kingsbury Quarry

Matthew Williams, Senior Planning Officer presented the report to the Committee confirming that the quarry is in the north of the county and is a long-established operation.

The proposed extension area was highlighted to the Committee via a presentation and it was confirmed that the application is to extend the end date for extraction and restoration to 2055.

The Committee noted that there is a Site of Special Scientific Interest (SSSI) on the site which is a geographical exposure feature. The proposal would require the removal of this existing geological exposure. The application proposes the creation of a replacement geological exposure elsewhere within the site.

It was confirmed that there would be no increase in vehicle movements should the application be approved.

The Committee noted that the application would be an acceptable form of development within the Green Belt due to the openness and temporary use of the land.

It was confirmed that there are conditions in place to protect existing ecology on site.

Debate

Councillor Dave Reilly raised concerns about viewing the details of the application via a virtual meeting. The Committee felt that they had received a thorough presentation and report from the officer. The report addressed the objections raised by the community and the site has been open for many years.

The Committee did agree that while meetings were being held virtually as a result of restrictions imposed due to the pandemic, alternative ways of sharing officer presentations would be investigated by officers.

The recommendation was proposed by Councillor Clive Rickhards and was seconded by Councillor John Cooke. A vote was held, and the Committee voted 9 in favour of the recommendation, with one abstention, to grant planning permission.

5. The date of the next meeting

The date of the next meeting was confirmed as 4 August 2020 at 10:30am.

The meeting will be held virtually via Microsoft Teams.

The meeting rose at 13:33

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The Chair