

# Regulatory Committee

Tuesday 3 November 2020

## Minutes

### Attendance

#### Committee Members

Councillor Mark Cargill (Chair)  
Councillor John Cooke  
Councillor Anne Parry  
Councillor Caroline Phillips  
Councillor David Reilly  
Councillor Clive Rickhards  
Councillor Kate Rolfe  
Councillor Jill Simpson-Vince  
Councillor Adrian Warwick  
Councillor Chris Williams

#### Officers

Helen Barnsley, Democratic Services Officer  
Ian Marriott, Legal Service Manager  
Sally Panayi, Senior Planning Officer  
Matthew Williams, Senior Planning Officer  
Scott Tompkins, Assistant Director for Environment Services

#### Others Present

Jasbir Kaur

#### 1. General

- 1) Before the meeting started the Chair advised the Committee that in view of the current restrictions in place as a result of the Covid-19 pandemic, officers had been investigating the possibility of using drone footage in place of site visits.
- 2) The Committee welcomed Jasbir Kaur to the meeting. Jasbir retired in September 2020 after 30 years at Warwickshire County Council. The Chair thanked Jasbir for joining the meeting as the Committee had not had the chance to say goodbye to her before she left. The Chair thanked her on behalf of all Committee members for all the invaluable help, support and good guidance provided over the years.

Jasbir thanked the Committee for inviting her to the meeting and giving her the chance to say goodbye. She thanked the members for always working with officers to get the best outcomes for Warwickshire residents. Jasbir also thanked officers, including Ian Marriott, Legal Service Manager, for their work over the years.

### **(1) Apologies**

Apologies were received from Councillor Neil Dirveiks.

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

None.

### **(3) Minutes of the Previous Meeting**

In relation to Item 3 (Planning Application SDC/20CC003) the following amendment was recorded –

Councillor Anne Parry attended a meeting of the Snitterfield Parish Council (SPC). It was confirmed that Councillor Parry is not a member of SPC.

Following the above change, the minutes were agreed as a true and accurate record of the meeting on 4 August 2020. There were no matters arising.

## **2. Delegated Decisions**

The Committee noted the delegated decisions made by officers since the last meeting as presented in the report.

### **3. Planning application RBC/20CM002: Land at Ling Hall Quarry Landfill Site, Coalpit Lane, Lawford Heath, Rugby, CV23 9HH**

Sally Panayi, Senior Planner, presented the report to the Committee confirming the location and site area. It was noted that the site was in the Green Belt.

It was confirmed that permission was sought for the variation of condition 53 of planning permission R16/890805 which was granted in 1991. As a result of a reduction in landfill rates due to increased recycling following changes to Government policy, there remains a 4 million cubic metre void space on site. The application is seeking to extend the life of the landfill for an additional 10 years to comply with the landfill restoration and profiling agreed by the original planning permission in 1991. It was proposed that Condition 3 (relating to a Landscape and Environmental Management Plan) be redrafted and that Conditions 15 and 16 (relating to restoration and aftercare) be removed to avoid duplication and for technical clarification.

The following points were highlighted to the Committee –

- Odour; Environmental Health (EA) investigated complaints relating to odour from the site over the summer of 2020 but they were found to be unsubstantiated. Control of odours from the site is managed under the EA Permit.
- Dust & Asbestos; EA advised that no additional conditions were needed, and that sufficient controls and adequate procedures are already in place.
- Litter; complaints have been received regarding litter from the site. It was confirmed that severe storms early in 2020 caused damage to the litter fence which resulted in the release of litter from the site. It was confirmed that following this, the site had arranged for litter pickers to collect the litter. It was noted that when bad weather, particularly high winds, were forecast, the site shuts down operations completely. The EA confirmed that it had no further recommendations.
- HGV movements; concerns were raised in relation to vehicle movement to and from the site. The Committee noted that there is a S106 agreement in place to control the movement of vehicles. Complaints were also raised about parking of vehicles on the highway before the site opens. The applicant has written to operators to ask them not to do this, but this issue is not always within the applicant's control.
- Flooding/Surface Water; following concerns in relation to flooding and surface water on site, it was confirmed that a Surface Water Management Plan was in place as part of the permit from the EA. Following a question from Councillor Caroline Phillips, it was confirmed that some of the ditches that flood are part of the public highway and out of the control of the applicant. The applicant fulfils their duty in relation to the ditches and water ways on their land.

### Public Speaker

Mr. Dale Aston from Lawford Lodge Farm spoke in objection to the application. Concerns were raised by Mr. Aston in relation to the systematic checks carried out by the Environment Agency and that they did not appear to be completed following complaints or concerns from local residents. Mr. Aston stated that he was disappointed that there were no representatives from the EA at the meeting and suggested that a site visit would allow members of the Committee to see the condition of the site. Mr. Aston questioned how Warwickshire County Council was monitoring the issues that were raised such as litter and odour and requested conditions on these matters.

Chris Lowden (SLR Consulting) spoke in support of the application. Mr. Lowden confirmed that a comprehensive Environmental Impact Assessment had been completed for the application and that the site is important for disposing of residual waste. Mr. Lowden stated that all objections had been fully examined and that the vast majority were not the fault of the applicant. It was confirmed to the Committee that the issue of litter at the start of the year was as a result of unprecedented weather conditions and that litter nets had been damaged. Litter pickers were employed to resolve the situation and the site is closed during bad weather if needed.

Following debate, it was agreed by the Committee that the conditions should be amended as proposed by Sally Panayi, following consultation with the Chair, and that the Chair would consider with the officers further changes to the S106 to strengthen the discipline exerted over vehicle routes. A revised version of the conditions can be found on the [Warwickshire County Council website](#).

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

### **Resolved**

That, subject to the completion of satisfactory modifications to the section 106 obligations, the Regulatory Committee authorises the grant of planning permission for the variation of condition 53 to extend the life of the landfill and the associated waste management facilities, for a further 10 years until 14th May 2031, subject to the conditions (amended as proposed by Sally Panayi) and for the reasons contained within Appendices B and C of the report of the Strategic Director for Communities .

#### **4. Planning Application : SDC/20CM008 - Edgehill Quarry, Edgehill**

Matthew Williams, Senior Planner, presented the report to the Committee confirming the application sought permission to vary conditions imposed in 2018 in relation to the date upon which screening and processing operations must cease and the date upon which a restoration scheme must be submitted.

It was confirmed that the extension was required as a result of there being more recoverable material on site than originally thought. Operations were also delayed as a result of bad weather and the impact of the Covid-19 pandemic.

The extensions requested are as follows –

- The processing of existing stockpiles of overburden to continue until 31 March 2021
- The removal of processed material from the site to continue until 31 November 2021
- The date by which a detailed restoration scheme must be approved to be extended to 31st November 2021

The Committee was asked to note that a second application has been submitted in relation to infilling, restoration and after use of the site. This application will be reported to a later meeting of the Regulatory Committee.

It was noted that concern had been raised by local residents in relation to noise from machinery on the site. The complaint was investigated and the cause was found to be issues with one of the machines; following vehicle maintenance the issue was resolved.

The Committee noted that there were several concerns raised by residents such as noise, vehicle movement and dust from the site. It was confirmed that restrictions are in place as part of the conditions attached to the existing planning permission which it is proposed to repeat. If a cause for complaint does arise these conditions provide a means to remedy any issues.

It was agreed that following consultation with the Chair, additional conditions would be drafted in relation to the following –

- controlling turning movements into and out of the site
- requiring that a sign be erected at the access regarding turning movements
- enhancing the wheel washing facilities/procedures.

Following a question in relation to vehicle movements and mud on the highway, it was confirmed that as proposed, conditions 7 and 9 would allow Warwickshire County Council to take enforcement action in both matters.

Councillor Chris Williams spoke on behalf of the local Parish Council and stated that the application would not be supported. HGV's are going through the local village which goes against current conditions. It was also stated that residents believe that the requirement to use a wheel washer or high-pressure washer in order to keep the highway clean is not being done. The Parish Council stated that they believe these conditions, and others, are ignored by the site owner.

Following a question from Councillor Caroline Phillips it was confirmed that in order for Warwickshire County Council to take enforcement action against alleged breaches of conditions, details would need to be sent to officers. Councillor Williams confirmed that he would pass this message on to residents to ensure they contacted the Council with information on any future breaches of conditions.

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

## **Resolved**

That the Regulatory Committee authorises the grant of planning permission to allow the variation of conditions 2 (Date upon which screening and processing operations must cease) and 3 (date upon which a restoration scheme must be submitted) of Planning Permission SDC/19CM001 in order to allow processing of existing stockpiles of overburden to continue until 31st March 2021, the removal of processed material from the site to continue until 31st November 2021 and the date by which a detailed restoration scheme for the site must be submitted for approval extended to 31st November 2021 subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

## **5. SDC/20CC004 for Proposed Development at Stratford Upon Avon High School, Alcester Road, Stratford-upon-Avon, CV3 9DH**

Matthew Williams, Senior Planner, presented the report to the Committee confirming that the application was for an additional dining and kitchen space.

The school has had previous expansions, but the kitchen and dining facilities were not expanded at the same time and as a result the school was finding it difficult to operate. The kitchen and dining facilities need to be brought in line with the DfE guidelines.

The Committee noted that the design of the proposed expansion was in keeping with the structures already on site.

It was confirmed that six young trees would be lost during the expansion but there were conditions in place to replace them elsewhere on site. The County Ecologist had raised concerns about the mix of tree planned and had requested a better mix to ensure the impact of the development is offset. This has been secured by a condition.

The following additional condition was agreed by the Committee –

Before the building approved by this planning permission is first occupied a combined ecological and landscaping scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include proposed native species planting, at least one integrated bat or bird box and one fitted to a nearby appropriate tree and details shown on plan drawings including tree planting locations and the make and location of the bat and bird boxes. The agreed scheme shall be fully implemented in the first available planting season.

Reason: In accordance with NPPF, ODPM Circular 2005/06.

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

### **Resolved**

That the Regulatory Committee authorises the grant of planning permission for an extension to form additional dining and kitchen spaces adjacent to existing, associated external works and relocated bin storage, subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities and subject to the additional condition recommended by Matthew Williams.