

# Regulatory Committee

Tuesday 6 June 2023

## Minutes

### Attendance

#### Committee Members

Councillor Jill Simpson-Vince (Chair)  
Councillor John Cooke (Vice-Chair)  
Councillor Jeff Clarke  
Councillor Dave Humphreys  
Councillor Jack Kennaugh  
Councillor Justin Kerridge  
Councillor Chris Mills  
Councillor Ian Shenton  
Councillor Caroline Phillips  
Councillor Andy Jenns

#### Officers

Helen Barnsley, Senior Democratic Services Officer  
Sally Panayi, Senior Planning Officer  
Caroline Gutteridge, Delivery Lead Commercial & Regulatory  
Charlie Jones, Planning Officer (Contractor)  
Georg Urban, Senior Planner  
Andy Carswell, Democratic Services Officer  
Scott Tompkins, Assistant Director for Environment Services

### 1. General

#### (1) Apologies

Apologies were received from Councillor Judy Falp and Councillor Adrian Warwick.

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

The Chair stated she was a trustee of the Rugby Free Secondary School.

#### (3) Minutes of Previous Meetings

The minutes of the meetings held on 7 March and 16 May were approved as a true and accurate record.

## 2. Delegated Decisions

Members noted the delegated decisions made by officers since the last meeting, as set out in the report.

### 3. Hybrid Planning application WDC/23CC001 Outline planning permission for development of new primary school, Land to the north of Fusiliers Way, Warwick and full planning permission for the creation of a habitat mitigation area

Sally Panayi (Senior Planner) presented the report and provided an overview of the application, which related to the granting of outline planning permission with all matters reserved apart from access for the development of a new primary school and nursery and associated parking, and full planning permission for the creation of an associated habitat mitigation area, in Warwick. This was subject to a number of conditions.

Full details presented to the Committee included the following:

- The primary school would be two form entry, capable of accommodating 420 pupils including up to 18 with special educational needs. The nursery would provide 34 places.
- The site was bordered by the existing Myton School to the northwest and the Evergreen Special School to the east. Established housing was located to the north of the site, with new houses to the east and construction work on new houses taking place to the south.
- Access to the school for staff and pupils would be from Fusiliers Way only, although there would be an access gate leading from The Malins to allow for maintenance of the playing fields.
- Information on the scale and placement of the school buildings was indicative only, in anticipation of a future reserved matters application.
- The application was originally an outline application but had been converted to a hybrid one to allow for works to be implemented on the habitat mitigation area.
- Two bunds would be created within the habitat mitigation area to improve surface water drainage. The eastern bund would be between 1.5 and 2.0 metres above the existing ground level, and the western bund would be 0.4 metres in height. Removal of a section of hedgerow would be required to install the eastern bund.
- A landscape plan indicating planting of hedges and trees within the habitat mitigation area had been submitted.
- The proposed height of the fence along the northern boundary with The Malins had been reduced from 2.4 metres to 1.8 metres, although for security reasons a small section would remain 2.4 metres tall.

No objections had been received from statutory consultees, and Warwick Town Council had expressed support for the application. Comments and objections had been received from 15 local residents, the majority expressing concerns about access to the school from The Malins and Myton Crescent. Concerns had also been raised relating to construction traffic for the habitat mitigation area accessing the site. Sally Panayi reiterated there would be no access to the proposed school from either The Malins or Myton Crescent, and construction traffic would access the site from Fusiliers Way. The only exception would be the use of the access gate from The Malins for maintenance of the playing fields, which although regular would be seasonal and occasional. Details of a green travel plan, and school safety zone could all be included within the later reserved matters application to allay the concerns expressed by residents.

Members were told there had been historic issues with flooding and drainage in rear gardens of properties on The Malins and Myton Crescent. The bunds included within the habitat mitigation area were designed to prevent greater surface water run-off into gardens and direct it towards the highway instead.

After the initial outline application was converted to a hybrid one, a second consultation with residents to advise of the change. A comment was received after publication of the agenda raising concerns over the removal of a section of hedgerow. Concern had also been raised by a resident that the school development could result in a loss of light for residents of Lavender Close, although the outline footprint plans for the school building showed these properties would not be overshadowed.

## QUESTIONS

Responding to Councillor Justin Kerridge, Sally Panayi said the rear access gate from The Malins would be made of wire mesh construction, replacing the existing five bar gate. Responding to a second question, Sally Panayi confirmed there would be an element of hedgerow removal, to facilitate construction of one of the bunds in the habitat mitigation area.

Responding to Councillor Dave Humphreys, Sally Panayi said she was not certain of the distance from the site access to the houses to the north. However the catchment area for the proposed school would be mainly the new housing surrounding the site.

The Committee was addressed by resident Tony Robinson. He said issues relating to the height of the surrounding fence and The Malins potentially being used as access had been addressed, and thanked officers for doing so. He said concerns over flooding of neighbouring properties persisted, particularly over potential issues during the construction phase. Sally Panayi said creation of the school development and the creation of the playing fields would be done in stages, with the habitat mitigation area works carried out first in order to combat the potential risk of flooding to adjacent properties, and the bunds would assist with drainage.

## DEBATE

Councillor John Cooke stated the application was policy compliant, and there would be an additional reserved matters stage where further comments could be made.

The recommendation was proposed by Councillor John Cooke and seconded by Councillor Jack Kennaugh. A vote was held and the Committee voted unanimously in favour of the recommendation.

## **Resolved**

That the Regulatory Committee authorises the grant of the hybrid planning permission to include outline planning permission with all matters reserved apart from access, for the development of a new 2 Form Entry Primary School and 34 Full Time Equivalent place Nursery with associated external areas, access and parking on land north of Fusiliers Way and directly south and southwest of Evergreen SEN School, Warwick and full planning permission for the creation of habitat mitigation area subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

The Chair requested that residents be kept updated on when work would commence and to keep lines of communication open.

### **4. Planning application RBC/22CC007: New fire rescue training centre including fire simulation training facility**

Georg Urban (Planning Officer) presented the report and provided an overview of the application, which related to the granting of planning permission for a new fire rescue training and fire simulation training facility, along with an associated welfare building, parking and fencing, in Rugby.

Full details presented to the Committee included the following:

- The site was currently vacant and had most recently been used as a Highways depot, and prior to that a contractors' welfare site.
- The nearest residential properties were to the east at a distance of around 170 metres. The surrounding area consisted of commercial and industrial units, and it was near to the Cemex cement works.
- The training facility would include a 'smoke house'; that is, a building that would be filled with fire and smoke to allow firefighters to undertake training operations. There would be an associated filtration unit and extractor pipe, which would treat the smoke to ensure there was no discharge of noxious or harmful substances.
- The training building would be constructed of decommissioned shipping containers. It would be approximately 12 metres tall and the footprint of the building would be around 21 by 12 metres.
- A two storey welfare building, which included changing and shower facilities, office space and meeting rooms, a kitchenette and storage and drying rooms, would also be constructed.

- The submission of a Construction and Environmental Management Plan would be required under a planning condition.

No objections had been received from statutory consultees and there had been no representations made by members of the public. Georg Urban said the National Planning Policy Framework stated there was an presumption in favour of granting planning permission for sustainable development, and the Council's Development Plan was up to date. The surrounding area was largely industrial in nature and so the application would not be out of keeping.

## QUESTIONS

The Chair said the site was close to a busy junction, and asked if there were any proposals to erect signage to say what it would be used for as passing motorists may be alarmed at the sight of large training fires and attempt to call 999. Georg Urban said there were no plans currently for any signage, and the main road would be the only potentially appropriate place for them. The Chair suggested temporary signage when the facility first opened may be appropriate.

Responding to Councillor Ian Shenton, Georg Urban said the filtration unit would 'clean' the smoke when it was extracted from the smoke house and before particles were released into the air.

## DEBATE

Councillor Chris Mills said the facility was vitally important for the training of firefighters.

The recommendation was proposed by Councillor Chris Mills and seconded by Councillor Jeff Clarke. A vote was held and the Committee voted unanimously in favour of the recommendation.

## **Resolved**

That the Regulatory Committee authorises the grant of planning permission for the construction of a new fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, onsite parking, roadway, fencing, and planting, subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

## **5. Reports Containing Exempt or Confidential Information**

### **Resolved**

That the motion to exclude the public from the remainder of the meeting be approved.

## **6. Planning Enforcement Report**

Members received a confidential update outlining ongoing enforcement work taking place. They noted the contents of the report.