

MINUTES OF PLANNING COMMITTEE

31 MARCH 2021

PRESENT:

Councillors Miss Lawrence (Chairman), Mrs Brown, Brown, Butlin, Cranham, Eccleson, Mrs Garcia, Gillias, Picker, Roodhouse, Sandison and Srivastava

64. MINUTES

The minutes of the meeting held on 24 February 2021 were approved.

65. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Land South of Coventry Road and Cawston Lane, Coventry Road, Cawston, Rugby (R18/0936) – Councillor Eccleson (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

Item 4 of Part 1 – Sherwood Farm, Rugby Road, Binley Woods, CV3 2BE (R18/2076) – Councillor Gillias (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

Item 4 of Part 1 – Rugby Town Football Club, Kilsby Lane, Rugby, CV21 4PN (R20/0415) – Councillors Miss Lawrence and Picker (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillors).

Item 4 of Part 1 – Units 1 and 2 Tritax Symmetry Site, Land North of Coventry Road, Thurlaston (R20/1026) – Councillor Eccleson (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor).

Item 4 of Part 1 – Units 1 and 2 Tritax Symmetry Site, Land North of Coventry Road, Thurlaston (R20/1026) – Councillor Roodhouse (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a member of the Warwickshire Fire Authority).

66. APPLICATIONS FOR CONSIDERATION

The Committee considered the report of the Chief Officer for Growth and Investment (Part 1 – Agenda Item 4).

All the representations received prior to the preparation of the agenda and considered by the Committee were referred to in the individual reports.

Subsequent representations also considered by the Committee related to the following applications:

(a) Parish Councils

None

(b) Third Parties

R18/0936 – three further representations were received after the preparation of the agenda stating the following:

- Opposition to the destruction of the land, wildlife, services and road infrastructure.
- Concerns raised regarding parents parking on Cawston Lane.
- Questions raised regarding the approval of EIA development in advance of the South West SPD; assurances requested regarding the protection of Cawston Spinney; endorsement of comments from the Wildlife Trust.

R20/1026 – two letters of support were received after the preparation of the agenda stating the following:

Letter from Homes England:

- Application broadly in line with outline permission.
- Consider increased height is acceptable and any harm caused is outweighed by the economic benefits of the scheme and sustainability measures.
- S106 should ensure reasonable contributions towards infrastructure for the South West allocation.

Letter from Coventry and Warwickshire Local Enterprise Partnership:

- Development will bring forward a strategic employment site leading to strong and positive benefits for sub-regional and local economy.
- Has growing concern about the supply of employment sites due to fast take up of sites.
- Need to replenish stock of employment sites to meet market demand and maintain economic growth.

R20/1026 – an additional objection was received from a local resident after the preparation of the agenda raising similar points to those listed in the report.

RESOLVED THAT – the Chief Officer for Growth and Investment be authorised to issue decision notices as indicated in relation to the applications below:

(a) Outline planning application for up to 210 dwellings, a two form entry primary school, and creation of associated vehicular access, pedestrian/cycle and emergency accesses, highway improvements to Cawston Lane, parking, landscaping, drainage features, open space and associated infrastructure (all matters reserved except vehicular access to the site) on land south of Coventry Road and Cawston Lane, Coventry Road, Cawston, Rugby (R18/0936) - Councillor Cranham moved and Councillor Butlin seconded that the Chief

Officer for Growth and Investment be authorised to grant planning permission subject to:

- (1) the conditions and informatives set out in the draft decision notice appended to this report together with an additional informative being inserted to read,

“INFORMATIVE 11

The Landscape and Ecological Management Plan should detail how the site will be kept free of litter moving forward on an ongoing basis in order to protect the biodiversity and the amenity of the site from impacts of litter as a result of the development.”

- (2) the completion of a legal agreement to secure the necessary financial contributions and/or other planning obligations as indicatively outlined in the heads of terms within this report; and
 - (3) the Chief Officer for Growth and Investment, in consultation with the Planning Committee Chairman, be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the head of terms within this report.
- (b) Demolition of existing buildings, change of use of pasture land to domestic residential curtilage to serve Sherwood Farm and the erection of 80 dwellings with associated access, infrastructure, works and public open space at Sherwood Farm, Rugby Road, Binley Woods, CV3 2BE (R18/2076) - Councillor Picker moved and Councillor Cranham seconded that the Chief Officer for Growth and Investment be authorised to approve:

- (1) Condition 9 being amended to read, “Unless non-material amendments are otherwise agreed in writing with the Local Planning Authority, no above ground development shall begin until a scheme detailing the following onsite measures to be incorporated within the development in order to meet air quality neutral standards has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the development, the approved scheme shall be implemented and maintained in perpetuity. The required measures are:

- EV charging as per Tables 2 and 3 of the draft RBC Air Quality SPD
- Low Emission Boilers as per Table 2 and 3 of the draft RBC Air Quality SPD
- Resident travel packs to include measures to promote public transport, walking, cycling and EV charging
- Green infrastructure measures (to be show on the detailed landscaping plans to be submitted to and approved in writing by the LPA under Condition 17

REASON:

In the interests of air quality.”

(2) Condition 15 being amended as stated in the report; and

(3) Officers be given delegated powers to update and amend conditions 2, 5, 14, 16, 17, 22 and 25.

- (c) Outline planning application for a new employment area (Prospero Ansty) including the redundant/surplus parts of the Rolls-Royce Ansty manufacturing and testing site, comprising B1a, B1b, B1c and B2 floorspace (up to 160,000 m², of which no more than 20,000 m² is for B1a and/or B1b), hotel (C1) (up to 4,500 m²), retail (A1/A3) (up to 250 m²); including car and cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision and replacement of utilities and service infrastructure and other associated works at Rolls Royce, Ansty Aerodrome, Combe Fields Road, Combe Fields, Coventry, CV7 9JR (R19/1540) - Councillor Picker moved and Councillor Cranham seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to the conditions, informatives and referral to the Ministry of Housing, Communities and Local Government's Planning Casework Unit together with:

Condition 8 being amended to read, "Prior to the approval of reserved matters for any phase, a Site-Wide Air Quality Neutral Strategy (SWLQNS) shall be submitted to and approved in writing by the Local Planning Authority. The SWLQNS shall include details of emissions from the previous use of the site and worse-case scenario for emissions from the development hereby approved. Full details of a strategy outlining any required mitigation measures to achieve air quality neutral standards should be provided. Any approved mitigation measures shall be detailed and provided through Condition 10(m).

Condition 10m being amended to read, "Details of the following additional matters shall, where relevant, concurrently with the submission of each reserved matters application, be submitted to and approved in writing by the Local Planning Authority before development of any part of the site to which the submitted details relate is commenced. The development shall be implemented in accordance with the details so approved prior to that part of the development being occupied or brought into use. A scheme detailing the on-site measures to be incorporated within the development in order to meet air quality neutral standards or to provide suitable mitigation (in accordance with and having regard to the strategy approved by Condition 8).

An additional informative being inserted to read,

"INFORMATIVE 20

In accordance with Condition 14 above, the Landscape and Ecological Management Plan (LEMP) should detail how the site will be kept free of litter on an ongoing basis, with details of a regular litter picking regime, that will operate once the units have become first occupied. This is in order to protect the natural environment including any watercourses on or adjacent to the site. This strategy will also be important for ensuring that the wildlife using the site and associated ecosystems are protected from the impacts of litter as a result of the development and its use."

- (d) Temporary consent for two years to use existing car park for car boot sales 14 times per year at Rugby Town Football Club, Kilsby Lane, Rugby, CV21 4PN (R20/0415) - Councillor Miss Lawrence moved and Councillor Picker seconded that a decision on the application be deferred pending further consultation with third parties.
- (e) Full application for erection of a roadside services facility comprising a petrol filling station, drive through restaurant (class A1/A3/A5) with new vehicular access (via A5 Watling Street), together with internal roads, car/cycle parking, drainage works, earthworks, landscaping and other associated infrastructure. Outline application for erection of class B1 and flexible class B1/B2/B8 units with access via the A5 (Watling Street) together with the construction of internal roads, vehicle and cycle parking, drainage works, earthworks, landscaping and other associated infrastructure on land south of A5 (Watling Street) adjacent to M69 Junction 1 (R20/0422) - Councillor Cranham moved and Councillor Gillias seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to:

- (1) the conditions and informatives set out in the draft decision notice appended to this report together with:

Condition 24 being amended to read, "Within 3 months of the occupation of the FULL (Phase 1) development, the noise mitigation as identified in the BWB Environment Noise Impact Assessment NTH2414 May 2020 rev 1.1, dated 27/05/2020 status Issue and BWB Technical Note, document number NTH2414/TN/SPH/SG/S1, BWB Ref NTH2414, status S1, rev /, dated 15/01/2021 shall be implemented and maintained in perpetuity. The limits noted in table 4.1: Building Services Plant Noise Emission Limits are as follows:

Location	Period	Representative	Plant Noise Emission
		L _{A90 15 min}	Limit ¹ (L _{Ar 15 min})
All ESRs	Daytime	57	57
	Night-time	52	52

The plant specification shall ensure that suitably quiet, non-tonal plant is incorporated into the FULL (Phase 1) development to ensure the above Noise Emission limits are not exceeded.

Prior to commencement of the OUTLINE/RESERVED MATTERS (Phase 2) development, a supplementary noise assessment for that phase shall be undertaken by a suitably qualified person. This assessment shall include modelling of the predicted effects of LAFmax dB sound pressure levels to identify the potential auditory impact on noise sensitive receptors from short duration activities during the day and night. This supplementary assessment shall utilise modelling to determine whether noise effects are different to first and second floor receptors. Any recommended works shall be completed in accordance with the approved details prior to the first occupation of the OUTLINE/RESERVED MATTERS (Phase 2) development unless non-

material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority.

REASON:

In the interest of amenity of nearby residential occupiers with regards to noise.”

An additional informative being inserted to read,

“INFORMATIVE 16

As well as the initial clear up of the Soar to remove existing rubbish, The Landscape and Ecological Management Plan should detail how the site will be kept free of litter moving forward on an ongoing basis, with details of a regular litter picking regime that will operate once the users of the site have become established. This is in order to protect the Local Wildlife Site status of the site. This will be important for ensuring that the wildlife using the site are protected from the impacts of litter as a result of redevelopment and its regular use.”

- (2) the completion of a legal agreement to secure the necessary financial contributions and/or other planning obligations as indicatively outlined in the heads of terms within this report; and
 - (3) the Chief Officer for Growth and Investment, in consultation with the Planning Committee Chairman, be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or other planning obligations outlined in the head of terms within this report.
- (f) Full planning application for the erection of two logistics units development comprising a total of 30,435 sqm (327,599 sq. ft.) (measured GEA) of Class B8 floorspace of which 1,817.2 sqm (measured GIA) (19,560 sq. ft.) comprises Class E(g)(i) ancillary office floorspace (measured GIA) with associated infrastructure including lorry parking, landscaping including permanent landscaped mounds, sustainable drainage details, sprinkler tank pump houses, gas and electricity substations, temporary construction access from Coventry Road, temporary marketing suite and temporary stockpile area for additional soil disposal at Units 1 and 2 Tritax Symmetry Site on land north of Coventry Road, Thurlaston (R20/1026) - Councillor Butlin moved and Councillor Cranham seconded that the Chief Officer for Growth and Investment be authorised to grant planning permission subject to:
- (1) the conditions and informatives set out in the draft decision notice appended to the report together with minor changes to:

Condition 6 being amended to read, “Notwithstanding the details shown on the approved plans no wall or roof cladding of any building shall take place on any building unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces of that building have been submitted to and approved in writing by the Local

Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.”

Conditions 24, 29, 30 being amended to include references to visibility splays and the requirement for removal of the temporary access prior to occupation of Unit 1.

Condition 38 being omitted as this duplicates Condition 7.

Additional informatives referring to litter and highways being inserted.

Officers be given delegated authority to make further amendments to conditions as necessary prior to the issue of the decision.

- (2) the completion of a legal agreement to secure the necessary financial contributions and planning obligations as indicatively outlined in the heads of terms within this report; and
- (3) the Chief Officer for Growth and Investment, in consultation with the Planning Committee Chairman, be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.

67. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

RESOLVED THAT – no further site visits be approved.

68. DELEGATED DECISIONS – 14 JANUARY 2021 TO 10 MARCH 2021

The Committee considered the report of the Chief Officer for Growth and Investment (Part 1 – Agenda Item 6) concerning decisions taken by her under delegated powers during the above period.

RESOLVED THAT – the report be noted.

CHAIRMAN