

MINUTES OF PLANNING COMMITTEE

16 SEPTEMBER 2020

PRESENT:

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

25. MINUTES

The minutes of the meeting held on 19 August 2020 were approved.

26. DECLARATIONS OF INTEREST

Item 4 of Part 1 – Land to south of Brinklow Road (B4428) and the east of Coventry Eastern Bypass (A46)(R20/0462) – Councillors Mrs Garcia and Gillias (non-pecuniary interests as defined by the Council's Code of Conduct for Councillors by virtue of being Ward Councillors).

Item 4 of Part 1 – Tritax Symmetry – Employment, Land north of Coventry Road, Thurlaston (R16/2569) - 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 – Land north of Ashlawn Road, Ashlawn Road, Rugby, CV22 5SL (R19/1185) - 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 – Land north of Ashlawn Road, Ashlawn Road, Rugby, CV22 5SL (R19/1185) - Councillor Roodhouse (pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of not supporting the proposed development at Ashlawn Road both publicly and privately).

Councillor Roodhouse left the meeting during the item in which he had declared an interest and took no part in the voting and discussion thereon.

27. APPLICATIONS FOR CONSIDERATION

The Committee considered the report of the Head of 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

R16/2569 Tritax Symmetry – Employment, Land north of Coventry Road, Thurlaston

Late representations received from Homes England – copy of the letter has been sent to the applicant:

- Homes England have secured government funding to assist in the delivery of the South West Rugby allocation
- They welcome and support the application which is a first step in the delivery of the allocation
- However, they have concerns regarding delivery of infrastructure
- Concerned that the development is not required to provide all of the Potsford Dam link
- Concerned that providing on site mitigation may not allow any cost increases for off site infrastructure to be addressed
- Queries regarding the traffic generation figures and how these had been reached
- Comment that all parts of the infrastructure to be provided would be required to serve the development itself
- Concerned that the conditions may not secure the delivery of the Potsford Dam and Sustainable Transport links if the development is not completed;
- Consider the conditions could prejudice the delivery of the spine road network which is required as early as possible
- Requested officers be given delegated powers to address issues with conditions and the Heads of Terms and resubmit application to Committee

RESOLVED THAT - the Head of Growth and Investment be authorised to issue decision notices as indicated in relation to the applications below.

- (a) Outline planning application for up to 186,500 sqm of buildings for Use Class B8 (Warehousing and Distribution), with ancillary Use Class B1(a) (Offices), land for a fire station (0.4 hectares) with site infrastructure including energy centre, vehicle parking, landscaping, and sustainable drainage system. Demolition of Station Farmhouse and outbuildings at Tritax Symmetry-Employment, land north of Coventry Road, Coventry Road, Thurlaston (R16/2569) – Councillor Butlin moved and Councillor Cranham seconded that the Head of Growth and Investment be authorised to grant planning permission subject to:

(i) the conditions and informatives set out in the report, together with the amendments to conditions and additional informative at Annex 1 to the minutes;

(ii) 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;

(iii) the Head of Growth and Investment, in consultation with the Planning Committee Chair, 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; and

(iv) the Head of Growth and Investment be given delegated authority to consider the representations made by Homes England and the related concerns of the Committee and where the Head of Growth and Investment considers it appropriate to address those representations and the related concerns:

- a. amend the planning conditions and/or planning obligations; and/or
- b. impose further planning conditions and/or planning obligations.

(b) erection of 333 dwellings, associated access, infrastructure and landscaping. Approval of reserved matters (access, appearance, landscaping, layout and scale) relating to R13/2102 (Demolition of existing buildings, erection of up to 860no. dwellings, land for potential primary school, two vehicular accesses from Ashlawn Road and the provision of a bus link control feature to Norton Leys, open space, green infrastructure, including SUDs works at land north of Ashlawn Road, Rugby, Ashlawn Road, Rugby, CV22 5SL (R19/1185) - Councillor Miss Lawrence moved and Councillor Butlin seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives set out in the report, together with the following amendments to conditions:

(i) Amend condition 1 to refer to:

Site Layout - 0230/D5-P12

Site Layout south - 0231/D5-P12

Site Layout north - 0232/D5-P11

Received 11/09/2020

(ii) Omit reference to plot 44 from condition 6.

(c) change of use and the erection of a temporary construction compound on fallow agricultural land (to serve the A46 Coventry junctions improvements (Binley) and (Walsgrave) schemes) at land to the south of the Brinklow Road (B4428) and the east of the Coventry Eastern Bypass (A46) – accessed via the existing access point east of the A46 over-bridge (R20/0462) - Councillor Gillias moved and Councillor Cranham seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives set out in the report together with an additional condition being inserted to read, " The programme of archaeological trial trenching detailed in the Network Archaeology Document 'A46 Coventry Junctions Upgrade, Binley. Written Scheme of Investigation for: Archaeological Trial Trench Evaluation', submitted in support of this planning application, shall be undertaken. Should the evaluation identify archaeological features a strategy should be developed to mitigate any potential impacts that the proposed development may have on any archaeological features present across the site. I would therefore recommend that the following conditions be attached to any consent granted in order to secure the development and implementation of that mitigation strategy:

An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority.

This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved mitigation strategy shall be undertaken in accordance with that document.”

- (d) erection of 16 dwellings with associated parking and access at land P19216, Brownsover Road, Brownsover, Rugby (R18/1247) - Councillor Cranham moved and Councillor Gillias seconded that the Head of Growth and Investment be authorised to grant planning permission subject to the conditions and informatives set out in the report together with the completion of a Section 106 agreement and an additional condition being inserted to read, “No above ground works shall commence in any phase unless and until full details of finished floor levels of all buildings [and ground levels of all access roads, parking areas and footways] have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.”

28. ADVANCE NOTICE OF SITE VISITS FOR PLANNING APPLICATIONS

RESOLVED THAT – no further site visits be approved.

29. DELEGATED DECISIONS – 30 JULY 2020 – 21 AUGUST 2020

The Committee considered the report of the Head of 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

CONDITION: 11

Full details of the siting, design and materials of the proposed cycle stores and (if required) bin stores for each phase shall be submitted to and approved in writing by the Local Planning Authority. The cycle stores and (if required) bin stores for each phase shall be provided, in accordance with the approved details before the first occupation of any building within that phase.

REASON:

In the interest of visual amenity.

CONDITION: 14

The access details required in Condition 3 shall include the design of the internal access roads, excluding the site access junctions and adjacent highways works illustrated on 31131/5517/005 Rev B received by the Local Planning Authority on 09/03/2020 (or as amended in accordance with condition 4), including footways, cycleways, verges, footpaths, public transport infrastructure, means of accessing individual plots and parking provision for that phase.

The details shall include details of the provision of linkages to the remaining phases of development.

These details shall include large scale plans (dimensioned and including horizontal visibility splays and forward splays around bends), sections showing the layout, swept paths for all types of large heavy goods vehicles and public transport vehicles likely to access the development, vertical alignment, surface water drainage details including the outfalls, and any other details reasonably requested by the Highway Authority relating to matters within either the highway or proposed adopted highway.

The proposed internal access road layout, including footways, cycleways, verges, footpaths, public transport infrastructure, means of accessing individual plots and parking provision shall be provided in accordance with the approved details prior to the first occupation of that phase.

REASON:

In the interest of highway safety.

CONDITION: 15

Prior to first occupation of the development a HGV routing strategy, relating to Heavy Goods Vehicles with a gross weight over 3.5 tonnes, shall be submitted and approved in writing by the Local Planning Authority. This shall identify clear HGV routing applicable for the whole site, identify that routes through Dunchurch crossroads (A426/ B4429) or Adkinson Avenue and Princethorpe along the B4453 are generally unsuitable for HGV traffic and include measures to comply with the strategy (including measures to apply to larger, over 7.5 tonnes, HGVs and small/medium HGVs, 3.5-7.5 tonnes as appropriate), such as third party reporting mechanisms, Automatic Number Plate Recognition (ANPR) cameras and penalties for non-compliance. The HGV routing strategy shall generally accord with the Framework Routing Strategy dated 27/03/2020.

The approved HGV routing strategy shall thereafter be complied with in full.

REASON:

In the interest of highway safety and the amenity of the surrounding area.

CONDITION: 18

No more than 100,000sqm of B8 development shall be occupied until an assessment of the potential transportation impact of the remaining 86,500 sq m of Class B8 development on the highway network between the site and the Blue Boar junctions and Rugby Gyrotory taking account of any transportation infrastructure that has already been delivered or secured funding (to the reasonable satisfaction of the Local Planning Authority) in relation to the South West

Rugby Development Area (as described in Policy DS8 in the adopted Rugby Local Plan), has been submitted to, and agreed in writing by, the Local Planning Authority. Should the Local Planning Authority (in consultation with Warwickshire County Council) find that the potential transportation impact on the highway network is unacceptable as a result of developing out the remaining 86,500 sq m of Class B8 development, a scheme of mitigation including timeframes for completing any mitigation shall be submitted to and approved in writing by the Local Planning Authority. The potential transport improvements to be delivered if required could include, but are not limited to, one or more of the following measures which would be subject to agreement and approval process with the Local Planning Authority in consultation with Warwickshire County Council: Potsford Dam Link between the development and the A4071 (as illustrated on drawing 31311-5516-SK02 Sheets 2 and 3); highway improvements at Blue Boar (A45/ A4071 junction) (as illustrated on drawing 31311-5501-026); highway improvements at Blue Boar (A4071/Straight Mile junction) (as illustrated on drawing 31311-5501-018 Rev A).

The mitigation scheme shall be implemented in accordance with the approved details.

REASON:

In the interest of highway safety and to provide highways infrastructure to mitigate the impacts of the development.

CONDITION: 19

Prior to the first occupation of the development a plan showing the areas of land proposed to be transferred to Highways England, including areas of maintenance responsibility, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Highways England.

REASON:

To ensure that the A45 Trunk Road and M45 Motorway continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 and in the interests of road safety.

CONDITION: 24

No occupation of any building shall take place unless and until improvements as set out in the Framework Travel Plan (Rev E) paragraphs 3.3.3 – 3.3.4 have been made to provide a pedestrian/cycle route from Windmill Lane/existing National Cycle Route 41 into the site. This shall be provided in accordance with plans which shall first be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These plans shall include details of any works required to or proposed removal of existing trees or hedgerows including a Tree Protection Plan/Method Statement.

REASON:

In the interest of highway safety and to promote sustainable travel and to minimise the impact on existing trees and hedgerows.

CONDITION: 32

No development shall commence in any phase unless and until a protected species mitigation strategy for that phase has been submitted to and approved in writing by the Local Planning Authority.

This shall include details of updated survey work and mitigation measures relating to bats, reptiles, great crested newts, otters, badgers, bloody nosed beetle and nesting birds. It must include timing of the implementation of mitigation measures, mitigation measures including exclusion, compensation measures, details of supervision required by a suitably qualified ecologist and monitoring of the works being done.

The approved strategy shall thereafter be implemented in full.

REVISED CONDITIONS AND ADDITIONAL INFORMATIVE R16/2569

REASON:

To ensure that protected species are not harmed by the development.

CONDITION: 35

Prior to the commencement of any phase of development an updated Tree Protection Plan/Method Statement for that phase shall be submitted to and approved in writing by the Local Planning Authority.

This shall include:

- i) Details of existing trees and hedgerows within the phase to be retained as well as those to be felled;
- ii) If works are proposed within the Root Protection Areas of retained trees details of sensitive working methods as defined within BS5837:2012;
- iii) If trees referenced T42 to T61 (inclusive), T153, T160 and T161 as seen on the EDP Tree Retention and Removal Plan (Sheets 1-10) dated 19 May 2020, are situated within the phase a further arboricultural review, in accordance with BS 5837:2012, of the detailed design of the phase with specific reference these trees, whether these can be retained within the development and if not the provision of replacement trees.

Development shall not be carried out other than in accordance with the approved plan/statement.

REASON:

To reduce the impacts on existing trees in the interest of biodiversity and visual amenity.

CONDITION: 38

No development (excluding enabling works) shall commence on site in any phase unless and until a noise assessment for the operation of that phase has been submitted to and approved in writing by the Local Planning Authority. This assessment shall outline the likely impacts on any noise sensitive residential property, and the measures necessary to mitigate identified impacts. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014.

The scheme shall be implemented in full before first occupation of any building in that phase and retained in perpetuity.

REASON:

In the interest of the amenity of the area.

CONDITION: 39

The submission of details for layout in any phase shall include a Noise Assessment as to the potential impact of reversing alarms on mobile plant, forklift trucks and the manoeuvring of trailers within the service yard. Where necessary a scheme to minimise the affects of the use of reversing alarms shall be set out in the accompanying Noise Assessment.

These details shall be approved in writing by the Local Planning Authority and any mitigation scheme shall be implemented in full before first occupation of any building in that phase and retained in perpetuity.

REASON:

In the interests of the amenities of the locality.

INFORMATIVE: 9

The highway details required by condition 14 may include details of any Approval In Principles within the highway and proposed adopted highway and stage 1/2 Road Safety Audits. These details may be further conditioned in relation to Reserved Matters submissions.