

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

11 March 2013

Present: Councillor Sweet in the Chair.

Councillors Barber, Butcher, L Dirveiks, Humphreys, Johnston, Lea, B Moss, Phillips, Sherratt, Simpson, A Stanley, Turley, Winter and Wykes

Apologies for absence were received from Councillors May (substitute Councillor Wykes) and Watkins (substitute Councillor Johnston).

Councillors Moore and Fowler were also in attendance and with the consent of the Chairman Councillor Fowler spoke on the business recorded at Minute No 68 Planning Applications (Application No 2013/0050 - Car Park, Park Road, Coleshill, B46 3LA).

#### 67 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillors Lea, B Moss and Sweet declared an interest in Minute No 69 - Planning Applications (Application No 2013/0002 - De Mulder and Sons Ltd) the County Council) by reason of being Members of the County Council's Regulatory Committee and took no part in the discussion or voting thereon. In addition Councillor Sweet vacated the Chair for the consideration of this item.

Councillor B Moss declared a pecuniary interest in Minute No 69 Planning Applications (Application No 2013/0050 - Car Park, Park Road, Coleshill, B46 3LA) left the meeting and took no part in the discussion or voting thereon.

#### 68 **Minutes**

The minutes of the meetings of the Board held on 17 December 2012, 14 January and 11 February 2013, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 69 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

#### **Resolved:**

[Councillor Winter in the Chair]

- a That in respect of Application No 2013/0002 (De Mulder and Sons Ltd) the County Council be informed that this Council does not object to the proposal;

[Councillor Sweet in the Chair]

- b That Application No 2012/0301 (Priory Farm Karting Circuit, Priory Farm, Robeys Lane, Alvecote, B78 1AR) be approved subject to the amendment of condition 6 to read as follows;

“6. No karts or mini-motorbikes shall be operated (in accordance with the definition under condition 3) other than between 0930 and 2030 hours Mondays to Thursdays, 1030 and 2030 Fridays and Saturdays, and 1030 and 1630 Sundays and Bank Holidays”;

- c That Application No 2012/0394 (Fillongley Social Club, Ousterne Lane, Fillongley, Coventry, Warwickshire, CV7 8EU) be refused for the reasons set out in the report of the Head of Development Control;

[Speakers: Emma Jones and Darren Newitt]

- d That Application No 2012/0550 (Arley Working Mens Club, Spring Hill, Arley, CV7 8FE) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speaker: James Cassidy]

- e That Application No 2012/0598 (Land at Lister Road, Atherstone, Warwickshire) be approved subject to the conditions specified in the report of the Head of Development Control and to additional conditions recommended by the Fire Service and the Environmental Health Officer;

(The Chief Executive has subsequently received a notice signed by Councillors Barber, Lea, Sherratt, Wykes, Simpson, Humphreys and Johnston under Standing Order No 30(1)(b)(Minority Report) with regard to the decision of the Board on Application No 2012/0598 and it is therefore referred to the Council for determination)

[Members are asked to note that the Minority Report has subsequently been withdrawn – Minute No 75 Planning Applications of the meeting of the Board held on 15 April 2013 refers.]

f That in respect of Application No 2012/0610 (The Coleshill School, Coventry Road, Coleshill, Warwickshire, B46 3EX) the Board visit the site prior to the application being presented for determination at a future meeting;

g That Application No 2013/0050 (Car Park, Park Road, Coleshill, B46 3LA) be approved subject to the amendment of conditions 13A, 13B and 13C to read as follows

**“13A. No service vehicles shall enter the site, or deliveries be made to the site other than between 0700 and 2200 hours on Mondays to Fridays inclusive; between 0700 and 2100 hours on Saturdays and between 0700 to 1900 hours on Sundays.**

**13B. Within one month of the date of this permission, the applicant shall submit a noise management plan to the Local Planning Authority to include measures for the minimisation of noise arising from the hours hereby permitted. This plan shall include the installation of a hydraulic restrictor for the scissor-lift levelling plates. This plan shall particularly include measures in respect of the period between 0700 and 0800 on any day.**

**13C. Following the written approval of the plan referred to above in Condition 13B, any noise arising from deliveries shall not be greater than 40dB LAeq and 55dB LMax when measured at one metre from the façade of any residential property surrounding the site. If at anytime these thresholds are exceeded there shall be no deliveries to the site other than between 0700 to 1900 on weekdays; 0700 to 1300 hours on Saturdays and between 0900 to 1600 hours on Sundays.”**

h That Application No 2013/0059 (Dafferns Wood, St Michaels Close, New Arley, Warwickshire) be approved as set out in the report of the Head of Development Control.

#### 70 Corporate Plan Targets 2012/13

The Head of Development Control reported on the progress of a number of targets as set out in the 2012/13 Corporate Plan.

**Resolved:**

**That the report be noted.**

#### 71 Practice Note for Handling Amendments to Planning Applications

The Head of Development Control reported on proposed revisions to the Council's Practice Note for Handling Amendments to Planning

Proposals. The reasons for these revisions and a summary of the amendments are set out in full below.

**Resolved:**

**That the revisions to the Council's Practice Note for Handling Amendments to Planning Proposals be formally adopted.**

**72 Exclusion of the Public and Press**

**Resolved:**

**That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12A to the Act.**

**73 Breaches of Planning Control**

The Head of Development Control reported on an alleged breach of planning control and the Board was asked to agree suggested course of action. The Head of Development Control circulated an addendum report in respect of the issue.

**Resolved:**

**That in respect of 19 Shawbury Lane, Shustoke, the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the cessation of the use of an existing building as a separate residential dwellinghouse, together with the cessation of the use of the associated garden curtilage for the reasons outlined in the report and the addendum. The requirements of the notice to include: cease the use as a dwellinghouse; demolish the decking area and remove materials; remove the outdoor hot tub; remove all fixtures and fittings that facilitate the unauthorised use, to include kitchen fixtures and fittings, bathroom fixtures and fittings and that the compliance period be six months.**

R Sweet  
Chairman

**Planning and Development Board**

**11 March 2013**

**Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/2	2012/0301	Mrs Madge	Objection	07/03/13
5/2	2012/0301	WCC Footways	No objection	05/03/13
5/2	2012/0301	Mr and Mrs Goddard	Objection	02/03/13
5/2	2012/0301	Mr Box	Objection	01/03/13
5/2	2012/0301	Mrs Cook	Objection	26/02/13
5/2	2012/0301	Mrs Madge	Objection	10/03/13
5/3	2012/0394	Mr and Mrs Campbell	Objection	01/03/13
5/4	2012/0550	Agent	e-mail	27/02/13
5/4	2012/0550	Agent	e-mail	27/02/13
5/5	2012/0598	Fire Services Authority	Consultation	07/03/13
5/5	2012/0598	Atherstone Civic Society	No Objection	06/03/13
5/5	2012/0598	Environmental Health Officer	Consultation	04/03/13
5/5	2012/0598	NHS Coventry	Representation	04/03/13
5/5	2012/0598	Atherstone Town Council	No objection	07/03/13
5/7	2013/0350	Coleshill Civic Society	Objection	05/03/13
5/8	2013/0059	WCC Forester	Consultation	01/03/13
9/1		Head of Development Control	Addendum	11/03/13