

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

18 October 2010

Present: Councillor Simpson the Chair.

Councillors Bowden, Davis, L Dirveiks, Lea, Morson,
Sherratt, Swann, Sweet, Winter and Wykes

Apologies for absence were received from Councillors
Jenkins, B Moss and M Stanley.

Councillors Gordon and May were also in attendance.

40 **Declarations of Personal or Prejudicial Interests**

Personal interests arising from the membership of Warwickshire County Council of Councillors Lea and Sweet and membership of the various Town/Parish Councils of Councillors Davis (Atherstone) and Sherratt (Coleshill) were deemed to be declared at this meeting.

41 **Minutes**

The minutes of the meetings of the Board held on 14 June, 19 July, 16 August and 13 September 2010, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

42 **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:

- a **That subject to the completion of a Section 106 Agreement and the conditions specified in the report of the Head of Development Control, Application No 2009/0126 (BEC Engineering Ltd, Richmond Road, Atherstone) be approved;**
- b **That, provided no adverse representations are received during the consultation period, Application No 2010/0295 Waverton Avenue Allotments, Waverton Avenue, Warton be**

approved subject to conditions set out in the report of the Head of Development Control; and

- c That in respect of Application No 2010/0451 (Pooley Country Park Pooley Lane Polesworth Warwickshire) the County Council be informed that the Council does not object to the proposal and the Head of Development Control be asked to forward to the County Council the observations received from Councillor M Stanley.**

43 Planning Application Validation Requirements

The Head of Development Control reported on proposed revisions to the Council's Planning Application Validation Requirements document and Members were asked to agree a suggested course of action.

Resolved:

- a That the revisions to the Council's Planning Application Validation Requirements document be agreed for consultation purposes;**
- b That a further report outlining the representations received be brought to Board for it to consider prior to formal adoption of the document;**
- c That the Head of Development Control be asked to prepare a separate précis version for householder applications.**

44 Draft Tree Preservation Regulations

The Head of Development Control reported that the Government had published draft revisions to the Regulations governing Tree Preservation Orders for consultation purposes.

Resolved:

That the draft Regulations be noted.

45 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act.

46 **Tree Preservation Orders**

The Head of Development Control sought authority for the making of two Tree Preservation Orders and Members were asked to agree a suggested course of action.

Resolved:

- a **That the Solicitor to the Council be authorised to make a Tree Preservation Order in respect of an oak at 8 Shawbury Lane, Shawbury and that any representations made be referred back to the Board when it decides whether to confirm that Order or not; and**
- b **That the Solicitor to the Council be authorised to make a Tree Preservation Order in respect of five oak trees on land off Nuthurst Crescent in Ansley, and that any representations made be referred back to the Board when it decides whether to confirm that Order or not.**

47 **Breaches of Planning Control**

The Head of Development Control reported on an alleged breach of planning control and the Board was asked to agree a suggested course of action.

Resolved:

That in the case of 81 Ansley Common, Ansley and adjoining land:

- a **the Solicitor to the Council be authorised to offer the operator of a vehicle recovery business a formal caution in relation to a breach of planning control, namely, that: at the time the site was inspected, the operator had not ceased the use of the land for a vehicle recovery business, together with the storage of recovery vehicles, scrap, and car parts, which is required by an extant planning enforcement notice; and**
- b **should this caution be accepted by the operator, that it is no longer, currently expedient to take legal action, through the Magistrates' Court in relation to this matter.**

48 **House at the rear of 71/73 Coleshill Road, Water Orton**

Under Section 100B(4)(b) of the Local Government Act 1972 the Chairman had agreed to the consideration of this report by reason of the need to for possible urgent legal action.

The Board was informed of the planning history in respect of a house at the rear of 71/73 Coleshill Road, Water Orton and Members were asked to agree a suggested course of action.

Resolved:

That it is not considered expedient to take enforcement action against the failure to submit a planning application for the provision of a service trench at this address, for the reasons outlined in the report of the Head of Development Control.

M Simpson
Chairman