

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE  
PLANNING AND DEVELOPMENT BOARD**

**19 October 2009**

Present: Councillor Simpson in the Chair.

Councillors Bowden, L Dirveiks, Fox, Lea, Morson, B Moss, Sherratt, M Stanley, Swann, Sweet, Winter and Wykes.

An apology for absence was received from Councillor Jenkins.

Councillors Fowler, Phillips and Smith were also in attendance and with the consent of the Chairman Councillor Fowler spoke on Minute No 39 (Planning Applications – Application No 2009/0154 Car Park, Park Road, Coleshill).

**45 Declarations of Personal or Prejudicial Interests**

Personal interests arising from the membership of Warwickshire County Council of Councillors Fox, B Moss, Lea and Sweet and membership of the various Town/Parish Councils of Councillors Fox (Shustoke), B Moss (Kingsbury), Sherratt (Coleshill) and M Stanley (Polesworth) were deemed to be declared at this meeting.

**46 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.

**Recommended:**

- a That in respect of Application No 2009/0154 (Car Park, Park Road, Coleshill)**
  - i) planning permission be granted, subject to the conditions specified in the report of the Head of Development Control; and**
  - ii) the applicant be requested to submit a car park management plan for information at the meeting of the Full Council on 18 November 2009.**

**(At this point Councillor Simpson vacated the Chair and left the meeting – Councillor Lea in the Chair).**

**Resolved:**

- b That Application No 2009/0409 Garage Site, Eastlang Road, Fillongley be approved, subject to the following additional condition**

**“Before development commences, criteria for a watching brief for contamination, shall be agreed in**

writing with the Local Planning Authority. This shall be set out to ensure that any contamination found at any time when carrying out the approved development must be reported in writing immediately to the Local Planning Authority. Where contamination is found and remediation is considered as necessary by the local authority, a remediation scheme must be prepared containing an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority."

- c That Application No 2009/0410 Garage Site, Bromage Avenue, Kingsbury be approved, subject to the following additional condition

"Before development commences, criteria for a watching brief for contamination, shall be agreed in writing with the Local Planning Authority. This shall be set out to ensure that any contamination found at any time when carrying out the approved development must be reported in writing immediately to the Local Planning Authority. Where contamination is found and remediation is considered as necessary by the local authority, a remediation scheme must be prepared containing an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority."

- d That Application No 2009/0413 Garage Site, Sycamore Crescent, Arley be approved, subject to the following additional condition

"Before development commences, criteria for a watching brief for contamination, shall be agreed in writing with the Local Planning Authority. This shall be set out to ensure that any contamination found at any time when carrying out the approved development must be reported in writing immediately to the Local Planning Authority. Where contamination is found and remediation is considered as necessary by the local authority, a remediation scheme must be prepared

containing an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority."

- e That Application No 2009/0414 Garage Site, George Road, Water Orton be approved, subject to the conditions specified in the report of the Head of Development Control.

47 **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 by Schedule 12A to the Act.

48 **Breach of Planning Control**

The Head of Development Control reported on an alleged breach of planning control at Hillfields, Ashby Road, Seckington and Members were asked to agree a suggested course of action.

**Resolved:**

- a That the Solicitor to the Council be authorised to issue an Enforcement Notice relating to the unauthorised change of use of this residential property to a mixed use, comprising a residential use, together with the repair/refurbishment, storage and transhipment of vehicles; and
- b That the Notice require the cessation of the repair/refurbishment, storage and transhipment of vehicles and that the compliance period be three months.

M Simpson  
Chairman

**Planning and Development Board  
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Additional Background Papers**

| Agenda Item | Application Number | Author                       | Nature         | Date     |
|-------------|--------------------|------------------------------|----------------|----------|
| 4/62        | 2009/0409          | Environmental Health Officer | Consultation   | 19/10/09 |
|             |                    | The Coal Authority           | Consultation   | 15/10/09 |
| 4/70        | 2009/0410          | Environmental Health Officer | Consultation   | 19/10/09 |
| 4/77        | 2009/0413          | Environmental Health Officer | Consultation   | 19/10/09 |
|             |                    | The Coal Authority           | Consultation   | 19/10/09 |
| 4/84        | 2009/0414          | Water Orton Parish Council   | Objection      | 13/10/09 |
|             |                    | Mrs Colledge                 | Representation | 14/10/09 |