

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE  
PLANNING AND DEVELOPMENT BOARD**

**18 January 2010**

Present: Councillor Simpson in the Chair.

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

Councillors Lewis and Phillips were also in attendance.

**61 Declarations of Personal or Prejudicial Interests**

Personal interests arising from the membership of Warwickshire County Council of Councillors Fox, Lea, B Moss 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.

**62 Corporate Plan 2010/11**

The Chief Executive presented the updated Corporate Plan for 2010/11. The Board's approval was sought to those parts of the Corporate Plan for which the Board was responsible. Members were also asked to agree the 2010/11 Service Plan for the Development Control Division.

**Recommended to the Executive Board:**

- a That those parts of the Corporate Plan for which the Board is responsible, as set out at v), vi)b and vi)c in Appendix A to the report of the Chief Executive, be agreed; and**

**Resolved:**

- b That the Service Plan as set out in Appendix B to the report be agreed.**

**63 General Fund Fees and Charges 2010/11**

The Board was asked to consider the fees and charges for 2009/10 and the proposed fees and charges for 2010/11.

**Resolved:**

**That the schedule of fees and charges for 2010/11 as set out in the report, be accepted.**

**64 General Fund Revenue Estimates 2010/11**

The Director of Resources detailed the revised budget for 2009/10 and an estimate of Expenditure for 2010/11, together with forward commitments for 2011/12 and 2012/13.

**Resolved:**

- a That the revised budgets for 2009/10 be accepted; and**
- b That, the Estimates of Expenditure for 2010/11, as submitted in the report of the Director of Resources be accepted, and included in the budget to be brought before the meeting of the Executive Board on 8 February 2010.**

**65 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 in respect of Application No 2009/0424 (Devitts Green Farm, Devitts Green Lane, Arley)**
  - i) planning permission be granted subject to the conditions specified in the report of the Head of Development Control; and**
  - ii) that subject to the applicant confirming that there would be no application for an award of costs, the Council withdraws the Enforcement Notice, the subject of the current appeal, and that the Planning Inspectorate be notified immediately.**
- b That in respect of the proposed Nuneaton Rail Project Consultation by Network Rail**
  - a that in view of Rail Network's letter of 17 December 2009, this Council's objection to the original HGV construction route be withdrawn, and, that it now supports the alternative as described in that letter; and**
  - b the Department of Transport be notified accordingly.**

**66 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.**

**67 Breaches of Planning Control**

The Head of Development Control reported on three alleged breaches of planning control and the Board was asked to agree suggested courses of action.

**Resolved:**

- a That in respect of White House, Middleton Lane, Middleton, the Solicitor to the Council be authorised to issue an Enforcement Notice relating to:**
  - i) the change of use of the land from dwelling house and adjoining agricultural land to a mixed use comprising dwelling house together with the storage of plant; equipment; machine parts; containers/lorry bodies; skips; builders materials; scaffold; and aggregate/soil together with the construction of a builders compound;**
  - ii) the owner be required to cease the unauthorised use of the site by removing the unauthorised storage and reinstating the land by demolishing and removing the builder's compound; and**
  - iii) the compliance period be three months.**
  
- b That, for the reasons outlined in the report of the Head of Development Control**
  - i) it is not considered expedient to instigate enforcement action in respect of Lunn Engineering, Manor Road, Mancetter;**
  - ii) a meeting be sought with O2 to discuss the circumstances of this case; and**
  - iii) procedures in respect of planning and related applications be amended so that any undertakings are in writing from the applicant and not the agent.**

- c** That in respect of Hillside Meadow Farm, Quarry Lane, Mancetter the Solicitor to the Council be authorised to issue an Enforcement Notice relating to:
- i)** the unauthorised change of use of this land to a mixed use of agriculture and the residential use of the land and buildings, including the siting of a residential mobile home;
  - ii)** the Notice to require the cessation of the residential use of the land and the removal of one of the mobile homes on site (to exclude the static mobile home being stored on the site as approved under consent ref: 0984/95) and the removal of all items stored on the site that are incidental to the residential use of the land; and
  - iii)** that the compliance period be nine months.

M Simpson  
Chairman

**Planning and Development Board**

**18 January 2010**

**Additional Background Papers**

<b>Agenda Item</b>	<b>Application Number</b>	<b>Author</b>	<b>Nature</b>	<b>Date</b>
4	N/A	Minutes of Portfolio Group	Note	06/01/10
7/4	2009/0424	Agents	Email	11/01/10
7/55	Nuneaton Rail	B Hamson Mancetter Parish Council	Representation Representation	08/01/10 14/01/10