

# Regulatory Committee

24<sup>th</sup> May 2005

# Agenda

The Regulatory Committee will meet at the **SHIRE HALL, WARWICK** on **TUESDAY** the **24<sup>th</sup> MAY 2005** at **10 a.m.**

**NB: This will be preceded at 9.30 a.m. by a private session for Members of the Committee – Introduction to Role of the Committee.**

The agenda will be:-

## 1. General

- (1) Apologies.
- (2) Members Disclosures of Personal and Prejudicial Interests.

**Note: Members are reminded that they should declare the existence and nature of their interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a prejudicial interest the Member must withdraw from the room.**

- (3) Minutes of the meetings held on the 19<sup>th</sup> April 2005 (copy attached) and Matters Arising.

## 2. Applications for Determination

Reports of the Director of Planning, Transport and Economic Strategy.

### (1) **Bayton Road Industrial Estate, Bedworth – Materials Recovery Facility**

This application proposes the operation of a materials recovery facility, transfer station and associated transport and storage/distribution yard on land at 17-19 Colliery Lane, Bayton Road Industrial Estate, Bedworth.

### Recommendation

That the Regulatory Committee authorises the refusal of planning permission for the operation of a Materials Recovery Facility, Transfer Station and associated Transport and Storage/Distribution Yard on land at 17-19 Colliery Lane, Bayton Road Industrial Estate, Bedworth for the following reasons:-

- (a) The proposed development would be contrary to Policy EMP4 of the adopted Nuneaton and Bedworth Borough Local Plan in that the proposal does not contain a buffer strip or landscaped bund as required by the policy and thus would, if approved, adversely affect the amenities of the neighbouring residents to an unacceptable degree.
- (b) The proposed development is contrary to the provisions of Policy EMP4 of the Nuneaton and Bedworth Borough Local Plan Proposed modifications in that the proposal is not a B1 or B8 land use and does not contain a buffer strip of landscaped bund as required by the policy and thus would frustrate the objectives of that emerging policy for the redevelopment of the area.
- (c) The proposed development is contrary to Policies 1, 6 and 8 of the Waste Local Plan for Warwickshire because it would have a significant adverse impact on the character of the locality and amenity of local occupiers by reason of odour, noise, dust and visual intrusion.

### **(2) Ryton Pools Country Park – Landfill Gas Utilisation Facility**

This application proposes the provision of a replacement generator for a landfill gas utilisation facility to generate electricity from landfill gas at Ryton Pools Country Park, Ryton Road, Bubbenhall, Ryton-on-Dunsmore.

### Recommendation

That the Regulatory Committee authorises the grant of planning permission for the provision of a replacement generator for landfill gas utilisation facility to generate electricity from landfill gas at Ryton Pools Country Park, Ryton Road, Bubbenhall, Ryton-on-Dunsmore, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

### **(3) Southfields Farm, Packington Lane, Coleshill – Storage and Crushing of Waste Brick and Relocation of Haulage Business from Adjoining Building**

This report recommends the grant of planning permission for the change of use to mixed use for the storage and crushing of waste brick together with the relocation of haulage business from an adjoining building at Southfields Farm, Packington Lane, Coleshill.

### Recommendation

That the Regulatory Committee authorises the grant of planning permission for the change of use to mixed use for the storage and crushing of waste brick together with the relocation of haulage business from an adjoining building at Southfields Farm, Packington Lane, Coleshill, subject to the application not being called in for determination by the Secretary of State, and subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

#### **(4) Bodymoor Green Farm, Coventry Road, Kingsbury – Storage and Processing of Concrete**

This report recommends the refusal of planning permission for use of the land for the storage and processing of concrete to produce secondary aggregates at Bodymoor Green Farm, Coventry Road, Kingsbury.

##### Recommendation

That the Regulatory Committee authorises the refusal of planning permission for use of the land for the storage and processing of concrete to produce secondary aggregates at Bodymoor Green Farm, Coventry Road, Kingsbury for the following reasons:-

- (a) The proposed development would be contrary to Policy GD6 (Green Belt) in the Warwickshire Structure Plan 1996-2011 and to Policy ENV1 (Green Belt) in the North Warwickshire Borough Local Plan 1995 and to Policy ENV14 (Green Belt) in the Revised Deposit Draft of the North Warwickshire Local Plan 2004 because the development would adversely affect the open character of the area and the proposed use does not accord with the criteria set out within this policy.
- (b) The proposed development would be contrary to Policy 1 and 6 of the Waste Local Plan for Warwickshire because it would have a significant adverse impact on the character of the locality and amenity of local occupiers by reason of noise and dust.

#### **(5) Higham Lane School (Detached Playing Field) Ambleside Way, Nuneaton – Erection of a 2.4 Metre High Steel Palisade Security Fence to the North and East Site Boundary**

The report recommends the grant of planning permission for a 2.4 metre high steel palisade fence with triple spiked tops to be erected to the northern and eastern site boundary to the detached school playing field, plus the construction of associated single pedestrian access gates and double vehicular access gates to the same specification at Higham Lane School (detached playing field) Ambleside Way, Nuneaton.

##### Recommendation

That the Regulatory Committee authorises the grant of planning permission for the siting of a 2.4 metre security fence at Higham Lane School, Ambleside Way, Nuneaton, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

#### **(6) Finham Sewage Treatment Works – Construction and use of a Building and Plant Associated with the 'Dryvac' and Bioreactor Plant**

This application by Severn Trent Ltd is for the construction and use of a building and plant associated with the Dryvac and bioreactor plant to meet new environmental legislation at Finham Sewage Treatment Works.

##### Recommendation

That the Regulatory Committee authorises the grant of planning permission for the construction and use of buildings and plant associated with the Dryvac and bioreactor at the Severn Trent Sewage Treatment works at Finham, subject to

the application not being called in for determination by the Secretary of State and subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

### **(7) Southam Quarry – Extract of Limestone and Clay**

This report recommends the grant of planning permission for the extraction of limestone and clay, screening and storage of material for off-site transportation to Rugby Cement Works and associated landscaping, screening and restoration works at Southam Quarry, Southam.

The application was deferred at the 8<sup>th</sup> March 2005 meeting of the Regulatory Committee until responses had been received from all statutory consultees to enable an informed decision to be made.

#### Recommendation

That the Regulatory Committee authorises the grant of planning permission for the extraction of limestone and clay, screening and storage of material for off-site transportation to Rugby Cement Works and associated landscaping, screening and restoration works at Southam Quarry, Southam subject to the signing of a Section 106 Agreement covering; vehicle routing, comprehensive restoration, long term aftercare, additional screen planting, restriction upon working Griffins Farm and Spiers Farm concurrently, mitigation measures to address any negative impact upon groundwater levels and flows to adjacent water courses, residents liaison group and vehicle routing standards group, surrender of part of Griffins Farm permitted working area and public access to the restored site and to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

### **3. Any Other Items**

which the Chair decides are urgent.

#### **EXEMPT ITEMS**

### **4. Reports Containing Confidential or Exempt Information**

To consider passing a resolution excluding members of the public from the meeting for the agenda item mentioned below on the grounds that their presence would involve disclosure of confidential or exempt information as defined in the Local Government Act 1972. (NB. Copies of extracts describing exempt information are available in Warwickshire Libraries, the County Council Handbook and the Access to Information Register held in my office.)

### **5. CFM profit Related Bonus 2003/2004**

Report of the Director of Planning, Transport and Economic Strategy.

Members are asked to note the final payment of the CFM (County Fleet Maintenance) profit share for 2003/2004. The interim payment had been

authorised by this Committee at its meeting on the 26<sup>th</sup> October 2004. The final payment was dependent on the finalisation of the calculation of the profit share with Warwickshire Police.

Recommendation

That Members note that the final payment has been made for the 2003/2004 Profit Related Bonus for CFM (County Fleet Maintenance).

**6. Ex gratia payment**

Report of the Director of Social Care and Health.

The report describes failures to provide a satisfactory response to two service users at a time of particular difficulty for the Department due to reorganisation and staff illness; and recommends settlement of the complaints arising by means of an ex gratia payment.

Recommendation

That the Committee approve the making of an ex gratia payment to Mrs. S.

IAN CAULFIELD  
Chief Executive

## **The reports referred to are available in large print if requested**

**General Enquiries:** Please contact Phil Maull, Chief Executive's Department on 01926 412834 or e-mail [philmaull@warwickshire.gov.uk](mailto:philmaull@warwickshire.gov.uk)

**Enquiries about specific reports:** Please contact the officers named in the reports