

The **REGULATORY COMMITTEE** met at Warwick 24<sup>th</sup> July 2007

**Present**

Councillor Peter Barnes (Chair of Committee)

- “ Brian Moss (Vice Chair)
- “ Richard Chattaway
- “ Jose Compton
- “ Michael Doody
- “ Pat Henry
- “ Joan Lea
- “ Barry Longden
- “ Sue Main
- “ Ian Smith
- “ Ray Sweet

**Officers**

Ian Marriott, Community & Environment Legal Services Manager,  
Performance & Development Directorate

Jasbir Kaur, Development Manager, Environment & Economy  
Directorate

Ian Grace, Principal Planner, Environment & Economy

Richard Forbes, Planner, Environment & Economy Directorate

John G Smith, Committee Administrator, Performance &  
Development Directorate

1. **General**

(1) **Apologies**

An apology for absence was submitted from Councillor Nina Knapman.

(2) **Members Disclosure of Personal and Prejudicial Interests**

No member declared a personal interests in any item on the agenda.

(3) **Minutes of the meeting held on the 12<sup>th</sup> June 2007 and matters arising**

(i) **Minutes**

Resolved:-

That the minutes of the Regulatory Committee 12<sup>th</sup> June 2007 meeting be approved and be signed by the Chair.

2. **Applications for Determination**

(1) **Bodymoor Green Farm, Kingsbury – New Access, Demolition Of Workshop, Continued Use Of Ancillary Operation Of Secondary Aggregate Production Associated With Haulage Business**

The report of the Strategic Director for Environment and Economy was considered.

It was then Resolved :-

That the Regulatory Committee authorises the refusal of planning permission for the construction of a new access, demolition of workshop, continued use of ancillary operation of secondary aggregate production associated with haulage business at Bodymoor Green Farm, Coventry Road, Kingsbury for the following reasons:-

- (i) The proposed development would be contrary to Policy GD6 (Green Belt) in the Warwickshire Structure Plan 1996-2011 and to Policy ENV2 (Green Belt) in the North Warwickshire Local Plan 2006 because the development would adversely affect the open character of the area and the proposed use constitutes inappropriate development within the Green Belt as defined in paragraph 3.12 of PPG2 and Policy ENV2 of the adopted local plan. In addition, the development would be contrary to guidance contained within PPS10 relating to development within the Green Belt.
- (ii) The proposed development would be contrary to Policy 6 of the Waste Local Plan for Warwickshire because it would have a significant adverse impact on the character of the locality.
- (iii) The access from which it is intended to serve this development falls significantly below acceptable standards in terms of vision splays which can be achieved at a proposed new access and its use for the purposes proposed would therefore be unacceptably detrimental to highway safety contrary to the provisions of Policy TPT3 of the North Warwickshire Local Plan 2006 and Policy 1 of the Waste Local Plan for Warwickshire.

**(2) Kingsbury Landfill Site, Tamworth – Variation Of Condition 11 To Allow Construction Of Site Facilities**

The report of the Strategic Director for Environment and Economy was considered.

It was then Resolved :-

That the Regulatory Committee authorises the grant of planning permission for the variation of condition 11 of planning permission NW378/97CM014 to allow construction of site facilities to an amended layout to that shown on plan K/BP/08 at Kingsbury Landfill Site, Tamworth subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

**(3) Coleshill Sludge Destruction Plant, Water Orton - Conversion of the Existing Sludge Destruction Plant Into An Energy From Waste Installation**

The report of the Strategic Director for Environment and Economy was considered.

In the light of the significance of the proposed development and comments received from North Warwickshire Borough Council, it was Resolved :-

That consideration of the application for planning permission for the conversion of a Sludge Destruction Plant into an Energy for Waste Installation at Coleshill Sludge Destruction Plant, Lichfield Road, Water Orton, Birmingham be deferred to allow the Committee to visit the site in order to assess the impact of the proposed development on the openness and appearance of the area.

**(4) St. Johns Primary School, Kenilworth – Installation Of A Modular Building For Use As A Children's Centre**

The report of the Strategic Director for Environment and Economy was considered.

It was then Resolved :-

That the Regulatory Committee authorises the grant of planning permission for the installation of a modular building for use as a children's centre at St. Johns Primary School, Kenilworth subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

**(5) Newburgh Primary School, Warwick - Construction Of A Single Storey Extension To Create A Children's Centre With Associated Facilities**

The report of the Strategic Director for Environment and Economy was considered.

It was then Resolved :-

That the Regulatory Committee authorises the grant of planning permission for the construction of a single storey children's centre extension and associated facilities at Newburgh Primary School, Kipling Avenue, Warwick, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy together with conditions to the following effect for the purpose of protecting existing trees on the site of amenity :

- (1) The submission of a revised plan to ensure that the proposed access on the North-East boundary of the site does not adversely affect existing trees.
- (2) That the applicant takes reasonable precautions to protect all trees on the site.

**(6) Bishopton Primary School, Stratford-Upon-Avon - Installation of a Modular Building For Use As A Children's Centre**

The report of the Strategic Director for Environment and Economy was considered.

It was then Resolved :-

That the Regulatory Committee authorises the grant of planning permission for the installation of a Modular Building for use as a Children's Centre at Bishopton Primary School, Drayton Avenue, Stratford-upon-Avon subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

**(7) Warwick Nursery School, Warwick Erection Of Two Extensions To Create Children's Centre**

The report of the Strategic Director for Environment and Economy was considered.

A number of members expressed concern on the possible impact the development may have on local traffic and parking and it was Resolved :-

That consideration of the application for planning permission for the erection of two extensions to create a children's centre on land at Warwick Nursery School, Warwick be deferred until the next meeting of the Committee to allow the allow more information to be submitted on the proposed amended travel plan and its likely effectiveness and on the future of the current temporary building on the site.

Councillor Mrs Lea expressed the hope that an amended report would also address the broader issue of sustainability and the importance of encouraging the use of modes of transport other than the private car.

**3 Development Control Forums**

The joint report of the Strategic Directors for Performance and Development and Environment and Economy was considered.

Some Members expressed concern about the proposed scheme, particularly the risk of appearing to predetermine an application. Ian Marriott advised that asking questions and identifying material issues would not be taken as predetermination, provided that reasonable care was taken in the manner of expression. The Committee was also reminded that what was proposed was a one-year pilot ending next April.

It was then Resolved by six votes to four :-

That the piloting of development control forums, in accordance with the guidelines appended to the report be approved.

4 **Warwickshire Education Business Partnership : Board – Appointment of Representation**

The report of the Strategic Director for Environment and Economy was considered.

It was then Resolved :-

That the following Councillors be appointed as the Council's representatives on the Board of the Warwickshire Education Business Partnership :

Councillor Chris Saint (Substitute: Councillor John Burton)

Councillor Mick Jones (Substitute: Councillor Richard Grant)

Councillor John Whitehouse (Substitute : Councillor Peter Barnes)

5. **Any other items**  
**Site Visits : North Warwickshire**

It was Resolved :-

That arrangements be made for the Committee to visit sites of proposed developments in North Warwickshire on Tuesday, 14<sup>th</sup> August 2007.

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Chair of Committee

The Committee rose at 11.55 a.m.