

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

7 November 2016

Present: Councillor Reilly in the Chair.

Councillors Bell, Davey, L Dirveiks, Hayfield, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Smitten and Sweet

Apologies for absence were received from Councillors Simpson (substitute Councillor Hayfield) and A Wright (substitute Councillor Davey)

Councillors Farrell and Ferro were also in attendance.

48 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Sweet declared a non-pecuniary interest in planning applications number 1 and 8, took no part in the discussion and left the meeting.

Councillor Davey declared a pecuniary interest in planning application number 8, took no part in the discussion and left the meeting.

Councillor Hayfield declared a non-pecuniary interest in planning application number 1 be reason of being a tenant of one of the applicants. Councillor Hayfield remained for the consideration of this issue following advice given the remoteness of the interest.

Councillor L Dirveiks declared a non-pecuniary interest in planning application number 3, took no part in the discussion and left the meeting.

Councillor Reilly declared a non-pecuniary interest in planning application number 6, took no part in the discussion and left the meeting.

49 **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 Applications No 2014/0540 and 2014/0542 (Old Holly Lane, Atherstone)**

- i The proposed Growth Board and the Steering Group for Atherstone, as endorsed by the Local Development Framework Sub-Committee, be tasked with co-ordinating the delivery of the Infrastructure Improvement Projects proposed as part of the Section 106 Agreement, particularly pedestrian and cycling linkages to Atherstone and access over the railway;**
- ii That subject to the completion of the two Section 106 Agreements on the basis set out in the report of the Head of Development Control, planning permissions be granted subject to the conditions set out in the said report; and**
- iii That subject to the following additional conditions:**
 - The inclusion of a condition on PAP/2014/0540 as follows; "Prior to the first occupation of any part of the development hereby permitted, three bins for the purposes of refuse, recycling and green waste for each dwelling, shall be provided in accordance with the Council's bin specification".
Reason: In the interests of promoting sustainable development.**
 - The removal of condition 11 from PAP/2014/0540 and**
 - The change in time period in condition 2 of PAP/2014/0542 to 8 years.**

[Speakers David Brownbridge and Steve Lewis-Roberts]

Additional background documents – emails from Edward Jordon and the Atherstone Civic Society

- b That Application No 2015/0584 (Former quarry & land, Grimstock Hill, Lichfield Road, Coleshill) be approved subject to the conditions set out in the report of the Head of Development Control and subject to additional conditions preventing the export of materials from the site and the provision of affordable housing subject to a viability assessment;**
- c That Application No 2016/0012 (7 Oakfield Gardens, Atherstone, Warwickshire, CV9 1SA) be approved subject to the conditions set out in the reports of the Head of**

Development Control and subject to an additional condition requiring the details of the water supply and fire hydrants;

[Speakers Paul Bostock, Susan Shaw and Jeff Hayward]

- d That Application No 2016/0187 (109, Tamworth Road, Wood End, CV9 2QQ) be approved subject to the conditions set out in the report of the Head of Development Control;**
- e That Application No 2016/0301(Crida House, Kingsbury Road, Curdworth, B76 9DS) be refused due to the over development of the site and the impact on the character and appearance of the area and on residential amenity contrary to policies NW 10 and NW12 of the Core Strategy;**
- f That in respect of Application No 2016/0399 (Former B Station Site, Faraday Avenue, Hams Hall, Coleshill)
 - i the Council is minded to support the grant of planning permission for the reasons stated in the report of the Head of Development Control subject to the schedule of conditions and the completion of the Section 106 Agreement as referred to in the said report; and**
 - ii as a consequence the Application should be referred to the Secretary of State under the 2009 Direction as Green Belt development in order to ascertain whether he wishes to determine the application himself.****

[Speaker David Green]

Additional background paper – additional report of the Head of Development Control

- g That in respect of Application No 2016/0491 (Mallard Lodge Site, Marsh Lane, Water Orton, B46 1NS) the Council is minded to grant planning permission for the reasons set out in the report of the Head of Development Control subject to the following conditions; to there being no objections from the Environment Agency or the Local Lead Flood Authority that cannot be dealt with by conditions and to consequential amendments to the existing Section 106 Agreement, subject to the matter first being referred to the Secretary of State under Article 9 of the 2009 Town and Country Planning (Consultation) Direction. If the case is not called-in by the Secretary of State then the development be granted planning permission subject to the conditions set out in the said report;**

[Speaker Richard Cobb]

- h That Application No 2016/0521 (52, New Street, Baddesley Ensor, CV9 2DN)) be approved subject to the conditions set out in the report of the Head of Development Control; and**
- i That Application No 2016/0557 (29, Lawnsdale Close, Coleshill, B46 1BS) be approved subject to the conditions set out in the report of the Head of Development Control and subject to the following amended conditions:**
 - condition 10 being amended so that working hours be limited to between 9am and 5pm Monday to Friday, 9am and 1pm on Saturdays and with no work on Sundays, Bank Holidays or Public Holidays**
 - a condition requiring a construction management plan**

[Speaker Richard Cobb]

50 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - September 2016

The Board was informed of progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to September 2016.

Resolved:

That the report be noted.

51 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.

52 Breaches of Planning Control

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

Resolved:

- a That in respect of land at Dexter Grange, Dexter Lane, Hurley, the Solicitor to the Council be authorised to take legal action**

through the Magistrates' Court in response to the non-compliance with an extant Enforcement Notice; and

b That in respect of land adjacent to The Cedars, Coton Road, Nether Whitacre (former Buchan's site) the Solicitor to the Council be authorised to issue enforcement notices in relation to the construction of an unauthorised office building; engineering works to create a bunded compound area and the change of use of the land from agriculture to an unauthorised mixed use comprising B1 (business use, including offices) and B8 (storage and distribution use). The Notices to require

- The demolition and removal of the office building;**
- The digging up and removal of the bunds, including the removal of the bunding material from the site;**
- Cessation of the mixed use of the land for B1 (business use, including offices) and B8 (storage and distribution use) and removal of the storage and any other associated items from the land; and**
- A compliance period of six months.**

Chairman

**Planning and Development Board
7 November 2016
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/4	PAP/2014/0540 and PAP/2014/0542	E Jordan	Objection	4/11/16
4/51	PAP/2015/0584	K Boffrey A Core	Objection Objection	27/10/16 26/10/16
4/118	PAP/2016/0301	Site Visit Note Atherstone Surgery	 Letter	1/11/16 4/11/16
4/276	PAP/2016/0491	WCC Flooding	Consultation	1/11/16