

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

8 August 2016

Present: Councillor Simpson in the Chair.

Councillors L Dirveiks, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Reilly, Smitten, Sweet, Waters and A Wright

An apology for absence was received from Councillor Bell (substitute Councillor Waters)

Councillors Clews, Davey, Ferro, Ingram and Smith were also in attendance.

21 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Morson declared a non-pecuniary interest in Minute No 22 Planning Applications (Application No 2016/0007 - Land at Hams Hall Distribution Park, Faraday Avenue, Coleshill and Application No 2016/0008 - Marston Fields Farm, Kingsbury Road, Lea Marston, Sutton Coldfield, B76 0DP), left the meeting and took no part in the discussion thereon.

Councillor Humphreys declared a non-pecuniary interest in Minute No 22 Planning Applications (Application No 2015/0344 - Beech House, Market Street, Atherstone, Application No 2015/0284 - Post Office Yard, rear of 100 Long Street, Atherstone, Applications No 2015/0375 and 2015/0283 - Bank Gardens, rear of 94/96 Long Street, Atherstone and Application No 2015/0285 - Land rear of 108 Long Street, Atherstone), left the meeting and took no part in the discussion thereon.

Councillor Reilly declared a non-pecuniary interest in Minute No 22 Planning Applications (Application No 2016/0007 - Land at Hams Hall Distribution Park, Faraday Avenue, Coleshill, Application No 2016/0008 - Marston Fields Farm, Kingsbury Road, Lea Marston, Sutton Coldfield, B76 0DP and Application No 2016/0399 - Former B Station Site, Faraday Avenue, Hams Hall, Coleshill).

22 **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 2016/0007 (Land at Hams Hall Distribution Park, Faraday Avenue, Coleshill) the County Council be advised that this Council objects to this proposal on the grounds of its scale being out of keeping even on this estate and that there are concerns not yet answered about the level of emissions and thus the potential risk of pollution;

[Speaker Andrew Needham]

- b** That in respect of Application No 2016/0008 (Marston Fields Farm, Kingsbury Road, Lea Marston, Sutton Coldfield, B76 0DP) the Council raises no objection but asks Warwickshire County Council to set a realistic time framework for completion of the scheme and that measures are put in place to monitor the work;

- c** That Application No 2015/0253 (Land North Of, Eastlang Road, Fillongley) be refused for the following reasons

“ It is considered that the proposal is not appropriate development in the Green Belt. This is because it does not accord with the exceptions set out in the NPPF. The reason for this is that the relevant exception in this case is conditional on the proposal meeting the content of Development Plan policy. Here Policy NW5 of the Core Strategy 2014 requires affordable housing outside of settlements to be for a proven local need and small in scale. The proposal is not small in scale and would cause substantial harm to the openness of the Green Belt. It is considered that this impact outweighs the benefit arising from the affordable housing provision. The proposal does not therefore accord with Policy NW5 of the Core Strategy 2014 and thus the National Policy Framework 2012.”

[Speakers Ray Savage, Adrian White and James Cassidy]

- d** That provided the applicant first enters in to a Section 106 Agreement relating to the phasing schedule set out in the report of the Head of Development Control, Application No 2015/0344 (Beech House, 19 Market Street, Atherstone), Application No 2015/0284 (Post Office Yard, rear of 100 Long Street, Atherstone), Applications No 2015/0375 and 2015/0283 (Bank Gardens, rear of 94/96 Long Street, Atherstone) and Application No 2015/0285 (Land rear of 108 Long Street, Atherstone), planning permissions and Listed Building consents be approved subject to the conditions contained in the report at Appendix A, amended as necessary to take account of the schedule. In addition it was noted that the

sub-group would continue to meet to oversee the progress of the works;

[Speaker Judy Vero]

- e That in respect of Application No 2015/0348 (Land At Crown Stables, Nuneaton Road, Mancetter, CV9 1RF)**
 - i the Heritage Society, Mancetter Parish Council and other interested parties be given one week from the date of this meeting to make observations on the Heritage Assessment produced by Thames Valley Archaeology Services Limited;**
 - ii that if any adverse comments are received, the Head of Development Control, in consultation with the Chairman and the Opposition Spokesperson, be given delegated authority to review such comments; and**
 - iii that upon the satisfactory resolution of any comments received, the Head of Development Control writes to the applicant to confirm that, based on the submission of the additional information received on 8 July 2016, the Council will not be defending reason refusal number 2 at any appeal which may be submitted for the purposes of planning proposal ref: PAP/2015/0348.**

[Speaker Margaret Hughes]

- f That consideration of Application No 2015/0584 (Land at Grimstock Hill, off Trajan Drive, Coleshill) be deferred for a site visit and to enable the Head of Development Control undertake further discussions with the applicant in respect of the matters identified at the meeting;**
- g That provided the applicant first enters in to a Section 106 Agreement relating to on-site affordable housing provision as set out in the report of the Head of Development Control, Application No 2015/0692 (Land Rear Of Ansley United Reform Church, Birmingham Road, Ansley) be approved subject to the conditions specified in the said report;**

[Speaker Greg Mitchell]

- h That consideration of Application No 2016/0249 (Former Police Station, Park Road/Birmingham Road, Coleshill, Warwickshire, B46 1DJ) be deferred to enable the Head of Development Control undertake further discussions with the applicant in respect of the matters identified at the meeting;**

- i That Application No 2016/0274 (Land at, Hall End Farm, Watling Street, Dordon, B78 1SZ), Application No 2016/0046 (Hall End Farm, Watling Street, Dordon), Application No 2016/0045 (Hall End Farm, Watling Street, Dordon) and Application No 2016/0048 (Hall End Farm, Watling Street, Dordon) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speakers David Hodgetts and Edward Hodgetts]

- j That having been withdrawn Application No 2016/0358 (Morrisons, Park Road, Coleshill, B46 1AS) be not determined; and
- k That the receipt of Application No 2016/0399 (Former B Station Site, Faraday Avenue, Hams Hall, Coleshill) be noted.

23 HS2 – Planning Applications

The Head of Development Control reported on the consequences of the Council becoming a Qualifying Authority in respect of planning applications submitted consequential to the construction of the HS2 railway line. The Board was asked to agree a suggested course of action.

Resolved:

That the report be noted and that Parish and Town Councils be notified of the consequences of the Borough Council's status as a Qualifying Authority in respect of the forthcoming planning applications for the consequential structures of the HS2 development.

24 The North Warwickshire and Nuneaton and Bedworth Building Control Partnership

The Board was invited to consider extending the Council's partnership working with Nuneaton and Bedworth Borough Council in providing a Building Control service.

Resolved:

That the Borough Council renews its membership of the Partnership and that the Agreement be extended for a further three years.

25 **Submission of Coleshill Neighbourhood Plan for public consultation**

The Head of Development Control reported on the progress of the submitted Coleshill Neighbourhood Plan and sought approval to go out for a formal consultation in accordance with section 16 of the Neighbourhood Planning (General) Regulations 2012.

Resolved:

That the Coleshill Neighbourhood Plan be circulated for a 6 week public consultation.

26 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - June 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 June 2016.

Resolved:

That the report be noted.

27 **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 items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

28 **The Lake House, Bakehouse Lane, Nether Whitacre.**

The Head of Development Control reported further on the enforcement action being taken in respect of The Lake House, Bakehouse Lane, Nether Whitacre and the Board was asked to agree a suggested course of action.

Resolved:

That the reason for issuing an Enforcement Notice in this case be as set out in the report of the Head of Development Control, with the option of issuing two Notices should legal advice recommend such an approach.

29 **Heart of England Premises**

The Head of Development Control reported further in respect of the Heart of England, Fillongley and the Board was asked to agree a suggested course of action.

Resolved:

- a **That the report of the Head of Development Control be noted;**
- b **That the application to discharge conditions be reported to the next meeting of the Planning and Development Board for determination and that Members consider and offer feedback on the matters set out in Appendix E to the report;**
- c **That the two outstanding applications described in the report be determined on their own merits in the usual manner;**
- d **That the owner be invited to submit applications to retain the two illuminated pole signs within the next four weeks otherwise the Council will consider prosecution;**
- e **That a further report be brought to the Board in due course concerning compliance with all of the extant Enforcement Notices affecting the site;**
- f **That Planning Contravention Notices be served in respect of the alleged breaches of planning conditions and the use of land outside the scope of the planning permissions as described in the report; and**
- g **That the Council seek legal advice on the success of gaining an Injunction as set out in the report.**

M Simpson
Chairman

**Planning and Development Board
8 August 2016
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/6	CON/2016/0007	Lea Marston Parish Council	Objection	1/8/16
4/180	PAP/2016/0249	WCC Flooding Ansons	Consultation Letter	29/7/16 5/8/16
4/202	PAP/2016/0274	WCC Flooding	Consultation	
4/216	PAP/2016/0399	CPRE	Objection	7/8/16