

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

16 May 2016

Present: Councillor Simpson in the Chair.

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

An apology for absence was received from Councillor Humphreys (substitute Councillor Ingram)

Councillors Chambers, Farrell, Smith and M Stanley were also in attendance. With the consent of the Chairman, Councillor Chambers spoke on Minute No 2 Planning Applications (Application No 2015/0679 - Land north east of, The Beanstalk, Gypsy Lane, Birch Coppice Distribution Park, Dordon and Application No 2015/0745 - Land south of Berry House, Gypsy Lane, Dordon) and Councillor Smith spoke on Minute No 2 Planning Applications (Application No 2016/0091 - Moor Farm Stables, Wall Hill Road, Corley).

Before the commencement of business Members recorded a vote of thanks to former Chairman Councillor Joan Lea for her service to the Board.

#### 1 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Simpson declared a non-pecuniary interest in Minute No 2 Planning Applications (Application No 2016/0091 - Moor Farm Stables, Wall Hill Road, Corley) left the meeting and took no part in the discussion thereon. During the consideration of this matter Councillor Reilly was in the Chair.

Councillor Bell declared a pecuniary interest in Minute No 2 Planning Applications (Application No 2016/0199 (Land to the rear of 145, Coleshill Road, Hartshill, CV10 0PG) left the meeting and took no part in the discussion thereon.

#### 2 **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
  - i That provided the phasing as recommended in the conditions attached to Applications No 2015/0284 and 2015/0285 is reversed and the applicant first entering in to a Section 106 Agreement, 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) be approved subject to the conditions set out in report of the Head of Development Control; and
  - ii That the content of the Section 106 Agreement be delegated to the Head of Development Control in consultation with the Chairman, Vice Chairman, Opposition Spokesperson and two local Ward Members.

[Speaker Judy Vero]

- b That Application No 2015/0679 (Land north east of, The Beanstalk, Gypsy Lane, Birch Coppice Distribution Park, Dordon) be approved subject to the conditions set out in the report of the Head of Development Control and to the following additional condition

“There shall be no occupation of the building hereby approved for business purposes until an acoustic fence has been constructed along the northern boundary of the site, the details of which shall first have been submitted to and approved in writing. Only the approved details shall then be implemented on site to the written satisfaction of the Local Planning Authority.”

[Speaker Karen Mulvey]

- c That provided the applicant first enters in to a Section 106 Agreement relating to the provision of an off-site housing contribution as set out in the report of the Head of Development Control, Application No 2015/0745 (Land south of Berry House, Gypsy Lane, Dordon) be approved subject to an additional condition relating to an acoustic fence and subject to the landscaping detail required by the relevant condition being the referred for consultation purposes to local residents;

[Speakers Karen Mulvey and Andy Williams]

**d** That provided the applicant first enters in to a Section 106 Agreement relating to the provision of an off-site housing contribution as set out in Appendix A to the report of the Head of Development Control, Application No 2015/0680 (Atherstone College, Ratcliffe Road, Atherstone, CV9 1LF) be approved subject to the conditions set out in the said report. In addition the Local Development Framework Sub-Committee is recommended to continue its work with health providers to ensure sufficient commitment and that the Practice be written to, to ask what its plans are, given the likely growth in Atherstone;

**e** That consideration of Application No 2016/0011 (Southfields Farm, Packington Lane, Coleshill, B46 3EJ) and Application No 2016/0029 (Southfields Farm, Packington Lane, Coleshill, B46 3EJ) be deferred for a site visit and for clarification to be sought on the detailed information as submitted, particularly the likely traffic movements;

[Speakers Anthony Mayell, Gary Stevenson and John Plumb]

**f** That Application No 2016/0025 (19 Willow Walk, Old Arley, CV7 8NY) be approved subject to the conditions set out in the report of the Head of Development Control;

**g** That provided the applicant first enters in to a Section 106 Agreement as set out in the report of the Head of Development Control, Application No 2016/0042 (35, Church Walk, Atherstone, CV9 1AJ) be approved subject to the conditions set out in the said report;

**h** That in respect of Moor Farm Stables, Wall Hill Road, Corley

**i** it was noted that Application No 2016/0119 (The Access) was withdrawn prior to the meeting and was therefore not determined;

**ii** Application No 2016/0119 (The Access), the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the closure of the existing access on a permanent basis and the re-instatement of the hedgerow and planting to an agreed schedule with a compliance period of three months in which to close the access and twelve months to re-instatement of the agreed planting scheme;

**iii** Application No 2016/0091 (The Building) be refused for the following reasons

**"The proposal is considered not to be appropriate development in the Green Belt because it adversely impacts on the openness of the Green Belt and has adverse visual and residential amenity impacts. This is due in particular to its height. The considerations put forward by the applicant are not considered to amount to the very special circumstances of sufficient weight to clearly outweigh the level of harm caused. The proposal does not accord with Policies NW3, NW10, NW12 and NW13 of the Core Strategy 2014"**

- iv Application No 2016/0091 (The Building), the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the reduction in height of the whole building by 1.5 metres and that the compliance period be six months; and**
- v the issue of the Notices set out above be held in abeyance and the applicant be informed of the recommendations and invited to meet representatives of the Board with a view to discussing the requirements of the Notices such that the Board can better understand the impact of these on the business and that those representatives report back to the Board for it then to make its determinations.**

**[Speakers John Park, Andrew Large and Liz White]**

- i That Application No 2016/0097 (51 Pear Tree Avenue, Kingsbury, B78 2LQ) be approved subject to the conditions set out in the report of the Head of Development Control;**
- j That Application No 2016/0122 (Willprint, Keys Hill, Baddesley Ensor, CV9 2DF) be approved subject to the conditions set out in the report of the Head of Development Control;**

**[Speakers Alan Guild and Oliver Mitchell]**

- k That the receipt of Application No 2016/0199 (Land to the rear of 145, Coleshill Road, Hartshill, CV10 0PG) be noted and Members be invited to undertake a site visit prior to determination.**

### **3 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2015 - March 2016**

The Chief Executive and the Deputy Chief Executive reported on progress with the achievement of the Corporate Plan and Performance

Indicator targets relevant to the Planning and Development Board for April 2015 to March 2016.

**Resolved:**

**That the report be noted.**

**4 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 in Schedule 12A to the Act.**

**5 Breaches of Planning Control**

The Head of Development Control reported on an alleged breach of planning control on land at Moorwood Quarry, Moorwood Lane, Hartshill and the Board was asked to agree a suggested course of action.

**Resolved:**

**That in respect of the land at Moorwood Quarry, Moorwood Lane, Hartshill the Solicitor to the Council be authorised to issue an Enforcement Notice or Enforcement Notices relating to:**

- a The unauthorised change of use of land from a nil use to a mixed use comprising storage within Use Class B8; storage of builders' materials, and the siting of a mobile home, the notice to require the cessation of the unauthorised use of the land;**
- b Unauthorised engineering works to the site access track involving the laying of concrete, over waste concrete posts, together with the formation of a concrete hardstanding and foundation. The notice requiring the digging up/breaking up of the concrete access track, the digging up/ breaking up of the hardstanding and foundation, with the resulting materials from both the access track and hardstanding and foundation to be removed from the site;**
- c Unauthorised storage buildings requiring the demolition of the structures and removal of the resulting materials from the site;**
- d Unauthorised means of enclosure requiring the reduction in the height of the fencing and gates to two metres; and**

**e That the compliance period in all cases be six months.**

**6 Forthcoming Appeals**

The Head of Development Control reported on a number of planning appeals that had been lodged and the Board was asked to agree a suggested course of action.

**Resolved:**

**That the Council ensures that it is best represented at all planning appeals and that as a consequence any requests for a supplementary estimate be forwarded to the Executive Board.**

M Simpson  
Chairman

**Planning and Development Board  
16 May 2016  
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/5	PAP/2015/0344	Atherstone Civic Society	Objection	12/5/16
		Historic England	E-mail	4/5/16
4/104	PAP/2015/0679	Site Visit	Note	5/5/16
	PAP/2015/0745	Site Visit	Note	5/5/16
4/192	PAP/2015/0119	Applicant	E-mail	9/5/16
		Applicant	E-mail	9/5/16
		Warwickshire County Council Highways	Objection	5/5/16
	PAP/2016/0091	Riding for the Disabled Association	Support	11/5/16
4/234	PAP/2016/0122	Mrs Young	Representation	13/5/16