

**To: The Deputy Leader and Members of the
Planning and Development Board**

**(Councillors Butcher, Barber, L Dirveiks,
Humphreys, Lea, May, B Moss, Phillips,
Sherratt, Simpson, A Stanley, Sweet, Turley,
Watkins and Winter)**

For the information of other Members of the Council

This document can be made available in large print and electronic accessible formats if requested.

For general enquiries please contact David Harris, Democratic Services Manager, on 01827 719222 or via e-mail - davidharris@northwarks.gov.uk.

For enquiries about specific reports please contact the officer named in the reports

PLANNING AND DEVELOPMENT BOARD AGENDA

13 OCTOBER 2014

The Planning and Development Board will meet in The Council Chamber, The Council House, South Street, Atherstone, Warwickshire CV9 1DE on Monday 13 October 2014 at 6.30 pm.

AGENDA

- 1 **Evacuation Procedure.**
- 2 **Apologies for Absence / Members away on official Council business.**
- 3 **Disclosable Pecuniary and Non-Pecuniary Interests**

- 4 **Minutes of the meetings of the Board held on 14 July, 11 August and 8 September 2014** copies herewith to be approved as a correct record and signed by the Chairman.

**PART A – ITEMS FOR DISCUSSION AND DECISION
(WHITE PAPERS)**

- 5 **Budgetary Control Report 2014 / 2015 - Period Ended 30 September 2014** - Report of the Assistant Director (Finance and Human Resources)

Summary

The report covers revenue expenditure and income for the period from 1 April 2014 to 30 September 2014. The 2014/2015 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371).

- 6 **Planning Applications** – Report of the Head of Development Control.

Summary

Town and Country Planning Act 1990 – applications presented for determination

The Contact Officer for this report is Jeff Brown (719310).

- 7 **Tree Preservation Order** – Report of the Head of Development Control.

Summary

A request for Tree Preservation Orders to be considered for trees in Coleshill has been investigated and a recommendation made accordingly.

The Contact Officer for this report is Jeff Brown (719310).

**PART C – EXEMPT INFORMATION
(GOLD PAPERS)**

- 8 **Exclusion of the Public and Press**

Recommendation:

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 it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

9 **Breaches of Planning Control** – Report of the Head of Development Control

The Contact Officer for this report is Jeff Brown (719310).

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

14 July 2014

Present: Councillor Butcher in the Chair.

Councillors Humphreys, Lea, Lewis, May, B Moss, Phillips, Sherratt, Simpson, Smith, A Stanley, Sweet, Turley, Watkins and Winter

Apologies for absence were received from Councillors Barber (substitute Councillor Smith) and L Dirveiks (substitute Councillor Lewis).

Councillor Hayfield was also in attendance and with the consent of the Chairman spoke on Minute No 14 Planning Applications (Application No 2013/0452 - Land adjacent to Castle Close, Coventry Road, Fillongley).

11 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Lea declared an interest in Minute No 14 Planning Applications (Application No 2014/0013 - KSD Recycled Aggregates Ltd, Lichfield Road, Curdworth, Sutton Coldfield, B76 0BB) and took no part in the discussion or voting thereon.

Councillor Watkins declared an interest in Minute No 14 Planning Applications (Application No 2014/0167 - The Depot, Station Road, Arley, Warwickshire, CV7 8FG) and took no part in the discussion or voting thereon.

Councillors Humphreys and Winter declared an interest in Minute No 14 Planning Applications (Application No 2014/0168 - Ivy Cottage, Freasley, B78 2EZ) left the meeting and took no part in the discussion or voting thereon.

12 **Minutes**

The minutes of the meetings of the Board held on 10 March, 14 April, 19 May and 16 June 2014, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

13 **Budgetary Control Report 2014/2015 – Period Ended 30 June 2014**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2014 to 30 June 2014. The 2014/2015 budget and the actual position for the period, compared with the estimate at that date were detailed, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

14 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 2014/0013 (KSD Recyled Aggregates Ltd, Lichfield Road, Curdworth, Sutton Coldfield, B76 0BB) the Council strongly objects to this proposal on the following grounds:

- 1. The site is in the Green Belt and it is not considered that there are the very special circumstances of such weight to override the presumption of refusal for this inappropriate development.**
- 2. The proposals would cause substantial harm to the setting of Dunton Hall, a grade 2 Listed Building.**
- 3. The proposal for the green waste plant would lead to an over- supply of such facilities within the Borough.**
- 4. These grounds would cause adverse environmental impacts and thus not accord with policy CS3 of the Waste Core Strategy 2013.**

b That provided the applicant first enters in to a Section 106 Agreement to provide an off-site contribution for affordable housing as set out in Appendix A to the report of the Head of Development Control, Application No 2013/0452 (Land adjacent to Castle Close, Coventry Road, Fillongley) be approved subject to conditions set out in the report and to any additional conditions required by the Highway Authority;

[Speakers Adrian White and Matthew White]

c That Application No 2014/0080 (Cherry Tree Farm, Atherstone Road, Hartshill, CV10 0TB) be approved subject to the conditions set out in the report of the Head of Development Control;

[Speakers John Lorriman and James Hammond]

- d That Application No 2014/0167 (The Depot, Station Road, Arley, Warwickshire, CV7 8FG) be approved subject to the amendment of condition 5 to read as follows

“5 No car transporters shall deliver any cars to or take any cars away from the site.”

[Speaker Ben Henry]

- e That in respect of Application No 2014/0168 (Ivy Cottage, Freasley, B78 2EZ)

i planning permission be refused for the reasons set out in the report of the Head of Development Control; and

ii the Assistant Chief Executive and Solicitor to the Council be authorised to issue an enforcement notice requiring the removal of the wall, the greenhouse, the hen house, the potting shed and the raised planting beds together with the restoration of the land to its former condition, within a period of three months.

[Speakers Peter Farmer and Richard Smith]

- f That subject to the Highway Authority having no objection, Application No 2014/0228 (1-7 (odd nos), Church Walk, Mancetter, Atherstone, CV9 1PZ) be approved subject to the conditions set out in the report of the Head of Development Control.

[Speaker John Holt]

15 **Five Year Housing Supply**

The Assistant Chief Executive and Solicitor to the Council reported on the latest information in respect of the five year housing supply.

Resolved:

That the report be noted.

16 **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 in Schedule 12A to the Act.

17 Breaches of Planning Control

The Head of Development Control reported on an alleged breach of planning control and the Board was asked to agree a suggested course of action.

Resolved:

That in respect of land to the rear of 125a Coleshill Road, Hartshill, 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.

D Butcher
Chairman

**Planning and Development Board
14 July 2014
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
6/2	PAP/2013/0452	Warwickshire County Council	Consultation	7/7/14
		Mr Purchase	Objection	13/7/14
		Mr Purchase	Objection	13/7/14
		Anon	Objection	14/7/14
		Petition (50 signatures)	Objection	14/7/14
		Anon	Objection	14/7/14
		Anon	Objection	14/7/14
6/4	PAP/2014/0167	Warwickshire County Council	Consultation	8/9/14

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

11 August 2014

Present: Councillor Butcher in the Chair.

Councillors Barber, Davis, L Dirveiks, Lea, May, Moore, Morson, Phillips, Sherratt, Simpson, Smith, Sweet, Turley and Winter

Apologies for absence were received from Councillors Humphreys (substitute Councillor Smith), B Moss (substitute Councillor Morson), A Stanley (substitute Councillor Moore) and Watkins (substitute Councillor Davis).

Councillor Fox was also in attendance.

18 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

19 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board.

Resolved:

a That in respect of Application No 2014/0015 (Land at Hill Farm, Plough Hill Road, Galley Common, Nuneaton) Nuneaton and Bedworth Borough Council be informed that whilst the Council has no objection to the proposal, it does raise concerns about the impacts of the development as set out in the report of the Head of Development Control;

b That Application No 2014/0282 (1 Farm Lane, Grendon, Atherstone, CV9 3DR) be refused for the reasons set out in the report of the Head of Development Control;

[Speaker Ellie Jones]

c That in respect of Application No 2014/0339 (Daw Mill Colliery, Daw Mill Lane, Arley) a site visit be undertaken prior to determination; and

d That the report in respect of Application No 2014/0345 (C W Young Limited (Builders Yard), Common Lane, Corley, Coventry, Warwickshire, CV7 8AQ) be noted.

20 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2014**

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 2014.

Resolved:

That the report be noted.

21 **Neighbourhood Plan Designation Consultation Periods**

The Assistant Chief Executive and Solicitor to the Council reported on a proposal for the time period for the formal consultation on Neighbourhood Plan Designations to be 8 weeks.

Resolved:

That the Neighbourhood Plan Designation consultation period be for 8 weeks.

D Butcher
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

8 September 2014

Present: Councillor Butcher in the Chair.

Councillors L Dirveiks, Humphreys, Lea, May, Moore, Phillips, Sherratt, Simpson, A Stanley, Sweet, Turley and Winter

Apologies for absence were received from Councillors Barber and B Moss (substitute Councillor Moore)

22 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

23 **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: 2014/0017 (Tamworth Road/Bennetts Road South, Coventry) this Council urges Coventry City Council to meet its housing needs within its own area and particularly on brownfield land and at the highest possible densities. As a consequence this Council strongly objects to this proposal being inappropriate development in the Green Belt. In view of the City Council's work in undertaking a review of the Green Belt, the Borough Council would urge the City Council to defer determination of this application until completion of this review;**
- b **That consideration of Application No: 2014/0031 (Priory Farm Karting Circuit, Priory Farm, Robeys Lane, Alvecote, B78 1AR) be deferred;**

[Speakers Stephen Doyle, Antony Madge and Charles Graham]
- c **That Application No: 2014/0293 (The Woodlands, Watling Street, Dordon, B78 1SS) be approved subject to the addition on new condition (v) as follows and the remaining conditions to be renumbered accordingly**

“(v) All vehicle sales from the site shall be undertaken via advertisement and marketing on the internet and specifically not through the display of any signage whatsoever at the site.”

[Speaker Chris Nash]

- d That Application No: 2014/0316 (Littlebrook Farm, Birmingham Road, Ansley, CV10 9PU) be approved subject to conditions set out in the report of the Head of Development Control.**

[Speaker Anna Summat]

24 Government Consultation

The Head of Development Control reported that the Government had published a further consultation paper with a view to removing more development from the need to submit a planning application and to speed decision making. The Council was invited to submit its representations.

Resolved:

That the Head of Development Control be ask to respond to the consultation as set out in his report.

D Butcher
Chairman

**Planning and Development Board
8 September 2014
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/2	PAP/2014/0031	Councillor Cooke	Representation	28/8/14
4/3	PAP/2014/0293	Agent	Representation	3/9/14

Agenda Item No 5

Planning and Development Board

13 October 2014

Report of the Assistant Director (Finance and Human Resources)

Budgetary Control Report 2014 / 2015 Period Ended 30 September 2014

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2014 to 30 September 2014. The 2014/2015 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

Recommendation to the Board

That the report be noted and that the Board requests any further information it feels would assist it in monitoring the budgets under the Board's control.

2 Consultation

- 2.1 Councillors Butcher, N Dirveiks, Smith and Sweet have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Introduction

- 3.1 Under the Service Reporting Code of Practice (SeRCOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but, also support costs relating to such areas as finance, office accommodation, telephone costs and IT services. The figures contained within this report are calculated on this basis.

4 Overall Position

- 4.1 Net controllable expenditure for those services that report to the Planning and Development Board as at 30 September 2014 is £18,756 compared with a profiled budgetary position of £197,800; an under spend of £179,044 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period. Where possible, the year-to-date budget figures have been calculated with some allowance for seasonal variations in order to give a better comparison with actual figures. Reasons for the variations are given, where appropriate, in more detail below.

...

4.2 Planning Control

4.2.1 Income is currently ahead of forecast by £182,414, the bulk of which is attributable to four large planning applications of £189,338 and the remainder is due to additional medium / large applications received. This has been offset in part by additional expenditure on Professional Fees.

4.3 Local Land Charges

4.3.1 Income from Local Land Charges is currently £4,260 ahead of profile due to the sale of additional searches.

5 Performance Indicators

5.1 In addition to the financial information provided to this Board when the budgets were set in February, performance indicators were included as a means of putting the financial position into context. These are shown at Appendix B.

...

5.2 Despite the number of planning applications received being lower than profiled, the profile is a Net Cost per Application, but the actual is currently a net income per application. This would support the fact that we have handled more medium to large applications in this period.

5.3 The gross and net cost per Land Charge is lower than expected due to the number of searches undertaken having exceeded the profiled level by 38%. This upturn is as a result of the increased buoyancy in the housing market.

6 Risks to the Budget

6.1 The key risks to the budgetary position of the Council from services under the control of this Board are:

- The need to hold Public Inquiries into Planning Developments.
- Reductions in income relating to planning applications.
- Proposed plans by government to relax planning permission on certain extensions may affect the level of planning income received.
- Risk to the mix of Local Land Charge applications not bringing in the expected level of fee income.

7 Estimated Out-turn

7.1 Members have requested that Budgetary Control Reports provide details on the likely out-turn position for each of the services reporting to this Board. The anticipated out turn for this board for 2014/15 is £353,730 as detailed in the table below:-

	£
Approved Budget 2014/15	453,730
Additional Planning Fee income	(100,000)
Expected Out-turn 2014/15	353,730

7.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this board; and may change as the financial year progresses. Members will be updated in future reports of any further changes to the forecast out turn.

8 **Building Control**

8.1 Figures provided by the Building Control Partnership indicate that this Council's share of the costs up to 31 August 2014 show a favourable variance.

8.2 The approved budget provision for Building Control is £60,330, which should be more than sufficient to cover the full year costs currently estimated by the Partnership. We will continue to monitor this over the course of the year.

9 **Report Implications**

9.1 **Finance and Value for Money Implications**

9.1.1 The Council's budgeted contribution from General Fund balances for the 2014/15 financial year is £595,463. This is expected to decrease by £100,000 as shown above. Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board at future meetings.

9.2 **Environment and Sustainability Implications**

9.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

APPENDIX A**North Warwickshire Borough Council****Planning and Development Board****Budgetary Control Report 2014/2015 as at 30 September 2014**

Description	Approved Budget 2014/2015	Profiled Budget September 2014	Actual September 2014	Variance	Comments
Planning Control	320,190	160,410	(12,840)	(173,250)	Comment 4.2
Building Control Non fee-earning	76,070	7,870	7,708	(162)	
Conservation and Built Heritage	45,250	28,861	28,840	(21)	
Local Land Charges	(780)	(5,841)	(9,356)	(3,515)	Comment 4.3
Street Naming & Numbering	13,000	6,500	4,404	(2,096)	
	453,730	197,800	18,756	(179,044)	

Key Performance Indicators for Budgets Reporting to the Planning and Development Board

	Budgeted Performance	Profiled Budgeted Performance	Actual Performance to Date
Planning Control			
No of Planning Applications	800	400	362
Gross cost per Application	£886.39	£901.03	£1,020.44
Net cost per Application	£400.24	£401.03	-£38.71
Caseload per Planning Officer			
All applications	148	74.1	67.0
Local Land Charges			
No of Searches	450	225	311
Gross cost per Search	£89.78	£87.96	£67.57
Net cost per Search	-£1.73	-£25.96	-£30.45

Agenda Item No 6

Planning and Development Board

13 October 2014

Planning Applications

Report of the Head of Development Control

1 Subject

- 1.1 Town and Country Planning Act 1990 – applications presented for determination.

2 Purpose of Report

- 2.1 This report presents for the Board decision, a number of planning, listed building, advertisement, proposals, together with proposals for the works to, or the felling of trees covered by a Preservation Order and other miscellaneous items.
- 2.2 Minerals and Waste applications are determined by the County Council. Developments by Government Bodies and Statutory Undertakers are also determined by others. The recommendations in these cases are consultation responses to those bodies.
- 2.3 The proposals presented for decision are set out in the index at the front of the attached report.
- 2.4 Significant Applications are presented first, followed in succession by General Development Applications; the Council's own development proposals; and finally Minerals and Waste Disposal Applications. .

3 Implications

- 3.1 Should there be any implications in respect of:

Finance; Crime and Disorder; Sustainability; Human Rights Act; or other relevant legislation, associated with a particular application then that issue will be covered either in the body of the report, or if raised at the meeting, in discussion.

4 Site Visits

- 4.1 Members are encouraged to view sites in advance of the Board Meeting. Most can be seen from public land. They should however not enter private land. If they would like to see the plans whilst on site, then they should always contact the Case Officer who will accompany them. Formal site visits can only be agreed by the Board and reasons for the request for such a visit need to be given.
- 4.2 Members are reminded of the "Planning Protocol for Members and Officers dealing with Planning Matters", in respect of Site Visits, whether they see a site alone, or as part of a Board visit.

5 **Availability**

- 5.1 The report is made available to press and public at least five working days before the meeting is held in accordance with statutory requirements. It is also possible to view the papers on the Council's web site: www.northwarks.gov.uk.
- 5.2 The next meeting at which planning applications will be considered following this meeting, is due to be held on Monday, 10 November 2014 at 6.30pm in the Council Chamber at the Council House.

6 **Public Speaking**

- 6.1 Information relating to public speaking at Planning and Development Board meetings can be found at: www.northwarks.gov.uk/downloads/file/4037/.
- 6.2 If you wish to speak at a meeting of the Planning and Development Board, you may either:
- e-mail democraticservices@northwarks.gov.uk;
 - telephone (01827) 719222; or
 - write to the Democratic Services Section, The Council House, South Street, Atherstone, Warwickshire, CV9 1DE enclosing a completed form.

Planning Applications – Index

Item No	Application No	Page No	Description	General / Significant
1	PAP/2014/0131	4	Land adj. to, 4, Church Lane, Shuttington, Erection of one dormer bungalow dwellinghouse.	General
2	PAP/2014/0345	15	C W Young Limited (Builders Yard), Common Lane, Corley, Coventry, Warwickshire, Proposed development of 8No. 2.5 storey semi detached house, 2 No. semi detached 1.5 storey dormer bungalows, 1 No. detached dormer bungalow and 2No. garages with storage above with associated highways, hard standing and landscaping. Scheme also includes the clear up of the remainder of the builders yard.	General
3	PAP/2014/0374	43	Ivy Cottage, Freasley Common, Freasley, Variation of condition no: 1 & 13 of planning permission PAP/2013/0210 relating to amendments to previously approved plans; in respect of erect stable building and form menage (retrospective application)	General
4	PAP/2014/0483	55	Land East Of Grendon House Farm, Warton Lane, Grendon, Development of solar photovoltaic panels including new access track (off existing farm track); temporary construction compound; double inverters; transfer station; collecting station; security fencing; CCTV cameras and poles; landscaping and associated works and infrastructure	General

General Development Applications

Application No: PAP/2014/0131

Land adjacent to 4, Church Lane, Shuttington.

Erection of new dormer bungalow dwelling house, for

Mr Brian Frost

Introduction

The application is referred in accordance with adopted Scheme of Delegation to Authorised Officers as a statutory consultee objects to the proposed development. A Section 106 Agreement is also submitted with the application.

The Site

The application site is an area of 0.06 ha of undeveloped land adjacent to 4 Church Lane. The site lies outside the identified settlement boundary for Shuttington. The site slopes away from Church Lane towards open countryside and the pools adjoining the River Anker. Church Lane is a cul-de-sac leading from Main Road to the entrance to the Church of St Mathew, a grade 2 listed building. This is a private road which has been provided with a bound surface for a short distance from the junction with Main Road; the remaining length has a loose bound surface. Public footpath (T109) runs along Church Lane from Main Road and on through the churchyard.

The Proposal

It is proposed to erect a new three bedroom dwelling house with a parking/turning area to its front and a garden to the rear. The proposed design is for a dormer bungalow; a single storey building with a double pitched roof with dormers and roof lights to enable accommodation to be provided within the roof space. The roof plane facing Church Lane, will include a one dormer and two roof lights, the roof plane facing open countryside to the rear will include two dormers and a roof light. Vehicle access will be from Church Lane. A parking/turning area, will provide parking for two cars to the front of the new building.

An obligation made under Section 106 is submitted with the application. This provides for a financial contribution of £8970 for the provision of affordable housing within the parish of Shuttington or adjoining parishes.

Background

Church Lane is a private road and the ownership of the land over which it runs is unknown. Planning permission was previously granted in 1981 for three dwellings on the land now occupied by Numbers 2 and 4 Church Lane. Drawings submitted with this historical application indicated the current application site would be used to provide parking space for visitors to the nearby church. These drawings also indicated that Church Lane itself could be widened. The permission was however never implemented and works to widen Church Lane were not undertaken. Two planning permissions were subsequently granted to permit the development of the existing dwelling houses at Numbers 2 and 4 Church Lane. These are both single storey bungalows.

Development Plan

Saved Policies of the North Warwickshire Local Plan 2006 - Core Policy 2 (Development Distribution); ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG2 (Affordable Housing), TPT3 and TPT6 (Vehicle Parking).

The North Warwickshire Core Strategy 2014 – NW1 (Settlement Hierarchy); NW3 (Housing Development), NW5 (Affordable Housing); NW8 (Sustainable Development); NW9 (Renewable Energy and Energy Efficiency) and NW10 Quality of Development).

Other Material Planning Considerations

The National Planning Policy Framework 2012

Consultations

Warwickshire County Council (Rights of Way) – No objection

Warwickshire Museum – No objection subject to a pre-commencement condition for investigative work

Warwickshire County Council (Highway Authority) - The Council objects for the following reasons:

1. Although the visibility splays for the Church Lane/Main Road junction are appropriate for the junction, vehicles parked on Main Road frequently restrict the visibility. The Authority therefore consider the visibility for drivers emerging from the junction and the visibility of the junction for drivers travelling south-westerly to be less than that recommended in guidance.
2. Church Lane is too narrow. The carriageway is 3.2 metres wide and provides vehicle access to four dwellings and the Church. Guidance recommends a shared access should be 5.0 metres in width to allow two vehicles to pass.
3. The access and parking arrangements for service vehicles and vehicles associated in the construction of the dwelling. Church Lane is not wide enough for vehicles to park in and no turning head is available for large vehicles to turn around in. Service vehicles should be able to get within 25.0 metres of a dwelling, and the public highway carriageway will be over 40 metres away. HGV's will have reverse further than recommended, or the public highway will have to be used to unload/load, which could be hazardous to other highway users

Representations

Shuttington Parish Council – Expresses concern about the access and the building line.

Ten representations have been received. Eight object to the proposed development, whilst two raise queries over procedure. The concerns raised include:-

1. Query as to why all residents of Church Lane were not notified of application.

2. Query over application procedure where the applicant is related to a Council employee.
3. Query over legislation that prevents the siting of new buildings close to existing sheds.
4. The use of the site to provide parking for visitors to the Church.
5. Concern construction will require access onto adjoining private property.
6. Detract from views from existing properties.
7. New development should be identified through local plan rather than permitted in response to need to meet housing quotas.
8. Alternative sites are available within Shuttington to provide housing to meet local need.
9. Adverse impact on highway safety arising from the increase in vehicular traffic, limited visibility at junction with Main Road and the narrow width of Church Lane.
10. Application site is not large enough for development proposed.
11. Adverse impact on visual amenity.
12. Overlooking of neighbouring properties.

The following initial responses can be made.

Points 1 and 2 - The appropriate procedures have been followed with regard to the requirements for notification of this application and in respect of the relationship of the applicant to an employee of the Council.

Point 3 - No statutory legislative provisions are known to exist that preclude the siting of buildings close to existing sheds.

Point 4 - The site is not currently used for this purpose nor is it allocated for such use within the Development Plan. This possible alternative use of the site is not therefore a material consideration in the determination of this application.

Point 5 - The applicant has certified the application site is all within his ownership. The submitted plans show the development will be entirely contained within the application site which can be accessed from the public highway. The permission of the owner will be required to access private land and this is thus a matter for the relevant landowner.

Point 6 - Guidance makes clear this is not a material planning consideration.

Points raised in 7 to 12 are considered below.

Observations

a) Housing Need

The application site is outside of the settlement development boundary defined for Shuttington in the North Warwickshire Local Plan 2006. This plan promotes development within development boundaries and also requires new housing in smaller settlements such as Shuttington to be provided only as affordable housing. The adopted local plan housing policies however are no longer fully in accord with national planning guidance.

The National Planning Policy Framework 2012 (NPPF) requires Local Authorities to identify sufficient available land to meet the identified need for housing, plus an additional 20%, of this need, over the subsequent five year period. This is set as a

minimum requirement and therefore does not preclude the provision of additional housing. The NPPF also sets a clear presumption in favour of permitting sustainable development.

The adopted Core Strategy reflects the requirement within NPPF guidance to meet housing need. This identifies a need for a minimum of 10 additional dwellings in Shuttington. The Site Allocations Preferred Options identifies the preferred sites for housing development in Shuttington, but the application site is not one of these preferred sites. This is however the minimum requirement and should not preclude the development of other suitable sites where development can be shown to be sustainable and to have no overriding adverse impact.

Shuttington is a settlement with local services, including a shop, pub and church, and is accessible by public transport. The application site is adjacent to existing houses and adjoins the development boundary. Although the new dwelling is likely to result in additional vehicle trips by private car, given the edge of settlement location, availability of local services and public transport, the proposed development could reasonably be considered to be sustainable.

b) Affordable housing

The Core Strategy includes a requirement for developments to contribute towards the provision of affordable housing. The expected contribution here would be 20% of the units developed. Where this cannot be achieved on site, a financial contribution towards provision elsewhere is allowable. A financial contribution is appropriate in this case and a sum of £8970 is offered in lieu of provision on site. This is in accord with the mechanism set out in the Core Strategy to determine the financial contribution appropriate for a given development. This contribution is secured through the legal agreement submitted.

c) Highway matters

The Highway Authority object to the proposed development for the reasons set out above.

The first relates to visibility at the Church Lane/Main Road junction. The required visibility splays can be achieved here, however the Highway Authority considers the available visibility is frequently compromised by vehicles parked outside houses on Main Road. There are no on-street parking restrictions currently in place on this part of the road. The Highway Authority could seek to impose restrictions to maintain the visibility at the junction. However, it is not possible to provide off-street parking to dwellings on this part of Main Road, and thus the imposition of a waiting restriction would thus inevitably increase the demand on the limited available parking on nearby highways and would be likely to result in inappropriate on-street parking.

Vehicles that will regularly use Church Lane will be limited to those used by the occupiers of the dwellings. The existing four dwellings on Church lane provide off-street parking spaces for up to eleven cars. A further parking space in the rear garden of 22 Main Road is also accessed from Church Lane. The additional dwelling with extant permission and the dwelling here will each have two off-street parking spaces. The additional adverse impact arising from the new dwelling is considered marginal. The narrow width of Church Lane effectively discourages on-street parking. This reduces the

attractiveness of these properties to those who would wish to keep more vehicles than can be parked within the available off street parking space at each dwelling.

Church Lane also provides vehicle access to the Church. The narrow width and the lack of parking or a turning area within the Church grounds or at the head of Church Lane however discourages use by vehicles to visit the Church. At times when vehicle access is necessary, such as a burial, only essential vehicles are likely to use Church Lane. These occurrences are also likely to be infrequent. It is possible to access the Church by footpath from Coronation Crescent and School Lane.

The second matter relates to the width of Church Lane. It already provides access to four dwellings and has done so for many years. The carriageway is some 3.2 metres wide. Whilst this is insufficient to allow two vehicles to pass, grass verges at the edge of the carriageway and drive entrances can be utilised to allow vehicles to pass each other. The Highway Authority would like the carriageway to be widened to 5.0 metres to accord with current design guidance for a shared driveway. Although some widening could be achieved by incorporating the existing grass verge adjacent to the carriageway at the junction with Main Road, the Highway Authority accepts this may be difficult to implement as the ownership of Church Lane and the grass verge is unknown.

Even if the widening of Church Lane close to the junction could be achieved, it is not possible to widen the entire length or to provide a turning space within the lane. In this context the narrow width at the access to Church Lane may exert a positive influence in that it is likely to discourage larger vehicles from turning into the lane. If Church Lane appeared wider this could entice larger vehicles to enter, these would then have to reverse out onto Main Road. Church Lane is also the route of a public footpath. Whilst a wider carriageway near to the junction would allow two cars to pass, it would not be wide enough to also provide a separate footpath; this could increase the risk to users of the public footpath.

The final matter relates to the construction period. Service vehicles already use Church Lane to access the existing properties. The proposed development will not alter the present configuration of Church lane or introduce any additional restriction. The existing access strategies used by service vehicles would thus not be compromised. Refuse vehicles currently reverse along Church Lane. Refuse bins for the new dwelling would be collected from a point close to No.4 Church Lane, thus there would no greater distance involved than at present.

The Highway Authority concerns focus essentially on the increase in risk arising from the impact of the additional dwelling. In this instance however, it is not considered that the overall adverse impact arising from the above concerns will amount to a severe residual cumulative impact, identified within the National Planning Policy Framework 2012, as necessary for the refusal of development on transport grounds.

Disruption and disturbance, due traffic and noise, could occur during the construction phase if this is not planned and managed appropriately. Access limitations will need to be considered when arranging for necessary plant, machinery and materials to be delivered to the site, and construction activities and hours of working will need to take into account the impact on occupiers of nearby dwellings. An appropriate construction management plan will be required to be submitted and approved prior to commencement of development on the site. This would be secured by a condition.

d) Design and Amenity

Revised plans submitted have lowered the roof height and reduced the roof volume by removing the rear dormer closest to No.4 Church Lane to reduce the visual impact and remove the potential for overlooking of No.4.

The new dwelling house will be 13.65 m long and 9.66 metres wide - the gross ground floor area of the building is thus some 130m², a further 40 m² of floorspace will be provided within the roof space. The application site has a total area of some 577 m². The footprint of the new building will thus occupy around 25% of the application site. The new building will be situated in the centre of the site, alongside the existing bungalow at No.4. This will allow a parking and turning area to be created to the front and an amenity/garden area to the rear. These parking, turning and garden areas proposed are appropriate for the dwelling proposed.

Given the slope to the application site, levels will be altered, areas to the front of the site will be lowered and the existing ground level towards the rear will be raised slightly by 0.75 metre to provide a level site for the new house. This will allow for earth materials from changes in ground levels to be accommodated within the site.

The proposed site level will be the same as that of No.4. The new building will be 6.4 metres high to the roof ridge with eaves at 2.1 metres. The existing bungalow at no.4 is some 5.9 metres high, thus the new building will be taller by 0.5 metre.

The proposed dwelling will be of a similar style to existing bungalows at 2 and 4 Church Lane, although these do not include roof dormers. These newer buildings contrast with the appearance of the older two storey properties, No's 1 and 3, on the other side of Church Lane.

Whilst the new dwellinghouse will interrupt the view from the front of 1 and 3 Church Lane, this of itself is not a valid planning concern. The new building will be some 19 metres distant from the front No. 3 Church Lane. It will be at a significantly lower level given the slope of the land. The distance between the buildings and the lower height of the new dormer bungalow will offset the visual impact. There will be no significant loss of privacy or adverse impact on amenity from overlooking for existing residents or for the occupiers of the new dwelling.

The application site is close to the entrance to the graveyard of St Matthews Church, a Grade 2 listed building. The Church itself is sited on raised ground some 50 metres distant from the nearest point of the proposed building. Views of the proposed development from the Church will however be screened by the line of mature trees along the southern boundary of the graveyard. The new building will have an impact on the approach to the Church from Church Lane this will not however be detrimental to the setting of the Listed Building.

The layout and appearance is considered to accord with saved policies ENV11, ENV12 and ENV13 of the North Warwickshire Local Plan 2006 as well as policies NW8 and NW10 of the Core Strategy.

e) Archaeology

The application site is considered to be in an area of potential archaeological interest. A condition to ensure the appropriate archaeological investigation of the site prior to commencement of any development is recommended.

f) Other matters

The application is within the Coal Referral area identified by the Coal Authority. A recent Coal Authority assessment for a site nearby identified no specific legacy concerns. An informative advising that the Coal Authority should be contacted prior to development is included.

The development will create one new dwelling which will contribute to meeting the identified need for additional dwellings. This benefit however must be balanced with other impacts arising from the highway concerns and the location outside of the settlement boundary; in this instance. The former is not considered to be severe and the latter is not considered to be substantial. The development will not adversely affect the appearance or character of the local area or amenity. Overall, the identified harm is thus not considered to outweigh the benefit from the proposal.

Recommendation

That the Board resolve that permission be granted subject to the following conditions following the completion of the legal agreement under Section 106 to secure the financial contribution for provision of affordable housing.

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered CL5/01/01 and CL5/01/05 received by the Local Planning Authority on 8/7/2014; the plan numbered CL5/01/02 received by the Local Planning Authority on 15/7/2014 and the plan numbered CL5/01/06 received by the Local Planning Authority on 11/8/2014 and the plans numbered CL5/01/03/RevB, CL5/01/04/RevB and CL5/01/07/RevA received by the Local Planning Authority on 20/8/2014.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. For the avoidance of doubt the development shall be constructed in accordance with the site level details shown on approved drawing CL5/01/05.

REASON

In the interest of amenity.

4. No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure the recording of any items of archaeological interest.

5. No development shall commence until such time as a Construction Method and Management Statement has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of how the site will be laid out during the construction period including the areas to be used for the storage of construction materials; the arrangements for :- deliveries to the site, parking for construction workers, for the minimisation and the removal of site waste; and the hours of working. The approved plan shall be implemented at all times.

REASON

In the interest of amenity.

6. No development shall be commenced before details of the facing bricks and roofing tiles, retaining wall facing bricks and surfacing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The approved materials only shall then be used.

REASON

In the interest of amenity.

7. No development shall commence unless a scheme for the construction of the foul and surface water drainage system to be provided has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

REASON

To prevent pollution of the water environment and to minimise the risk of flooding on or off the site.

8. The development hereby permitted shall not be occupied until the vehicle parking space has been laid out in accordance with the approved details and the area shall thereafter be maintained for the parking, loading and unloading of vehicles.

REASON

In the interests of amenity and highway safety.

9. No development whatsoever within Classes A, B or E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995, as amended, shall commence on site without details first having been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interest of amenity.

Notes

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.
2. Construction of the approved development should avoid creating undue disturbance or nuisance to occupiers of nearby properties. With regard to condition 4 above, construction works should be restricted to the period between 0730 and 1800 hours on a weekday and 0800 and 1300 hours on a Saturday, with no working or deliveries on a Sunday or a public holiday; site deliveries should be managed to minimise the impact for residents.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2014/0131

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	18/4/14 8/7/14 15/7/14 3/9/14
2	WCC HA	Consultation	10/6/14
3	WCC PRoW	Consultation	19/6/14
4	WCC Archaeology	Consultation	1/5/14
5	Shuttington PC	Consultation	23/4/14
6	T Jones	Representation	11/4/14 24/4/14 1/5/14 28/5/14 30/5/14 18/8/14

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



(2) Application No: PAP/2014/0345

C W Young Limited (Builders Yard), Common Lane, Corley, Coventry, Warwickshire, CV7 8AQ

Proposed development of 8 No. 2.5 storey semi detached house, 2 No. semi detached 1.5 storey dormer bungalows, 1 No. detached dormer bungalow and 2No. garages with storage above with associated highways, hard standing and landscaping. Scheme also includes the clear up of the remainder of the builders yard, for

Mr James Cassidy - Cassidy Group

Introduction

The receipt of this application was reported to the August meeting of the Board and a copy of that report is attached as Appendix A. It includes a description of the site and the proposal together with an outline of the planning background associated with this site and the relevant Development Plan policies and other material planning considerations that will need to be considered in the determination of the application. That report should be treated as an integral part of this current report.

Amendments to the Proposal

Since the August meeting there have been changes made to the proposal. These are listed below:

- the internal road layout has been slightly re-aligned to overcome concerns from the Highway Authority;
- there have been minor revisions to the appearance of the proposed houses – slightly lowered eaves lines and the introduction of small hipped ridges for the larger houses, and
- an increased off-site financial contribution towards affordable housing has been made rising from £10k to £35k.

The revised layout and appearance are attached at Appendices B and C.

Additional Information Submitted by the Applicant

The applicant was requested to provide evidence to support some of the arguments he was putting forward for his proposal.

He has said that the existing employment provision on site connected to the lawful use and responses from three locally based timber merchants indicate employment levels of around a half dozen people is about average. Also all three were asked if they would consider moving to the site with the benefit of the lawful use. All three were not interested for the following reasons: poor overall location; poor access for deliveries, extra associated costs from an isolated site and because the current access arrangements are poor.

Consultations

Warwickshire County Council as Highway Authority – No objection to the amended plans subject to standard conditions

Warwickshire County Council (Public Rights of Way) – No objection

The Coal Authority – No objection

Environmental Health Officer – No objection subject to standard conditions requiring remediation prior to work commencing and verification that such remediation has taken place.

Environment Agency – No objection subject to the same conditions as the Environmental Health Officer.

Severn Trent Water Ltd – No objection subject to conditions.

Representations

Three letters of support have been received from local residents referring to the consequential visual improvement of the area; safer highway conditions, the smart appearance of the houses and the provision for affordable houses.

Three objections have been received from local residents referring to the land being Green Belt; greater traffic generation, the illegal use should end first, an un-ambitious design, a flawed public consultation undertaken by the applicant and no affordable housing

The Parish Council say that it has received mostly objections from residents. It continues by saying that commercial considerations have influenced the application and that there are differences here to the recent Corley Nurseries approval; if there are no sites available in Corley for affordable housing why is it being promoted here, the development is not in-keeping and the existing Enforcement Notices should be complied with first before any decisions are made on the lawful side of the site.

On the revised plans, and bearing in mind the lawful uses here, the Parish Council has the following comments:

- The Council acknowledge the lawful uses and therefore that some limited development is inevitable
- The Council wishes to see all of the remaining parts of the site completely returned to Green Belt with no business activity.
- The Council remains concerned about the affordable housing contribution.
- The Council has concerns about the access although understands that the County Council will comment, and
- Still considers that the overall design is not in-keeping.

Changes in Material Planning Considerations

There are matters that need to be brought up to date since the last report.

a) The Development Plan

Firstly the Inspector handling the submitted Core Strategy has submitted his report indicating that in his view the Strategy is sound subject to proposed Modifications. The Council has resolved to adopt the Strategy subject to these Modifications. This adoption is however subject to a six week period to enable legal challenge, but the Modified Core Strategy should now be treated as part of the Development Plan. Whilst it replaces the North Warwickshire Local Plan 2006 in many respects, some of the saved policies do carry weight.

As a consequence it is appropriate to outline below those Development Plan policies that are now relevant to the determination of this application. They are:

- a) North Warwickshire Core Strategy 2014 – NW1 (Settlement Hierarchy); NW2 (Green Belt), NW3 (Housing Development), NW4 (Split of Housing Numbers), NW5 (Affordable Housing), NW8 (Sustainable Development), NW9 (Renewable Energy and Energy Efficiency), NW10 (Quality of Development) and NW11 (Natural and Historic Environment).
- b) Saved Policies of the North Warwickshire Local Plan 2006 – ENV4 (Trees and Hedgerows); ENV6 (Land Resources), ENV7 (Development of Existing Employment Land Outside of Defined Development Boundaries), ENV8 (Water Resources), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG3 (Housing Outside of Development Boundaries) and TPT6 (Vehicle Parking)

The National Planning Policy Framework 2012 and the National Planning Practice Guidance 2014 remain as material planning considerations.

b) Housing Supply

Secondly, the Council has very recently indicated in July, that it does not have a five year housing supply. Because of historic under delivery, a 20% uplift has to be added, thus making the five year supply in effect a six year supply. The Council has a 5.7 year supply.

c) Enforcement Action

Thirdly, the prosecution referred to in the Background section of Appendix A is to be heard in mid-December.

Observations

a) Introduction

As indicated in the previous report, the planning history here leading to the current prosecution in respect of the non-compliance with extant Enforcement Notices, is a material planning consideration. The issue is as always, what weight should be given to

this matter. However this has to be considered at the end of the process when a final assessment is made of all relevant matters, not at the beginning of the process. The following report will therefore start by looking wholly at how the current development proposals sit against the Development Plan and other planning policy considerations. The recommended approach to this is set out in the following paragraph. Once this has been resolved it will then be appropriate to balance that outcome against other material considerations – including the planning history.

In dealing with the application, Members should be aware that the application site is the whole of the land shown on the plan at Appendix D. The actual residential redevelopment proposal is confined to one area – the south west of the whole site. This area coincides exactly with the area covered by a Certificate of Lawfulness for a B2 General Industrial Use namely the manufacture of timber products and ancillary storage of timber and timber products together with their sale. A second Certificate includes a small office building which for all intents and purposes should be treated as being within the B2 lawful area. In effect therefore the applicant is seeking the exchange of these lawful uses for new residential use. Members are asked to approach this application in this way too.

From the consultation section above, it can be seen that there are no objections from the consultation responses and thus there is no case here for refusal of the application based on potential adverse impacts arising under these matters. The substance of the case is therefore very much a planning policy matter. There are two policy matters that need to be resolved first – whether the proposal is appropriate or not appropriate development in the Green Belt, and secondly whether it is “sustainable development” in terms of the NPPF given that such development would carry significant weight

b) Green Belt

The site is in the Green Belt. The control of new development here will be determined in line with the NPPF. The erection of new dwellings in the Green Belt as proposed here is inappropriate development in the Green Belt by definition within the NPPF. As such the proposal carries a presumption of refusal (paragraph 87). However Members will know that there are exceptions to this and that these are defined in the NPPF at paragraph 89. In this case there is just one that is relevant here. This will now be explored.

The exception is where a development is for “the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purposes of the including land within the Green Belt, than the existing development”.

Whilst the application site is not wholly previously developed land, the actual redevelopment area is. It benefits from two Certificates for industrial/commercial uses hence the proposal does fall within the scope of this exception. The exception does not differentiate between uses, as the redevelopment referred to in the NPPF does not say, “in the same use class as the existing”. Hence the residential redevelopment here will fall within the scope of the exception. The two critical matters are thus the two conditions set out – the impact on openness and the impact on the purposes of including land within the Green Belt.

Taking the first of these, then there are two measures that can be applied – one quantitative, the other qualitative. In terms of the former, then the footprint of the existing lawful buildings within the lawful site is 100 square metres, and the volume is

380 cubic metres. The equivalent figures for the footprint and volume of the new houses are 750 square metres and 3500 cubic metres. The proposal on this basis is substantially greater than the existing and not just marginally. The increase is substantial. However, it must be remembered that the B2 Certificate also refers to storage of timber and timber products. This is an essential element of the operation of lawful use and thus should be taken into account in the quantitative measure. Members and officers are aware that there has always been timber stored outside on this part of the site and also that local timber merchant's yards also depend on outside timber storage in their yards. The question is how to calculate a meaningful measure based on the description in the Certificate. This is because the site could be taken over by a different timber merchant quite lawfully and operated in a more modern and regulated way than presently. It has been agreed with the applicant that around 75% of the site regularly has stored timber and that this proportion is also seen at other local timber yards. Timber is stored in stacks and over time and season the heights of these stacks will change. It has been agreed that a reasonable volume for stacked timber within the terms of the lawful use would be around 5000 cubic metres. When added to the lawful building volume that becomes 5380. This is greater by 35% than the volume of the proposed houses. It can thus be seen that using a volumetric quantitative measure, the proposal is likely to have less of an impact on openness than the continued lawful use particularly if operated by a different occupier.

Turning to the qualitative measure, then it is considered that there would be an adverse worsening on the openness of the Green Belt hereabouts using a timber merchant as the base-line. There are several reasons for this - permanent built development throughout the site; the heights of buildings, tall development behind the road frontage, tall buildings at the rear and development in depth.

When these two measures are combined it is considered that there will be an overall moderately worse impact on the openness of the Green Belt arising from the proposed redevelopment of the existing lawful site.

In respect of the other condition – the impact on the purposes of including land within the Green Belt - then there are five such purposes. The first is to check the unrestricted sprawl of large built up areas. Here the site is divorced from such areas and thus there would no change if a different use was made of the land. The second is to prevent neighbouring towns from merging. The same conclusion is reached here too. The third is to assist in safeguarding the countryside from encroachment. Here the redevelopment site is confined to the site of lawful commercial use which is not a countryside use. The fourth is not relevant as it refers to the setting of historic towns. The fifth is to assist in urban regeneration. This purpose is not affected as the site already has lawful brown field status and thus cannot prejudice urban regeneration. As a consequence it is considered that this second condition of the exception is satisfied.

Concluding all of these matters therefore, and in respect of the first of the two central planning policy matters referred to in the introduction to this section, it is considered that the proposed redevelopment here remains as inappropriate development in the Green Belt and is thus de facto, harmful. The degree of actual harm is considered to be moderate.

In these circumstances, Members will be aware that they now have to consider whether the planning considerations put forward by the applicant are of such weight as to amount to the “very special circumstances” necessary to overcome the presumption of refusal by way of the inappropriateness of the proposed development (paragraph 87 of the NPPF). These will be explored following consideration of the second of the two central planning policy matters – that of sustainability.

c) Sustainable Development

The site is not in a sustainable location as it is not within an identified settlement as being appropriate for new housing in the Development Plan. Moreover it is isolated from local services and facilities and is dependent upon car travel. These matters certainly count against the proposal. On the other hand there are matters which count in its favour, namely that the houses would be Code 3 houses and include renewable energy measures such as heat recovery and whole house ventilation; sustainable drainage measures would be introduced and there would be the remediation of contaminated land not only on the redevelopment site but over a substantially larger area of adjoining land. Additionally there is some weight to the fact that the lawful use itself would generate HGV and light traffic, and that the proposed use would probably generate less traffic and of a different nature – not the HGV’s. The location is after all unsustainable whether occupied by the lawful or the proposed use. In conclusion therefore the matter here is balanced, without there being a strong case either way. This neutral position will have to be weighed in the final assessment.

d) Very Special Circumstances

The applicant has put forward a number of considerations which he argues do carry sufficient weight to overcome the presumption of refusal here. Before looking at these it is convenient here to say that he considers that in terms of the openness argument that the quantitative figures expressed above would suggest that there is no worse impact on openness than a continuation of the lawful use. Additionally he considers that qualitatively the proposal is superior to such a continuation, and that because there is no worse impact on the five purposes, he would argue that his proposal is appropriate development in the Green Belt. However he acknowledges that a different view can be taken and that is why he has put forward his case for very special circumstances here.

The first of these is that the proposed “exchange” of uses is supported by the NPPF in principle. Reference is made to paragraph 51 which says that, Local Planning Authorities, “should normally approve planning applications for change to residential use from commercial buildings (currently in the B use class) where there is an identified need for additional housing in the area, provided there are not strong economic reasons why such development would be inappropriate”. There are several elements to his argument here. Firstly as will be explained below, there is an identified housing need. Secondly, the approach set out in the NPPF paragraph contains a proviso – there being no “strong economic reason why such a development would be inappropriate”. In essence this is a “safeguarding” condition saying that the retention of a site in employment use might be better in economic terms than a housing redevelopment. The present employment on the site is limited – just three or four people, and even if the site were occupied by a different timber operator, that figure would be around six – the applicant’s evidence on this is sound as it is based on actual research. Moreover that evidence also shows that there is very little reasonable prospect of a new occupier actively wanting to take over this site because it is too remote and not convenient –

again this evidence is sound, based on actual research. Overall therefore it is not considered that there is a demonstrable economic case to be made to support the safeguarding of this site. Thirdly and notwithstanding the NPPF's focus on economic reasons it is considered that there should be an environmental argument here too. The applicant argues that if lawful use continues, even if operated under different management, there would continue to be an industrial use in a rural area, with all of its potential noise, pollution and traffic impacts. Moreover there would be a substantial visual improvement to the lawful site. There is certainly merit to this argument. When all of these matters are put together then it is considered that there is support for the applicant's reference here to paragraph 51 being treated as a material consideration. That support is considered to be significant for the following reasons. The Council has previously agreed to such "exchanges" in the past both locally in the Green Belt at Corley and elsewhere; there is no overriding case to retain the site as employment land, and there are environmental adverse impacts in retaining the lawful use. It is considered therefore that in principle given the setting of this site and the nature of the local highway network, that this argument does carry significant weight in support of the proposal.

The second is that the Council still does not have a five year housing supply. This is accepted. It carries weight. Members will know that the NPPF particularly addresses this issue and that where there is no five year supply then the Council would have to evidence "significant and demonstrable" adverse impacts if it is to refuse this application (paragraph 14). As concluded earlier in this report there are no such impacts arising from technical issues – highways, drainage or contaminated land. The two potential adverse impacts are on the openness and thus the "integrity" of the Green Belt and whether the proposal can be considered to be sustainable development. It has been concluded above that there would only be a moderate adverse impact on the openness of the Green Belt but that the issue of whether the proposal is "sustainable" in terms of the NPPF is balanced without a strong indication one way or the other. In these circumstances therefore the applicant's position carries weight. However Government guidance in its National Planning Practice, clearly states that, "unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm, to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt". As there is moderate harm here to the openness of the Green Belt, the applicant's case would not carry significant weight.

The third is that taken together the redevelopment site and the whole of the adjoining land would be remediated from contamination. Contamination carries the risk of pollution both on and off-site, and the survey work submitted with the application clearly indicates that this land is contaminated. Both the Council's own Environmental Health Officer and the Environment Agency highlight the need to remove this contamination through agreed remediation procedures. This can be dealt with by planning condition supplemented by a Section 106 Agreement. This argument therefore does carry weight in support of the proposals.

The fourth is that the development would provide some benefit in terms of the contribution towards off-site affordable housing. This matter will carry weight given the Development Plan's housing requirements for the Borough. It is acknowledged that the site is not appropriate for on-site affordable housing given the lack of locally accessible services and facilities. As such an off-site contribution is thus appropriate here in lieu of such on-site provision. Given the clearance and decontamination of the land the subject of the lawful use here, it is considered that the value of the contribution here is

acceptable, and that it can be dealt with through a Section 106 Agreement. The applicant's argument does therefore carry weight.

The final consideration put forward by the applicant is that there would be an overall visual improvement to the area. Again here there is some weight to be attached to this given the removal of the B2 lawful use and all of its associated characteristics, and its replacement with a more conforming use. The overall visual character and appearance of the local area is not one of wide open countryside free of built development. There are significant numbers of frontage and dispersed dwellings in Common Lane itself as well as nearby in Corley Moor. The presence of the M6 motorway too is very apparent. As a consequence there is some weight to the applicant's case.

So the matter now becomes a question of what weight should be given to these matters to see if they amount to the very special circumstances necessary to outweigh the presumption of refusal here by way of the inappropriateness of the development. It is considered that on balance they do. In support of this conclusion are the exchange of uses where there is a record of environmental and highway concern arising from the lawful use and the new use would lessen that harm; the de-contamination of the site and surrounding land and the off-site affordable housing contribution. Against the conclusion would be that it is not whole-heartedly a sustainable development and because Government guidance states that Local Planning Authorities should not necessarily release Green Belt land for housing development in order to meet a gap in their five year land supply. It is considered here that this latter point is the critical one, and what tips the balance is the conclusion that the actual impact on the openness of the Green Belt arising from the redevelopment would cause only moderate harm. If the degree of harm had been greater then the balance might well have reached a different conclusion.

As a consequence therefore the initial view is that the recommendation to the Board should be one of "minded to support". Before actually reaching this conclusion however there are other issues to consider – the most pressing being the planning history of the site.

e) The Planning History

Both the content of the last report – Appendix A – and the introduction to this report outlined the significance of this matter in the consideration of this application. In short there are extant Enforcement Notices that apply here which have not been fully complied with over time. As a consequence the argument is that redevelopment should not be supported as a means of achieving final compliance with those Notices.

This is wholly an understandable argument and one that has been referred to by the Parish Council and other objectors. In approaching the matter therefore, as set out earlier in this report, officers have been very aware that the approach should be one of establishing the planning merits of the actual proposal as if the Notices did not exist. In other words had there been no enforcement background at all, what would the recommendation be to the Board for this redevelopment proposal. Indeed that it is the approach that Members are recommended to adopt in their own assessment of this proposal. However that background will always remain in people's minds. In order to assist here, there are two matters that Members might wish to consider.

The first is that there is also a lawful use established here. It is the “exchange” of that use by an alternative that is the content of this redevelopment proposal and thus the approach to be taken is exactly that which has been taken in the past with other cases. There is no difference. The second is a little more technical, but the extant Enforcement Notices require the discontinuance of the unlawful uses and the removal of associated stored materials. These unlawful uses have not been factored into the arguments set out above – particularly those on the visual impacts and the impacts on openness. Moreover none of the Notices require remediation of the contaminated land on the Notice sites or indeed its return to pasture or green fields. Hence even if there was compliance, the land could be left in a contaminated and degraded state. As a consequence of these two matters, officers are confident that consideration of the enforcement background to the land here can be and has been, properly divorced from consideration of the planning merits of the current application.

f) Section 106 Agreement

The provision of the off-site affordable housing condition can be dealt with in the normal way through a Section 106 Agreement.

There was reference above to such an Agreement also potentially including matters to do with the remediation works. Indeed the Parish Council in its latest comments also refers to the need to secure overall restoration back to green fields for that land outside of the redevelopment area. This needs further explanation. In view of the weight given to the remediation of the whole of the land here – that within the redevelopment site itself and that beyond – it is considered that the conditions set out below should be supplemented by clauses within an Agreement. This is largely because there are different land owners involved; because remediation needs to be completed before work commences on any works connected with the construction of the layout or the houses within this proposal, and final restoration to green field needs to be completed before occupation of the new houses. As such it should require commitment to that remediation within say six months of the date of any planning permission. Additionally, given the enforcement history here, the 106 Agreement should contain a clause in which the owners undertake not to breach the requirements of the extant Notices, and not to re-start any of the uses and activities enforced against, following the grant of any planning permission. Such an Undertaking in an Agreement would be enforced directly through Injunction Proceedings. In effect these clauses would in essence renew the Enforcement Notices thus maintaining the Council’s position.

Because of the need to ensure swift action on site, it is recommended that rather than the usual standard three year life of a planning permission, this should be shortened to require commencement as soon as appropriate given the remediation needed. A twelve month condition is therefore recommended below.

g) Other Matters

There are other matters which also need to be considered. The first is that the applicant does put forward the argument as a material consideration that his proposal does represent the only realistic and practical proposal to resolve the enforcement situation at the site. One can understand his approach, but the report above has deliberately avoided giving any weight to this consideration and thus it is advised that it should not be included in the considerations to be assessed as to whether they amount to very special circumstances. In other words the proposals should stand on their “own two feet” in planning terms.

The second matter is the financial appraisal of the applicant. This is not made public because of commercial confidentiality, but it is considered that it is robust.

Finally the Parish Council is worried about how an approval here can be aligned with the decision to grant approval for the redevelopment of the former Corley Nursery site in Church Lane a few months ago. Firstly the two situations are the same in principle – both have been found to be inappropriate development in the Green Belt but that in both cases there are planning considerations of such weight to amount to the very special circumstances to override the presumptions of refusal. In short these are paragraph 51 of the NPPF; the Council’s lack of a five year housing supply, the provision of affordable housing and the lack of any other adverse impacts. At the Corley Nursery site the affordable housing provision is to be on-site and here there is an off-site contribution in lieu of on-site provision. That contribution can be used in Corley or elsewhere, with first priority going to adjoining parishes. There is no in-compatibility here.

h) Conclusions

The matters raised above do not carry sufficient weight to alter the preliminary recommendation from section (d) of this report.

The proposed development here is over the threshold set out in the 2009 Direction relating to matters to be referred to the Secretary of State to see if he wishes to “call-in” the case for his own determination. The recommendation below makes allowance for this.

Recommendation

That subject to the completion of a Section 106 Agreement relating to the provision of an off-site affordable housing contribution as set out in this report together with clauses to ensure remediation of the land adjoining the redevelopment, and subject to the following conditions, the Council is minded to support this development proposal and therefore refers the case to the Secretary of State under the 2009 Direction, to see if he wishes to determine the matter himself.

1. The development to which this permission relates must be begun not later than the expiration of twelve months from the date of this permission.
2. Standard Plan numbers condition – plan number 6749/19A received on 28/7/14 and plan numbers 6749/7J, 8B, 9C, 10C, 11B, 12A, 13A, 14C and 17B received on 9/9/14.

Pre-commencement Conditions

3. No work on the construction of any development hereby approved shall commence until full details to show how foul and surface water is to be disposed of have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

In order to reduce the risks of pollution and flooding.

4. No works whatsoever, including demolition and site clearance, shall take place until a UXO (Unexploded Ordnance) threat assessment has been carried out for the site, and that assessment submitted to the Local Planning Authority.

REASON

In the interests of the safe development of the site

5. No works whatsoever, including demolition and site clearance, shall take place until a written assessment of the nature and extent of contamination over the whole site has been submitted to the Local Planning Authority. This assessment shall include contamination whether or not it originates on the site, and assess risks to human health, property (including buildings, crops, livestock, pets, woodland and service infrastructure), adjoining land, ground and surface waters, ecological systems and archaeology.

REASON

In order to reduce the risk of pollution.

6. The assessment referred to in condition (5) shall include recommended remediation measures so as to render the whole site suitable for the development hereby approved. No work shall commence on site, including demolition and site clearance, until such time as remediation measures have been agreed in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

In order to reduce the risk of pollution.

7. Within three months of the completion of the measures agreed under condition (6) above, a Verification Report shall be submitted to the Local Planning Authority demonstrating that the agreed remediation measures have been fully completed. No work whatsoever shall commence on the construction of the buildings, layout or infrastructure of the development hereby approved, until such time as the Verification Report has been agreed in writing by the Local Planning Authority.

REASON

In order to reduce the risk of pollution.

8. No work shall commence on site, including demolition and site clearance, until such time as full details of a scheme to eradicate/control Japanese Knotweed, including the timing and phasing of the measures, have been submitted to and approved in writing. Only the approved scheme shall then be implemented.

REASON

In order to reduce the risk of pollution

9. No work shall commence on the construction of any dwelling hereby approved until such time as full landscaping details based on plan number LDA/L1007/9001 have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site.

REASON

In the interests of the visual amenities of the area.

10. No work whatsoever shall commence on the construction of any dwelling hereby approved until such time as details of all facing and roofing materials, ground surface materials and boundary treatments have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site.

REASON

In the interests of the visual amenities of the area.

11. No work whatsoever shall commence on the construction of any dwelling or road or service infrastructure hereby approved until such time as full details of the measures to be used to protect the oak tree during construction have first been submitted to and approved in writing by the Local Planning Authority. Only these measures shall then be implemented and they shall remain present on site until agreed that they can be removed by the Local Planning Authority.

REASON

In the interests of the visual and ecological amenities of the area.

Pre-Occupation Conditions

12. No dwelling hereby approved shall be occupied until the whole of the access arrangements, the road layout and all parking and turning areas as shown on the approved plan have first been completed in full to the satisfaction in writing by the Local Planning Authority.

REASON

In the interests of highway safety

13. No dwelling hereby approved shall be occupied until the whole of the new highway footpath to be constructed alongside the site as shown on the approved plan has first been fully completed to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety.

On-going conditions

14. All of the garages shown on the approved plan shall remain as such at all times and shall not be used for any other purpose other than the parking of vehicles.

REASON

In the interests of highway safety

Notes

1. Public Footpath M299 runs alongside the west boundary of the site and should remain open and unobstructed at all times.
2. Advice on the scope, content and the method of undertaking the assessment required under condition 5 should be taken from both the Environment Agency and the Environmental Health Officers of the Borough Council. You are strongly advised to take that advice.
3. Advice on the content and scope of the report required by condition 7 can be obtained from the Environment Agency and the Environmental Health Officers of the Borough Council. The report will need to contain results of sampling and monitoring carried out during remediation and include a long term monitoring and maintenance plan.
4. Coal Authority Standard Standing Advice

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2014/0345

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	3/7/14
2	Mrs Turnball	Objection	24/7/14
3	Mr Burdett	Support	28/7/14
4	Mrs McDonald	Objection	25/7/14
5	Mrs Griffiths	Objection	10/8/14
6	Parish Council	Objection	12/8/14
7	Mr and Mrs Willis	Support	14/8/14
8	Mrs Lewis	Support	21/8/14
9	Severn Trent Water Ltd	Consultation	18/8/14
10	Environmental Health Officer	Consultation	24/7/14
11	Environment Agency	Consultation	19/8/14
12	Coal Authority	Consultation	28/7/14
13	Coal Authority	Consultation	11/8/14
14	WCC Footpaths	Consultation	4/8/14
15	WCC Highways	Consultation	21/8/14
16	Applicant	E-mail	29/8/14
17	Head of Development Control	Letter	4/8/14
18	Applicant	Letter	4/8/14
19	Head of Development Control	Letter	1/9/14
20	Applicant	E-mail	2/9/14
21	Applicant	E-mail	5/9/14
22	Head of Development Control	E-mail	10/9/14
23	Applicant	E-mail	10/9/14
24	Applicant	E-mail	12/9/14
25	Parish Council	Representation	24/9/14

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



General Development Applications

(#) Application No: PAP/2014/0345

C W Young Limited (Builders Yard), Common Lane, Corley, Coventry, Warwickshire, CV7 8AQ

Proposed development of 8No. 2.5 storey semi detached house, 2 No. semi detached 1.5 storey dormer bungalows, 1 No. detached dormer bungalow and 2No. garages with storage above with associated highways, hard standing and landscaping. Scheme also includes the clear up of the remainder of the builders yard, for

Mr James Cassidy - Cassidy Group

Introduction

This application is to be reported for determination by the Board at the discretion of the Head of Development Control in view of the two matters referred to below. This initial report however just notes its receipt; describes the site and the proposals together with the supporting documentation and outlines the relevant Development Plan policies and other material planning considerations.

The site is wholly in the Green Belt and in the event of the Council resolving that the proposed redevelopment represents a departure from the Development Plan as defined by the 2009 Direction it could be referred to the Secretary of State for determination.

Secondly, the site has been the subject of formal enforcement action over very many years and as a consequence of this, the application description refers to "further clearance work".

The Site

The application site is a rectangular piece of land of just over 5 hectares in extent on the northern side of Common Lane about 900 metres east of Corley Moor and 1.5 kilometres west of Corley. There is a substantial hedgerow fronting the site and along the eastern boundary. A large oak tree stands centrally within the site. There are three detached house on the opposite side of the road and other dispersed houses and an equestrian centre to the north-west at Corley Moor with more substantial residential ribbon development nearby towards Corley Moor, otherwise the site is in open countryside. The M6 Motorway is situated about 800 metres to the north. It is generally a flat site with slight incline to the north into the site.

The application site can be seen in two halves. On the eastern side of the site is the area known as C W Young's Builders Merchants. Until very recently this has been covered in stored builder's materials, paving slabs, timber and aggregates. However in recent months much of the rear of this part of the site has been partially cleared and there are now stock piles of crushed materials here. There is a small porta-cabin office at the front behind the hedgerow; a few other small storage buildings on either side of the central access and some small brick buildings in the southeast corner behind the road frontage. Vehicular access is directly off Common Lane central to the site's

frontage on the outside of a bend in the lane. The western half of the site – in different ownership – contains an overflow storage area for materials as well as more open grass land.

Appendix A illustrates the location of the site in general terms.

Background

The eastern half of the site was used agriculturally in the 1950's together with the construction of timber sheds. However in the 1960's commercial uses took over completely with the continuation of the timber business and the introduction of a builder's merchants business. This latter use was unauthorised and the Council commenced formal enforcement action. Notwithstanding several appeals both against refusals of planning permission and Enforcement Notices, the situation is that there are extant Notices affecting the whole site – both halves as described above. These require the removal of all building materials and the cessation of the builder's merchants business. Failure to comply with these Notices has led to successful prosecution of the business by the Council on two occasions. However continuing non-compliance has led the Council to authorise a third prosecution in the Courts. This is currently on-going and is being dealt with by the Crown Court rather than with the Magistrates Court.

Notwithstanding this background, there are two Certificates of Lawfulness affecting the front part of the larger site. One dating from 1996 relates to a small portion of land on the left hand side of the access and covers an office use. The second dating from early 2014, relates to the front portion of the site – roughly equivalent to the redevelopment site - and covers the manufacture of timber products.

The proposed residential development is for that part of the site covered by the two Certificates referred to above. All builders merchant's activity would cease and the entire site – including land to the west - would be cleared of builder's materials and hard standings. The land outside of any residential scheme would then be returned to grass land. If granted and implemented, such a planning permission would extinguish the lawful uses too.

Appendix B illustrates the extent of the site covered by the extant Notices.

The Proposals – Description

In short the proposal is for the construction of 11 houses on the front portion of the eastern half of the site covering 0.98 hectares and the whole of the remaining land to the rear and to the west being cleared, remediated and returned to grass land. The redevelopment area amounts to around 20% of the whole site.

The housing scheme would comprise a short cul-de-sac extending back into the site from an improved vehicular access in its present location roughly along the line of the existing track. The housing mix would comprise 8 three bedroom semi-detached houses; 2 three bedroom semi-detached bungalows and one four bedroom detached bungalow. Four of the eight houses would front the site behind the retained frontage hedgerow and the others would be to the rear on the eastern side of the cul-de-sac. These would be two and a half storeys tall – 9.6 metres to their ridge line. The two semi-detached bungalows would be located on the right hand side of the access at the front of the site; one and a half storeys in height – 6.5 metres to their ridges. The detached bungalow would be central to the site. There are also two detached garage blocks

proposed together with on-site parking. This would allow 200% parking provision throughout the site. The oak tree would be retained within a communal amenity space. The proposed layout and elevations are illustrated at Appendix C.

The residential redevelopment as described and illustrated above would cover about the area of the sites the subject of the two Certificates. The implementation of a planning permission for this scheme would clearly extinguish those lawful uses. Additionally the applicant is proposing:

- Clearance of all building materials throughout the larger site and adjacent land
- Remediation of that land and restoration to grass land, and
- The provision of a new 2 metre wide footpath along the Common Lane frontage.

No affordable housing is proposed on-site, but an off-site contribution of £10k is offered.

The Proposals – Supporting Documents

Ground Conditions Report

This concludes that the likelihood of underground coal mine workings affecting the site's stability is very low and that natural ground subsidence hazards are also considered to be not significant, provided that specific ground investigations are undertaken prior to development. Radon gas and other landfill gas emissions are considered not to be significant. Ground waters are considered to be of moderate risk from contamination on site and the proposals will need to incorporate suitable surface water discharge measures. An intrusive ground investigation will need to be carried out to assess levels of contamination arising from the existing uses on the site, including the need to remove any asbestos and to assess whether there are areas of made ground. Interestingly the report identifies the site as being of moderate risk from ordnance from the Second World War and thus a suitably qualified investigation should take place.

Preliminary Ecology Report

The tree and hedgerows should be retained and new landscaping should include species that will enhance local bio-diversity. Further survey work is needed to establish the presence of greater crested newts in the ponds at the rear of the site. The bat survey suggests that there is limited potential for roosting bats or for on-site foraging but the tree and hedgerows should be retained. The report says that construction work and remedial work should be undertaken with regard to the bird-nesting legislation; that the removal of likely habitats for hedgehogs and reptiles should also have regard to the appropriate legislation and that mammal ramps may be needed. As there is Japanese Knotweed on site, its clearance should be supervised under the recommendations of a qualified expert.

Arboricultural Survey

The single oak tree; other hedgerow trees and the hedgerows themselves have good visual impact and are a long term asset for the site. Appropriate protection measures should thus be undertaken during the construction period.

Utilities Assessment

This says that Severn Trent Water has confirmed that there are no public sewers crossing the site and that mains water is available through installation of new infrastructure. Both the National Grid and Western Power indicate that there is adequate availability within the vicinity of the site, with British Gas confirming that mains gas can be provided. It is said that the proposed access has been designed following advice from the Highway Authority.

Sustainability Statement

This argues that the proposal would contribute to the local economy; assist in providing new housing, meet Building for Life housing standards, re-use brownfield land, provide Level 3 Sustainable Homes, deliver sustainable drainage systems, enhance biodiversity and remediate the land.

Transport Assessment

This describes the surrounding highway character - Common Lane with a 40mph limit; grass verges outside the site and a pavement running down to Corley Moor. There is a limited bus service along Common Lane into Coventry and Nuneaton. The Assessment concludes that this network is capable of accommodating the traffic likely to be generated from the scheme and that this is likely to be less than that arising from continuation of the existing site activities.

Design and Access Statement

This Statement describes how the layout design has been arrived at and how the elevations are considered to reflect any local characteristics.

Public Consultation Report

This describes a consultation undertaken by the applicant in advance of submission. This amounted to hand delivered consultation forms to 58 local households. 24% of these were returned. Of these – 64% agreed that they would like to see the site remain open; 64% agreed that the site caused highway problems, 50% considered that an urban site was more appropriate for a builders merchants, 71% preferred housing on brownfield land, 43% preferred housing on the site rather than commercial use and 57% supported the proposal.

Planning Statement

This Statement begins by outlining the planning policy background to the case. It then provides the applicant's arguments in support of his proposal. In particular it refers to the redevelopment of brown-field land; the remediation of the site and its wider setting, the delivery of housing to meet the five year housing supply and the provision of an off-site financial contribution towards affordable housing.

Development Plan

Saved Policies of the North Warwickshire Local Plan 2006 – Core Policy 2 (Development Distribution); Core Policy 8 (Affordable Housing) and policies ENV1 (Protection and Enhancement of the Natural Landscape), ENV2 (Green Belt), ENV4 (Trees and Hedgerows), ENV6 (Land Resources), ENV7 (Development of Existing Employment Land outside Defined Development Boundaries), ENV8 (Water Resources), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG2 (Affordable Housing), HSG3 (Housing Outside of Development Boundaries) and TPT 6 (Vehicle Parking).

Other Material Planning Considerations

The National Planning Policy Framework 2012 – (the “NPPF”)

The Council’s Submitted Core Strategy – 2013: Draft policies NW1 (Settlement Hierarchy); NW2 (Green Belt), NW4 (Split of Housing Numbers), NW5 (Affordable Housing) and NW8 (Sustainable Development)

The Inspector’s Proposed Main Modifications – 2014: MM14 (to NW1); MM24 (to NW4), MM30 (to NW5), MM51 (to NW8).

The Town and County Planning (Consultation) (England) Direction - 2009.

Observations

The planning history of this site and the adjoining land is a material planning consideration in the determination of this application, but that has to be balanced against assessment of the proposals against the Development Plan; the emerging replacement Plan and the NPPF. This will not be straight forward.

As the site is in the Green Belt the Board will first need to determine whether the proposals are appropriate or not appropriate development. If the latter, then it will need to assess those considerations put forward by the applicant to see if they amount to the very special circumstances necessary to outweigh the presumption of refusal. If it is considered that they do, then there may be a need to refer the matter to the Secretary of State as a departure under the 2009 Direction. The Council is free to refuse planning permission if the Board does not consider that there are the very special circumstances here, without referral.

As usual the Board will have also to consider issues of design, layout access and appearance as well as the offer of the off-site financial contribution. Any matters arising from representations made and through consultation responses will also need to be considered.

Recommendation

That the report be noted at this time

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

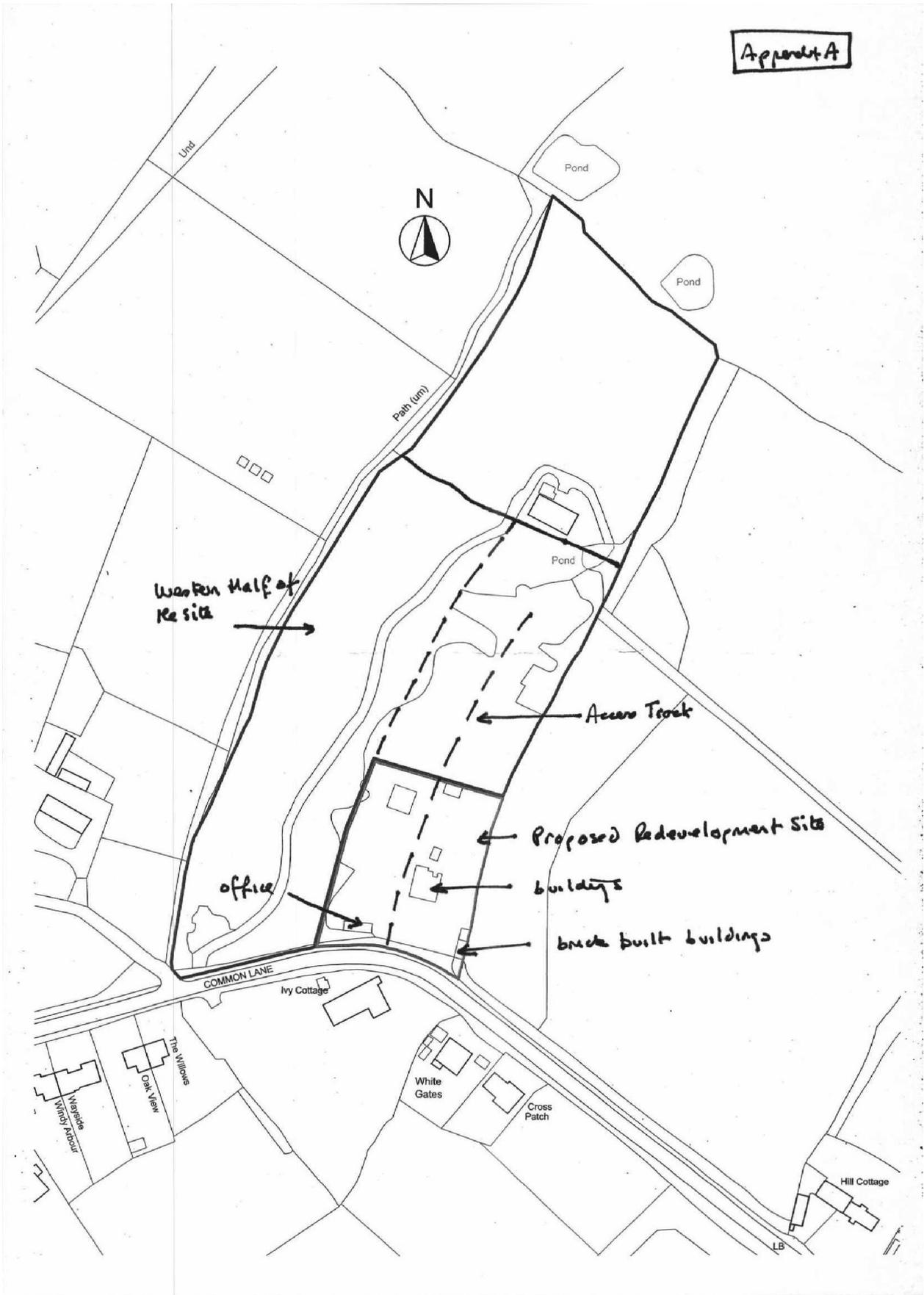
Planning Application No: PAP/2014/0345

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	17/7/14

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.





Appendix B



Notes

- This drawing is NOT TO BE SCALED.
- All dimensions are to be checked on site and are approximate - refer to the architect's drawings for exact dimensions.
- Not to be used for construction without the approval of the architect.

2014/0345

NORTH WAIRAKARE BOROUGH COUNCIL
RECEIVED 9 Sep 14
PLANNING DEPARTMENT DIVISION

Project: COMMON LANE GURLEY

Client: CASSIDY GROUP

Drawing Title: PROPOSED STREET ELEVATION

Drawing By: AJL

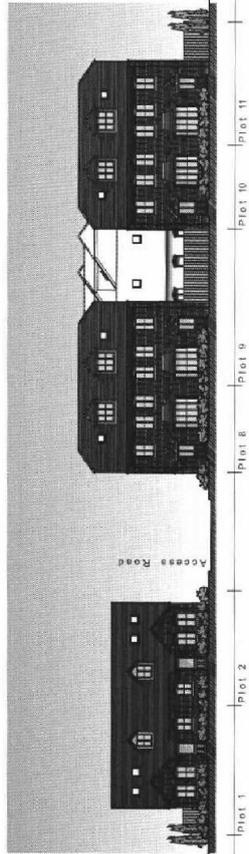
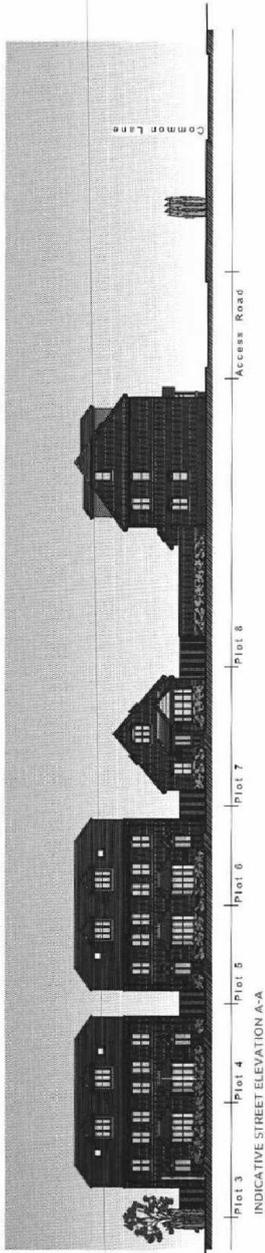
Checked By: PJT

Date: 02-06-14

Scale: 1:200 @ A2

Drawing Number: 6245 / 17B

Revision: B



APPENDIX C

NOTES

- 1) THIS DRAWING MUST NOT BE SCALED.
- 2) ALL DIMENSIONS TO BE CHECKED ON SITE.
- 3) THIS SITE IS LOCATED AT THE CORNER OF THE SITE AND THE ADJACENT ROAD. THE ADJACENT ROAD IS NOT TO BE OPENED UP FOR TRAFFIC.

2014/0345

NORTH DEVONSHIRE BOROUGH COUNCIL
APPROVED
9-Sep-14
PLANNING DEPARTMENT BUNTON

REVISIONS

NO APPROVAL	BY DESIGN
APPROVAL	BY CONSTRUCTION

PROJECT
COMMON LANE
CORLEY

CLIENT
CASSIDY GROUP

CASSIDY GROUP

Drawing Title	1:000:1:500	Checked By	PJT
Drawing By	AJL	Scale	1:1000:1:250
Date	02-06-14	Revision	A
Drawing Number	EP4B/73A		

www.gmh.co.uk

gmh

1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 2899, 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2

APPENDIX D

20140345

- NOTES**
- 1) This drawing MUST NOT BE SCALED.
 - 2) All dimensions to be CHECKED ON SITE and this drawing is not to be used for any other purposes.
 - 3) This drawing is not to be used for any other purposes without the written consent of the author.

NORTH WAVERLEY SHIRE
BOROUGH COUNCIL
RECEIVED
28 Jul 14
PLANNING DEVELOPMENT
DIVISION

A. Layout updated 28-07-14

Revisions

APPROVAL INFORMATION
 PRELIMINARY OR CORRECTED

PROJECT
COMMON LANE
CONCRETE

CLIENT
CASSIDY GROUP

DRAWING TITLE
LOCATION PLAN

DRAWING BY AJL **CHECKED BY** PJT

DATE 02-07-14 **SCALE** 1:250 (A1)

DRAWING NUMBER 6945 / BA **REVISION** A

CASSIDY GROUP

gmh

1000 WILSON STREET
NEWCASTLE STREET
LEICESTER
LE1 7JG
TEL: 01533 450000
WWW.GMH.CO.UK



(3) Application No: PAP/2014/0374

Ivy Cottage, Freasley Common, Freasley, B78 2EZ

Variation of condition numbers 1 and 13 of planning permission PAP/2013/0210 relating to amendments to previously approved plans in respect of the erection of a stable building and the formation of a menage (retrospective application), for

Mr and Mrs Pritchard

Introduction

The application is reported to Board as authorisation is required to proceed with enforcement action if the recommendation of refusal is agreed.

The Site

The site is located on the east side of the lane that runs through Freasley and is adjacent to Freasley Common. It is north of Ivy Cottage. The application site consists of a stable block which is virtually complete with a ménage which is not yet developed and the land would be used for exercising horses.

The site is served by an informal access off the lane. The main dwelling - Ivy Cottage - is sited on a separate parcel of land further to the south.

The plan at Appendix A illustrates the location of the stables, the ménage and Ivy Cottage.

The Proposal

The application is a retrospective application to vary conditions 1 and 13 of planning permission PAP/2013/0210 in order to retain alterations to previously approved plans for the stable building.

The scheme seeks to alter the Condition 1 pertaining to the approval, since the stables have been constructed higher than approved and with new openings not previously shown on the approved plans.

The scheme also seeks to vary Condition 13 since some of the openings approved as louvre openings would be altered to a wired glass georgian window design.

Background

The site has been subject to numerous planning permissions in recent years including a conservatory on the dwelling and a new separate garden room. The site also gained consent for the stable block and ménage on a separate parcel of land beyond the curtilage of the dwelling house in 2013.

Recently permission was refused for an allotment including raised beds, green house, a supporting wall to the green house and a hen house. This element of the site does not form part of the consideration of this application and is a separate planning matter.

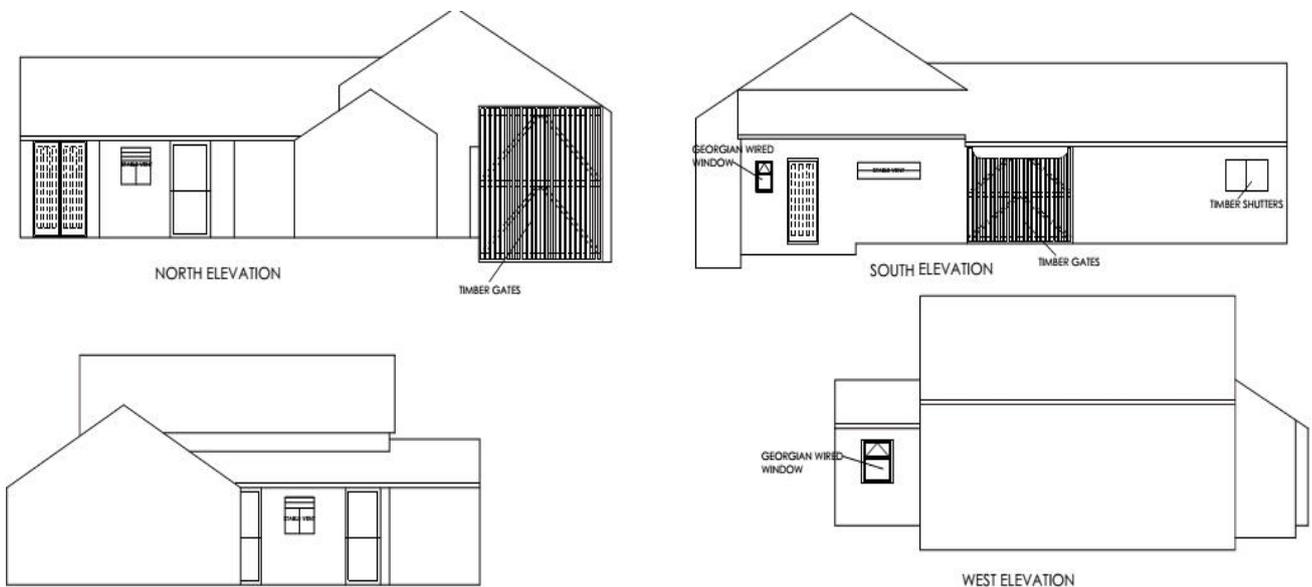
During the course of the current application the site plan pertaining to the stable and the menage has been altered to remove the unauthorised elements relating to the allotment development. The revised site plan is available at Appendix B.

The variation of condition seeks to regularise retrospective changes. These are as follows:

Condition 1: The height of the stable block has increased. The approved plans detail three separate ridge heights and these are: 3.8m high, 4.3m high and 4.8m high. Measurement on site, however, revealed that the actual ridge heights are 4.12m, 4.46m and 6.32m high respectively. The highest ridge is therefore more than 1.5m above the approved height. Additionally, the approved eaves height is detailed as 2.4m high, but measurement has revealed that the actual eaves height is 2.5m high.

Condition 13: A rear opening had been omitted from the previously approved plan, though no additional windows have been installed. Additionally one window on the south elevation and one on the west elevation are both are fitted with glass in breach of Condition 13 of the planning consent. Condition 13 relating to the glazing of windows states, *“the approved openings shall not be converted to glass”*. It is understood by the agent that the WC window to the rear of the stables was pre-existing and glazed when the planning permission was granted and thus the agent states that it has not been subsequently converted to glass.

A plan illustrating these features and some photographs are included in this report below. A copy of the previously approved plans can be viewed at Appendix C for comparative purposes.





Development Plan

Saved policies of the North Warwickshire Local Plan 2006 - Core Policy 2 (Development Distribution); ENV1 (Protection and Enhancement of the Natural Landscape), ENV11 (Neighbours Amenities) and ENV13 (Building Design).

The North Warwickshire Core Strategy 2014 - NW10 (Quality of Development) and NW8 (Sustainable Development)

Other Material Planning Considerations

The National Planning Policy Framework 2012 - ("NPPF").

Observations

The site lies within open countryside and outside of any settlement boundary. The main issue here is the impact of the variations on the visual amenities of the area and the openness of the countryside hereabouts.

A stable block would normally be an appropriate structure in the open countryside and there is indeed a planning permission here for a stable block of a lower scale. The variation of condition would inevitably alter the already implemented design of the block relating to its height and alteration to the openings.

The unauthorised increase in the height of the stable block is excessive at its highest point. This has resulted in a hay loft feature. It is understood that the hay loft is accessed internally by a fixed ladder and hay is lifted/moved by a conveyor system which is a moveable piece of equipment (on wheels). An example of the layout of the stable block and the section of the hay store is illustrated at Appendix D.

An area for the storage of hay is required by the applicant to serve the stable development. The applicant's agent has mentioned that it is appropriate that the hay barn is positioned above the horse box store in order to prevent the need for either an extension to the stables or the provision of a further separate hay barn building. The agent has advised that the tack room and rug store have their own purpose and there is no available space for the hay within these parts of the building.

It is considered that the size of the approved stable block is sufficient to allow for some storage of hay within one of the existing stalls without the overall increase in the height of the stable block being formed here. The increase in the height of the stables is not considered to be justified on account that it would compensate for the future need of an additional hay store. There are many simple stable designs with a ground floor hay store and there is capacity within this block for a hay store at ground level.

The plan shows a timber gate would be added to an open walkway feature; this encloses the stable block and was not approved on the original plan. The gates are open "hit and miss" timber gates. They do not enclose any additional floor space but are required for practical reasons when horses are being tacked and for guiding them out of the stables to the menage. It is considered there is no additional harm in respect of this element.

With regards to the matter of the openings, then these openings had been approved under the previous planning application, albeit one was omitted from the plan in error. Following a site visit in 2013 none of the opening arrangements had been installed with glass, a feature which did not seem necessary in a stable block, whether serving a toilet or not. For this reason condition 13 had been applied to the permission in order to ensure the stable block was as simple as possible.

However the wired windows would be installed to the WC (back of the horse box store) and the openings were in situ at the time of the previously approved application. It is understood from the agent that glazing to this window is essential to ensure the security of the horse box store (which accommodates a highly valuable piece of equipment) as well as affording privacy to the WC area.

With the matters relating to the openings having been considered, though the openings had previously been approved it is not considered appropriate to form glass windows in a stable block as it changes the characteristics of an equestrian building. The preference is that openings remain as louvre vents as previously approved.

The remainder of the observations will consider the variations in terms of policy and material considerations.

a) Design

On balance, it is considered that the material impact on the scale of the structure in terms of its height at roof level is excessive in scale compared with the previous approved plans. The stable building does not appear as a simple structure when taking into consideration the alterations that have been made collectively. In this respect the variation of condition could not be supported as it does not accord with saved policy ENV13 which seeks to ensure that new development “positively integrates into its surroundings”. This saved policy carries weight as it accords with Policy NW10 of the Core Strategy and the NPPF advises at Paragraph 61, that decisions should address the integration of new development into the natural environment.

b) Visual amenities of the Open Countryside

Due to the scale of the structure then this inevitably impacts on the visual amenities of the area and reduces the character of the countryside hereabouts in turn reducing openness. The stable block by virtue of its increased height is not an inconspicuous structure and is clearly visible from the surroundings and does not accord with saved policy ENV1 which seeks to protect and enhance the intrinsic qualities of the existing landscape. Policy ENV1 accords with policy NW10 of the Core Strategy, and can also be read in conjunction with ENV13. It thus carries weight in respect of looking at the overall design characteristic of this building in terms of its size. It clearly affects the openness of the countryside when read in the context of the rural character of the landscape hereabouts.

c) Use

Saved Core Policy 2 looks to only allow development outside of development boundaries which requires a rural location. Stables and equestrian use is a reasonable use in the open countryside and so there is no concerns relating to the building being used for horses. Though there is no evidence of horses have being introduced to the site, this is understood to be because the stables and ménage are not yet complete

and, at present, the stables are not yet authorised by the requisite planning permission. Until such time that the stables are complete, secure and authorised, then horses will be purchased.

It is not unreasonable to allow for the stable or ménage to be completed prior to horses being purchased. There is no evidence on site to support the case that this building could be put to any other use. If the Council have concerns over the use of a building there are appropriate enforcement powers to act if breaches take place.

d) Transport Considerations

The Highway Authority has raised no objection to the application, subject to the conditions attached to the previous permission. Though a large horse box is proposed it is understood there is a sufficient turning area, a small trailer is more likely to have a better fit into the vehicle store.

e) Common Land

There is an area of Common Land which runs through Freasley and this contributes to the open character of the area. The development the subject of this application appears to be located outside this common land and thus would not impact on the right of others to use that land beyond how the previous application was determined.

f) Enforcement

Given the recommendation below, the Board if it agrees to this, will also have to consider whether it is expedient or not to authorise enforcement action. This would require the removal of the unauthorised element on the stable block being the alterations beyond those approved by previous application. The reason for such action is to reduce the impact of the building on the visual amenities of the area, which presently causes an adverse visual impact. It is considered that the revised plans pertaining to the height of the stable does not accord with saved design policies of the North Warwickshire Local Plan or guidance requiring good design outlined under section 7 of the NPPF. The compliance period should be three months.

There will clearly be a cost to the owner here but then the construction of the stable block with a higher ridge line was implemented at the owner's risk. That cost is not considered to be substantial and neither would it have other adverse consequences. The owner has the right of appeal against both a refusal and the issue of any Notice.

Recommendation

A) That planning permission be **REFUSED** for the following reason:

1. The unauthorised changes to the height of the stable block has resulted in a development that is uncharacteristic for rural stables that being the scale and height of the stables in excess of what would reasonably be required to serve as stables, which is considered to have a detrimental impact on the visual amenities of the area and on the openness of the countryside hereabouts. As such, the proposal is contrary to policy NW10 of the North Warwickshire Core Strategy 2014 and saved policies ENV13 and ENV1 of the North Warwickshire Local Plan 2006. These are considered to carry full weight as they accord with the National Planning Policy Framework 2012.

B) That authority also be granted to the Assistant Chief Executive and Solicitor to the Council to serve an enforcement notice requiring alterations to the stable building such that it accords with the approved plans, within a compliance period of six months.

Notes

1. Notwithstanding this refusal, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking further information. However the planning issues at this site cannot be satisfactorily addressed. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2014/0374

Background Paper No	Author	Nature of Background Paper	Date
1	Agent	Plans and application forms	15/07/14
2	Agent	E-mail	28/08/14
3	Highways Authority	Consultation response	03/09/14
4	Case Officer	Correspondence	08/09/14
5	Agent	E-mail	15/09/14
6	Agent	E-mail and revised plans	18/09/14
7	Case Officer	E-mail	18/09/14
8	Agent	E-mail	19/09/14
9			
10			

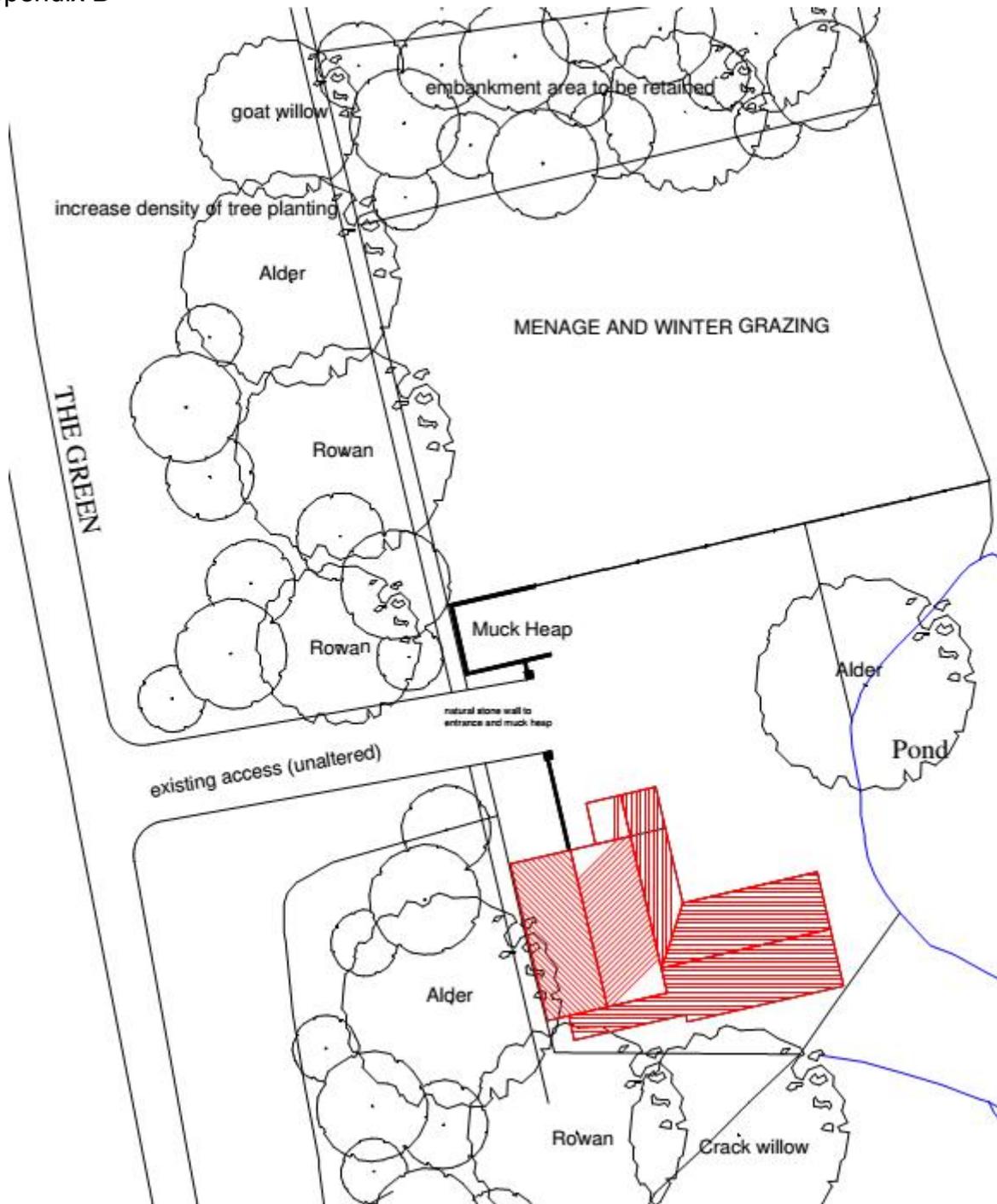
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

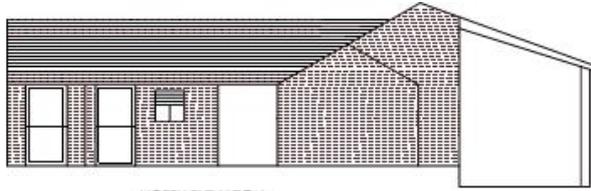
Appendix A



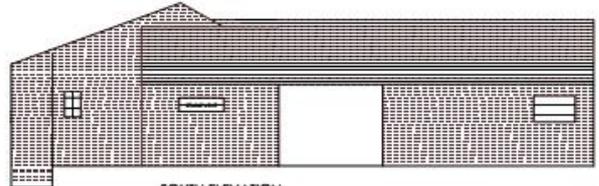
Appendix B



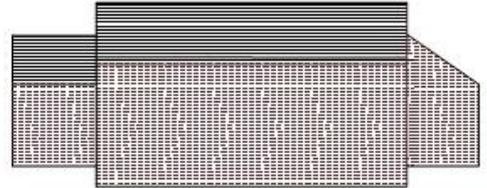
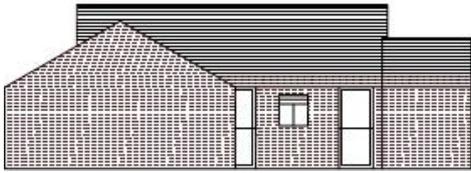
Appendix C



NORTH ELEVATION



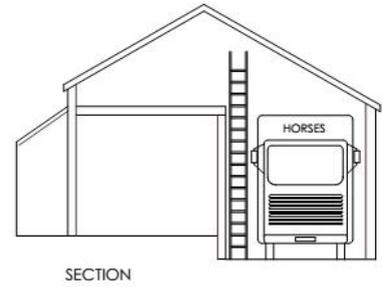
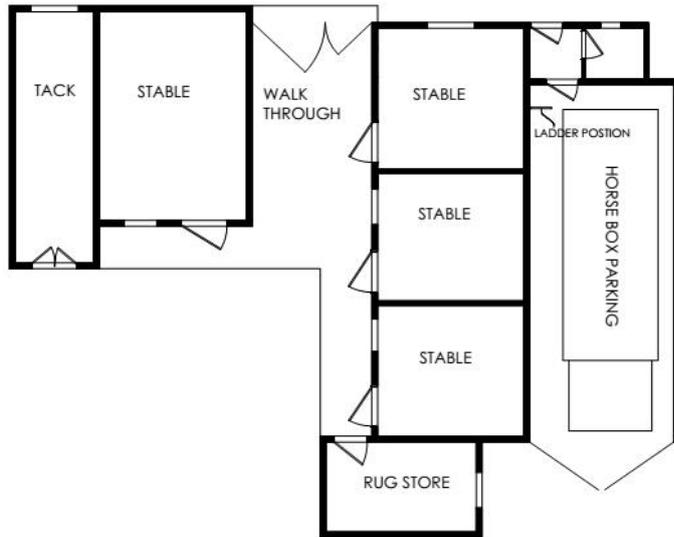
SOUTH ELEVATION



WEST ELEVATION



Appendix D



(4) Application No: PAP/2014/0483

Land East Of Grendon House Farm, Warton Lane, Grendon,

Development of solar photovoltaic panels including new access track (off existing farm track); temporary construction compound; double inverters; transfer station; collecting station; security fencing; CCTV cameras and poles; landscaping and associated works and infrastructure, for

Big 60 Million Ltd

Introduction

This application is reported to the Board at this time for information alone. It describes the site, the nature of the application and sets out the planning policy background.

The appropriate Agencies have been consulted and neighbour notification letters have been circulated, including the Parishes that adjoin the Borough in Hinckley and Bosworth.

The Site

In short this covers two fields, amounting to 32 hectares in extent, to the east of Grendon House Farm off Warton Lane about 750 metres north of its junction with the B5000.

The Farm itself stands well back from Warton Lane – some 500 metres – and is accessed directly from that Lane via a long drive. The farm itself comprises the farm house together with ranges of farm buildings within close proximity of each other to the north and west. There are two cottages on the side of the access track and other dispersed dwellings and farmsteads along the B5000 and Warton Lane – ranging from 600 metres to over a kilometre away. The area is open countryside in appearance and characterised by large arable fields. There are hedgerows and hedgerow trees, particularly along the road sides. There is not a substantial copse or woodland cover and hedgerows around the farm itself have been removed.

The land here generally rises away from Warton Lane towards the north east and there is a more marked incline to the north of the farm up towards Orton-on-the-Hill. The farmstead itself however does stand on a small “island” of higher ground, such that the site is on lower ground. There is around a 6 to 7 metre height difference across the site as a whole.

The two fields the subject of the application, are both surrounded by existing mature hedgerows with an occasional hedgerow tree.

A small stream runs to the west of the site and there is a ditch alongside the access drive.

A public footpath – the AE13 – crosses diagonally north-west/south-east through the more southern of the two fields, connecting to the local footpath network throughout the area around the farm.

The site's general location is illustrated at Appendix A.

Background

Many of the buildings at the farm benefit from planning permissions for business uses.

The Proposals

a) Description

This is for a solar array with an overall area of 32 hectares contained within two existing fields - together with a variety of ancillary operational developments. A layout of the array is provided at Appendix B.

There would be a temporary construction compound occupying around 3600 square metres of land within a further field to the south-west. This would provide the base for the construction of the array which would be fully installed in around 12 weeks. It is located close to the access drive and would be re-instated to its former agricultural use following the construction period. All vehicular access for construction would be via the B5000 and Warton Lane, utilising the existing drive over its first half but latterly a new 6 metre wide permeably surfaced drive would be created parallel to but adjoining that track over its last 300 metres.

The solar panels would amount to some 1028 modules with an overall 154,200 individual panels, generating some 14.6 MW of electricity. These arrays would not wholly follow the ground contours but the whole array would vary between 2500 and 2700 mm above ground. The maximum height would be 1500 mm with a tilt angle of 15 degrees. The rows would be placed between 3 and 6 metres apart to avoid shading and to take account of winter sun heights and the actual ground topography. They would be south facing.

A number of ancillary operational developments are required – transfer stations; invertors, transformers, collecting stations, meter boxes and cameras. These are to be generally located at the south west corner of the site, but the cameras would be located around the perimeter as would a security fence within the field boundary hedgerows. Appendix B again illustrates their various locations. It also shows that the existing route of the public footpath across the site would be retained, but that would be fenced for security reasons.

Existing hedgerows would be allowed to grow to between 2.5 and 3 metres tall and there would be new land drainage swales introduced around the site to enhance bio-diversity. The land beneath the arrays would be grassed enabling sheep grazing.

No staff would be employed on the site and access would only be required for maintenance and security reasons.

The whole facility would have a 25 year life.

b) Community Benefits

The applicant states that it is a “Community Benefit Energy Company” and will provide the opportunity for residents to benefit from solar farms. The applicant seeks to “open” the investment it has made to residents by offering Solar Bonds specific to each project for £60 each marketing them at first to local residents. They are said to offer a fixed rate return based on the economics of each project – typically 5 to 7% (before tax) paid each year for five years when options can be reviewed. The applicant says that he also offers environmental benefits through enhancing bio-diversity through planting and landscaping, as well as educational benefits by opening up the development to school parties.

Supporting Documentation

A significant amount of supporting documentation has been submitted by the applicant. Summaries of their content are provided below.

a) Planning, Design and Access Statement

This describes the site and sets out the detail of the proposed array and its associated operational developments. It also identifies the relevant planning policies at both local and national level and summarises the more detailed reports that accompany the application. It particularly highlights the national need for renewable energy sources. Many of the documents it refers to are referenced in the “Other Material Planning Considerations” section below. It concludes by saying that the proposal in the applicant’s view would not cause significant or demonstrable adverse impacts and being a sustainable development should be supported.

b) Agricultural Land

This report describes survey work undertaken throughout the two fields looking at soils, sub-strata and natural land drainage. This shows that the top soils are medium clay loam over a heavy clay upper subsoil and a slowly permeable clay lower subsoil. As a consequence drainage is imperfect leading to a mixed classification of grades 3a (28%) and 3b (72%) depending on the depth of the underlying clay. The proposal would have very little disturbance overall on the soils and the site would be returned to agricultural use in the same state as existing after the 25 years.

c) Flood Risk Assessment

The majority of the application site is in Flood Zone 1 (low risk), however a very small part is in Flood Zone 3 because of the proximity of an adjacent stream. The assessment concludes that if only one array is removed, the whole site would be in Zone1. The access road is in Zone 1 and thus the risks are low. As a consequence the site is considered to be safe from fluvial flooding. The development itself has such a small proportion of hard surfacing that the assessment concludes that surface water flooding consequential to the development is very unlikely. The perimeter swales will assist drainage and capture surface water. Overall the assessment concludes that there would not be adverse flooding consequences.

d) Ecology Report

There is a designated site – an SSSI – about 1.6 kilometres from the site at Birches Barn Meadow, but otherwise there are no recognised statutory or non-statutorily recognised wildlife sites within two kilometres of the site, but there are fourteen potential local wildlife sites within that radius. The site itself is arable farmland with hedgerows, a wet ditch and occasional trees. Overall these habitats were found to offer low ecological interest and diversity, but with some connectivity to the wider landscape. There were limited opportunities for a wide range of bird species but bat foraging “corridors” are likely here. The habitat was found to be “sub-optimal” for badgers, otters, voles, reptiles or amphibians. The proposals are therefore unlikely to have any demonstrable impact or displacement, but proposed enhancement measures would considerably increase the ecological potential of this site.

e) Landscape and Visual Assessment

There are no statutory or non-statutory landscape designations affecting the site or its environs. The site and the surrounding area are within the “Little Warton to Fields Farm-Fen Lanes” section of North Warwickshire’s Landscape Character Assessment. This describes the character as being “flat, open arable landscapes with large rectilinear field patterns under intensive cultivation, scattered farmsteads, hedgerow field boundaries with frequent ditches and low tree cover, a relatively unsettled peaceful and quiet landscape, but with subtle variations in landform allowing local views across open arable fields”. The north and eastern boundaries of the site are very close to the administrative area of Hinckley and Bosworth Borough Council. Its landscape here is defined as being the “Fen Lanes” area and the main characteristics are generally consistent with those described above. The applicant’s assessment concludes that the overall landscape is of “medium value” and with a medium sensitivity to change. A total of eight vantage points around the site were used in order to assess likely landscape change as a consequence of the development. Whilst the introduction of the arrays would inevitably have an immediate local impact particularly on users of the footpath, their low level, visual consistency and the low inter-visibility would not alter the overall landscape framework. Overall the report concludes that the landscape has the capacity to accommodate the scale of the development with only very localised landscape and visual effects. The eight vantage points include the junction of the B5000 with Warton Lane; Orton Lane on the south side of Warton, three points around the site boundary itself including the footpath crossing the site and three points on footpaths to the north and east, two being south of Orton on the Hill.

f) Cultural Heritage

There are no designated sites or assets on the application itself but there are three scheduled monuments; one Grade 1 Listed Building; three Grade 2 star Listed Buildings and ten Grade 2 Listed Buildings within a two kilometre radius of the site. The Monuments are a medieval moated site at Pinwall; the New House Grange farm complex to the east, and the old Grendon bridge. The Grade 1 building is the Church at Orton on the Hill. The grade 2 star buildings are All Saints Church, Church Farmhouse and Lower Farm. The historic landscape context of the site is considered to be of limited heritage value. There is considered to be some potential for underground prehistoric, Roman and mediaeval heritage assets, but because of the limited amount of ground disturbance arising from the development there would be a limited impact on any buried archaeology and there is no evidence that such remains would be of such significance

to preclude the development. The Assessment also concludes that the settings of the respective heritage buildings would not be altered largely as a consequence of distance, there being no inter-visibility, the low height of the development and it not being within the most sensitive part of the building's setting. In respect of Conservation Areas then the closest are at Orton, Twycross, Polesworth and Atherstone. The latter three would be unaffected because of there being no lines of sight to the application area. The Orton Area is about 1.6 km to the north-east and the land here does slope towards the site. However because of the density of vegetation, built development alongside roads and field boundaries views to the site are screened and limited to first floor windows of property on its south-western edge. There would thus no adverse impact on the setting of this Area.

g) Construction Traffic

The proposed routes and means of access were described above with the existing farm drive providing access over the majority of its length with the final section using a new track to the construction compound and to the site adjoining that drive. Construction would take place between 0700 and 1900 during the week and 0700 to 1300 on Saturdays and no Sunday working. There great majority of HGV movements would be associated with the construction and the estimated pattern would be the initial set up over two weeks (270 movements); the construction over ten weeks (860 movements) and completion over the final week (170 movements). The proposed HGV route is from the A5 Merevale roundabout through Holly Lane and onto the Atherstone Road to Pinwall and thence to the site. Construction staff will arrive by car or mini-bus.

h) Statement of Community Involvement

In advance of submission, the applicant held a public information day in July at Grendon Community Centre. Residents close to the site were notified (106 addresses), and it was also advertised in the Parish Newsletter. 22 people attended the event and 16 forms were completed. 15 of these indicated support. The one not doing so cited "potential countryside impact" as the reason.

Development Plan

The North Warwickshire Core Strategy 2014 – Policies NW8 (Sustainable Development); NW9 (Renewable Energy and Energy Efficiency), NW10 (Quality of Development), NW11 (Natural and Historic Environment) and NW13 (Green Infrastructure).

Saved Policies of the North Warwickshire Local Plan 2006 – ENV10 (Energy Generation and Energy Conservation); ENV11 (Neighbour Amenities), ENV13 (Building Design), ENV14 (Access Design), ENV15 (Conservation), ENV16 (Listed Buildings) and ECON8 (Farm Diversification)

Other Material Planning Considerations

The National Planning Policy Framework 2012

National Planning Practice Guidance 2014

UK Solar PV Strategy Parts 1 and 2

The BRE National Solar Centre “Planning Guidance for the development of large scale ground mounted solar PV systems” 2013.

Observations

The Development Plan has policies encouraging renewable energy development as well as policies protecting landscape character. National policies too are significant in both of these respects. The main issue here will be to balance the development within their context. As such the impact on landscape character and the associated visual impact will feature heavily in that assessment. The supporting documentation shows the need to explore a number of other planning considerations, all of which will have to be weighted in the final balance of issues. The responses from the various consultations will be important in this respect. Because of the site’s proximity to the Hinckley and Bosworth Borough Council area, neighbour consultations have also been widened to include property to the east of the site as well as to those Parish Councils bordering the common administrative boundary.

As the impact on landscape character and the visual effects are central to this case, it is recommended that Members visit the site before determination, as well as visiting some of the vantage points in the surrounding area.

Recommendation

That receipt of the application be noted and that Members visit the site and its surrounding area prior to the determination of the application.

BACKGROUND PAPERS

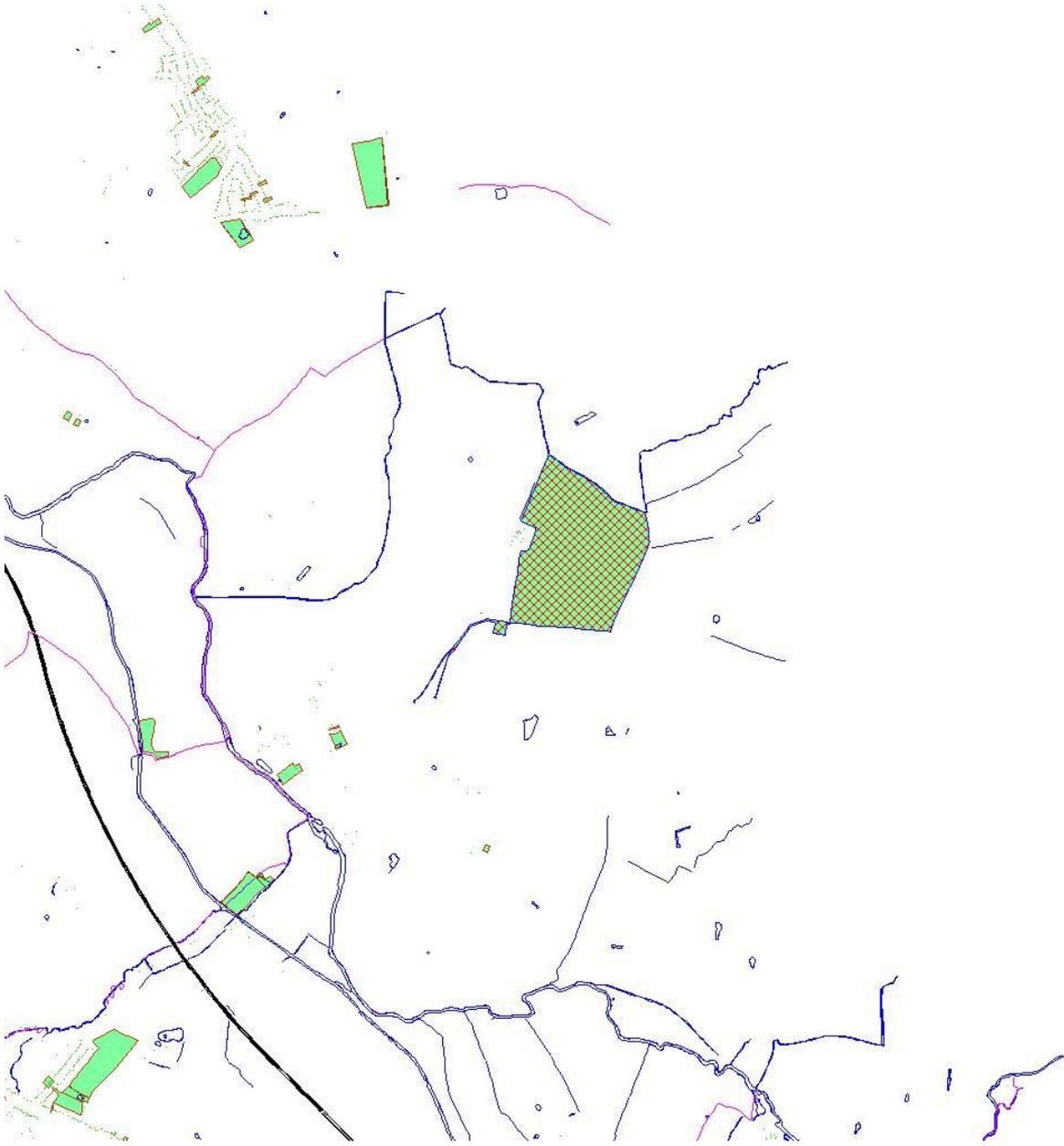
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2014/0483

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.





Appendix A

- Development Boundary
- Land Ownership Boundary

2014/0483

NORTH WARWICKSHIRE
BOROUGH COUNCIL
RECEIVED
11-Sep-14
PLANNING & DEVELOPMENT
DIVISION

Plan description:
Atherstone Solar Farm
Site Location Plan

Drawing Reference:
Atherstone Solar Farm_P01_SLP_RevA

Date: 07/08/2014
Editor: M.F.B.
Revision:
Checked:

Date: 07/08/2014
Scale: 1:5000@A3

Coordinates: Longitude: -01.5590 Latitude: 52.612
Reference drawings:

Site:
Atherstone Solar Farm
Oxendon, Atherstone
Wolverhampton
CV9 3DT

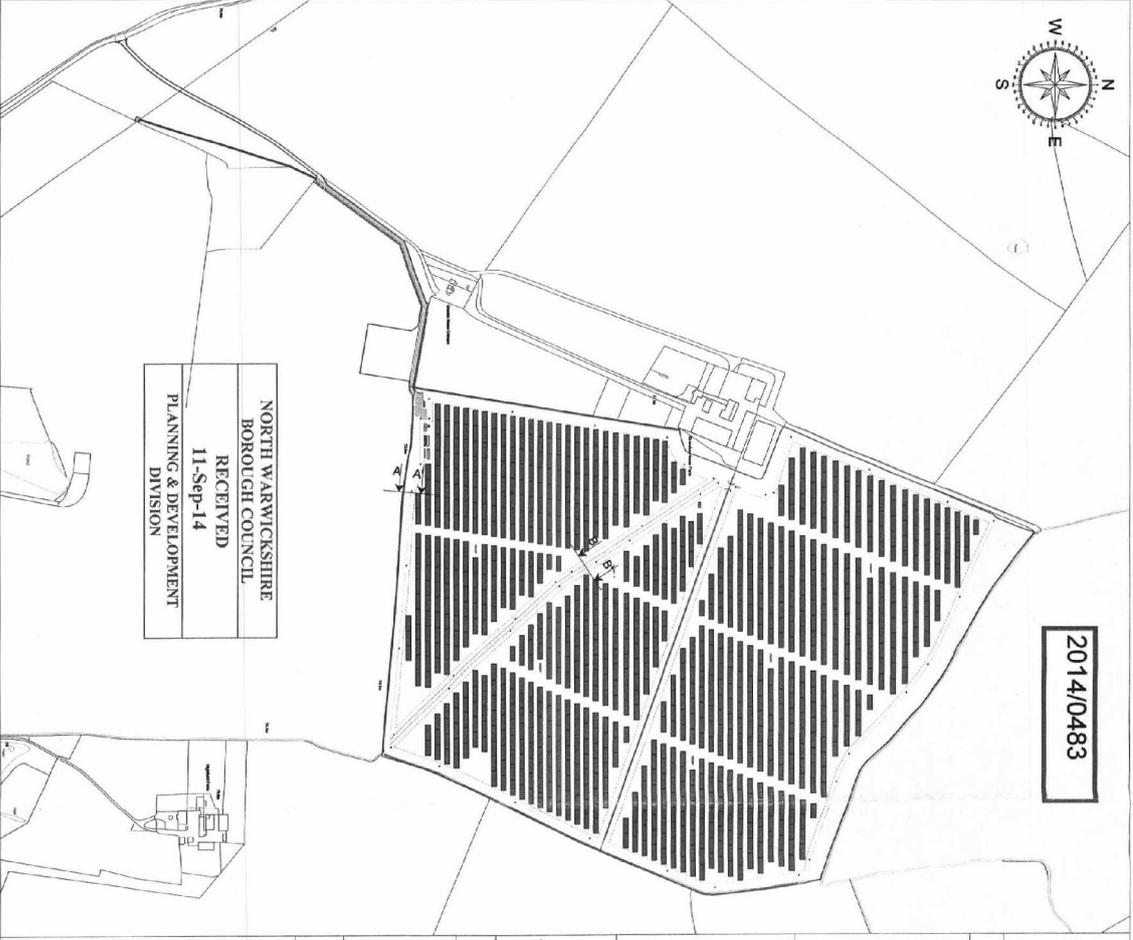
BELECTRIC
Solar Ltd, Tipton, England

Thorney, Vleir House,
Thorney Mill Lane, Near
Buckinghamshire, SL0 9AQ
Tel: +44 (0) 1895 452 840
Web: www.belectric.com

Variances in design can occur to site conditions. This drawing may not be reproduced or be made available to third persons or competing companies without permissions. The reproduction, distribution and utilization of this document as well as the communication of its contents without explicit authorization is prohibited. Offenders will be held liable and can be fined.



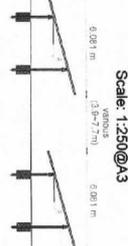
2014/0483



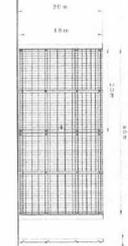
1:5000

NORTH WARWICKSHIRE
BOROUGH COUNCIL
RECEIVED
11-Sep-14
PLANNING & DEVELOPMENT

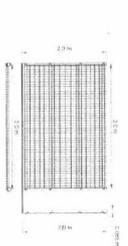
Side View - Typical Section PV Array
Scale: 1:250@A3



Typical Elevation for Gate
Scale: 1:100@A3



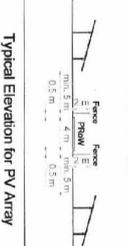
Typical Elevation for Fence
Scale: 1:100@A3



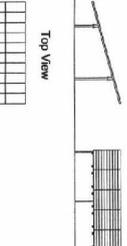
Side View - Typical Section A-A
Scale: 1:250@A3



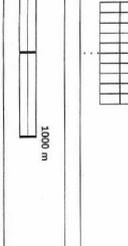
Side View - Typical Section B-B
Scale: 1:500@A3



Typical Elevation for PV Array
Scale: 1:250@A3



Top View



Site Layout Plan

Atherstone Solar Farm

FS395_SMA

Coordinates 52.6120° N 01.5590° W
County United Kingdom
Region / Province Northamptonshire
Municipality Atherstone

- Key**
- Solar Modules
 - Development Boundary
 - Fencing
 - Double Inverter Platform
 - Storage Container
 - Temporary Construction Compound
 - CCTV Pole (3.5m High)
 - Existing Hedge
 - Cable route
 - Combox, Fobox & Antenna
 - DNO Transfer Station
 - Collecting Station 1
 - PADCCON monitoring camera
 - Meter Box (Close to DNO Transfer Station)
 - PROW
 - DNO Access Track & Hair Standing Area
 - Auxiliary Transformer
 - Door

projected data

- plot area - 32.14 ha
- fenced area - 28.32 ha
- fence length - 3.213 m
- number of structures of modules (10x15) - 1028
- number of modules - 154,200
- type of module / power - FS-395 WADC
- inverter - 12 x SMA SC 3000P XT
- = 6 Double Inverter Stands
- plant system rating - 14.649 MWp-DC

construction and parameter

- construction series - FS 10br 15°
- connection - 15 / string (12z)
- shading - 1.5 modules
- sun angle / shadow angle - 13.96 ° / 16.16 °
- sketch from the table section
- not to scale

BELECTRIC

Project: Atherstone Solar Farm_P02_SP_Rev04

Scale: 1:5000

Design: Preliminary Design

Drawn: [Name] Date: 06/08/2014

Checked: [Name] Date: 06/08/2014

Reviewed: [Name] Date: 06/08/2014

Project Manager: [Name] Date: 06/08/2014

Client: [Name] Date: 06/08/2014

Address: [Address]

Contact: [Phone Number]

Website: [Website]

Agenda Item No 7

Planning and Development Board

13 October 2014

Report of the Head of Development Control

Tree Preservation Order

1 Summary

- 1.1 A request for Tree Preservation Orders to be considered for trees in Coleshill has been investigated and a recommendation made accordingly.

Recommendation to the Board

That the Solicitor to the Council be authorised to commence work on making a Tree Preservation Order in respect of an oak and a yew tree at Blytheways, Blythe Road, Coleshill.

2 Report

2.1 Background

- 2.1.1 A request has been made for the making of a Tree Preservation Order in respect of trees at Blytheways in Blythe Road, Coleshill. Whilst they are located within the town's Conservation Area the owners have requested the added protection of an actual Order.

3 Observations

- 3.1 The request has been followed through with an inspection of the trees by the County Forester. Both – an English Oak and a yew - are considered to warrant an Order, being in good health, with an expected long life-span and both with good public amenity value. Whilst they are protected already being within a Conservation Area, the Orders would add specific protection should the present site be redeveloped for new housing. The trees are not under immediate threat.

4 Report Implications

4.1 Financial and Value for Money Implications

4.1.1 There are no implications in the making of the Order here but in certain limited circumstances, there might be a claim for compensation in the event of refusal of works to protected trees.

4.2 Legal and Human Rights

4.2.1 A draft Order will be made and this is open to public consultation and the Council will need to consider any responses prior to confirmation of that Order.

4.3 Environmental and Sustainability Implications

4.3.1 The Council supports the protection and enhancement of its rural character and its environmental assets.

The Contact Officer for this report is Jeff Brown (719310).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Coleshill Civic Society	e-mail	29/07/14
2	County Forester	e-mail	03/09/14

Agenda Item No 8

Planning and Development Board

13 October 2014

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

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.

Agenda Item No 9

Breaches of Planning Control - Report of the Head of Development Control.

Paragraph 6 – by reason of the need to consider appropriate legal action

The Contact Officer for this report is David Harris (719222).