

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

15 October 2012

Present: Councillor Winter in the Chair.

Councillors Barber, Butcher, Davis, L Dirveiks, Lea, May, Moore, B Moss, Phillips, A Stanley, Turley, Watkins and Wykes

Apologies for absence were received from Councillor Humphreys (Substitute Councillor Davis), Councillor Sherratt (Substitute Councillor Wykes), Councillor Simpson and Councillor Sweet (Substitute Moore)

Councillors Fowler, Fox and Lewis were also in attendance. With the consent of the Chairman, Councillor Fowler spoke on Minute No 36 Planning Applications (Application No 2012/0313 (Car Park, Park Road, Coleshill, B46 3LA).

31 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor B Moss declared a pecuniary interest in Minute No 36 Planning Applications (Application No 2012/0313 (Car Park, Park Road, Coleshill, B46 3LA) left the meeting and took no part in the discussion or voting thereon.

32 **Election of Vice-Chairman**

It was proposed by Councillor B Moss, seconded by Councillor Moore and

Resolved:

That Councillor Phillips be elected Vice-Chairman for the meeting.

33 **Minutes**

The minutes of the meetings of the Board held on 16 July, 13 August and 10 September 2012, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

34 **Budgetary Control Report 2012/2013 Period Ended 30 September 2012**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2012 to 30 September 2012. The 2012/2013 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.

35 Works to Trees in a Conservation Area Cole End Park Phase 1

The Assistant Director (Leisure and Community Development) reported on proposals for works to trees in Cole End Park in Coleshill. The Board was asked to agree a suggested course of action.

Resolved:

That the Board agrees to the proposed works to be undertaken to trees in Cole End Park, Coleshill and the matter referred to the Community and Environment Board for approval.

36 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 Applications No 2012/0065 and 2012/0014 (Dreamers of Coleshill, 146 High Street, Coleshill, B46 3BG) be approved subject to the amendmet of condition (ii) to read as follows**

“(ii) The car parking layout plans received on 30/8/12 (ground floor plan) and 12/9/12 (the site and block plan) in full discharge of condition 6, subject to a fence, 1.8m tall, being erected across the rear boundary of the car park”;

[Speakers: Penny Thompson, Diane Davies and Maz Aqbal]

- b That Application No 2011/0478 (Gun Hill Post Office, Gun Hill, Arley, CV7 8HB) be approved subject to the conditions specified in the report of the Head of Development Control;**

- c That provided Nuneaton and Bedworth Borough Council approves the Application in its administrative area relating to access arrangements, the Head of Development Control, in consultation with the Chairman and Vice Chairman, be given delegated authority to approve Application No 2011/0527 (31 Plough Hill Road, Chapel End, CV10 0PJ) subject to conditions;**

[Speaker: Kim O'Rourke]

- d** That in respect of Application No 2012/0212 (Cow Lees Care Home, Astley Lane, CV12 0NE) the Council is minded to support the development proposal and as a consequence, it is referred to the Secretary of State under paragraph 9 of the 2009 Consultation Direction with a recommendation that planning permission be granted subject to the conditions specified in the report of the Head of Development Control;

[Speaker: Richard Dunnett]

- e** That Applications No 2012/0256 and 2012/0257 (Flavel Farm, Warton Lane, Austrey, Atherstone, Warwickshire, CV9 3EJ) be approved subject to the conditions specified in the report of the Head of Development Control;

- f** That in respect of Flavel Farm, Warton Lane, Austrey, Atherstone, Warwickshire, CV9 3EJ the Council does not pursue the prosecution relating to residential occupation of the live/work unit from the date of permission until its expiry, or should occupation occur after Ms Pegg has vacated the live/work unit;

- g** That providing the applicant first enters into a Section 106 Agreement covering the matters set out in Section (xi) of the report, and there being no further objection from the Environmental Health Officer, Application No 2012/0297 (Land At Rowland Way, Rowland Way, Atherstone, CV9 2SQ) be approved subject to the conditions which were set out in general terms in the report of the Head of Development Control and that the exact wording of these be delegated to officers to conclude;

[Speakers: Edward Jordan and Alistair Jones]

- h** That consideration of Application No 2012/0313 (Car Park, Park Road, Coleshill, B46 3LA) be deferred and the Head of Development Control be asked to have further discussions with the Applicants regarding delivery hours; and

- i** That Application No 2012/0444 (Land adjacent to 1, Princess Road, Atherstone) be approved subject to the following additional conditions

“8) No development shall commence on site until full details of the construction of the access, manoeuvring and service areas have first been submitted to and approved in writing by the Local Planning Authority. The details required shall include surfacing, drainage and level details;

9) No bungalow hereby permitted shall be occupied until such time as visibility splays have been provided on either side of the access, measuring 2.4 metres by 43 metres. These splays shall remain unobstructed at all times;

10) No bungalow hereby permitted shall be occupied until such time as the whole of the measures and details as may be approved under Condition (8) above have first been fully completed to the written satisfaction of the Local Planning Authority; and

11) No work shall commence on site until such time as details have first been agreed in writing by the Local Planning Authority to prevent the spread of extraneous material onto the public highway by the wheels of construction vehicles and to clear the highway of such material. The approved details shall be implemented in full throughout the construction period.”

37 **Consultation Paper – Renegotiation of 106 Obligations**

The Head of Development Control reported that the Government had published a consultation paper on the re-negotiation of Section 106 Agreements in order to attempt to stimulate the commencement of development projects that may have been “stalled” because of those Agreements.

Resolved:

That whilst the proposed changes will have no impact on North Warwickshire, the Council considers that existing legislation is adequate to meet the challenge of resolving “stalled” developments.

38 **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.

39 **Breaches of Planning Control**

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

Resolved:

- a** That in respect of land at Manor House Farm, Coleshill Road, Ansley, the Solicitor to the Council be authorised to take appropriate legal action in response to the non-compliance with an extant Enforcement Notice that requires the owner/operator to cease the use of the land as a commercial vehicle depot associated with a waste tank emptying business, and also cease the use of the land for the storage of motorised vehicles, including tankers, HGV'S, vans and road sweepers, not associated with agriculture, the hire of agricultural equipment or equestrian uses; and

- b** That in respect of land at Main Road, Baxterley
 - i** the Solicitor to the Council be authorised to issue an Enforcement Notice relating to an unauthorised building that has not been erected in accordance with the approved plans;

 - ii** the owner being required to demolish the building, break up/dig up the building's foundation and any associated hardstanding, and remove the resulting materials from the site and reinstate the land; and

 - iii** the compliance period be six months.

Chairman

Planning and Development Board

15 October 2012

Additional Background Papers

Agenda Item	Application Number	Author	Nature	Date
7/1	DOC/2012/0065	Mrs Thompson	Representation	8/10/12
		Coleshill Civic Society	Representation	8/10/12
		Mrs Davies	Representation	12/10/12
7/3	2011/0527	Nuneaton and Bedworth Borough Council	Consultation	11/10/12
		Warwickshire Library Services	Representation	15/10/12
7/6	2012/0297	Halcrow	Letter	4/10/12
		Marrons	Letter	4/10/12
		Environmental Health Officer	Consultation	12/10/12
7/7	2012/0313	Councillor Ferro	Representation	13/10/12
7/8	2012/0444	Atherstone Town Council	Representation	4/10/12
		Environmental Health Officer	Consultation	3/10/12
		Warwickshire County Council	Consultation	9/10/12