

**To: The Deputy Leader and Members of the Planning and Development Board  
(Councillors Sweet, Barber, Butcher, L Dirveiks, Humphreys, Lea, May, B Moss, Phillips, Sherratt, Simpson, A Stanley, 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](mailto:davidharris@northwarks.gov.uk).

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

## **PLANNING AND DEVELOPMENT BOARD AGENDA**

**10 SEPTEMBER 2012**

The Planning and Development Board will meet in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire on Monday 10 September 2012 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**

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

- 4 **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).

- 5 **CWLEP Revised Draft Planning Protocol** – Report of the Assistant Chief Executive and Solicitor to the Council

**Summary**

The report brings back to Members a revised version of a Draft Planning Protocol for consideration.

The Contact Officer for this report is Dorothy Barratt (719250).

- 6 **Coventry's Proposed Submission Core Strategy** – Report of the Assistant Chief Executive and Solicitor to the Council

**Summary**

This report brings Coventry's Proposed Submission Core Strategy for consideration.

The Contact Officer for this report is Dorothy Barratt (719250).

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

- 7 **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 item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

8 **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

## **Agenda Item No 4**

### **Planning and Development Board**

**10 September 2012**

### **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](http://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, 15 October 2012 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/](http://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](mailto: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	CON/2012/0012	4	<b>MIRA Technology Park Ltd,</b> Erection of technology park. Consultation by Hinckley & Bosworth Borough Council	General
2	PAP/2011/0527	8	<b>31, Plough Hill Road, Chapel End,</b> Outline (only landscaping reserved): Residential development of six detached 5-bed houses with detached garage to plot 1, a terrace of three 2-bed houses and two 2-bed apartments, and one 3-bed detached dormer bungalow with integral garage; along with associated external works, formation of a new access off Plough Hill Road, and closure of Fletchers Drift Lane with formation of single dwelling access to serve the dormer bungalow	General
3	PAP/2012/0048	15	<b>Rows House, Wood End Lane, Fillongley, Coventry,</b> Two storey side and rear extension, single storey side and rear extension and porch	General
4	PAP/2012/0414	32	<b>Bretts Hall Recreation Ground, Bretts Hall Estate, Ansley Common,</b> Variation of condition no: 2 of planning permission PAP/2012/0051 relating to relocation of CCTV camera; in respect of installation of one 8m column for CCTV camera.	General

## **General Development Applications**

### **(1) Application No: CON/2012/0012**

#### **Consultation by Hinckley and Bosworth Borough Council MIRA Technology Park, Watling Street, Caldecote**

#### **Introduction**

Members will recall the grant of planning permission by the Hinckley and Bosworth Council for the substantial redevelopment and extension of the MIRA site as an Auto Research and Technology Park. An immediate requirement and opportunity has come forward for a new building in order accommodate early interest and for the kind of space that is not readily available within the existing complex.

#### **The Proposal**

This is an outline application for a single building of some 3800 square metres in total spread over four storeys, with a maximum height of 16.5 metres. A plant room would extend beyond this. It would be located in an open area of land in the north- west corner of the existing MIRA site. All access would be via existing arrangements. The location is shown at Appendix A and an illustration of its appearance is at Appendix B.

#### **Observations**

Given the recent consent here there is no objection to this proposal. It aligns with that planning permission in terms of the building's dimensions and its use. Moreover significantly, it has been located such that it would not prejudice the implementation of that permission or its phasing.

Members should be aware that if permission is granted for this building then construction is likely to commence quickly. It will therefore stand out as the first new building of the new Technology Park.

#### **Recommendation**

That the Council raises no objection to this proposal, given the context of the recent planning permission for the redevelopment of the MIRA site.

## BACKGROUND PAPERS

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

Planning Application No: CON/2012/0012

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1	Hinckley and Bosworth Borough Council	Consultation	22/8/12

*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.*

NOTES:  
1. This drawing is the property of Geddes Architects and should not be used for any other purpose without the written consent of Geddes Architects.  
2. This drawing is the property of Geddes Architects and should not be used for any other purpose without the written consent of Geddes Architects.



RECEIVED  
22 AUG 2012  
North Warwickshire  
Borough Council

Project No: 12/009 (P) 101  
Date: 22/08/12  
Scale: 1:100

Geddes Architects

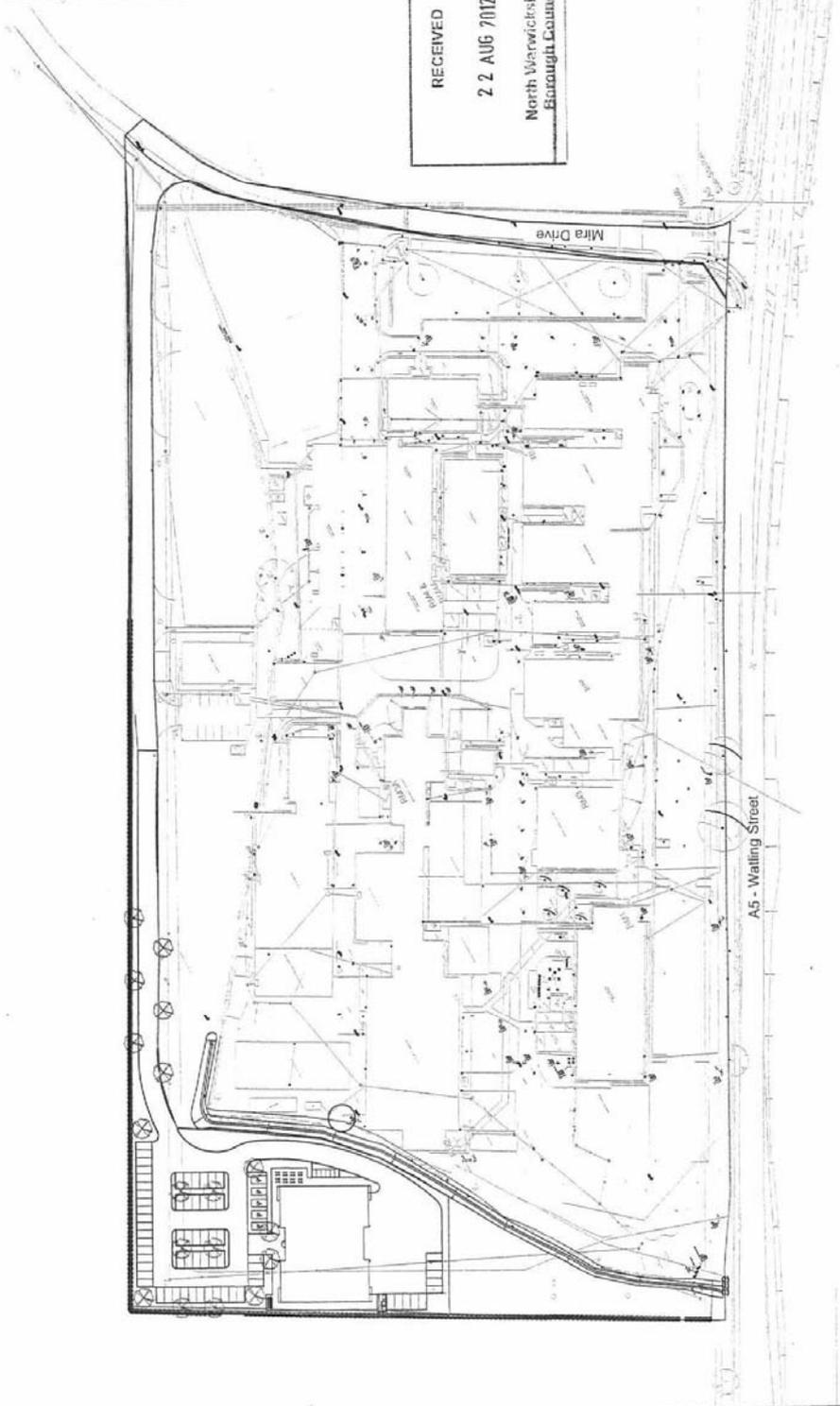
Mira Ltd

Technology / Callpull Centre

Location Plan as Proposed

12.009 (P) 101  
B

Appendix A



Appendix B



**(2) Application No: PAP/2011/0527**

**31 Plough Hill Road, Chapel End, CV10 0PJ**

**Outline (only landscaping reserved): Residential development of six detached 5-bed houses with detached garage to plot 1, a terrace of three 2-bed houses and two 2-bed apartments, and one 3-bed detached dormer bungalow with integral garage; along with associated external works, formation of a new access off Plough Hill Road, and closure of Fletchers Drift Lane with formation of single dwelling access to serve the dormer bungalow, for**

**The Executors of Mrs Hilda Morris**

### **Introduction**

This application is reported to Board in light of there being a Section 106 legal agreement involved and at the discretion of the Head of Development Control at this stage.

### **The Site**

The majority of the site lies behind properties on Coleshill Road and Plough Hill Road, and is bounded by the existing Fletchers Drift lane. It is a former small holding of a hobby nature, but has not been used in such a fashion for a number of decades with the land becoming overgrown in the interim. Former buildings have been demolished. To the front of the site, and facing Plough Hill Road, is number 31 – a detached property linked to the aforementioned land. To the north-eastern side is a run of terraced properties, to the west is number 39 – a further detached dwelling. Adjacent to number 39 is Fletchers Drift which turns around the rear of number 39's garden before serving the existing 6 detached dwellings along the lane, all facing into the main part of the application site. To the other side of Fletchers Drift is a dormer bungalow (number 43) beyond which are further terraced dwellings. Further terraced properties line the northern edge of the site, along Coleshill Road.

Fletchers Drift is not adopted and maintained by the Highway Authority, with the exception of the bellmouth. Both the lane and the bellmouth are substandard in terms of layout and construction, and results in problems for refuse collections to the properties on Fletchers Drift. The lane is set lower than number 43 but higher than number 39, as Plough Hill Road slopes down from west to east before turning a bend towards the junction with Coleshill Road. There is notable on-street parking on this bend at various points of the day, although officer observations at various times demonstrate this is not consistently the case. The levels within the main part of the site slope towards the north-east where the Barpool Brook runs from under Coleshill Road before continuing under Plough Hill Road and out to the south-west.

## **The Proposal**

It is proposed, in outline with only landscaping being reserved for later consideration, to demolish the existing dwelling at number 31, and erect 5 terraced properties – three 2-bedroom dwellings and two 2-bed apartments in its place. A further 6 dwellings are proposed in the main part of the site facing towards the existing dwellings on Fletchers Drift. A further dormer bungalow is proposed on the initial leg of Fletchers Drift, between numbers 39 and 43; with Fletchers Drift “moved” to the opposite side of number 39. This new access road would then serve both the proposed development and the existing dwellings on Fletchers Drift, with the existing bellmouth onto Plough Hill Road to be closed off. The plans at Appendix A better show the proposed layout and street scenes.

## **Background**

This application marks the third major revision to the redevelopment of this site. An initial application in 2010 was withdrawn following officer concerns that the site was not being used to the “best effect” and thus was not delivering any affordable housing. There were further concerns as to access, contamination and coal mining risks. A revised application in 2011 began addressing the concerns and went further in proposing further dwellings, but still did not look to holistically develop the available land. The proposal now presented follows many months of negotiation between the applicant, officers, landowners, consultees and neighbours. This does not necessarily mean that all parties accept the proposal however, and consultation responses and representations will outline this. The proposal is considered to be a much more appropriate solution for the wider site – one which should have been considered at the time Fletchers Drift was originally proposed. At that time, not all landowners were willing to be involved.

Members should also note that this application is a cross-boundary application, with Nuneaton and Bedworth Borough Council determining the same application in respect of land within their jurisdiction. The split between the two authorities is shown at Appendix B.

## **Development Plan**

North Warwickshire Local Plan 2006 (Saved Policies): Core Policy 2 (Development Distribution), HSG2 (Affordable Housing), HSG4 (Densities), ENV4 (Trees and Hedgerows), ENV6 (Land Resources), ENV8 (Water Resources), ENV10 (Energy Generation and Conservation), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design) and TPT1 (Transport Considerations in New Development), TPT3 (Access and Sustainable Travel and Transport) and TPT6 (Vehicle Parking).

## **Other Relevant Material Considerations**

Government Advice: National Planning Policy Framework (NPPF).

Supplementary Planning Guidance: A Guide to the Design of Householder Developments (2003).

Local Finance Considerations: New Homes Bonus (NHB).

## **Consultations**

Following a change in the application site boundaries, the application was re-registered on 1 August 2012. Statutory and technical consultees were re-consulted on the same day. This includes the Highway Authority, the Coal Authority, the Environment Agency, Environmental Health, Severn Trent Water, Warwickshire Wildlife Trust, the County Museum (Archaeology), Nuneaton and Bedworth Borough Council and Ansley Parish Council.

Responses from these consultees will be reported to the Board when the application is presented for determination.

## **Representations**

Neighbours were re-consulted on 1 August 2012, with a site notice erected on 9 August 2012. Responses from neighbours and other interested parties will be reported to the Board when the application is presented for determination.

## **Observations**

As noted above, this application is a cross-boundary application. This has impacts on the Section 106 legal agreement as well as which elements of the proposal are more relevant to North Warwickshire. At the time of writing, Nuneaton and Bedworth are anticipating determination of their application in early to mid-October. It is thus considered appropriate to wait for that determination to be made as the access to the whole development lies within their jurisdiction. As such this report is provided as an interim report only.

Other than matters of principle, affordable housing provision, ground conditions and contamination, it is clear that there will be considerable focus on highway safety, neighbouring amenity, design and phasing of the works to ensure that existing dwellings on Fletchers Drift remain habitable. These are matters which Members may wish to offer opinion and thought on such that it is recommended that a site visit is undertaken prior to the application being presented for determination. As the development is somewhat complicated by land ownership and highway matters, it is felt this would be beneficial.

## **Recommendation**

That Members of the Planning and Development Board undertake a site visit accompanied by officers to appreciate the site characteristics and surroundings prior to considering this application at a later meeting.

## BACKGROUND PAPERS

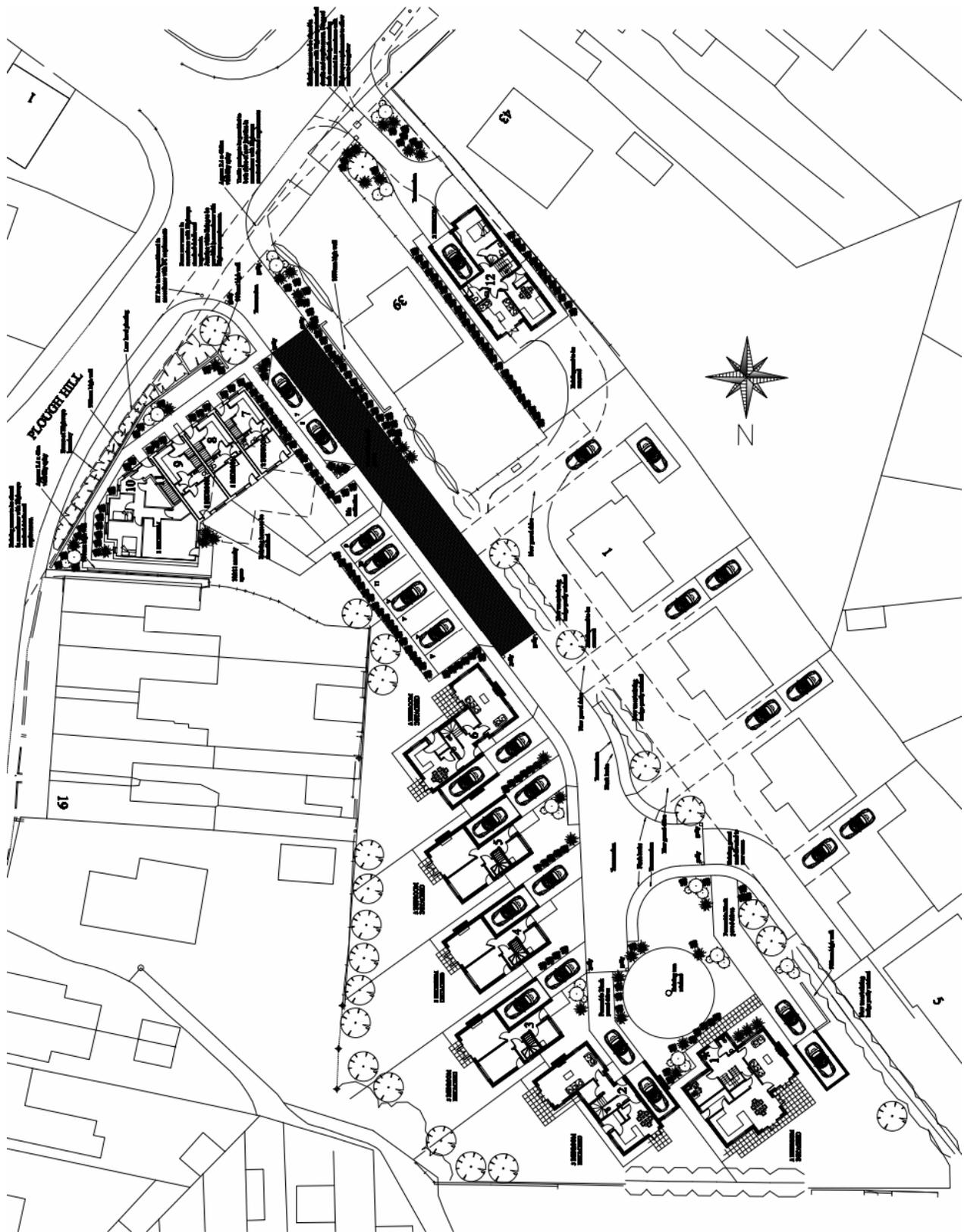
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2011/0527

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	11/10/2011 17/10/2011 19/07/2012 20/07/2012 01/08/2012

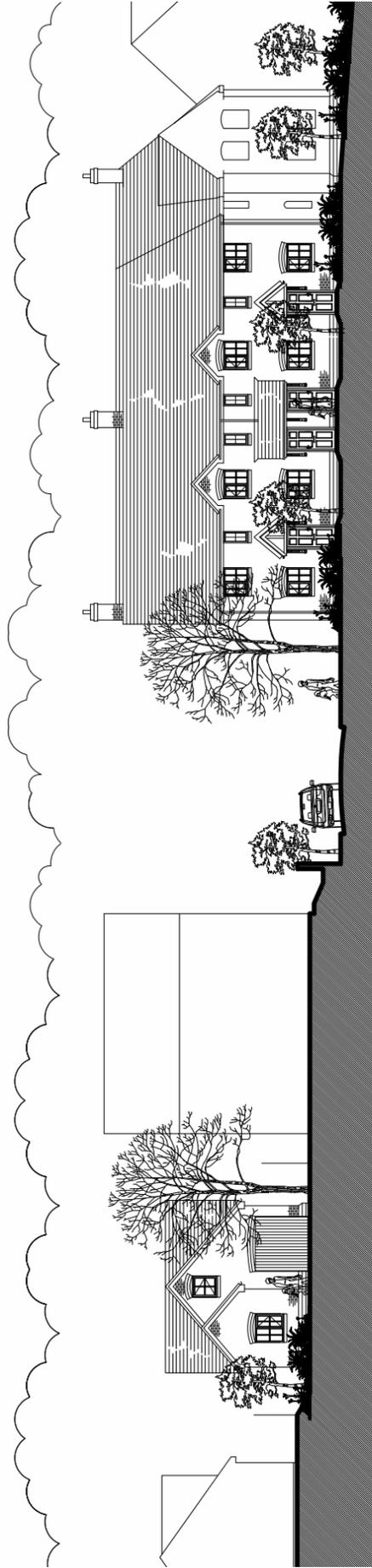
*Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.*

*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.*

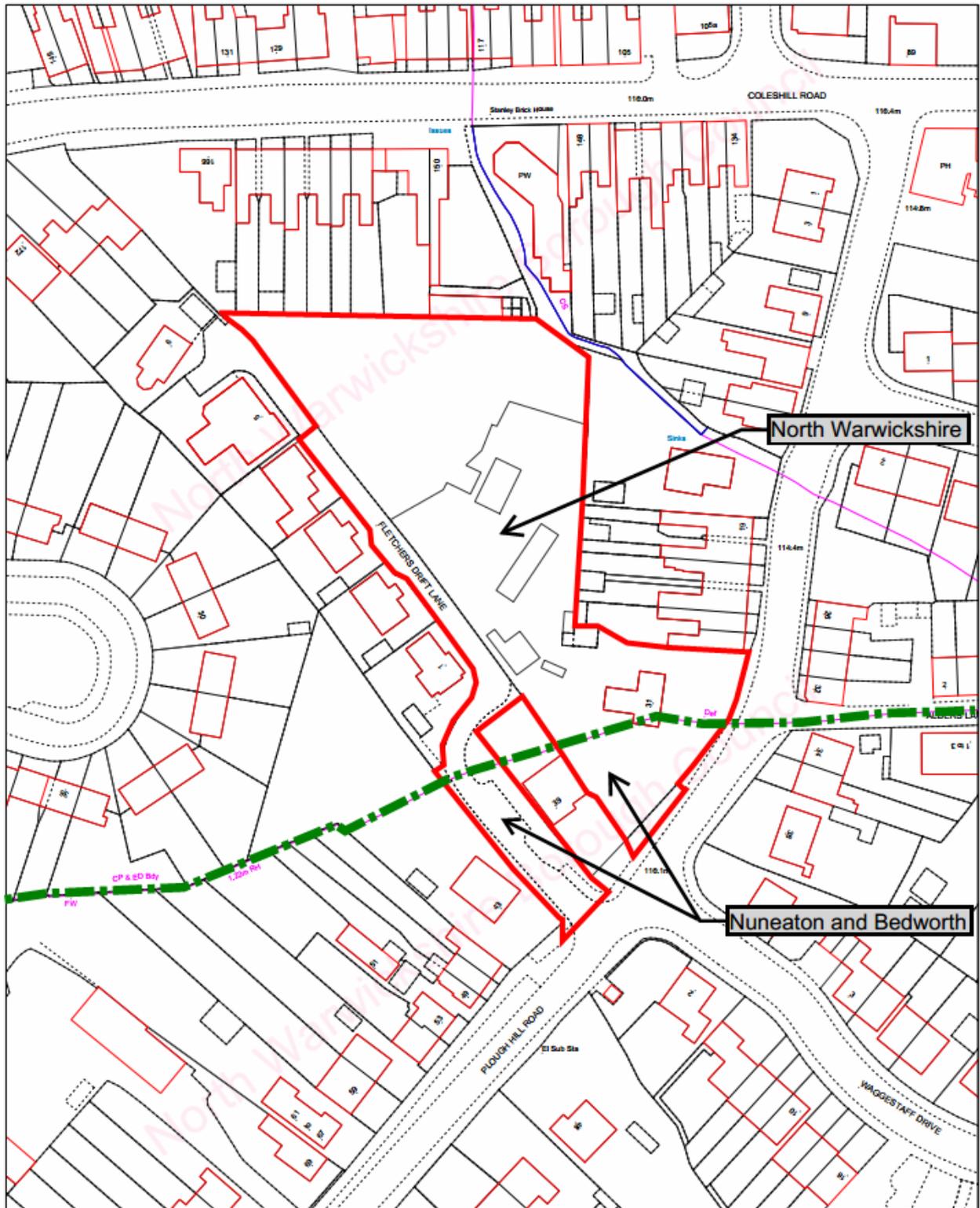




**STREET SCENE FLETCHERS DRIFT LANE ELEVATION**



**STREET SCENE PLOUGH HILL ELEVATION**



**(3) Application No: PAP/2012/0048**

**Rowes House, Wood End Lane, Fillongley, Coventry, CV7 8DB**

**Two storey side and rear extension, single storey side and rear extension and porch for**

**Mr M Hodge**

**Introduction**

This application is referred to the Board at the discretion of the Head of Development Control because it raises a planning policy issue.

**The Site**

Rowes House is a substantial detached residential property standing on the east side of Wood End Lane behind a significant line of the mature trees and hedgerows, about 800 metres north of the junction with the Coventry Road. It is located on the bend in the lane opposite to Rose Farm. There is a substantial range of equestrian buildings to the north associated with the land holding and in use by the applicant. The whole area is in open countryside.

**The Proposal**

It is proposed to undertake a series of extensions and alterations to the house. In short these mainly consist of two storey side extensions either side of the property of the same design in order to retain the balance of the property; significant two and single storey rear extensions in the form of two gables and a single storey kitchen extension to one side at the rear which would be “canted” at an angle. Other alterations affect the appearance of the front elevation in order to make use of the large roof space for additional accommodation. These alterations would remove the existing central gable but retain the two outer gables whilst extending them upwards to provide new windows. Again these alterations would retain the balance of the property’s front elevation. An outbuilding, some 20 metres away from the rear elevation would also be demolished.

In order to illustrate these proposals, a set of photographs of the existing house and stables is attached at Appendix A. A plan illustrating the existing front and rear elevations is at Appendix B and the proposals are at Appendix C.

The proposals have undergone revisions from those initially submitted. All amendments have been circulated for re-consultation. The plans described and illustrated are now the final set of plans.

**Background**

**a) Permitted Development**

The existing property has a small single storey rear extension which was constructed under permitted development rights some considerable time ago. These rights were altered in 2008, with the result that there is still an extensive range of permitted development rights in respect of extensions and alterations that could be undertaken

here without the need to submit a planning application. In this respect Members are advised that:

- i) The rear extensions proposed here would be “permitted development” even allowing for the older existing extension, under Class A of Part 1 of Schedule 2 to the 2008 Order.
- ii) The roof alterations – the gable extensions - as proposed are “permitted development” under Class B of Part 1 of Schedule 2 to the 2008 Order.
- iii) Two single storey side extensions could be constructed as “permitted development” under Class A of Part 1 of Schedule 2 to the 2008 Order. The two storey ones proposed are therefore not “permitted development”, but half of each would be.
- iv) The angled kitchen as proposed is not “permitted development”.

In short therefore the majority of the proposals now before the Board could be constructed as “permitted development”. The exceptions are the two side extensions above single storey height and the angled kitchen.

## **b) Volume**

Members are aware of the Local Plan policy and of the Council’s Supplementary Planning Guidance which refers to a 30% increase in volume for householder extensions outside of development boundaries as here. Calculations have shown that in round terms the total volume increase as set out in the proposals section above and shown in Appendix C is 100%. However works undertaken as permitted development would amount to 60% of this, leaving a balance of 40%. The volume of the outbuilding to be demolished is not included in this calculation as that structure is some distance from the house and should not therefore be included in calculations concerning extensions. The impact of the demolition however will be referred to later in the report.

## **Development Plan**

Saved policies of the North Warwickshire Local Plan 2006 – ENV2 (Green Belt), ENV11 (Neighbour Amenity), ENV13 (Building Design)

## **Other Material Planning Considerations**

The Town and Country Planning (General Permitted Development) Order 1995 as amended.

The National Planning Policy Framework (NPPF) – 2012

The Council’s Supplementary Planning Guidance (SPG) – A Guide for the Design of Householder Developments. 2003

## **Representations**

Fillongley Parish Council – No objections.

## Observations

Members will appreciate that the main issue here is whether the proposed extensions can be considered as “appropriate” development in the Green Belt, and thus carry a presumption of approval. Secondly, Members will also need to consider whether the proposals accord with the Local Plan policy on building design. At this point it is worth recording that there are not considered to be any adverse impacts in respect of effects on neighbour amenity and thus the remainder of the report will focus on the prime issues.

### a) Disproportionate Works

The site is in the Green Belt. Herein Policy ENV2 of the Local plan indicates that development proposals will be considered against Government Guidance as set out in its PPG2. This guidance has now been superseded by the NPPF. As a consequence the wording of policy ENV2 now means that the control of new development in the Green Belt has to be considered against the NPPF. This states that the construction of new building in the Green Belt should be regarded as inappropriate. There are a number of exceptions listed. One is where the “extension or alteration of a building does not result in disproportionate additions over and above the size of the original building”. The Board therefore has to decide whether these extensions are “disproportionate over and above the size of the original building”. The NPPF does not help in that decision as it has no definition of what it is considered to be “disproportionate”. The Local Plan however does have policy ENV13. This states that “outside of development boundaries, any extension or enlargement of existing dwellings will be limited to no more than 30% of the volume of the dwelling as originally permitted or as existing on 1 July 1948, whichever is the later”. The Council’s SPG repeats the 30% figure. However it also identifies an instance where this might be relaxed – where the existing building is already located within a group of other buildings. This is because the impact on the openness of the Green Belt is less likely to be affected if the works are within an existing group or complex of buildings, rather than at an isolated building. As a consequence it is considered that Policy ENV13 carries due weight here as it assists in the interpretation of “disproportionate” in the NPPF, and therefore it is in compliance with the NPPF. It doesn’t carry full weight because the Local Plan was adopted before the publication of the NPPF and is in the course of replacement. Similarly the SPG carries some weight and it identifies a situation in which the 30% figure could be set aside. As such that situation will need to be considered here.

So, applying these matters to the current proposal, and on a straight reading of ENV13, the volume increase is greater than the 30% mentioned, but on the other hand the host building is located in a group of buildings – namely the stables and the house. Members will thus have to balance the % increase against any mitigating circumstances which the SPG might award because of the building’s location vis-à-vis the stables. The loss of the outbuilding should also be seen as an additional mitigating circumstance here, thus giving greater weight to that side of the “balance”.

However complications arise as the “fall-back” position available under permitted development rights has to be considered too. As described above, 60% of the proposed work here is permitted development as a matter of fact. Members may wish to consider the difference between the 30% set out in ENV13 and the 40% balance outlined here. Given the scale of the works proposed here, it is considered that the 10% figure is not material in the circumstances of these particular works, at this location, and with regard to the “benefits” described in the previous paragraph.

There is also a further difficulty in that ENV13 and the SPG are both silent on the weight to be given to permitted development rights. It simply says 30% over the original dwelling or the dwelling as in 1948. It does not say 30% over the volume of the dwelling plus permitted development rights, but on the other hand it can not preclude or ignore the fact that that dwelling can benefit from such rights. So the policy does not distinguish between the following situations: a house owner who uses all of the available permitted development rights, which may take the volume above the 30% figure and then seeks 30% more, and one when all available permitted development rights are taken up, but the increase is still below the 30% figure and thus would only be allowed the balance up to 30% under the policy.

In this particular case the “fall-back” position has to be given due weight as the applicant is clearly committed to large scale alterations here, and has been heavily involved in exploring solutions to achieve works that could be constructed under permitted development, and in revising plans to achieve the best “fit” of his accommodation requirements with those rights.

In drawing all of the matters together, the Board has to consider where the best balance lies. Officers conclude that the proposals do materially exceed the volume increase set out in ENV13, but there is weight to be given to the proximity of other buildings and to the demolition of the outbuilding; that significant weight has to be given to the fall-back position here, that weight has to be given to the lack of explicit recognition in ENV13 to permitted development rights, and that the difference between the % increase over permitted development works and the 30% increase is not material. It is considered that in weighing these factors that the proposals are appropriate development, in that they are not disproportionate extensions.

## **b) Design**

The overall design and appearance of the proposals here is one that will change the appearance of the original dwelling. That however is not a reason for refusal on design grounds. The test in policy ENV13 is whether the proposals integrate into the surroundings. The proposals will still retain elements of the existing dwelling; they will retain the balance and symmetry of the front elevation and the house has no neighbours so will not impinge on other residential property. The NPPF states that planning decisions should not “impose architectural styles or particular tastes” but should reject “development of poor design”. However one might feel about the proposals and the changes sought here, it is not considered that they are so “poor” as to warrant refusal.

## **c) Other Matters**

There are two other matters that need to be addressed.

Members will see that the issues here have largely revolved around “permitted development” rights. Other applications and cases have been brought to the Board recently where this was of concern. Resolution of these concerns can take place via the application process itself and through policy work. In the first instance, it is considered, as can be seen from above, that this proposal is probably on the edge of what might be considered acceptable for approval here. There are still classes of permitted development available at these premises which could lead to further built development, and the loss of the outbuilding has been of weight in coming to the recommendation below. Given the site’s location in open countryside, the impact of any subsequent development should be the subject of control given the potential impact here on the openness of the Green Belt. As a consequence conditions are recommended below in

the recommendation withdrawing such rights. This means that planning applications will be necessary prior to new works commencing. It does not mean that no further development will be allowed.

The second matter is clearly one that needs to be explored in the forthcoming Development Management Development Plan Document as part of the Local Development Framework. It would result in clarification and definition within planning policy of the NPPF adjective “disproportionate” resolving the very real issues raised by this case and others.

## **Recommendation**

**A)** That planning permission be granted subject to the following conditions:

- i) Standard Three year condition
- ii) Standard Plan Numbers condition – Location plan received on 29/8/12 and the plan received on 22/8/12.
- iii) No development shall commence until details of the facing bricks and roofing tiles to be used have first been submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall then be used.

### **REASON**

In the interests of the visual amenities of the area.

- iv) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, as amended or as may be subsequently amended, no development within Class E of Part A to Schedule to that Order shall be commenced on site.

### **REASON**

In order to preserve and to protect the openness of the Green Belt hereabouts.

- v) No work shall commence on the proposals hereby approved until such time as the outbuildings shown on the approved plan for demolition, have been so demolished in full and the resultant materials removed from the site.

### **REASON**

In order to preserve and to protect the openness of the Green Belt hereabouts.

## **Notes**

Standard Coalfield Advice

## **Justification**

It is considered that the proposed extensions do exceed the requirements of Development Plan policy here but that there are circumstances of such weight that when seen cumulatively outweigh the harm that arises to that Policy. These are the fall-back position in respect of the implementation of significant permitted development benefits; the location of the house next to a group of stables and the demolition of an outbuilding. As a consequence the proposal is not considered to be disproportionate. The design is acceptable. There are no issues relating to adverse impacts on neighbouring residential amenity. The proposals accord with saved policies ENV2, ENV11, and ENV13 of the North Warwickshire Local Plan 2006 and the NPPF 2012.

- B)** That officers are requested to clarify the matters raised by this proposal within the Development Management policies in the forthcoming Development Plan Document.

## BACKGROUND PAPERS

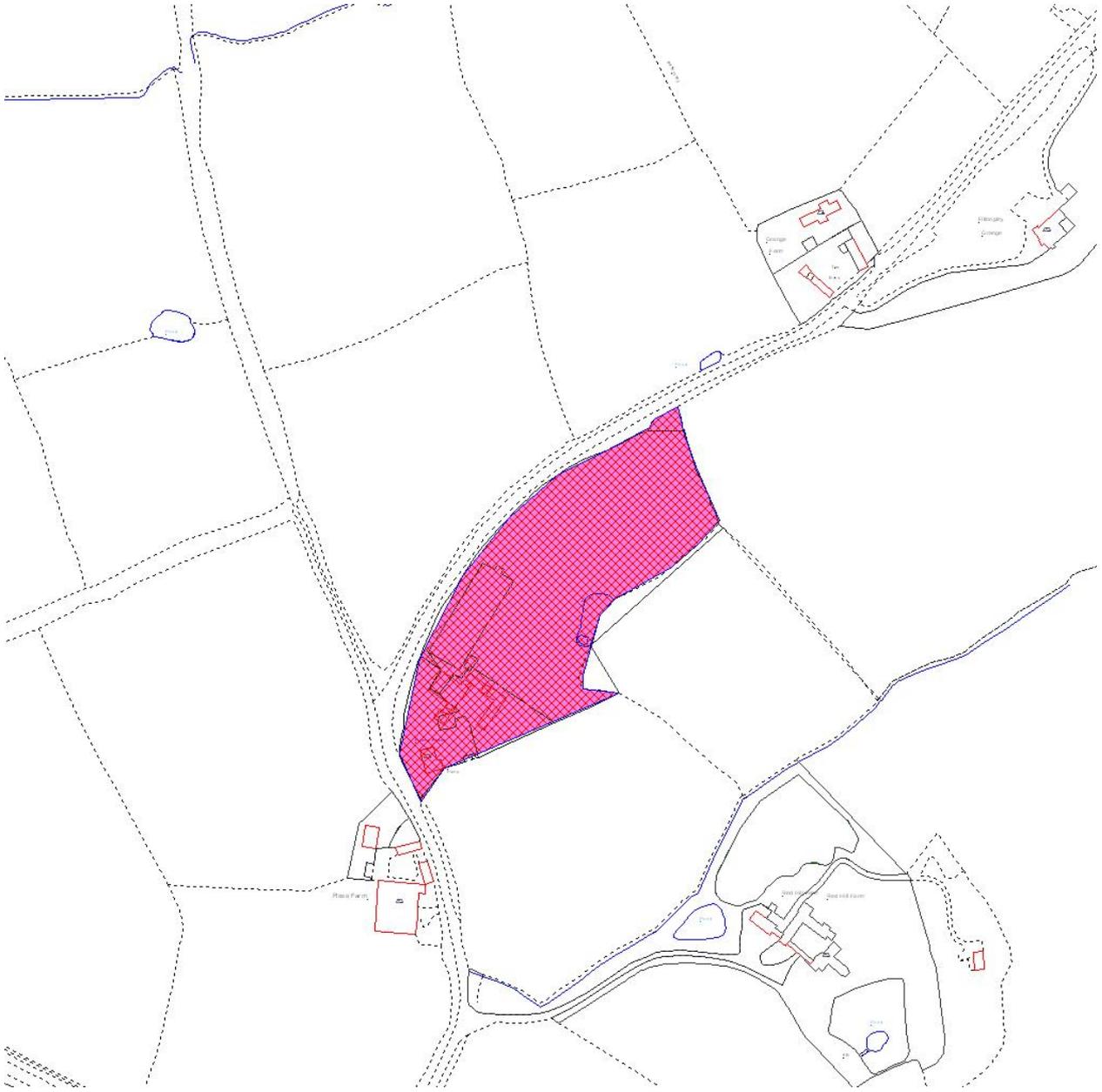
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2012/0048

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	30/1/12
2	Case Officer	Letter	8/3/12
3	Fillongley Parish Council	Representation	21/2/12
4	Architect	Letter	26/3/12
5	Case Officer	Letter	29/3/12
6	Case Officer	Letter	3/4/12
7	Architect	E-mail	4/4/12
8	Case Officer	Letter	16/4/12
9	Applicant	E-mail	15/4/12
10	Head of Development Control	E-mail	16/4/12
11	Applicant	E-mail	16/4/12
12	Head of Development control	E-mail	17/4/12
13	Applicant	E-mail	17/4/12
14	Case Officer	E-mail	17/4/12
15	Applicant	E-mail	19/4/12
16	Applicant	E-mail	20/4/12
17	Applicant	E-mail	26/4/12
18	Case Officer	Letter	1/6/12
19	Applicant	Letter	11/6/12
20	Architect	E-mail	12/6/12
21	Principal DC Officer	E-mail	29/6/12
22	Applicant	E-mail	30/6/12
23	Applicant	E-mail	4/7/12
24	Applicant	E-mail	9/8/12
25	Head of Development Control	E-mail	9/8/12
26	Applicant	E-mail	22/8/12

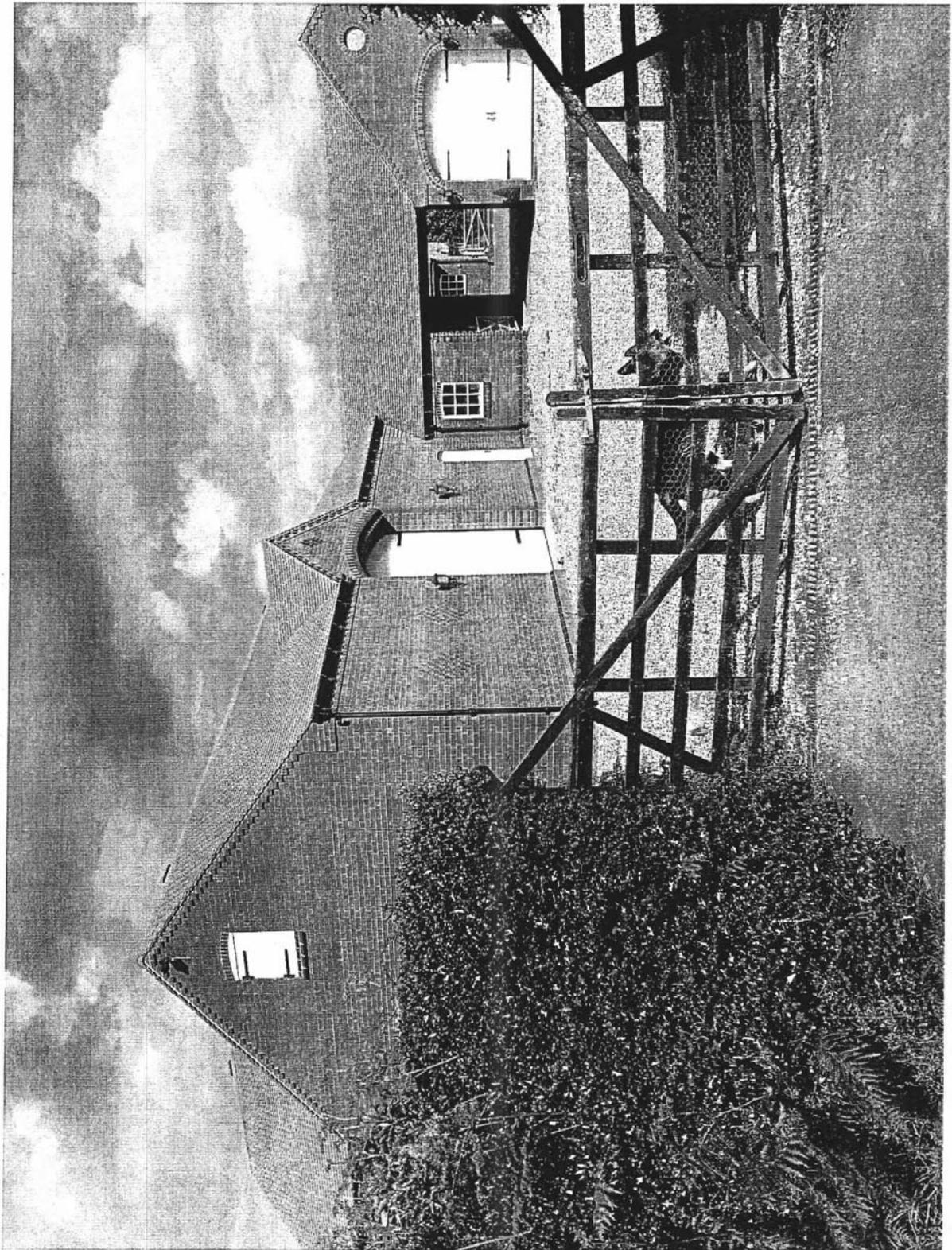
*Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.*

*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.*

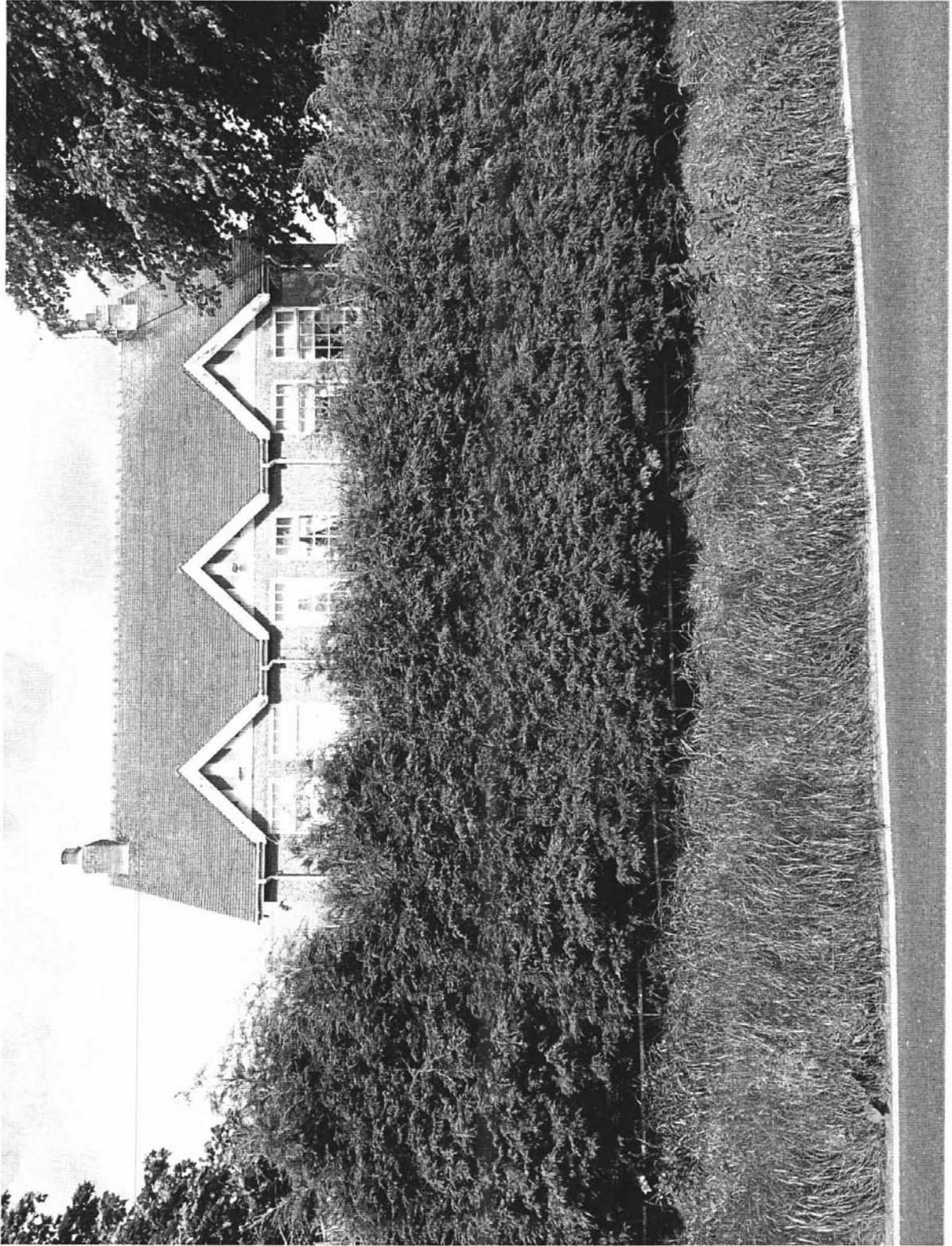


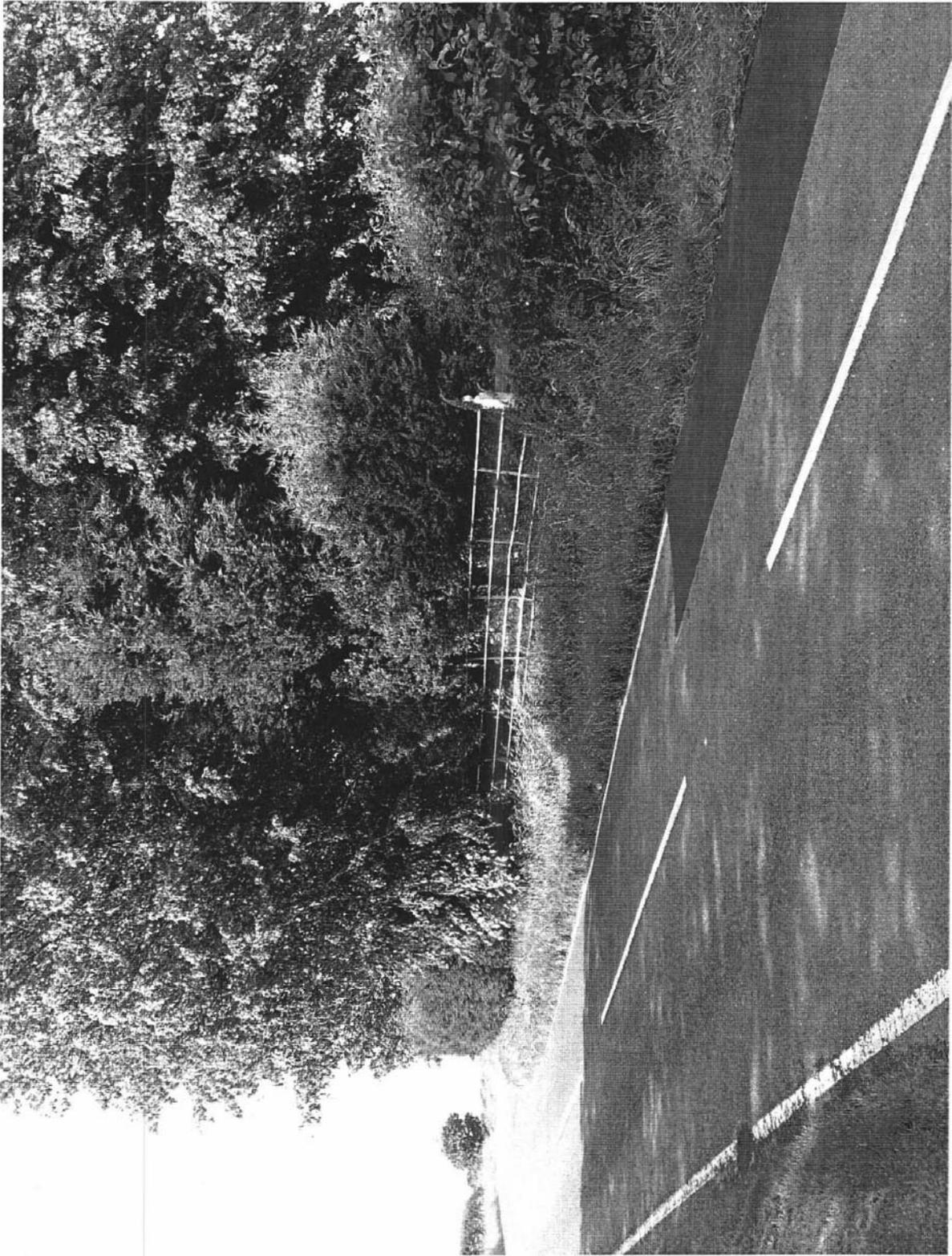
APPENDIX A















APPENDIX B



EXISTING  
rear elevation

scale 1:100

APPENDIX C



PROPOSED front elevation scale 1:100



PROPOSED rear elevation scale 1:100

**(4) Application No: PAP/2012/0414**

**Bretts Hall Recreation Ground, Bretts Hall Estate, Ansley Common, CV10 0PQ**

**Variation of condition no: 2 of planning permission PAP/2012/0051 relating to relocation of CCTV camera, for**

**North Warwickshire Borough Council**

**Introduction**

The application is referred to Board as the site is on Council owned land and the applicant is the Councils' Leisure Services Division.

**The Site**

The site is a recreation ground, and is accessed from Brett's Hall Estate via an access route. The recreation site is rather isolated in its location, behind a large allotment site and the housing estate.

**The Proposal**

The application is retrospective in that the 8 metre high CCTV column has been re-located on the rear boundary of the playground. The 8-metre high column does not incorporate a lighting arrangement as the infra-red capability of the CCTV camera prevents the need for assisted lighting.

**Background**

The details of the formerly approved application are set out in Appendix C.

The differences to that of the previous grant of permission are:

- a) The re-siting of the column 18 metres west of its formerly approved location.
- b) The feeder unit is no longer required.

**Development Plan**

Saved Policies of the North Warwickshire Local Plan 2005 – Core Policy 11 (Quality of Development), ENV1 (Protection and Enhancement of the Natural Landscape), ENV5 (Open Space, ENV11 (Neighbour Amenities) and ENV12 (Urban Design)

**Other Relevant Material Considerations**

National Planning Policy Framework

## Observations

The re-siting of the column is revised to that of a previous permission (PAP/2012/0051) in a location approximately 18 metres west, as identified in the block plan at Appendix B and photographs at Appendix D. The column is presently in situ at a strategic location where it is in close proximity to the opening of the recreational area and therefore has the benefit of sight lines to the openings of the recreational ground. There is no objection in principle to the column in this location, because the design and requirement objectives of this development had been outlined in the previous committee report available at Appendix C, for which planning permission was granted.

The main consideration here is whether the re-location of the column has an adverse amenity impact on the locality given the close proximity of residents.

The re-siting of the column is presently in situ and still covers the areas of vulnerability and in its revised location does not cause an obstruction to pedestrians or an impact on the privacy of neighbouring occupiers, given it is sited further away from neighbours than the previous permission.

It only provides surveillance to the areas of vulnerability such as the access routes and the recreation ground, the CCTV camera is not directed toward neighbouring gardens or windows. In this respect the scheme is not be considered to result in a harmful impact on the privacy of neighbouring occupiers. No neighbour's representations have been received.

In terms of design, then the column has not altered from that of the previous permission, it is a standard feature of street furniture and is not inappropriate. Presently the column is in a galvanised steel, which will be recommended by condition to be in a dark green powder coated finish.

The feeder unit is not necessary and has not therefore been installed.

It is considered that it would be unreasonable to refuse the application on grounds of its siting or its impact on the residential amenity; given that the previous permission was granted and the location of the column is improved given it is further away from neighbouring dwellings.

## Recommendation

That this Board recommends to Council that planning permission be **GRANTED** subject to the following conditions:

1. The development hereby approved shall not be carried out otherwise than in accordance with the specification sheet and the 1:500 block plan and the 1:1250 site location plan received by the Local Planning Authority on 13 August 2012.

## REASON

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

2. The column hereby approved shall be coloured to BS 4800 range dark green and thereafter maintained to such an approved colour at all times.

#### REASON

In the interests of the amenities of the area.

#### Notes

Planning policies are as outlined above

#### Reasoned Justification

It is not considered that the re-siting of the CCTV column has an adverse impact on the amenity of the neighbouring occupiers or on the street scene. The CCTV camera is a mobile feature and surveillance is directed toward the vulnerable areas such as the access routes and the recreation ground and not towards the neighbouring properties. By virtue of the design and location of the column, it does not appear any different from standard street furniture and does not compromise the context of the area or cause an obstruction. The proposal is therefore in accordance with the saved Development Plan Policies ENV1, ENV5, ENV11 and ENV12 of the North Warwickshire Local Plan, 2006.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2012/0414

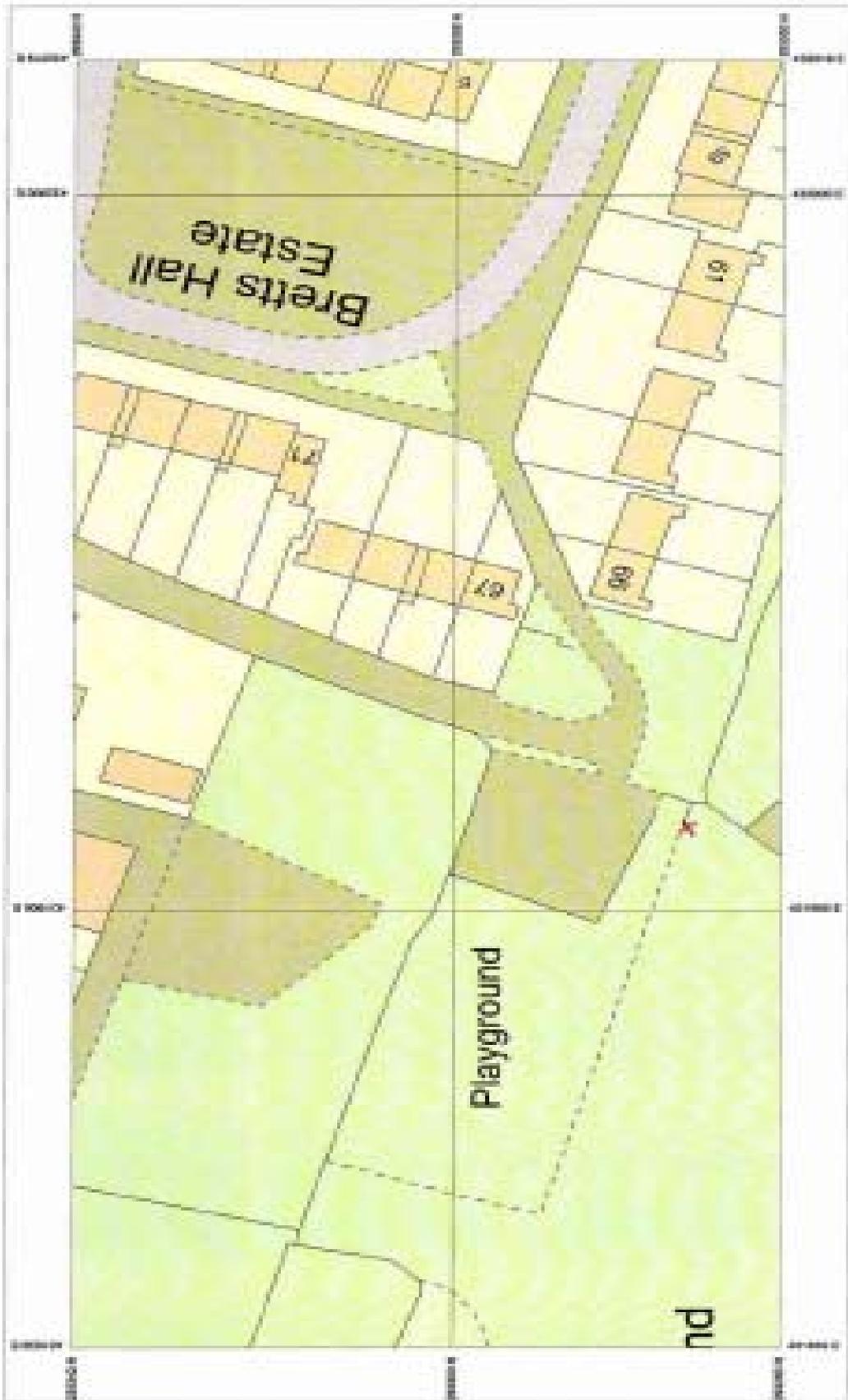
<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	13/8/12

*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 C**

Bretts Hall Recreation Ground, Bretts Hall Estate, Ansley Common, CV10 0PQ

Installation of one 8m column for CCTV camera and installation of electrical feeder pillar for electricity to the column, for Ms Alethea Wilson - North Warwickshire Borough Council

### **Introduction**

The application is referred to Board as the site is on Council owned land and the applicant is the Councils' Leisure Services Division.

### **The Site**

The site is a recreational ground, and is accessed from Brett's Hall Estate via an access route. The recreational site is rather isolated in its location, behind a large allotment site and the housing estate.

### **The Proposal**

The proposal is for the installation of one, 8 metre high column to be located close to the entrance of the playground and towards the top end of the access route to allow for surveillance in these areas. The proposal requires the installation of a feeder pillar to be sited outside No. 70 Brett's Hall Estate. The column and feeder unit will serve a mobile CCTV camera to be used as required.

The 8-metre high column is required only to serve an infra-red mobile CCTV camera and does not incorporate a lighting arrangement; the infra-red capability of the CCTV camera prevents the need for assisted lighting in this area.

### **Background**

The Community Safety Partnership has identified the need for a CCTV column at this site in response to anti-social behaviour that has been experienced by the local residents. Problems such as increased litter, broken bottles, noise late into the evening and damage to the recreational ground has prompted the requirement for the column on which to mount the mobile CCTV camera which will have a view of the recreational ground and the access routes to and from it.

The recreational ground is not illuminated and there is no residual light from the surrounding area - although no illumination is required for the infra red camera to work effectively. During the evenings it is difficult to see what activities are going on and to identify how many people are there, as the recreation ground has multiple formal and informal access routes it can make it difficult for Police and partners to engage with those present or to take action as it is possible for perpetrators to leave the site via one of the access routes.

The installation of the 8 metre column and feeder pillar will enable a mobile CCTV camera to be used as required. The effective use of infra-red technology will assist police to identify perpetrators and take appropriate action against individuals and groups and will thus deter anti- social behaviour, criminal damage and the fear of crime, and will encourage the correct use of the recreational ground by young people and local residents. The installation of the column to serve the infra-red mobile CCTV camera is recommended by the Police Architectural Liaison Officer.

## Development Plan

Saved Policies of the North Warwickshire Local Plan 2005 – Core Policy 11 (Quality of Development), ENV1 (Protection and Enhancement of the Natural Landscape), ENV5 (Open Space, ENV11 (Neighbour Amenities) and ENV12 (Urban Design)

## Government Advice

Planning Policy Statement 1: Delivering Sustainable Development

## Consultations

NWBC Environmental Health – No comments

Ansley Parish Council – No objection, we fully support the need for this proposal.

## Observations

The siting of the column lies just outside of the Development Boundary for Ansley Common - the feeder unit lies within the Development Boundary. The location of the column is in close proximity to the opening of the recreational area and toward the top end of the access route between No. 66 and 67 Bretts Hall Estate. There is no objection in principle to the column in this location, because the development is clearly one that is required here.



The main considerations here are whether the column and feeder unit are appropriate in terms of their design, siting, given the area of open space and the close proximity of the residents, and whether there exists an amenity issue to neighbouring residents in respect of intrusion from the CCTV camera.

In terms of design, then the column is a standard feature of street furniture and is not inappropriate. The height of the column is acceptable. The feeder unit serves as the power supply to the column and is not considered to be an inappropriate design along the street scene. In order for these features to blend in with the street scene and countryside beyond then a powder coated dark green finish will help in the context of the area rather than a galvanised finish.

The siting of the column covers the areas of vulnerability and the camera would be directed at the access routes and the recreational ground. In its location it does not cause an obstruction to pedestrians. The feeder unit is located outside No. 70 Bretts Hall Estate on a parcel of grass and this would not cause an obstruction to pedestrians.

In terms of neighbour's amenity and the potential intrusion of a CCTV camera, then the camera is mobile so would not be a permanent feature. The nearest neighbours to the mobile CCTV are Nos. 66 and 67 Bretts Hall Estate, it is not felt that the neighbours would have their privacy compromised by the installation since it would only provide surveillance to the areas of vulnerability such as the access routes and the recreation ground and would not be directed toward neighbouring gardens or windows. In this respect the proposal would not be considered to result in a harmful impact on the privacy of neighbouring occupiers. No neighbour's representations have been received.

It is considered that any experiences of anti-social behaviour and noise disturbance would be resolved by the proposal and would assist in reducing the fear of crime. It is highly significant that the Police support the proposal and has recommended it be put in place. It is considered that it would be unreasonable to refuse the application on grounds of siting, design, or residential amenity.

### **Recommendation**

That this Board recommends to Council that planning permission be **GRANTED** subject to the following conditions:

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 specification sheet and the 1:500 block plan and the 1:1250 site location plan received by the Local Planning Authority on 31 January 2012.

#### **REASON**

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

3. The column and feeder unit hereby approved shall be coloured to BS 4800 range dark green and thereafter maintained to such an approved colour at all times.

#### **REASON**

In the interests of the amenities of the area.

### **Notes**

Planning policies are as outlined above

## **Reasoned Justification**

It is not considered that the column or feeder unit represents a material impact on the amenity of the neighbouring occupiers or on the street scene. The CCTV camera is a mobile feature and surveillance would be directed toward the vulnerable areas such as the access routes and the recreation ground and not towards the neighbouring properties. By virtue of the design and location of the column and feeder unit, these structures would not appear any different from standard street furniture and would not compromise the context of the area or cause an obstruction. The proposal is not therefore considered to be contrary to the saved Development Plan Policies ENV1, ENV5, ENV11 or ENV12 of the North Warwickshire Local Plan, 2006.

Appendix D



**Agenda Item No 5**

**Planning and Development Board**

**10 September 2012**

**Report of the Assistant Chief Executive  
And Solicitor to the Council**

**CWLEP Revised Draft Planning  
Protocol**

**1 Summary**

- 1.1 The report brings back to Members a revised version of a Draft Planning Protocol for consideration together with an alternative version amended following comments from Members.

**Recommendation to the Board**

**That Members decide which version of the Protocol to adopt.**

**2 Consultation**

- 2.1 Councillors Sweet, Winter, Simpson, Hayfield and M Stanley have been sent an advanced copy of this report for comment. Any comments (other than those mentioned in the report) will be reported verbally at the meeting.

**3 Background**

- 3.1 As Members know the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) was set up in October 2010 and since then a Board, Executive Delivery Board and sub-groups have been established. One of these subgroups is the Property and Planning Group.
- 3.2 The Property and Planning Group has been tasked by the CWLEP Board to consider ways of removing barriers to economic growth. One of these barriers is seen to be the interpretation and implementation of the planning system in the sub-region. Planning is perceived by those who use the system to delay development proposals and cause confusion. As a result a Draft Protocol was prepared and brought before Members late last year. Members were very concerned at the way the Protocol was only aimed at the public sector and not the private sector. Members highlighted difficulties created by the different methods that individual developers adopt and the quality of the information that is submitted with a planning application.
- 3.3 These comments were taken back to the group and as a result the Protocol has been amended with the inclusion of an additional section. The draft planning protocol is attached at Appendix A.

## **4 Draft Planning Protocol**

- 4.1 The protocol outlines the service that developers can expect to receive as they approach Planning Authorities with proposals and submit planning applications. It is hoped that by outlining what developers can expect from Planning Authorities will encourage them to provide quality information and public consultation. This collaborative approach will aid the decision making process which in turn will help to support business and generate new employment and skills opportunities.

## **5 Observations**

- 5.1 The Protocol has now been amended. There are however some amendments that we would need to make it relevant to North Warwickshire:
- Item 12 - we do not have an economic development team
  - Item 12 - case officers do not have the autonomy to make decisions on all aspects of a planning application. This should be changed to add the words “in discussion with the relevant colleagues”.
- 5.2 In addition item 4, which relates to pre-application charging, is acceptable in how it is presented at the current time but the Borough Council will continue to review this in light of budgets and other constraints. In addition, a question is raised over the legality of reducing the cost of a planning application in accordance with the costs of pre-application advice. There may be occasions when the cost of the pre-application advice is more than the cost of the planning application.
- 5.3 In response to the consultation detailed in paragraph 2, Councillor Simpson made a number of representations broadly that the drafting was still poor, the requirements were not evenly placed between the parties and that the Protocol had a general “us and them” feel to it. Officers have attempted to redraft the Protocol in line with those comments and this is attached as Appendix B, showing the changes made.

## **6 Report Implications**

### **6.1 Finance and Value for Money Implications**

- 6.1.1 The issue of pre-application charging will be considered as part of budgets on an on-going basis.

### **6.2 Legal and Human Rights**

- 6.2.1 Detailed in the report

### **6.3 Environment and Sustainability Implications**

6.3.1 The report and the protocol recognise the importance of economic development and there is a need to balance the economic needs and the impact on local environments and sustainability overall.

#### 6.4 Equality Implications

6.4.1 Any increase in economic development may lead to additional opportunities for local employment and this will help some disadvantaged groups to improve their quality of life.

The Contact Officer for this report is Dorothy Barratt (719250).

#### 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	CWLEP (Planning & Property group)	Protocol	June 2012

The Local Enterprise Partnership (LEP) is currently preparing a 5 year strategy for the Coventry and Warwickshire economy which states

*'By 2016, through, strong private-public sector collaboration, Coventry and Warwickshire will be regarded as one of the best and easiest places in the country to establish, run and grow strong and successful businesses, generating significant new employment and skills opportunities in the area.'*

Planning authorities are to assist in delivering this vision. This will require commitment to collaborative working, good project management and to achieving high quality sustainable developments with exemplar outcomes in terms of economic benefits. It is important for planning authorities to make development by valued investors in the area more cost effective and low risk. This will involve a move towards a presumption in favour of growth recognising the benefits that this brings for the economy.

The broad principles set out below are intended to be agreed by the LEP board and the constituent planning authorities. The protocol is intentionally not burdened with technical matters and does not include prescriptive detail.

### **Draft Planning Protocol**

Political support for growth is critical to how the planning system operates in any given Council. The Local Planning Authority team need to know that when they are making decisions that they have the support of the Senior Managers and the political leadership. Such leadership is fundamental and should be locally reflected through the LDF. The following broad principles constitute the draft Planning Protocol:

What the Local Planning Authority will commit to do:

1. Taking into account the differing characteristics and constraints of the District and Boroughs, prioritise the formulation of a coordinated Growth Statement across the LEP area to replace the outdated CSW Planning Strategy. This Statement would be formally adopted and would set the framework for the progression of LDF's across the area.
2. Commit to their LDF being advanced to ensure up to date policies are in place.
3. All LPA's should provide an accessible pre-application service with the most relevant officer in an endeavour to ensure that potential showstoppers and fundamental policy constraints are identified before it is submitted.
4. In order to promote development and investment, the pre-application service should be free-of-charge or its cost should be deducted from the application submission fee.
5. The pre-application service should include discussion with the Case Officer, conversations with the relevant politicians and statutory consultees and a realistic estimate of CIL or s.106 where this applies. This will require all internal and external partners to be involved. Officers will broker liaison and discussion with external bodies.

6. If applicants make an application against clear pre-application advice then that will be their risk. This is why the pre-application stage is critical
7. The Case Officer should be the same throughout the process with as little room for a change in approach later in the process.
8. Applications that increase the opportunity for employment or bring investment and jobs in appropriate and sustainable locations should be prioritised.
9. The Case Officer should be able to be contacted readily without delays and should always be the first point of contact.
10. By the time the application comes in it should be able to be decided in the minimum of time. Government targets are not only achievable but in most cases they can be bettered and each authority should work towards achieving service delivery that is at the level of the top performing authority.
11. Councils with the most flexible delegation schemes will be able to achieve much quicker decisions than those who still have a high proportion of applications decided at Committee. Heads of Planning (or equivalent) will consider the potential for an agreed scheme of delegation across the LEP area.
12. All efforts should be made to get the application approved. This will include involvement with Economic Development colleagues, flexibility around the application of policy, negotiation with key consultees by the Case Officer and the ability for the Case Officer to make decisions in a timely manner on all aspects of the application.
13. Commitment to joint working by authorities on schemes that cross administrative boundaries.
14. Heads of Planning (or equivalent) need to meet quarterly or ahead of LEP meetings to address any issues arising or to suggest further improvements.

What the developer will commit to do:

1. Provide a high quality planning application, including all the necessary plans, illustrative and context material and supporting statements identified at the pre-application stage.
2. Undertake pre-submission consultation with local communities and stakeholders in accordance with the Council's Statement of Community Involvement.
3. Discuss proposals at the earliest stage before they become too 'fixed'.
4. Understand and take into account the key policy and strategic issues at the outset.
5. Identify a principal point of contact for communication.

The protocol relies on the principle of working together in good faith and mutual trust in the interests of achieving sustainable, accessible and viable development.

The Local Enterprise Partnership (LEP) is currently preparing a 5 year strategy for the Coventry and Warwickshire economy which states

*'By 2016, through, strong private-public sector collaboration, Coventry and Warwickshire will be regarded as one of the best and easiest places in the country to establish, run and grow strong and successful businesses, generating significant new employment and skills opportunities in the area.'*

Planning authorities are vital in delivering this vision. This will require commitment to collaborative working, good project management and to achieving high quality sustainable developments with exemplar outcomes in terms of economic and other benefits. It is important for planning authorities to make development by valued investors in the area more cost effective and low risk. This will involve the presumption in favour of sustainable growth recognising the benefits that this brings for the economy.

The broad principles set out below are intended to be agreed by the LEP board and the constituent planning authorities. The protocol is intentionally not burdened with technical matters and does not include prescriptive detail.

### **Draft Planning Protocol**

Political support for sustainable growth is critical to how the planning system operates in any given Council. The Local Planning Authority team need to know that when they are making decisions that they have the support of the Senior Managers and the political leadership. Such leadership is fundamental and should be locally reflected through the LDF. The following broad principles constitute the draft Planning Protocol:

What the Local Planning Authority will commit to do:

1. Taking into account the differing characteristics and constraints of the District and Boroughs, prioritise the formulation of a coordinated Growth Statement across the LEP area to replace the outdated CSW Planning Strategy. This Statement would be formally adopted and would compliment the progression of LDF's across the area.
2. Commit to their LDF being advanced to ensure up to date policies are in place.
3. All LPA's should provide an accessible pre-application service with the most relevant officer in an endeavour to ensure that potential showstoppers and fundamental policy constraints are identified before it is submitted.
4. The pre-application service should include discussion with the Case Officer, and may include conversations with the relevant politicians and statutory consultees, and a realistic estimate of CIL or s.106 where this applies. This will require all internal and external partners to be involved. Officers will broker liaison and discussion with external bodies.

5. If applicants make an application against clear pre-application advice then that will be their risk. This is why the pre-application stage is critical
6. The Case Officer should be the same throughout the process with as little room for a change in approach later in the process. The Case Officer should be able to be contacted readily without delays and should always be the first point of contact.
7. Applications that increase the opportunity for employment or bring investment and jobs in appropriate and sustainable locations should be prioritised.
8. By the time the application comes in it should be able to be decided in the minimum of time. Government targets are not only achievable but in most cases they can be bettered and each authority should work towards achieving service delivery that is at the level of the top performing authority.
9. Councils with the most flexible delegation schemes will be able to achieve much quicker decisions than those who still have a high proportion of applications decided at Committee. Councils should ensure where possible that that their schemes of delegation are not significant out of step with other Councils in the LEP area.
10. All efforts should be made to get the application approved. This will include involvement with internal colleagues, flexibility around the application of policy, negotiation with key consultees by the Case Officer and the ability for the Case Officer to make decisions in a timely manner on all aspects of the application where the decision is delegated
11. Commitment to joint working by authorities on schemes that cross administrative boundaries.
12. Heads of Planning (or equivalent) need to meet quarterly or ahead of LEP meetings to address any issues arising or to suggest further improvements.

What the developer will commit to do:

1. Provide a high quality planning application, including all the necessary plans, illustrative and context material and supporting statements identified at the pre-application stage.
2. Undertake pre-submission consultation with local communities and stakeholders in accordance with the Council's Statement of Community Involvement.
3. Discuss proposals at the earliest stage before they become too 'fixed'.
4. Understand and take into account the key policy and strategic issues at the outset.
5. Identify a principal point of contact for communication.

The protocol relies on the principle of working together in good faith and mutual trust in the interests of achieving sustainable, accessible and viable development

**Agenda Item No 6**

**Planning and Development Board**

**10 September 2012**

**Report of the Assistant Chief Executive  
and Solicitor to the Council**

**Coventry's Proposed Submission  
Core Strategy**

**1 Summary**

- 1.1 This report brings Coventry's Proposed Submission Core Strategy for consideration.

**Recommendation to the Board**

**That support is given to the Coventry Core Strategy but with reservations over the housing numbers.**

**2 Consultation**

- 2.1 Councillors Sweet, Winter, Simpson, Hayfield and M Stanley have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

**3 Background**

- 3.1 The Coventry Core Strategy has been developed over a number of years. The previous draft Core Strategy was taken through examination and was in accordance with then emerging Regional Spatial Strategy. This required Coventry to plan for at least 33,500 dwellings with 7,000 being provided for in Nuneaton and Bedworth Borough and Warwick District. The City Council took the decision not to progress this version with such high housing growth.
- 3.2 Since this time Government has taken the decision to abolish the RSS. This is still going through the formal process and is subject to a Strategic Environment Assessment (SEA) of the impact of the loss of the RSS. Regulations will be then be published to formally abolish the Plan.
- 3.2 Coventry has carried out further work into their requirements and the City Council is now proposing much lower housing growth with their growth based on jobs led regeneration.

## 4 **The Current Proposed Submission**

- 4.1 The main issue from the Proposed Submission Core Strategy is Coventry's proposed housing numbers and how these sit within the sub-region. Currently Coventry is proposing a minimum of 11,374 net units between 2011 and 2028. The gross figure would be 15,063.
- 4.2 Objections on the current consultation can only be made in respect of "soundness". For a plan to be sound it should be:
1. Justified
  2. Effective
  3. Consistent with national policy and
  4. Be positively prepared

## 5 **Observations**

- 5.1 The Localism Act 2011 with the abolition of the RSS allows local authorities to assess their housing requirements and set their own targets. Coventry have done this and agreed a net figure of 11,374. They will target previously developed land but where greenfield development may be justified they have a criteria based policy to consider this. They have not indicated in the Core Strategy that they require land outside of their current administrative boundaries. The greenfield policy would support this view that they are not looking for any cross border provision.
- 5.2 On the one hand we could say that in view of localism Coventry has considered its needs and they have a housing requirement to meet these. The question is therefore are these reasonable? When looking at the ONS household projections this would give the figure of nearly 20,000 for Coventry's housing needs. The ONS figures are trend based and in themselves do not give a conclusive answer. It is therefore difficult to say that their figures are not justified but officers have a concern about the possible impacts on North Warwickshire.

### *Impact on North Warwickshire*

- 5.3 Due to the nature of Coventry's standing within the sub-region it is important that the potential impacts on North Warwickshire are considered. We can not argue against the housing figures with more up to date information ourselves other than using the ONS forecasts which are only forecasts. Coventry gives the housing numbers as minimum figures and the Core Strategy has a policy dealing with potential greenfield developments. However developers may argue that the figures are too low and so the short fall should be provided for elsewhere in surrounding districts.

- 5.4 A potential under supply in Coventry however may push house prices up particularly in the south of the Borough as those who can not find a suitable house in Coventry move out to the shires. Coventry has not wanted this and have signed a joint Mets Authority Strategy documents saying they want urban renaissance. However worryingly they do say there may be a need to develop outside of the boundaries as highlighted in the extract from the document below.

*“Not all needs, particularly from Birmingham, Coventry and Solihull, can be met in their entirety within the collective boundaries of the Metropolitan Area, and there will an ongoing requirement for a reasonable level of migration to some Shire Districts to be accommodated whilst not undermining regeneration of the Black Country. A failure to address this could have adverse implications on housing affordability and the actual provision of affordable housing and on the local economy, especially as migrants from elsewhere may outbid local people.” (Paragraph 40, Strategic Policy Framework For The West Midlands Metropolitan Area 2012)*

- 5.5 At the present time it is recommended that the Borough Council objects solely due to our reservations about the housing numbers. Meetings are being planned with Coventry and other authorities from the sub-region and an agreed way forward will hopefully be agreed. However due to the current status of the Plan if an objection is not placed now then it can not be brought forward at a later date.

## 6 Report Implications

### 6.1 Legal and Human Rights Implications

- 6.1.1 Detailed in the report

### 6.2 Environment and Sustainability Implications

- 6.2.1. These are detailed in the report

The Contact Officer for this report is Dorothy Barratt (719250).

### 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	Metropolitan Authorities	Report	2012

**Agenda Item No 7**

**Planning and Development Board**

**10 September 2012**

**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 item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

**Agenda Item No 8**

**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).