

**To: The Deputy Leader and Members of the Planning and Development Board  
Councillors Simpson, Bell, T Clews, Deakin, Dirveiks, Downes, Hayfield, D Humphreys, Jarvis, Lees, Macdonald, Morson, Moss, Parsons, H Phillips.**

**For the information of other Members of the Council**

For general enquiries please contact the Democratic Services Team on 01827 719221 or via e-mail – [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk)

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

The agenda and reports are available in large print and electronic accessible formats if requested.

## **PLANNING AND DEVELOPMENT BOARD AGENDA**

**16 February 2021**

The Planning and Development Board will meet on Monday 16 February 2021 at 7.30pm via Teams. An email invite will be sent to Board members and the meeting will be live streamed on the Council's YouTube channel, accessible from the home page of the Council's website or at <https://www.youtube.com/user/northwarks>

### **AGENDA**

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

## REGISTERING TO SPEAK AT THE MEETING

PLEASE BE AWARE THAT THIS MEETING WILL BE TAKING PLACE  
REMOTELY

Anyone wishing to speak at the meeting, in respect of a Planning Application, must register their intention to do so by 1pm on the day of the meeting, either by email to [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk) or by telephoning 01827 719221.

Once registered to speak, an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should join the meeting via teams or dial the telephone number (provided on their invitation) when joining the meeting and whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they may need to mute the sound on YouTube when they speak on the phone to prevent feedback). The Chairman of the Board will invite a registered speaker to begin once the application they are registered for is being considered.

## ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 3 **General Fund Fees and Charges 2021/2022** - Report of the Director of Corporate Services and the Chief Executive

### Summary

The report covers the fees and charges for 2020/21 and the proposed fees and charges for 2021/22.

The Contact Officer for this report is Nadeem Afzal (719444).

- 4 **General Fund Revenue Estimates 2021/22** - Report of the Corporate Director - Resources

### Summary

This report covers the revised budget for 2020/21 and an estimate of expenditure for 2021/22, together with forward commitments for 2022/23, 2023/24 and 2024/25.

The Contact Officer for this report is Nadeem Afzal (719444).

5 **Planning Applications** - Report of the Head of Development Control

**Summary**

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

- 5(a) **PAP/2020/0653 – Oldbury View, Castle Road, Hartshill**  
Existing car lay-by to be removed and 7 no: tarmac parking bays created. Demolish existing 3 no: garages and replace with 3 no: tarmac parking spaces.
- 5(b) **PAP/2020/0617 – 34 Austrey Lane, No Mans Heath**  
Erection of single storey side extension
- 5(c) **PAP/2021/0010 – 1 Westwood Crescent, Atherstone**  
Erection of single storey extension to side, new hardstanding to front
- 5(d) **MIA/2021/0002 – 184-206 Long Street, Atherstone**  
Non material amendment to PAP/2019/0387 dated 24/09/2019 for proposed plots 01-04 to be set back a further 1m

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

6 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April -December 2020** – Report of the Chief Executive

**Summary**

This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to December 2020.

The Contact Officer for this report is Robert Beggs (719238).

7 **Appeal Update** – Report of the Head of Development Control

**Summary**

The report provides information on recent appeal decisions

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

STEVE MAXEY  
Chief Executive

**Agenda Item No 3**

**Planning and Development  
Board**

**16 February 2021**

**Report of the Director of Corporate  
Services and the Chief Executive**

**General Fund Fees and Charges  
2021/2022**

**1 Summary**

- 1.1 The report covers the fees and charges for 2020/21 and the proposed fees and charges for 2021/22.

**Recommendation to the Board**

**That the schedule of fees and charges for 2021/22, set out in the report be accepted.**

**2 Introduction**

- 2.1 At its meeting held in September 2020, the Executive Board agreed the budget strategy for 2021/25, which included an allowance for price increases of 2%.

**3 Fees and Charges proposed for 2021/22**

- ... 3.1 Attached at Appendix A for the Board's consideration are details of present and proposed fees and charges for the financial year 2021/22. The amounts shown have already been included in the revenue estimates for 2021/22.
- 3.2 Prices for Street Naming and Numbering and Local Land Charges have generally been increased by 2% in line with the budget strategy. Some of the prices have been rounded to either the nearest £0.10 or £1.00.
- 3.3 Although Planning Control is under the control of this Board, the fees and charges have not been included in this report as they are set nationally by the Government.

## 4 Report Implications

### 4.1 Financial Implications

4.1.1 The pricing structure contained in this report is expected to generate additional income of £1,280.

4.1.2 This will contribute to the achievement of income targets, which are contained within the Corporate Director – Resources report on General Fund estimates 2021/22, presented elsewhere within the agenda for this meeting. A 1% change in income generated by Street Naming and Numbering and Local Land Charges would result in an increase or decrease in income of £640.

### 4.2 Risk Management Implications

4.2.1 Changes to fees and charges may impact on the level of demand. However, this has been considered in proposing the revised charges.

### 4.3 Legal Implications

4.3.1 Those fees which are set by law or for which the law prescribes a maximum amount are identified on Appendix A as being subject to statutory control and may not be exceeded. Where a fee is not fixed by law or limited by law to a particular amount the Council must exercise its discretion reasonably and consider the impact of any increased charges on those who will be affected by them. The proposed rate of increase in the budget strategy has considered that impact.

The Contact Officer for this report is Nadeem Afzal (719444).

## 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

**NORTH WARWICKSHIRE BOROUGH COUNCIL**  
**PLANNING AND DEVELOPMENT BOARD**  
**FEES AND CHARGES FROM 1 APRIL 2021**

	<b>2020/2021 TOTAL CHARGE</b>	<b>2021/2022 TOTAL CHARGE</b>	<b>VAT RATING</b>
<b>LAND CHARGES</b>			
Official Land Charges Register search (LLC1)	36.00	37.00	Outside Scope
Each additional parcel of land	3.00	3.00	"
Con29 R Search	111.00	113.00	Standard
Each additional parcel of land	10.00	10.00	"
Additional Question (CON29O / CON29 R) - first question	22.00	22.00	Standard
Each additional question	1.20	1.20	"
Common Land Enquiry (if submitted as part of search)	15.00	15.00	Standard
Personal searches by appointment	Free	Free	N/A

Registered Common Land and Town or Village Green (question 22) submitted in isolation should be sent to Warwickshire County Council

**STREET NAMING & NUMBERING**

Add a new property name	64.00	65.00	Outside Scope
Correct an address anomaly	33.00	34.00	"
New development (per plot up to 10 plots)	129.00	132.00	"
New development (per plot above 10 plots)	15.00	15.00	"
Rename/renumber	64.00	65.00	"
Name a new street	129.00	132.00	"
Amend development layout (per plot)	33.00	34.00	"
Commercial property (per unit)	33.00	34.00	"
Rename a street	Price upon request	Price upon request	"
Building conversions per unit (minimum charge 2 units)	64.00	65.00	Outside Scope
Confirmation letters to solicitors/others	28.00	29.00	"

**PLANNING AND ADVERTISEMENT APPLICATIONS**

These charges are set by central government and are contained within the Town and Country Planning Regulations.

Details of current charges can be obtained from the Council's Development Control section :

Telephone	01827 715341
Fax	01827 719363
e-mail	<a href="mailto:planningcontrol@northwarks.gov.uk">planningcontrol@northwarks.gov.uk</a>
Web site	<a href="http://www.northwarks.gov.uk">www.northwarks.gov.uk</a>

## Agenda Item No 4

### Planning and Development Board

16 February 2021

Report of the  
Corporate Director - Resources

General Fund Revenue Estimates  
2021/22

## 1 Summary

- 1.1 This report covers the revised budget for 2020/21 and an estimate of expenditure for 2021/22, together with forward commitments for 2022/23, 2023/24 and 2024/25.

### Recommendation to the Board

- a To accept the revised budget for 2020/21; and
- b To accept or otherwise vary the Estimates of Expenditure for 2021/22, as submitted, for them to be included in the budget to be brought before the meeting of the Executive Board on 15 February 2021.

## 2 Introduction

- 2.1 In consultation with other Directors, the Corporate Director – Resources has prepared an estimate of net expenditure for 2021/22 and this, together with a revised budget for 2020/21, appears in Appendices A and B. To provide a more complete picture of the spending pattern of the service, the actual figures for 2019/20 are shown.
- 2.2 At its meeting in September 2020, the Executive Board agreed the budget strategy for 2021-2025, which required savings of £2.30 million over a four year period. This required budget savings of £700,000 in 2021/22 with additional savings of £800,000 in 2022/23 and £800,000 in 2023/24. A savings target was not included for 2024/25 at that time. Some limited growth was built into the strategy in specific areas.
- 2.3 Directors were asked to identify areas where savings could be made, either by a reduction in expenditure or through the generation of additional income.

2.4 A subjective analysis of the Board's requirement is shown below:

	<b>Approved Budget 2020/21 £</b>	<b>Revised Budget 2020/21 £</b>	<b>Original Budget 2021/22 £</b>
Employee Costs	535,590	535,590	555,950
Supplies and Services	148,300	140,930	146,400
<b>Gross Expenditure</b>	<b>683,890</b>	<b>676,520</b>	<b>702,350</b>
Income	(714,880)	(639,360)	(715,150)
<b>Net Controllable Expenditure</b>	<b>(30,990)</b>	<b>37,160</b>	<b>(12,800)</b>
Departmental Support	108,460	108,460	108,970
Central Support	170,790	170,790	172,140
Capital Charges	16,390	16,390	16,390
<b>Net Expenditure</b>	<b>264,650</b>	<b>332,800</b>	<b>284,700</b>

2.5 The Council values all of its assets using a five year rolling programme, and this can affect the level of capital charges that are made to services and can therefore significantly affect the net service cost. Although few assets are used for the services within this Board, changes in net service expenditure that are as a result of increases or decreases in capital charges are shown below net operating expenditure in the following pages.

### 3 **Comments on the 2020/21 Revised Budget**

3.1 The revised budget for 2020/21 is estimated to be £332,800; an increase of £68,150 on the approved provision. The main reasons for variations are set out below:

#### 3.2 **Planning Control** **£66,610**

3.2.1 There is a one-off reduction in Planning income of £200,000 due to a delay in larger applications as a result of the Covid-19 pandemic. Covid-19 grants of £125,630 for the loss of income have been included, but the amount that the Council has been able to claim from the Government doesn't cover all of the lost income. There are also savings of £7,760 in advertising, promotions and publicity costs.



## 4 **Comments on the 2021/22 Estimates**

4.1 The 2021/22 estimates have been prepared, taking into account the following assumptions:

- A 2% pay award from 1 April 2021;
- An increase in income to reflect the increases included in the fees and charges report elsewhere on this agenda.
- Savings of £4,850 relating to a reduction in advertising, promotions and publicity costs have been incorporated into the estimates being considered.

4.2 The estimated budget for 2021/22 is £284,700; an increase of £20,050 on the 2020/21 approved budget, and a decrease of £48,100 on the revised 2020/21 budget. The main reasons for variations from the revised budget are set out below. Further small variations could be made to these forecasts before the final version for approval at Executive Board, to reflect any further changes that may be needed as circumstances under the pandemic continue to evolve.

4.3 **Planning Control** **(£51,320)**

4.3.1 The one-off reduction in planning income and the associated Covid-19 sales, fees and charges grant mentioned earlier have been removed. This has been partly offset by increases due to the pay award and reinstatement of some of the savings mentioned earlier.

## 5 **Risks to Services**

5.1 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. Inquiries can cost the Council up to £50,000 each.
- A change in the level of planning applications received. A fall in applications would lead to a reduction in planning income, whilst an increase in applications would increase the pressure on staff to deal with applications in the required timescales.
- The Government requires all planning applications to be dealt with within 26 weeks. If this is not achieved, the costs of the application must be borne by the authority. Whilst the Planning team deal with almost 100% of current applications within this time, there is always the potential for this to slip, leading to a decline in the Planning income level.
- There are potential additional costs for the Council in carrying out its planning function. If the Council loses a planning appeal, an award of costs can be made against the Council (the appellant's costs for the appeal). If the Council consistently loses appeals it will become a designated authority, which means that prospective applicants can submit their applications directly to

the planning directorate. This would mean the Council would lose the accompanying planning fee.

- 5.2 A risk analysis of the likelihood and impact of the risks identified above are included in Appendix C.

## 6 Future Year Forecasts

- 6.1 In order to assist with medium-term financial planning, Members are provided with budget forecasts for the three years following 2021/22. The table below provides a subjective summary for those services reporting to this Board:

	<b>Forecast Budget 2022/23 £</b>	<b>Forecast Budget 2023/24 £</b>	<b>Forecast Budget 2024/25 £</b>
Employee Costs	567,070	581,700	596,680
Supplies and Services	146,800	149,740	150,160
<b>Gross Expenditure</b>	<b>713,870</b>	<b>731,440</b>	<b>746,840</b>
Income	(716,450)	(717,780)	(719,140)
<b>Net Controllable Expenditure</b>	<b>(2,580)</b>	<b>13,660</b>	<b>27,700</b>
Departmental Support	110,310	112,240	113,820
Central Support	175,300	179,510	183,680
Capital Charges	16,390	16,390	16,390
<b>Net Expenditure</b>	<b>299,420</b>	<b>321,800</b>	<b>341,590</b>

- 6.2 The forecasts given above have used a number of assumptions, which include pay awards of 2% in 2022/23 to 2024/25, increases in contracts and general increases in supplies and services of 2% in 2023/24. In total, net expenditure is expected to increase by 5.17% in 2022/23, 7.47% in 2023/24 and 6.15% in 2024/25. This is due to the assumption that planning income will not increase.

- 6.3 These forecasts are built up using current corporate and service plans. Where additional resources have already been approved, these are also included. However, these forecasts will be amended to reflect any amendments to the estimates, including decisions taken on any further corporate or service targets.

## 7 Report Implications

### 7.1 Financial Implications

- 7.1.1 As detailed in the body of the report.

### 7.2 Environment and Sustainability Implications

- 7.2.1 Continuing the budget strategy will allow the Council to manage its expected shortfall in resources without disruption of essential services.

### 7.3 Risk Management Implications

7.3.1 There are a number of risks associated with setting a budget, as assumptions are made on levels of inflation and demand for services. To minimise the risks, decisions on these have been taken using past experience and knowledge, informed by current forecasts and trends. However, the risk will be managed through the production of regular budgetary control reports, assessing the impact of any variances and the need for any further action.

The Contact Officer for this report is Nadeem Afzal (719444).

#### 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

**NORTH WARWICKSHIRE BOROUGH COUNCIL**  
**PLANNING AND DEVELOPMENT BOARD**  
**SUMMARY OF GENERAL FUND REVENUE ESTIMATES**

<b>Code</b>	<b>Description</b>	<b>Actual 2019/2020 £</b>	<b>Approved Budget 2020/2021 £</b>	<b>Revised Budget 2020/2021 £</b>	<b>Original Budget 2021/2022 £</b>
4009	Planning Control	83,309	(83,250)	(16,640)	(67,960)
4010	Building Control	36,177	35,200	35,200	35,900
4012	Conservation and Built Heritage	49,776	42,100	42,100	43,260
4014	Local Land Charges	(14,157)	(19,600)	(19,210)	(18,480)
4018	Street Naming and Numbering	(13,962)	(5,440)	(4,290)	(5,520)
	<b>Net Controllable Expenditure</b>	<b>141,143</b>	<b>(30,990)</b>	<b>37,160</b>	<b>(12,800)</b>
	<b>Departmental Support</b>	<b>105,718</b>	<b>108,460</b>	<b>108,460</b>	<b>108,970</b>
	<b>Central Support</b>	<b>156,301</b>	<b>170,790</b>	<b>170,790</b>	<b>172,140</b>
	<b>Capital Charges</b>	<b>4,261</b>	<b>16,390</b>	<b>16,390</b>	<b>16,390</b>
	<b>Planning and Development Board Total</b>	<b>407,423</b>	<b>264,650</b>	<b>332,800</b>	<b>284,700</b>

**4009 - PLANNING CONTROL**

A statutory service which determines planning and listed building applications submitted to the Council and the enforcement of contraventions of the Planning Acts.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2019/2020	BUDGET 2020/2021	BUDGET 2020/2021	BUDGET 2021/2022
Employee Expenditure	570,201	480,300	480,300	499,130
Supplies and Services	69,763	86,450	78,690	82,910
Miscellaneous Expenditure	250	-	-	-
Earmarked Reserves	260,761	-	-	-
<b>GROSS EXPENDITURE</b>	<b>900,975</b>	<b>566,750</b>	<b>558,990</b>	<b>582,040</b>
GROSS INCOME	(817,666)	(650,000)	(575,630)	(650,000)
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>83,309</b>	<b>(83,250)</b>	<b>(16,640)</b>	<b>(67,960)</b>
Departmental Support	75,224	79,910	79,910	79,460
Central Support	127,302	138,350	138,350	140,260
Capital Charge	4,261	13,090	13,090	13,090
<b>NET EXPENDITURE</b>	<b>290,096</b>	<b>148,100</b>	<b>214,710</b>	<b>164,850</b>

- Contributes to corporate priorities :**
- Protecting our countryside and heritage
  - Promoting sustainable and vibrant communities
  - Supporting employment and business

**KEY PERFORMANCE INDICATORS**

Number of Planning Applications	903	900	831	900
Gross cost per application	£1,222.04	£872.23	£935.32	£890.84
Net (surplus)/cost per application	£321.26	£164.56	£258.38	£183.17
Caseload per officer	167	167	154	167

**4010 - BUILDING CONTROL**

A statutory service which ensures the health and safety of the occupants of buildings by achieving acceptable standards of building work through the enforcement of the Building Regulations. The service is provided by the Central Building Control Partnership.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2019/2020	BUDGET 2020/2021	BUDGET 2020/2021	BUDGET 2021/2022
Employee Expenses	977	-	-	-
Supplies and Services	35,200	35,200	35,200	35,900
<b>GROSS EXPENDITURE</b>	<b>36,177</b>	<b>35,200</b>	<b>35,200</b>	<b>35,900</b>
GROSS INCOME	-	-	-	-
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>36,177</b>	<b>35,200</b>	<b>35,200</b>	<b>35,900</b>
Departmental Support	1,631	1,680	1,680	1,710
Central Support Services	11,700	15,140	15,140	13,910
<b>NET EXPENDITURE</b>	<b>49,508</b>	<b>52,020</b>	<b>52,020</b>	<b>51,520</b>

- Contributes to corporate priorities :**
- Protecting our countryside and heritage

### 4012 - CONSERVATION AND BUILT HERITAGE

This service looks to maintain the historical built heritage within the Borough

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2019/2020	BUDGET 2020/2021	BUDGET 2020/2021	BUDGET 2021/2022
Employee Expenditure	49,776	42,050	42,050	43,210
Supplies and Services	-	50	50	50
<b>GROSS EXPENDITURE</b>	<b>49,776</b>	<b>42,100</b>	<b>42,100</b>	<b>43,260</b>
GROSS INCOME	-	-	-	-
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>49,776</b>	<b>42,100</b>	<b>42,100</b>	<b>43,260</b>
Departmental Support	12,226	9,100	9,100	9,650
Central Support	5,323	5,330	5,330	5,490
<b>NET EXPENDITURE</b>	<b>67,325</b>	<b>56,530</b>	<b>56,530</b>	<b>58,400</b>

**Contributes to corporate priorities :**  
**- Protecting our countryside and heritage**

### 4014 - LOCAL LAND CHARGES

The Council is obliged to maintain a register relating to its area which includes any details of developments, road proposals, closing orders etc., which may affect properties and details of any charge (financial or otherwise) that is registered against each property. In addition the Council provides details on enquiries made by solicitors acting on behalf of prospective purchasers. The income received from search fees is based upon charges that the Council is free to set itself.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2019/2020	BUDGET 2020/2021	BUDGET 2020/2021	BUDGET 2021/2022
Employee Expenditure	15,833	13,240	13,240	13,610
Supplies and Services	16,637	17,160	17,550	17,910
<b>GROSS EXPENDITURE</b>	<b>32,470</b>	<b>30,400</b>	<b>30,790</b>	<b>31,520</b>
GROSS INCOME	(46,627)	(50,000)	(50,000)	(50,000)
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>(14,157)</b>	<b>(19,600)</b>	<b>(19,210)</b>	<b>(18,480)</b>
Departmental Support	8,581	9,760	9,760	9,920
Central Support	10,941	10,860	10,860	11,350
Capital Expenditure	-	3,300	3,300	3,300
<b>NET EXPENDITURE</b>	<b>5,365</b>	<b>4,320</b>	<b>4,710</b>	<b>6,090</b>

**Contributes to corporate priorities :**  
**- Protecting our countryside and heritage**

#### KEY PERFORMANCE INDICATORS

Number of Local Land Charge Searches	355	400	400	400
Gross cost per search	£146.46	£127.55	£128.53	£131.98
Net cost per search	£15.11	£10.80	£11.78	£15.23



**4018 - STREET NAMING & NUMBERING**

This function covers naming and numbering of new and existing properties and streets, to ensure consistency and reliability of addressing, which then feeds into the Council's Land and Property Gazetteer.

DESCRIPTION	ACTUALS	APPROVED BUDGET	REVISED BUDGET	ORIGINAL BUDGET
	2019/2020	2020/2021	2020/2021	2021/2022
Employee Expenditure	1,362	-	-	-
Supplies & Services	2,369	9,440	9,440	9,630
Earmarked Reserves	-	-	-	-
<b>GROSS EXPENDITURE</b>	<b>3,731</b>	<b>9,440</b>	<b>9,440</b>	<b>9,630</b>
GROSS INCOME	(17,693)	(14,880)	(13,730)	(15,150)
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>(13,962)</b>	<b>(5,440)</b>	<b>(4,290)</b>	<b>(5,520)</b>
Departmental Support	8,056	8,010	8,010	8,230
Central Support	1,035	1,110	1,110	1,130
<b>NET EXPENDITURE</b>	<b>(4,871)</b>	<b>3,680</b>	<b>4,830</b>	<b>3,840</b>

**Contributes to corporate priority :**  
**- Creating safer communities**



## Appendix C

### Risk Analysis

	<b>Likelihood</b>	<b>Potential impact on Budget</b>
Need for public enquiries into planning developments	Medium	Medium
Decline in planning applications leading to a reduction in planning income.	Medium	Medium
Applications not dealt with within 26 weeks, resulting in full refund to applicant.	Low	Medium
Implications of losing planning appeals, resulting in appellant costs awarded against the Council or loss of Planning Income	Medium	Medium

## **Agenda Item No 5**

### **Planning and Development Board**

**16 February 2021**

### **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, 6 March 2021 at 6.30pm via Teams.

## 6 **Public Speaking**

- 6.1 Information relating to public speaking at Planning and Development Board meetings can be found at:  
[https://www.northwarks.gov.uk/info/20117/meetings\\_and\\_minutes/1275/speaking\\_and\\_questions\\_at\\_meetings/3](https://www.northwarks.gov.uk/info/20117/meetings_and_minutes/1275/speaking_and_questions_at_meetings/3).

## Planning Applications – Index

Item No	Application No	Page No	Description	General / Significant
5/a	PAP/2020/0653	5	<b>Oldbury View, Castle Road, Hartshill</b> Existing car lay-by to be removed and 7 no: tarmacadam parking bays created. Demolish existing 3 no: garages and replace with 3 no: tarmacadam parking spaces.	General
5/b	PAP/2020/0617	10	<b>34 Austrey Lane, No Mans Heath</b> Demolition of garage and erection of single storey extension to side.	General
5/c	PAP/2021/0010	14	<b>1 Westwood Crescent, Atherstone</b> Erection of single storey extension to side, new hardstanding to front.	General
5/d	MIA/2021/0002	19	<b>184-206 Long Street, Atherstone</b> Proposed plots to be set back a further 1 metre.	General

## **General Development Applications**

**(5a) Application No: PAP/2020/0653**

**Oldbury View, Castle Road, Hartshill, CV10 0SQ**

**Existing car lay-by to be removed and 7 no: tarmacadam parking bays created. Demolish existing 3 no: garages and replace with 3 no: tarmacadam parking spaces, for**

**Angela Coates - North Warwickshire Borough Council**

### **Introduction**

The application is referred to the Board as the Council is the landowner and applicant.

### **The Site**

Oldbury View is a range of residential flats on the east side of Castle Road within a frontage of other residential property. Access to the flats is off Castle Road via a small cul-de-sac.

The location is shown at Appendix A.

### **The Proposals**

This is to provide new parking provision in the cul-de-sac as presently vehicles are parked on either on the road or in a small lay-by which can only accommodate three cars. This will involve a new much larger lay-by on an existing grassed area as well as the removal of three garages and their replacement with three spaces.

The existing and proposed layouts are at Appendices B and C.

### **Representations**

Hartshill Parish Council – No objection.

### **Consultations**

WCC Archaeology – No objection.

### **Development Plan**

The Core Strategy 2014 – NW10 (Development Considerations).

### **Other Material Planning Considerations**

The National Planning Policy Framework.

## **Observations**

Cars are regularly parked along the cul-de-sac at present. There is no objection here as the number of parking spaces is increased and made much more effective as well as removing the maintenance cost of the garages, without causing any adverse harm.

## **Recommendation**

That planning permission be granted subject to the following conditions:

- i) Standard three year condition.
- ii) Standard plan numbers condition - 2580/12A and 2580/14A.

## **Notes:**

- a) The Local Planning Authority has met the requirements of the NPPF in this case through reaching a positive outcome.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2020/0653

<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)	3/12/2020

*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.*

FAP/2020/0653

APPENDIX A

**NOTES:**

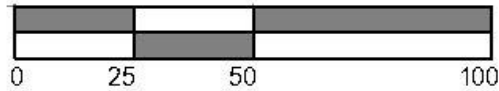
The copyright © of this drawing is vested in the Architect and must not be copied or reproduced without consent.

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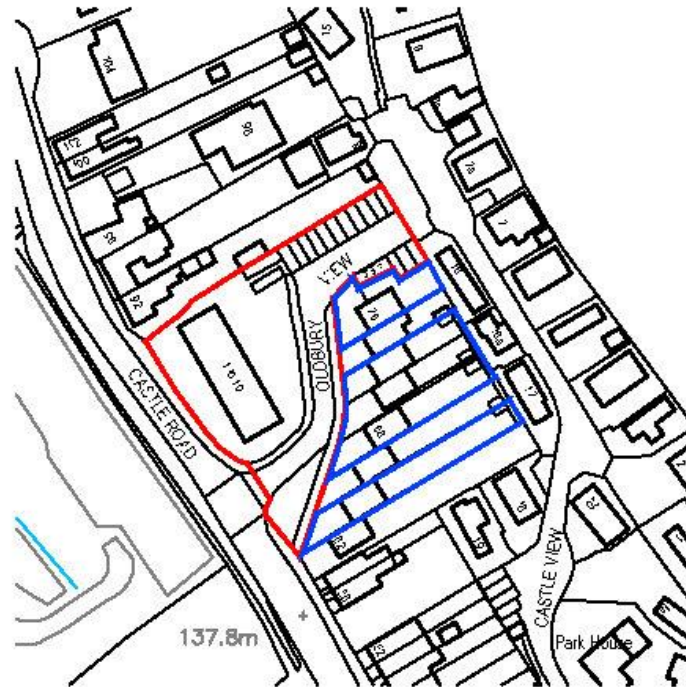
DO NOT SCALE OFF THIS DRAWING... IF IN DOUBT ASK



REV.	AMENDMENT:	INT.	DATE:
A	Red and Blue line boundaries revised.	SC	23.10.20



SCALE BAR 1:1250



Produced on 12 October 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.  
 This map shows the area bounded by 432585,294287 432585,294429 432737,294429 432737,294287  
 Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.  
 Crown copyright 2020. Supplied by copla ltd trading as UKPlanningMaps.com a licensed Ordnance Survey partner (100054135).  
 Data licensed for 1 year, expiring 12 October 2021. Unique plan reference: v20/519387/703737



PROJECT:  
 Oldbury View,  
 Hartshill  
 Nuneaton

TITLE:  
 Location Plan

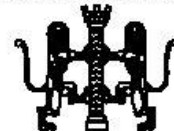
CLIENT:  
 Wates Living Space

**SUTTON AND WILKINSON**

CHARTERED ARCHITECTS

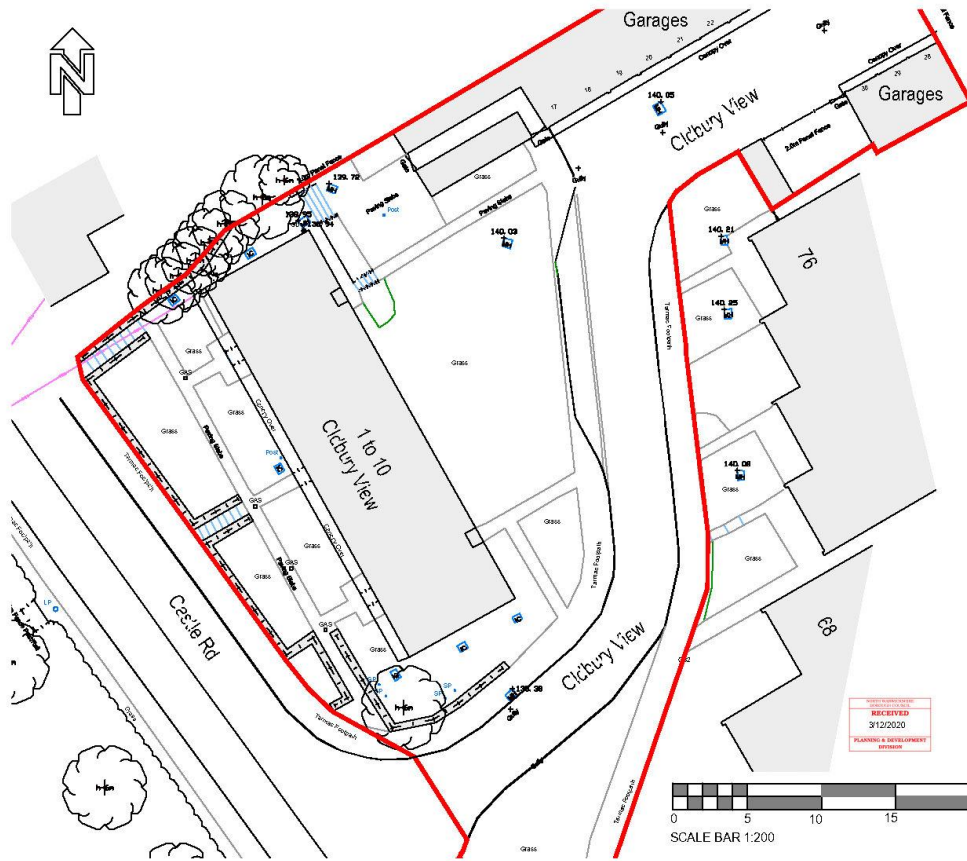
Victoria House, 13 New Penridge Road,  
 Cannock, Staffs, WS11 1HW

Telephone: 01543 466441  
 Facsimile: 01543 462469  
 e-mail: office@suttonwilkinson.co.uk



SCALE	DRAWN	DATE	SIZE
1:500	SC	Oct 20	A4
DRAWING NUMBER			REVISION
2580 - 12			A





NOTES: **APPENDIX B**

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PAP/2020/0653

REV	AMENDMENT	INT	DATE
01	Issue for Information	SC	03/11/20

**PRELIMINARY**

PROJECT:  
Olbury View,  
Hartshill  
Nunsilton

CLIENT:  
Wakes Living Space

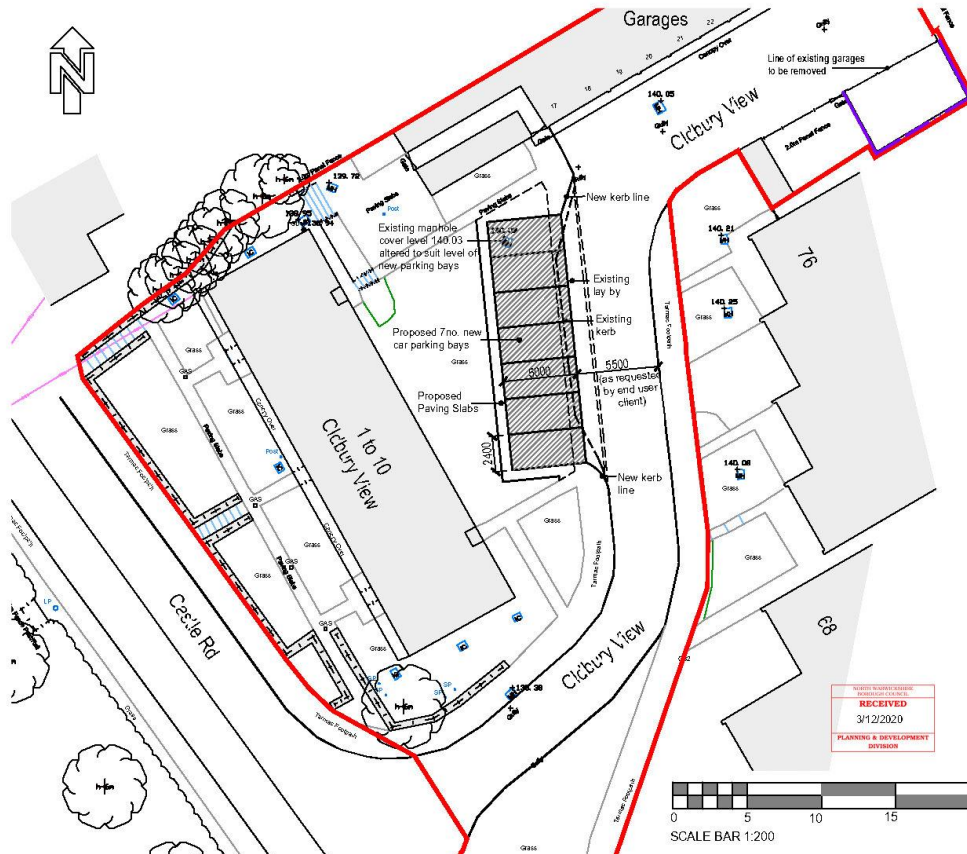
TITLE:  
Existing Block Plan

**SUTTON AND WILKINSON**  
CHARTERED ARCHITECTS

Worke House, 13 New Park Road,  
Canrook, Staffs, WS11 1HW  
Telephone: 01843 490441  
Facsimile: 01843 462650  
email: office@suttonwilkinson.co.uk



SCALE	DRAWN	CHECKED	DATE	SIZE
1:200	SC	SC	Oct 20	A3
DRAWING NUMBER				VERSION
2380 - 13				A



NOTES: **APPENDIX C**

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PAP/2020/0653

REV	AMENDMENT	INT	DATE
01	Issue for Information	SC	03/11/20

**MATERIALS LEGEND**

1.5m High close boarded fencing. Requirement for new kerbs / retaining walls at low level to be ascertained on site following confirmation of existing ground levels.

**PLANNING**

PROJECT:  
Olbury View,  
Hartshill  
Nunsilton

CLIENT:  
Wakes Living Space

TITLE:  
Proposed Block Plan

**SUTTON AND WILKINSON**  
CHARTERED ARCHITECTS

Worke House, 13 New Park Road,  
Canrook, Staffs, WS11 1HW  
Telephone: 01843 490441  
Facsimile: 01843 462650  
email: office@suttonwilkinson.co.uk



SCALE	DRAWN	CHECKED	DATE	SIZE
1:200	SC	SC	Oct 20	A3
DRAWING NUMBER				VERSION
2380 - 14				A

## **General Development Applications**

**(5b) Application No: PAP/2020/0617**

**34, Austrey Lane, No Mans Heath, B79 0PE**

**Erection of single storey side extension, for**

**Angela Coates - North Warwickshire Borough Council**

### **Introduction**

This application is referred to the Board as the Council owns the property.

### **The Site**

This is the left-hand side of a pair of semi-detached properties which are the last properties within a frontage of similar dwellings on its southern side. There is a small garage and other out-buildings to its rear at the side of the house. Beyond the garage is a strong hedgerow with a small paddock beyond and open land to the rear.

### **The Proposals**

It is proposed to demolish the garage so as to provide a single storey low pitched extension to house accommodation for a disabled occupier of the property. An amended plan was submitted to reduce the scale of the roof.

The location and details of the proposed plan are at Appendix A.

### **Representations**

The Parish Council – No objection.

### **Development Plan**

The Core Strategy 2014 – NW10 (Development Considerations.)

### **Other Material Planning Considerations**

The National Planning Policy Framework.

### **Observations**

There are no objections to this small extension. It has no impact on adjoining property owners and whilst it is on the end of a row of houses, it is not that visible because of the hedgerows and the slight bend in the road here further to the south.

## **Recommendation**

That planning permission be granted subject to the following conditions:

- i) Standard three year condition.
- ii) Standard plan numbers condition – plan number NAB020/34AL/002/A/1 received on 3/12/20 by the Local Planning Authority.
- iii) All facing and roofing materials to be used shall match the existing in size, colour and texture.

Reason: In the interests of the visual amenities of the area.

Notes:

- a) The Local Planning Authority has met the requirements of the NPPF in this case through seeking design alterations which could lead to a positive outcome.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2020/0617

<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)	18/11/2020

*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.*

### Single Storey Side Extension - 34 Austrey Lane, Proposed Plans and Elevations

GROUND FLOOR PROPOSED SCALE: 1:50

FIRST FLOOR EXISTING- SCALE: 1:50

AREA PLAN: 1:200

FRONT ELEVATION PROPOSED- SCALE 1:50

REAR ELEVATION PROPOSED- SCALE 1:50

SIDE ELEVATION PROPOSED- SCALE 1:50

RECEIVED  
03/12/2020  
PLANNING PERMISSION REVIEW

PAP/2020/0617

Revisions  
1. Add front single pitch to topped - 03.12.20  
2. Window location and to cover included to match existing - 03.12.20

www.nabcel.co.uk

Client  
NWBC

Project  
Single Storey Side Extension  
34 Austrey Lane,  
No Mans Heath  
B79 0PE

Title  
Proposed Elevations and Layouts

Date	Nov 2020	By	
Scale	As Shown		
Drawn	T S		
Drawing No.	NAB20/04AL/002		

## **General Development Applications**

**(5c) Application No: PAP/2021/0010**

**1, Westwood Crescent, Atherstone, CV9 2AX**

**Erection of single storey extension to side, new hardstanding to front, for**

**Angela Coates - North Warwickshire Borough Council**

### **Introduction**

The application is referred to the Board as the applicant is the Borough Council.

### **The Site**

This is the right-hand side of a pair of semi-detached houses on the west side of Westwood Crescent where it has a junction with Westwood Road. Similar properties front both sides of Westwood Crescent and there are other residential properties at right angles to the application site along Westwood Road. The common boundary here is a wooden fence with a substantial hedgerow.

A location plan is at Appendix A.

### **The Proposals**

It is proposed to add a single storey side extension to the elevation facing Westwood Road to provide specialist accommodation. A low pitch mansard roof would be added as the floor plan is not rectangular. There would be no openings in the elevation facing Westwood Road.

The existing and proposed elevations can be seen at Appendices B and C.

### **Representations**

Any representations will be reported verbally to the meeting as the consultation period ends just after the date of this meeting.

### **Development Plan**

The Core Strategy 2014 – NW10 (Development Considerations).

### **Other Material Planning Considerations**

The National Planning Policy Framework.

## **Observations**

There is no objection to this proposal as the design and appearance is satisfactory given the small footprint of the existing house and the shape of the side garden. The use of a mansard roof reduces the massing of the extension.

There are unlikely to be any adverse impacts on the residential amenity of neighbouring occupiers as there would be no overlooking or overshadowing. The extension would not impinge on the light entering neighbouring property.

## **Recommendation**

That subject to the receipt of no objections being received within the consultation period, planning permission be granted subject to the following conditions:

- i) Standard Three-Year Condition.
- ii) Standard Plan Numbers condition – plan numbers NAB20/1WC/001; 002 and 003.
- iii) The roofing and facing materials to be used shall match those on the existing property in colour, size and texture.  
Reason: In the interests of the visual amenities of the area.

## **Notes:**

- a) The Local Planning Authority has met the requirements of the NPPF in this case through the issue of a speedy decision and pre-application engagement.
- b) Any works involved with the creation of a dropped kerb to access the hardstanding, will require the formal consent of the Warwickshire County Council as Highway Authority as well as a separate planning permission.
- c) Standard Party Wall Act Informative.

## BACKGROUND PAPERS

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

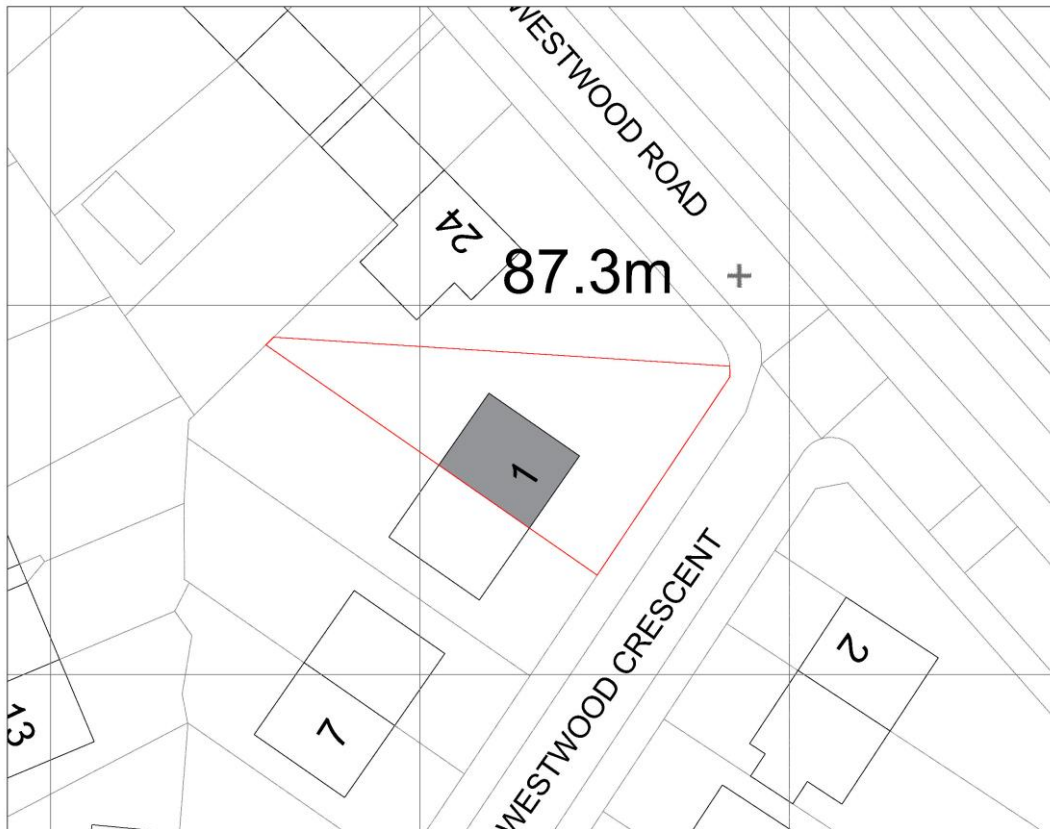
Planning Application No: PAP/2021/0010

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	4/01/2021

*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.*





PAP/2021/0010

RECEIVED  
4/01/2021  
PLANNING & DEVELOPMENT  
SECTION

Drawing Stage  
**PLANNING**

Revisions



Client  
NWBC

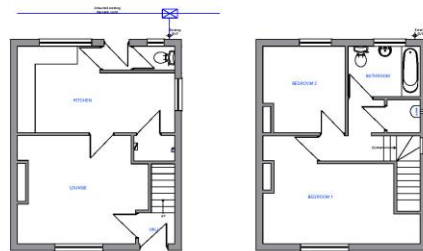
Project  
Single Storey Side Extension  
1 Westwood Crescent  
CV9 2AX

Title  
Site Plan

Date: Jan 2021  
Scale: As Shown  
Drawn: T.S.  
Drawing No: NAB/2021/WC/003

Single Storey Side Extension -  
1 Westwood Crescent, Existing Plans and Elevations

PAP/2021/0010



GROUND FLOOR EXISTING- SCALE: 1:50      FIRST FLOOR EXISTING- SCALE: 1:50



FRONT ELEVATION EXISTING- SCALE 1:50      REAR ELEVATION EXISTING- SCALE 1:50      SIDE ELEVATION EXISTING- SCALE 1:50

RECEIVED  
4/01/2021  
PLANNING & DEVELOPMENT  
SECTION

Drawing Stage  
**PLANNING**

Revisions



Client  
NWBC

Project  
Single Storey Side Extension  
1 Westwood Crescent  
Atherstone  
CV9 2AX

Title  
Existing Elevations and Layouts

Date: Jan 2021  
Scale: As Shown  
Drawn: T.S.  
Drawing No: NAB/2021/WC/001

**Single Storey Side Extension -  
1 Westwood Crescent, Proposed Plans and Elevations**

GROUND FLOOR PROPOSED- SCALE: 1:50

FIRST FLOOR EXISTING- SCALE: 1:50

PROPOSED ROOF PLAN - SCALE 1:50

FRONT ELEVATION PROPOSED- SCALE 1:50

REAR ELEVATION PROPOSED- SCALE 1:50

SIDE ELEVATION PROPOSED- SCALE 1:50

PAP/2021/0010

RECEIVED 4/01/2021  
PLANNING & DEVELOPMENT DIVISION

Planning Stage: **PLANNING**

Revisions:

**NABCEL**  
www.nabcel.co.uk

Client: NWBC

Project: Single Storey Side Extension  
1 Westwood Crescent  
CV9 2AX

Title: Proposed Elevations and Layouts

Date: Jan 2021  
Scale: As Shown  
Drawn: T.S.  
Drawing No: NAB2011WC002

## **General Development Applications**

**(5/d) Application No: MIA/2021/0002**

**184-206, Long Street, Atherstone, CV9 1AE**

**Non material amendment to PAP/2019/0387 dated 24/09/2019 for proposed plots 01 - 04 to be set back a further 1m, for**

**Neil Walmsley - Taylor French Developments Ltd**

### **Introduction**

The application is reported to the Board as the applicant is the Borough Council. Detailed planning permission was recently granted here for the redevelopment of this site with four new flats and associated development. Work has commenced and the site has now been cleared.

### **The Proposals**

This is an application for a non-material amendment, but the proposed layout, design, mass and appearance of the approved scheme would remain unchanged. The only amendment sought is to set the new block back from the highway by a further metre. This is because underground utilities have been found.

Applications for a non-material amendments are not normally referred to the Board as the changes are considered to be minor. In this case, as the Council is the applicant, the matter is referred to the Board.

The approved plan is at Appendix A and the proposed revision is at Appendix B. A revised cross section is at Appendix C.

### **Development Plan**

The Core Strategy 2014 – NW10 (Development Considerations) and NW14 (Historic Environment).

### **Other Material Planning Considerations**

The National Planning Policy Framework.

### **Observations**

The only issue here is what impact there would likely be, if the proposed block was set back a further metre behind the rear of the pavement.

Because the site is in the Conservation Area and there are nearby Listed Buildings, there is a heritage impact to assess.

The site is in the Atherstone Conservation Area. The Council is under a statutory duty to ensure that the character and appearance of that Area is preserved and enhanced. In order to make such an assessment the Board should understand the significance of the Area in heritage terms and then consider whether the proposed alteration would adversely harm that significance given the fact there is already an approved redevelopment scheme for the site. The significance of the Area is that it covers an extensive area of the town centre, displaying the town's architectural and historic evolution through many time periods whilst retaining substantial areas of their contemporaneous external characteristics both in design and use. This particular part of the Area is in the Long Street (East) section. Much of the significance here lies in the retention of the mainly continuous frontage development on both sides of Long Street with the majority of three storey built form reflecting many different periods of design. The quality of the buildings reduces further to the east where there are increasing numbers of suburban features.

In this case approval has already been granted for the demolition of the existing block and its replacement with a far more appropriately designed three storey block just to the rear of the pavement fronting Long Street. The issue here is whether the further set back of a metre would harm the attributes here that make up the significance of the Conservation Area – three storey built form within a continuous frontage. The proposed set back is limited. Additionally, there is no build development in the frontage beyond the site to the east and the modern development opposite the site is set back even further. In other words, the new development would still retain the character of being a frontage development in its immediate setting and certainly still be viewed as such in the street-scene. Overall therefore, there would be less than substantial harm caused and this would be very much at the lower end of that conclusion. Nevertheless, that still carries great weight in the final planning balance.

The site is close to the unlisted but significant non-designated former QE School. The Council is under a statutory duty to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possess. This duty includes non-designated assets. The architectural significance of the school is that it represents a complete reflection of the design of public building in the late Victorian age which adds significantly to the character of this end of Long Street and the appearance of the Conservation Area. In historic terms it represents part of the social history of the town. Given the recent approval, the proposed variation would have no impact on this significance or indeed on the setting of the school.

There is a Listed Building that is adjacent to the site between it and the school – number 208. This is a late 18<sup>th</sup>/early 19<sup>th</sup> Century house. There would be no harm caused to its setting as a consequence of the limited scale of the proposed variation.

In respect of the final planning balance it is considered that the demolition and removal of the wholly inappropriate former residential block here and its replacement with a far more appropriate new development in scale and appearance provides a public and community benefit that clearly outweighs the less than substantial harm caused by this proposed very limited amendment.

The second potential impact here is that the size of the rear amenity space is reduced by a metre as a consequence. This is not considered to be material. The area will continue to be fenced so as to provide security.

The final possible impact is whether the change would affect the residential amenity of the occupiers of the two private dwellings at the rear. These face the development. It is not considered that the proposed change would lead to a material increase in overshadowing or lack of privacy.

### **Recommendation**

That plan numbers L(9) 002 P3 and D101B be approved as non-material amendments to PAP/2019/0387 and PAP/2019/ 0391 dated 24/9/19.

## BACKGROUND PAPERS

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

Planning Application No: MIA/2021/0002

<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)	19/01/2021

*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.*

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Long Street - Atherstone

PAP/2019/0387

Accommodation Schedule

TYPE	ACCOMMODATION	AREA m2	TOTAL
3A	3BSP HOUSE	102.00	04
TOTAL			04

Site Area - 0.09ha  
Density - 44 Dwellings per ha

TOTAL NO. OF CAR PARKING SPACES	36	150%
---------------------------------	----	------

KEY -  
SITE BOUNDARY



Long Street, Atherstone - Proposed Site Plan. 1:200@A1

Client: BM3	Project: 184-208 LONG STREET, ATHERSTONE	Phase: PROPOSED SITE PLAN	Client: BM3
Drawn: [Name]	Checked: [Name]	Scale: 1:200 @ A1	Date: 02/03/2020

- KEY -
- Site Boundary
  - Tarmac
  - Permeable Block Pavoures
  - 450mm x 450mm Concrete Paving Slabs
  - Turf Area
  - Soft Landscaping
  - Ex. hydrant location
- BOUNDARY KEY -
- 1.8m high Close Board Fence
  - 2.2m high brick wall to no.182 Long Street
  - 0.6m high dwarf brick wall with saddleback capping bricks
  - 1.8m high Secure Timber Gate
- © BM3/2020
1. Detailed landscape plan (Landscape) - 1:200 scale
  2. Detailed landscape plan (Landscape) - 1:200 scale
  3. Detailed landscape plan (Landscape) - 1:200 scale



MIA/2021/0002

PRELIMINARY

Revision	Date	By	Check
F1 - First Issue	02.03.20	MC	PJS
F2 - FFL's added based on S.E. Levels, Ecology, F2 - Slips and levels added to front, level access to rear as per Engineers levels, Disability	03.07.20	MC	PJS
F3 - FFL's	20.10.20	MC	PJS
F4 - FFL's	18.01.21	MC	PJS



Project: 184-208 LONG STREET, ATHERSTONE

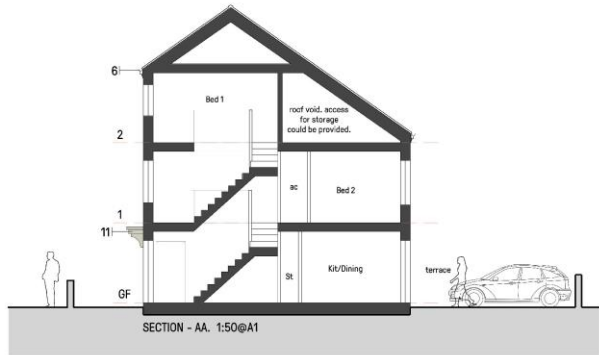
Drawn by: MJC

Scale: 1:200 @ A1

Date: 02/03/2020

Drawn to: L19-002

BM3



Material Schedule

- 1/ Smooth Gray Concrete Plain Roof Tiles.
- 2/ Red Brick Facing Brick.
- 3/ Fimber Sash Windows with Georgian Window Bars.
- 4/ Smooth Stone CL.
- 5/ Red Brick Stone Lintel.
- 6/ Black UPVC Window Sills.
- 7/ Smooth Concrete Banding Detail.
- 8/ Red Brick with Smooth Course Detail.
- 9/ Red Brick with Smooth Course Detail.
- 10/ Black Gutter Detail.
- 11/ GRC Porch Canopy.

Long Street, Atherstone - Proposed Elevations - Houses.

<p>Notes</p> <ul style="list-style-type: none"> <li>1. All elevations are shown in perspective.</li> <li>2. All elevations are shown in perspective.</li> <li>3. All elevations are shown in perspective.</li> <li>4. All elevations are shown in perspective.</li> </ul>	<p>Scale</p> <p>1:100</p>	<p>Date</p> <p>21/01/2021</p>	<p>Drawn</p> <p>21/01/2021</p>	<p>Checked</p> <p>21/01/2021</p>	<p>Project</p> <p>MIA/2021/0002</p>	<p>Client</p> <p>North Warwickshire Design Council</p>	<p>BM3</p>
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## Agenda Item No 6

### Planning and Development Board

16 February 2021

Report of the  
Chief Executive

Progress Report on Achievement  
of Corporate Plan and  
Performance Indicator Targets  
April - December 2020

#### 1 Summary

- 1.1 This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to December 2020.

#### **Recommendation to the Board**

**That Members consider the performance achieved and highlight any areas for further investigation.**

#### 2 Consultation

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

#### 3 Background

- 3.1 This report shows the third quarter position with the achievement of the Corporate Plan and Performance Indicator targets for 2020/21. This is the second report showing the progress achieved so far during this year.

#### 4 Progress achieved during 2020/21

- 4.1 Attached at Appendices A and B are reports outlining the progress achieved for all the Corporate Plan targets and the agreed local performance indicators during April to December 2020/21 for the Planning and Development Board.

- 4.2 Members will recall the use of a traffic light indicator for the monitoring of the performance achieved.

Red – target not being achieved (shown as a red triangle)

Amber – target currently behind schedule and requires remedial action to be achieved (shown as an amber circle)

Green – target currently on schedule to be achieved (shown as a green star)

## 5 Performance Indicators

- 5.1 The current performance indicators have been reviewed by each division and Management Team for monitoring for the 2020/21 year.

## 6 Overall Performance

- 6.1 The Corporate Plan performance report shows that 69% of the Corporate Plan targets and 67% of the performance indicator targets are currently on schedule to be achieved. The report shows the individual targets that have been classified as red, amber or green. Individual comments from the relevant division have been included where appropriate. The table below shows the following status in terms of the traffic light indicator status:

### Corporate Plan

Status	Number	Percentage
Green	11	69%
Amber	5	31%
Red	0	0
Total	16	100%

### Performance Indicators

Status	Number	Percentage
Green	2	67%
Amber	0	0%
Red	1	33%
Total	3	100%

## 7 Summary

- 7.1 Members may wish to identify any areas that require further consideration where targets are not currently being achieved.

## 8 Report Implications

### 8.1 Safer Communities Implications

- 8.1.1 Major applications are considered by the Police Architectural Liaison Officer who is looking to ensure that Secure by Design principles are applied for new developments.

## 8.2 Legal Data Protection and Human Rights Implications

8.2.1 The national indicators were specified by the Secretary of State for Communities and Local Government. They were replaced by a single list of data returns to Central Government from April 2011.

## 8.3 Environment and Sustainability Implications

8.3.1 Improvements in the performance and quality of services will contribute to improving the quality of life within the community. The actions to improve apprenticeships, training and employment opportunities and transport links for residents is contributing towards the raising aspirations, educational attainment and skills priority of the North Warwickshire Sustainable Community Strategy 2009 – 2026.

## 8.4 Risk Management Implications

8.4.1 Effective performance monitoring will enable the Council to minimise associated risks with the failure to achieve targets and deliver services at the required performance level.

## 8.5 Equality Implications

8.5.1 The action to improve employment opportunities for residents is contributing to equality objectives and is a positive impact in terms of the protected characteristics for age through increasing opportunities for young people to access training and apprenticeships.

## 8.6 Links to Council's Priorities

8.6.1 There are targets and performance indicators included relating to protecting countryside and heritage, supporting employment and business, improving leisure and well-being opportunities and tackling climate change.

The Contact Officer for this report is Robert Beggs (719238).

### 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

Planning and Development 20/21								
	Action	Priority	Reporting Officer	Quarter 2	Quarter 3	Status	Direction	
21 (a)	To continue to manage development and to deliver its associated infrastructure, in line with the Infrastructure Delivery Plan and priorities in the Council's Corporate Plan and in the Sustainable Community Strategy	Protecting our Countryside & Heritage	Planning & Development Board	Jeff Brown	Infrastructure is sought where appropriate alongside the handling of planning applications.	Infrastructure is sought where appropriate alongside the handling of planning applications.	Green	↔
21 (b)	Use the Design Champions to ensure the best achievable designs are implemented and developed so as to reflect setting and local character	Protecting our Countryside & Heritage	Planning & Development Board	Jeff Brown	Meetings are regularly held when appropriate even at pre-application stage but this has been limited this quarter because of COVID	Meetings are regularly held when appropriate even at pre-application stage but this has been limited this quarter because of COVID	Amber	↓
21 (c)	To seek to secure the protection of the best of the Borough's built and rural heritage, including supporting the Tame Valley Wetlands Partnership and the area's Country Parks and reporting, by January 2021, on a review of the Borough's Conservation Area	Protecting our Countryside & Heritage	Planning & Development Board	Jeff Brown/Simon Powell	Heritage issues continue to feature in the handling of applications and the report is on course. The Tame Valley Partnership is referred to where appropriate in looking at Section 106 agreements.	Heritage issues continue to feature in the handling of applications and the report is on course. The Tame Valley Partnership is referred to where appropriate in looking at Section 106 agreements.	Green	↑
21 (d)	To continue to work with North Warwickshire Heritage Forum to protect, promote and develop the heritage and tourism of North Warwickshire in accordance with the priorities of the Destination Management Plan	Protecting our Countryside & Heritage	Planning & Development Board	Jeff Brown/Simon Powell	Whilst work has been diluted due to the COVID-19 pandemic, activity undertaken in support of local heritage, tourism and other priorities of the Destination Management Plan is continuing to evolve. These are material considerations in dealing with planning applications	Whilst work has been diluted due to the COVID-19 pandemic, activity undertaken in support of local heritage, tourism and other priorities of the Destination Management Plan is continuing to evolve. These are material considerations in dealing with planning applications	Amber	↔
21 (e)	Review the Borough's tourism priorities and Destination Management arrangements in particular with a view to maximising the opportunities from the City of Culture 2021 and Commonwealth Games 2022 and related cycling events, and to include walking, cycling, water sports, horse riding and country parks	Protecting our Countryside & Heritage	Planning & Development Board	Jeff Brown/Simon Powell	Whilst work has slowed due to the COVID-19 pandemic, the Authority has continued to be engaged in forums reviewing the opportunities available through the planning of the City of Culture and Commonwealth Games events, as well as in respect of the further development of, for instance, cycling and walking in the Borough	Whilst work has slowed due to the COVID-19 pandemic, the Authority has continued to be engaged in forums reviewing the opportunities available through the planning of the City of Culture and Commonwealth Games events, as well as in respect of the further development of, for instance, cycling and walking in the Borough	Amber	↔
22	To regularly report on Growth pressures on the Borough, the protection of the Green Belt as far as possible and how to sustain the rurality of the Borough	Protecting our Countryside & Heritage	Planning & Development Board	Jeff Brown/Simon Powell	Reference to these matters appears in reports when officers deal with planning applications.	Reference to these matters appears in reports when officers deal with planning applications.	Green	↔
23	Report on ways to improve enforcement of all planning and environmental powers by November 2020	Protecting our Countryside & Heritage	Planning & Development Board	Jeff Brown	The report will be prepared on time	The report will be prepared on time	Green	↔
24	To press for maximum mitigation and benefits for the Borough arising from HS2, particularly during construction in partnership with other affected Councils and community action groups	Protecting our Countryside & Heritage	Planning & Development Board	Dorothy Barratt	Work is ongoing.	Work is ongoing.	Green	↔
25	To continue to oppose the principle of Opencast Mining and Mineral Extraction	Protecting our Countryside & Heritage	Planning & Development Board	Jeff Brown	There have been no instances in the Borough to date	There have been no instances in the Borough to date	Green	↔
30	To progress the Local Plan through Inquiry towards adoption and commence further work as agreed by the Local Development Framework Sub-Committee, including work to protect valued views, Member steering groups on major allocation sites (to include Section 106 requirements) and consideration of work for the next Local Plan period (2033-2045)	Protecting our Countryside & Heritage	Executive Board/Planning & Development Board/LDF Sub-Committee	Dorothy Barratt	Local Plan work is continuing with adoption expected early 2021. Virtual Hearings are in the process of being arranged with the Planning Inspectorate.	Local Plan work is continuing with adoption expected early 2021. Virtual Hearings are in the process of being arranged with the Planning Inspectorate.	Green	↔
33	Maximise the opportunity for Section 106 funding for leisure and open space in accordance with the Supplementary Planning Document and Infrastructure Delivery Plan	Improving Leisure & Wellbeing Opportunities	Planning & Development Board	Jeff Brown/Simon Powell	The Borough Council is maximising the opportunities to negotiate Section 106 funding in accordance with the provisions of the relevant Supplementary Planning Document. This is ongoing and regularly features in cases - eg. Community use at Polesworth School and the proposed Surf Park	The Borough Council is maximising the opportunities to negotiate Section 106 funding in accordance with the provisions of the relevant Supplementary Planning Document. This is ongoing and regularly features in cases - eg. Community use at Polesworth School and the proposed Surf Park	Green	↑
51 (a)	Better understand the employment and skills deficits in the Borough, particularly in respect of the changing nature of the logistics sector, so as to work with the County Council and other partners to provide and promote apprenticeships and training opportunities for North Warwickshire residents and to increase their accessibility to employment centres; and	Supporting Employment & Business	Planning & Development Board	Steve Maxey	The draft Economic Development Strategy will consider further projects to improve employment prospects for residents of the Borough. Discussions are taking place with MIRA in respect of a bespoke skills curriculum if the extension at their site is granted planning permission.	The draft Economic Development Strategy will consider further projects to improve employment prospects for residents of the Borough. Discussions are taking place with MIRA in respect of a bespoke skills curriculum if the extension at their site is granted planning permission.	Amber	↔

	Action	Priority		Reporting Officer	Quarter 2	Quarter 3	Status	Direction
51 (b)	Administer funding provided by the developers and through other funding sources to maximise opportunities for employment of local people, in light of the evidence to be provided under (a) above	Supporting Employment & Business	Planning & Development Board	Steve Maxey	Work has started to ensure that when the opportunities are available that the Borough Council is in a position to use these funds.	Work has started to ensure that when the opportunities are available that the Borough Council is in a position to use these funds.	Green	↔
52	To work with the County Council, Town and Parish Councils and other partners to maximise section 106 contributions for infrastructure to support business such as communities such as the use of renewable energy, enhancement of sustainable transport initiatives, employment support, affordable employment space and enterprise hubs	Supporting Employment & Business	Planning & Development Board	Jeff Brown	This is ongoing and regularly features in the determination of planning applications - The proposed Surf park and Wall are cases in hand. But presently there have been few major applications to deal with	This is ongoing and regularly features in the determination of planning applications - The proposed Surf park and Wall are cases in hand. But presently there have been few major applications to deal with	Green	↑
54	Progress the North Warwickshire Transport Strategy to improve strategic roads such as the A5 (via the HIF bid) and A446, reduce overuse of rural routes and improve transport links, including cycle ways, footpath links, public transport, all forms of rail provision and HGV parking to local employment and report on progress by March 2021	Supporting Employment & Business	Planning & Development Board	Steve Maxey	Funding has been achieved in the March 2020 budget for a £79.5m scheme for the A5. Discussion continue with Government about the delivery of the project. Officers are working with the County Council to improve the safety of the A446. Work on the NW Transport Plan is waiting for the next steps from the County Council	Funding has been achieved in the March 2020 budget for a £79.5m scheme for the A5. Discussion continue with Government about the delivery of the project and a statement of common ground regarding delivery of the scheme was submitted to the Local Plan examination in December 2020. Officers are working with the County Council to improve the safety of the A446. Work on the NW Transport Plan is waiting for the next steps from the County Council	Green	↔
62	Examine the case for a sub-regional Planning Policy Framework for sustainable construction to ensure high levels of sustainability for new buildings in the Borough	Tackle Climate Change	Executive Board Planning & Development Board	Steve Maxey	This will be picked up as part of the joint work on spatial planning which has been delayed slightly due to the COVID outbreak. The work programme for the joint spatial planning work has now been drafted and progressed by the CSW group of planning officers	This will be picked up as part of the joint work on spatial planning which has been delayed slightly due to the COVID outbreak. The work programme for the joint spatial planning work has now been drafted and progressed by the CSW group of planning officers	Amber	↔

NWPI Planning Board 20/21

	Description	Section	Priority	Year End Target 2020/21	Outturn 2019/20	April - Dec Performance	Traffic Light	Direction of Travel	Comments
@NW:NI157a	Processing of planning applications in 13 weeks for major application types	Development Control	Countryside and Heritage	60%	84.00%	94.00%	Green	↑	Continue to obtain extension of times
@NW:NI157b	Processing of planning applications in 8 weeks for minor application types	Development Control	Countryside and Heritage	80%	80.00%	80.00%	Green	↑	Continue to obtain extension of times
@NW:NI157c	Processing of planning applications in 8 weeks for other application types	Development Control	Countryside and Heritage	90%	76.00%	75.00%	Red	↓	Reflects number of householder applications submitted

**Agenda Item No 7**

**Planning and Development Board**

**16 February 2021**

**Appeal Update**

**Report of the  
Head of Development Control**

**1 Summary**

1.1 The report provides information on recent appeal decisions.

<p><b>Recommendation to the Board</b></p> <p><b>That the report be noted.</b></p>
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**2 Report**

**2.1 Appeal decisions**

2.1.1 There have been two appeal decisions received this year.

**a) Bennetts Road North, Corley**

2.1.2 This case involved a proposed house in Bennetts Road North which is in the Green Belt. The Inspector found this to be inappropriate development because even though it might be treated as being infill, the established houses here did not amount to a village. He gave no weight to the appellant's view that the proposed house would be "outstanding" or "innovative" and thus there were no considerations to outweigh the Green Belt harm caused. The decision letter is at Appendix A.

...

**b) Lucky Tails Alpaca Farm, Hurley**

2.1.3 Members may recall that a planning permission was granted here for temporary accommodation in association with the keeping of alpacas at the site. The site is also in the Green Belt. The present case involved seeking permission for a permanent residence to replace that accommodation. The Inspector did not agree that there was sufficient evidence available to verify that there was a need for essential permanent residence. This was based on evidence about alpaca husbandry, as well as on how the financial side of the business on the site was supported. The decision letter is at Appendix B.

...

### 3 Report Implications

#### 3.1 Environment and Sustainability Implications

3.1.2 The decisions re-enforce the status of the Council's Development Plan policies which seek to protect the Green Belt from inappropriate development.

#### 3.2 Links to Council Priorities

3.2.1 The decisions accord with the Council's priorities of protecting its rural heritage.

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

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

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>





# Appeal Decision

Site Visit made on 8 December 2020 G Sibley MPLAN MRTPI

**Decision by Chris Preston BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 20 January 2021**

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**Appeal Ref: APP/R3705/W/20/3258573**

**Orchards, Bennetts Road North, Corley CV7 8BG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Dereck Beverley against the decision of North Warwickshire Borough Council.
  - The application Ref PAP/2020/0236, dated 19 May 2020, was refused by notice dated 20 August 2020.
  - The development proposed is new build bungalow.
- 

## Decision

1. The appeal is dismissed.

## Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

## Main Issues

3. The main issues are:
  - i. Whether the proposal would be inappropriate development in the Green Belt having regard to the revised Framework and any relevant development plan documents.
  - ii. Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

## Reasons for the Recommendation

### *Inappropriate development*

4. Paragraph 143 of the National Planning Policy Framework (the Framework) identifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states that new buildings should be regarded as inappropriate in the Green Belt, save for a limited number of exceptions. The exceptions include, under paragraph 145 (e), limited infilling in villages.
5. There is no specific definition of 'limited infilling' within the Framework or the North Warwickshire Local Plan Core Strategy (adopted 2014) (CS) and,

similarly, what constitutes a 'village' is not defined. The site is not located within any of the defined settlements referred to in Categories 1 – 4 in Policy NW2 of the CS and, in terms of planning policy, is outside of any defined settlement boundary within the countryside that is washed over by the Green Belt. However, category 5 of the policy identifies that there are settlements within the district that are washed over by the Green Belt where no settlement boundary has been identified. Whether any given settlement or location would amount to a 'village' is not specifically defined within the settlement hierarchy of the development plan.

6. Policy NW3 of the CS sets out the Council's approach to development in the Green Belt in more detail and states that infill boundaries will be brought forward to indicate where infill and limited redevelopment would be permitted. I understand that the Council is seeking to identify 'infill boundaries' within an emerging plan which has reached examination stage. The Council have indicated that village locations have been identified and that the appeal site falls outside an area where infill would be permitted. Notwithstanding that point, no extracts from the plan have been provided and it is not clear if there are any outstanding objections to it. As such, I can give little weight to emerging policy and it is necessary to exercise planning judgement to ascertain whether the proposal would amount to 'limited infilling' within a 'village'.
7. Infilling is normally associated with the completion of an otherwise substantial built up frontage of several buildings or at the very least, the consolidation of a largely built up area.
8. The site is located between two dwellings within a run of ribbon development along Bennetts Road North which is located to the north of Coventry but outside of the settlement boundary for the city. The site and the wider ribbon development is washed over by the Green Belt and other than the line of houses, there does not appear to be the services and facilities that would typically be associated with a village.
9. The prevailing character of the immediate area is semi-rural with rural roads featuring ribbons of primarily single depth residential development interspersed with fields and countryside. The site is located towards the end of a row of development on such a road. The dwellings either side of the appeal site create a built-up frontage and the site is capable of accommodating a single dwelling in such a way as to continue the built-up frontage. Accordingly, the proposal would fall within the scope of the 'limited infill' aspect of Paragraph 145 (e) of the Framework.
10. However, whilst there are other residential properties nearby, the presiding character around the site remains semi-rural. The site is physically and visually disconnected from Coventry as well as any other settlements nearby. Residents would have to travel to reach the services and facilities available in Coventry City centre or the suburbs to the north of Coventry. Given the separation and the absence of nearby local services or facilities, this leads me to conclude that the location of the infill would not be within a 'village' for the purposes of Paragraph 145 (e).
11. For the reasons outlined above, I do not consider that the appeal scheme represents a limited infill development in a village. It cannot therefore be

treated as being within the exceptions identified in paragraph 145 of the Framework. Consequently, I conclude that the proposal would not meet criterion (e) of paragraph 145 of the Framework.

12. Paragraph 145 (g) permits the infilling or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development.
13. The appellant notes that there was a dwelling on the site that has since been demolished but the remains of foundations are still in place. Third party comments support that position and noted that the house was demolished in the late 1980s. Having viewed the site there is evidence of previous development in terms of the composition of the base material on the ground. As such, despite the site being presently free of built form, there was in all likelihood a dwelling on the site and I am satisfied that the site is previously developed land having regard to the definition within the Framework.
14. Nevertheless, the dwelling has been demolished and as such, the site is now open and undeveloped. The proposed dwelling would introduce new built form into the Green Belt where there is none above ground level. This would have a harmful impact upon the spatial openness of the Green Belt. Furthermore, whilst the site is bounded by hedgerows and the proposal would be a single storey dwelling with a garage, the buildings would be seen over the hedges as well as through the driveway for the proposed dwelling. As such, the proposal would have a greater impact on the visual openness of the Green Belt than the currently undeveloped site. As a consequence, the proposal would have a moderately adverse impact on the openness of the Green Belt.
15. The appellant also notes that the site could be considered previously developed land because it is garden land located outside of the built-up area. Notwithstanding whether or not the site is garden land, as noted above, the proposal would have a greater impact on the openness of the Green Belt and as a result, the proposal would fail to meet criterion (g) of Paragraph 145 of the Framework.
16. Given that the proposal would infill the gap between two existing dwellings, and that the site represents previously developed land, I am satisfied that it would not result in encroachment in the countryside. Nonetheless, that does not affect my conclusions on whether the proposal amounts to inappropriate development, having regard to the specific criteria within paragraph 145 of the Framework.
17. Therefore, the proposed development would be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

*Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal*

18. The appellant has referred to paragraph 79 (e) of the Framework which permits isolated homes where the design of the dwelling is of exceptional quality in that

it is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

19. Notwithstanding whether or not the dwelling would be truly outstanding or innovative, the proposed dwelling is located within run of ribbon development with dwellings either side of it. As such, it cannot be considered isolated in either a physical or a functional sense for the purposes of Paragraph 79 (e) of the Framework. Consequently, the proposal would fail to meet criterion (e) of the Paragraph 79 of the Framework.
20. The surrounding dwellings are a mix of two storey and single storey dwellings, some of which have garages and because the dwelling would be located within a run of ribbon development a single storey dwelling, with a garage, in this location would not appear out of character. Most of the dwellings locally are rendered, although the neighbouring dwelling is a red brick building. The proposed buff stone is not commonly used within the immediate street scene but its use here would not be unduly harmful given the existing range of materials used within the immediate area. The bungalow itself would include a central glass aperture which would separate the two side sections of the dwelling. This would create an interesting architectural feature that is not common within the area. Nonetheless, the built form either side of the glass aperture would have the appearance of a relatively standard bungalow, with some modern elements. Consequently, whilst the dwelling would be attractive, the design of the dwelling would not be exceptional. For this reason, a single storey dwelling with a garage would not appear out of character for the area and the appearance of the dwelling, whilst not exceptional, would not harm the character or appearance of the street scene. Nevertheless, good design would be an expectation of any development, having regard to local and national planning policy and this does not amount to a positive effect in favour of the proposal.
21. The appellant has provided an email where they have offered to contribute to a local project if the Council agreed. Whilst I note that offer, no legal agreement under section 106 of the Town and Country Planning Act 1990 has been provided with the appeal and the email cannot be relied upon to guarantee any contribution. In any event, it would only be possible to take into account any contributions that are necessary to make a development acceptable in planning terms. In other words, matters that would be required to mitigate the harmful impact of the scheme. I can see no obvious connection between the suggested offer of a contribution to a local project and the harm that would arise in terms of inappropriate development within the Green Belt and the harm to the openness of the Green Belt. As such, I attach no weight to that matter.
22. The appellant, as well as third parties, note that because the site has been vacant it has been used for anti-social purposes and by developing the site, the proposal would stop such behaviour from taking place in the future. Whilst the proposal could stop the anti-social behaviour from taking place, a similar outcome could be reached through appropriate security measures around the site that would not require the erection of a permanent structure which harms the openness of the Green Belt. Accordingly, I attribute very limited weight to this consideration.

23. The appellant has referred to a number of residential applications and appeals that were allowed in the Green Belt. As set out by the Council, the approved applications and appeals were substantively different to these proposals, including extensions to existing dwellings and sites located in identified settlements in Policy NW2 of the CS. Because those proposals were in the Green Belt, the assessment of each proposal is site specific and conclusions, in terms of openness, are generally unique to each proposal. As such, there are limited comparisons that can be drawn between those schemes and this one. Furthermore, each case must be assessed on its own merits and the Council or the Planning Inspectorate permitting schemes elsewhere would not justify these proposals.
24. The appellant has highlighted that the dwelling would be a self-build project, although limited supporting information in that respect has been provided. However, I have no reason to doubt that position. The Council are required to keep a register of self-build plots and the proposed dwelling would help to the Council to deliver one additional self-build plot. To that end, I attach limited weight to this positive consideration.
25. The proposal would deliver an additional dwelling which would provide a modest contribution towards the Council's 5-year housing land supply and I attach limited weight to this positive consideration having regard to the scale of the development.

### **Conclusion and Green Belt balance**

26. Paragraph 143 of the Framework identifies that inappropriate development in the Green Belt should not be approved except in very special circumstances. Paragraph 144 states that substantial weight must be given to any harm to the Green Belt and that very special circumstances will not exist unless that harm, and any other harm arising from the proposal, is clearly outweighed by other considerations. The proposed development would cause harm to the Green Belt by reason of inappropriateness and would result in a reduction in the openness of the Green Belt, which would conflict with one of the key purposes of designating land within the Green Belt and the relevant policies of the development plan. I attach substantial weight to those matters.
27. Whilst I have found no harm to the character and appearance of the area, that would be an expectation of any development and does not amount to a positive effect in favour of the proposal. On the other side, the redevelopment of the site would stop the site being used for anti-social behaviour and the proposed dwelling would contribute towards the Council's 5-year housing land supply and redevelop a previously developed site. To these considerations I collectively attach moderate weight.
28. The other considerations in support of the appeal do not, on balance, clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.
29. Having regard to the above, the identified conflict with the development plan and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*G Sibley*

APPEAL PLANNING OFFICER

**Inspector's Decision**

30. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

*Chris Preston*

INSPECTOR



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## Appeal Decision

Hearing Held on 14 January 2021

Site visit made on 15 January 2021

**by Jonathan Edwards BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 January 2021

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**Appeal Ref: APP/R3705/W/20/3259888**

**Lucky Tails Alpaca Farm, Dexter Lane, Hurley CV9 2JG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms S Booth against the decision of North Warwickshire Borough Council.
  - The application Ref PAP/2019/0490, dated 27 August 2019, was refused by notice dated 27 March 2020.
  - The development proposed is described as erection of permanent rural workers dwelling (revised proposal).
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Both the appellant and the Council have provided statements after the deadlines for submissions. Also, information has been provided by the appellant on the acquisition of land away from the appeal site that was not before the Council at the time it determined the application. These submissions do not change the proposal and I am satisfied that no party would be caused injustice by taking them into account.
3. The emerging North Warwickshire Local Plan has been the subject of examination and I was told at the hearing of an aim to adopt it by March 2021. However, I attribute limited weight to the emerging plan as I am uncertain whether there are unresolved objections and whether policies will be adopted in the form provided to me.

### Main Issues

4. The main issues are:-
  - whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework); and
  - the effect on the openness of the Green Belt; and
  - whether the proposal would be detrimental to highway and pedestrian safety; and

- if the development would be inappropriate, whether the harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

## **Reasons**

### *Whether inappropriate development in the Green Belt*

5. The Council's refusal reasons refer to no development plan policy in respect of its Green Belt objection. However, the main parties agree that the proposal falls to be determined in accordance with the Framework in respect of the Green Belt issue.
6. The Framework defines the construction of new buildings as inappropriate development in the Green Belt, although a list of exceptions is set out. The proposal would be on a farm and its occupation would be restricted to an agricultural worker or their dependents. However, it would be primarily intended for residential rather than agricultural purposes. As such, the proposed dwelling would not fall within the definition set out under paragraph 145 a) of the Framework. There is no suggestion that the proposal would fall within any of the other exception categories and so I conclude it would represent inappropriate development in the Green Belt.

### *Openness*

7. The proposed house would be on land that is currently vacant of buildings. As a consequence, and by reason of its height, volume and overall extent, the development would lead to a spatial loss of openness. The main parties suggest that the removal of the existing mobile home on the farm should be taken into account in assessing any effect. Even if I was to accept this position, the proposal would be significantly larger than the mobile unit and so there would still be a net reduction in spatial openness.
8. The dwelling would be set back from the road but it would be seen from the adjoining highway through the access as well as from the holding itself. It would also be visible through gaps in vegetation from a public footpath along the southern boundary of the farm, from Knowle Hill and from adjacent land and properties. Therefore, it would result in a visual loss of openness of the Green Belt.
9. The house would be similar in size or smaller than existing properties in the area and other dwellings previously allowed in the Green Belt. However, this factor does not address or override the effects of the proposal. Consequently, I conclude the development would harm the openness of the Green Belt.

### *Highway and pedestrian safety*

10. At the hearing, the appellant accepted that activities and insufficient space on the farm sometimes lead to vehicles parking on Dexter Road. As there are no pavements, such roadside parking increases the risk of conflict between pedestrians and vehicles and causes verge damage. However, new parking spaces are proposed to serve the dwelling and so it is unlikely the development would generate extra roadside parking.



11. Furthermore, there is no substantive evidence to demonstrate the proposal would result in additional traffic coming to and from the site. In any event, the appeal plans indicate alterations to the existing access which could reasonably include its widening to allow 2 way traffic flows. Such works would allow easier movement on and off the site and so would reduce driver and pedestrian confusion and waiting on the carriageway.
12. For these reasons, I conclude the proposal would not be detrimental to highway and pedestrian safety. In this regard, it would comply with policy NW10 of the North Warwickshire Core Strategy 2014 (CS). Amongst other things, this policy looks to ensure development provides for proper pedestrian and vehicular access as well as sufficient parking and manoeuvring space.

*Other considerations*

13. It is the appellant's contention that the proposal would address a need to live at the farm in order to run an established alpaca breeding and rearing enterprise. In addition, pygmy goats, sheep, miniature donkeys, pigs and chickens are kept at the holding. The latest account information for 2018 to 2019 shows the business returned a significant net profit. However, animal sales and stud fees represent a small proportion of the income. Instead, most of the revenue comes from members of the public attending alpaca walks and other animal activities as well as from sales at the on-site shop.
14. Paragraph 79 of the Framework allows new isolated homes in the countryside where there is an essential need for a rural worker to live permanently at or near their place of work. Factors that may be relevant in the consideration of this issue are set out in the Planning Practice Guidance<sup>1</sup>. These include evidence of the need for a worker to provide on-site attention 24 hours a day to avoid risk to animal health or crime. CS policy NW2 is generally consistent with the Framework, although saved policy HSG3 of the North Warwickshire Local Plan 2006 (LP) is less so as it refers to the now cancelled Planning Policy Statement 7.
15. At the hearing the appellant confirmed that an on-site presence is required every day of the year to care for the animals and to carry out day to day farm tasks. The John Nix Farm Management Pocketbook 49<sup>th</sup> edition evidence indicates that the amount of labour to manage the number of animals on the farm justifies the input of a full time worker. In addition, running the animal activities and shop requires a worker to be on the site. Therefore, the enterprise requires a daytime presence throughout the year.
16. However, the appellant advised that after a final check in the late evening the alpacas are not supervised at all during the night unless there is a health concern. Identification of a sick animal can be unpredictable as alpacas are good at hiding illness. I was told at the hearing that night time care is required about once every 2 months.
17. The appellant advised at the hearing that no night time worker attendance is required to manage the mating of alpacas. However, a presence is preferable at a birth and while most take place during the day they can happen at night. Also, cria should be supervised for the first 24 hours after birth and some require regular bottle-feeding for a few months thereafter. As such, I am

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<sup>1</sup> 010 Reference ID: 67-010-20190722 revision date 22 July 2019

satisfied that the rearing of alpacas can generate a need for an overnight worker presence.

18. At the hearing the appellant advised of an alpaca birth in October, although she explained her intention to manage mating so births take place during the spring and summer. This move would be in line with British Alpaca Society's advice. Ensuring seasonal births is not straightforward due to unpredictable mating success and gestation times. Also, it may require the reproduction process being held up for some alpacas. However, the enterprise's income is largely generated by animal recreational activities rather than the breeding of livestock. As such, there is no strong profitability reason to pursue year-round breeding of alpacas.
19. The appellant explained that before moving into the temporary unit on the site, items were stolen from the farm. Since she moved on, there has been no such thefts although there have been incidences at nearby premises. A permanent dwelling may deter crime although the proposal would be away from the road and so would not allow easy overlooking of the access at night. Also, there is no substantive evidence to show that alternatives such as security gates or surveillance devices would not provide an equally effective deterrent to unauthorised entry onto the site. As such, the need to address potential crime adds little to the justification for a permanent worker's dwelling.
20. The appellant suggests that the Council's decision to permit a temporary mobile unit indicates an acceptance that there is a need for a worker's dwelling. However, I have limited information on the factors that led to the Council's decision. In any case, my assessment is based upon the evidence provided with this appeal rather than that considered by the Council when approving the temporary unit.
21. Also, reference is made to other agricultural workers' dwellings that have been permitted by the Council elsewhere. These other decisions are of limited relevance as they do not relate to the appeal site or to a similar alpaca enterprise.
22. I have carefully considered the other appeal decisions referred to by the appellant. These include appeals where dwellings for workers involved with the breeding and rearing of alpacas have been allowed. These decisions are based on information relating to other businesses rather than the evidence before me on the appellant's particular work requirements. Also, the other developments relate to enterprises primarily involved with breeding and sale of livestock in contrast to the appellant's concern where most income is generated by animal activities. Therefore, these other decisions fail to set a precedent that I am bound to follow in the determination of this appeal.
23. No evidence has been provided that demonstrates over-grazing and so I am satisfied that sufficient land is available to support the appellant's business. However, this factor fails to influence the extent of night time supervision that the business requires. Limited information has been provided on how care for the appellant's other animals result in a need for overnight presence in addition to that associated with alpacas.
24. Therefore, the essential need for 24 hour presence mainly relates to the care of cria with occasional extra overnight attendance to deal with sick animals and births. Due to the level of supervision that is needed, I consider that the care

of those cria that require bottle-feeding could not reasonably be carried out from a dwelling away from the farm. However, for the reasons set out above, the evidence indicates that the need for overnight attendance would largely be limited to spring and summer months. Consequently, there is no requirement to live permanently on the site. I am satisfied that any work-related needs could be reasonably addressed through temporary accommodation.

25. Therefore, I conclude that an essential need for a rural worker to live permanently on the site has not been demonstrated. In this regard, the proposal would not comply with CS policy NW2, LP policy HSG3 and the Framework.
26. Despite the above conclusion, the proposal would address the seasonal and occasional need for accommodation on the site and so it would support the business. Also, the development would be convenient to the appellant in caring for her animals. I attach significant weight to these benefits.
27. The proposed widening of the access would ease vehicular movement although there is no firm evidence the access currently prejudices highway safety. Reference has been made to the provision of an overflow car park to help address on road parking issues. However, no details are included on the appeal drawings and there appears to be little scope within the defined site to increase the number of spaces. I attach limited positive weight to all of these factors in my assessment.

#### *Green Belt balance*

28. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. These would only exist where the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
29. Overall, I conclude that the benefits of the scheme would be significant. However, in line with the Framework I attach substantial weight to the harm that would be caused to the Green Belt by reason of inappropriateness and the loss of openness. Therefore, the benefits and all other considerations would not clearly outweigh the totality of harm to the Green Belt. As such, the very special circumstances necessary to justify the scheme do not exist. In this regard the proposal would conflict with the Framework.

#### **Conclusion**

30. For the above reasons, I conclude the appeal should be dismissed.

*Jonathan Edwards*

INSPECTOR

#### **APPEARANCES**

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**LIST OF DOCUMENTS SUBMITTED AT THE HEARING:**

1. Policy NW3 of the North Warwickshire Core Strategy 2014.