

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

5 February 2018

Present: Councillor Simpson in the Chair.

Councillors Bell, Chambers, L Dirveiks, Hayfield, Henney, Humphreys, Jarvis, Jenns, Morson, Phillips, Smitten, Sweet, Symonds and A Wright

An apology for absence was received from Councillor Reilly (Substitute Councillor Humphreys)

Councillors Farrell and Moss were also in attendance and with the Chairman's permission Councillor Moss spoke on Minute No 55 Planning Applications (Application No 2017/0465 -Clinic and Welfare Centre, Coventry Road, Kingsbury).

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

Councillors Jenns and A Wright declared a non-pecuniary interest in Minute No 55 Planning Applications (Application No 2016/0280 - Land Opposite 84 to 104, Orton Road, Warton and Application No 2018/0001 - KSD Recycled Aggregates, Lichfield Road, Curdworth, Sutton Coldfield) by virtue of being a Member of Warwickshire County Council.

Councillor Hayfield declared a non-pecuniary interest in Minute No 55 Planning Applications (Application No 2016/0280 - Land Opposite 84 to 104, Orton Road, Warton and Application No 2018/0001 - KSD Recycled Aggregates, Lichfield Road, Curdworth, Sutton Coldfield) by virtue of being a Member of the County Council's Cabinet left the meeting and took no part in the discussion or voting thereon.

Councillor Bell declared a non-pecuniary interest in Minute No 55 Planning Applications (Application No 2016/0280 - Land Opposite 84 to 104, Orton Road, Warton and Application No 2018/0001 - KSD Recycled Aggregates, Lichfield Road, Curdworth, Sutton Coldfield) by virtue of being a Member of the County Council's Regulatory Board left the meeting and took no part in the discussion or voting thereon.

Councillor L Dirveiks declared a non-pecuniary interest in Minute No 55 Planning Applications (Application No 2017/0675 – 51, Long Street, Atherstone) by virtue of being a Member of the Friends of Atherstone Heritage left the meeting and took no part in the discussion or voting thereon.

**52 Corporate Plan 2018-19**

The Chief Executive presented the updated Corporate Plan for 2018/19. The Board's approval was sought to those parts of the Corporate Plan for which the Board was responsible. Members were also asked to agree the 2018/19 Service Plans for the Development Control and Forward Planning Sections.

**Recommended to the Executive Board:**

- a That those Corporate Plan Key Actions as set out in Appendix A to the report for which the Planning and Development Board is responsible be agreed; and**

**Resolved:**

- b That the Service Plans as set out in Appendix B to the report be agreed.**

**53 General Fund Fees and Charges 2018/2019**

The Board was asked to consider the fees and charges for 2017/18 and the proposed fees and charges for 2018/19.

**Resolved:**

**That the schedule of fees and charges for 2018/19 as set out in the report, be accepted.**

**54 General Fund Revenue Estimates 2018/19**

The Deputy Chief Executive detailed the revised budget for 2017/18 and an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22.

**Resolved:**

- a That the revised budgets for 2017/18 be accepted; and**
- b That the Estimates of Expenditure for 2018/19, as submitted in the report of the Deputy Chief Executive be accepted, and included in the budget to be brought before the meeting of the Executive Board on 12 February 2018.**

## 55 Planning Applications

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

### **Resolved:**

- a **That Application No 2017/0519 (Land South Of Flavel Farm Bungalow, Warton Lane, Austrey) be refused for the following reason**

**“Policy NW8 in the Core Strategy 2014 states that sites will be permissible within a reasonable safe walking distance of a settlement development boundary. The proposed site is some 0.5km from the settlement boundary of Austrey and reached along a classified road which is unlit and does not have any footpaths or pavements. It is not considered that this provides a reasonable safe walking distance for pedestrians and in particular children and those with mobility issues. Although it is acknowledged that a bus service passes the proposed site, the nearest bus stop is some 0.77km from the site and it is not considered that such a bus service could be hailed safely from anywhere near to the proposed site. To allow such a proposal would be contrary to essential criteria contained within Policy NW8.”**

**[Speakers Harry White and Joseph Jones]**

- b **That Application No 2016/0280 (Land Opposite 84 To 104, Orton Road, Warton, B79 0HU) be deferred in order to enable officers to look again at parking and access arrangements together with the possibility of additional contributions;**

**[Speakers Andy Newton, David Williams and Ian Ritchie]**

- c **That Application No 2017/0202 (Land Rear of 29 to 49, Little Warton Road, Warton) be deferred in order to enable officers to look at the possibility of providing on-site play provision as well as the possibility of additional contributions;**

**[Speakers David Williams and Christopher Timothy]**

- d **That in respect of Plot 1 Ocado, Phase 2, Danny Morson Way, Birch Coppice Business Park, Dordon, B78 1SE, consideration of the report dated January 2018 prepared by Resound Acoustics Ltd in Full Discharge of condition 13 of PAP/2010/0102 dated 19/8/10 be deferred for a visit to the site**

and a similar local facility operating chilled and refrigerated vehicles;

[Speakers Mark Shingler, Rob Cole, Thomas Mitchell]

e That in respect of Application No 2018/0001 (K S D Recycled Aggregates, Lichfield Road, Curdworth, Sutton Coldfield, B76 0BB), the Borough Council raises no objection for the reasons outlined in the report of the Head of Development Control but that the County Council be asked to time limit the building to that of the life of the site;

f That Application No 2017/0237 (Land Rear Of 1 To 6, Copeland Close, Warton) be deferred to allow discussions to take place with the Borough Council's Assistant Director (Housing) regarding the proposed siting and type of affordable housing within the application site particularly on plot 16;

[Speakers Lee Clinton and Janet Hodson]

g That Application No 2017/0465 (Clinic And Welfare Centre, Coventry Road, Kingsbury, B78 2LN) be deferred to allow a meeting to take place between the Applicant/Agent, Chair, Vice-Chair and Opposition Spokesperson of the Board and local Ward Members regarding the development of the site;

[Speakers Margaret Moss and Peter Halfpenny]

h That Application No 2017/0675 (51, Long Street, Atherstone, CV9 1AZ) be approved subject to the conditions set out in the report of the Head of Development Control; and

i That the report in respect of Application No 2018/0005 and 2018/0006 (Aston Villa Training Ground, Bodymoor Heath Lane, Bodymoor Heath, B78 2BB) be noted.

## 56 **Planning and Fire Safety**

The Head of Development Control provided a summary of the different roles of a number of respective Regulatory regimes. It had been prepared as a consequence the Grenfell Tower incident.

**Resolved:**

**That the report be noted.**

## 57 **Appeal Update**

The Head of Development Control provided a summary of recent appeal decisions.

**Resolved:**

**That the report be noted.**

**58 The Cedars at Coton Road, Nether Whitacre**

The Board was asked to confirm the action taken under emergency powers by the Chief Executive in respect of an enforcement notice at The Cedars, Coton Road, Nether Whitacre.

**Resolved:**

**a That the emergency action taken by the Chief Executive be confirmed; and**

**b That Officers be requested to bring a further report to the Board outlining the planning situation at this site.**

**59 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – December 2017**

The Board was informed of progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to December 2017.

**Resolved:**

**That the report be noted.**

**60 Daw Mill Update**

The Board was asked to give consideration to a late development in respect of the Daw Mill Public Inquiry and to consider the response of the Council.

**Resolved:**

**That the letter referred to within the report from the Head of Development Control be confirmed.**

**61 Exclusion of the Public and Press**

**Resolved:**

**That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12A to the Act.**

62 **The Ansley Appeal**

The Head of Development Control sought approval for additional resources to pay for the Council's defence of a recent refusal which had now gone to appeal.

**Resolved:**

**That the maximum cost as set out in the report of the Head of Development Control be agreed in order to present the Council's case at this appeal.**

63 **Building Control Partnership**

The Head of Development Control gave a verbal update on current situation within the Building Control Partnership.

M Simpson  
Chairman

**Planning and Development Board  
5 February 2018  
Additional Background Papers**

Agenda	Application Number	Author	Nature	Date
7/1	PAP/2017/0519	Note	Site Visit	2/2/18
		G Ford	Objection	30/1/18
		Hurlstones	e-mail	2/2/18
		WCC	e-mail	5/2/18
		Dr Waymont	Objection	14/1/18
7/107	PAP/2017/0237	L Clinton	Objection	2/2/18
7/141	PAP/2017/0465	Note	Site Visit	3/2/18
		M Moss	Objection	2/2/18
		E Turnbull	Applicant	5/2/18
10		M McNulty	e-mail	5/2/18
11a		Gateley Plc	Letter	31/1/18
		E Stirrop	Letter	31/1/18