

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

3 April 2017

Present: Councillor Simpson in the Chair.

Councillors Bell, L Dirveiks, N Dirveiks, Humphreys, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Reilly, Smitten, Sweet and A Wright

An apology for absence was received from Councillor Henney (substitute Councillor N Dirveiks).

91 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Smitten declared a non-pecuniary interest in Minute No 93 Planning Applications (Application No 2016/0213 - Land South of Gardeners Cottage, Pooley Lane, Polesworth) left the meeting and took no part in the discussion or voting thereon.

Councillor Sweet declared a non-pecuniary interest in Minute No 93 Planning Applications (Application No 2016/0686 - Land at Delves Farm to rear of, 21a-33 Boulters Lane, Wood End, CV9 2QF) left the meeting and took no part in the discussion or voting thereon.

Councillor Simpson declared a non-pecuniary interest in Minute No 93 Planning Applications (Application No 2016/0686 - Land at Delves Farm to rear of, 21a-33 Boulters Lane, Wood End, CV9 2QF) left the meeting and took no part in the discussion or voting thereon.

Councillor Reilly declared a non-pecuniary interest in Minute No 93 Planning Applications (Application No 2016/0709 - Land East of 68, Vicarage Lane, Water Orton) left the meeting and took no part in the discussion or voting thereon.

92 **Emergency TPO – Herring Road, Atherstone**

The Head of Development Control sought confirmation of the action taken to make an emergency tree preservation order in respect of a group of trees at Herring Road, Atherstone.

Resolved:

That the action taken to make an Emergency Tree Preservation Order for the group of trees on land off Herring Road, Atherstone be confirmed for the reasons given in the report of the Head of Development Control and that all representations received are reported back to the Board for further consideration.

[Speaker Brian Storer]

93 Planning Applications

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

Resolved:

- a That in respect of Application No 2016/0004 (Heart of England, Meriden Road, Fillongley, CV7 8DX)**
- i The following conditions be discharged and that the submitted details be approved**
- Condition 7 (landscaping scheme)**
 - Condition 8 (in part) (archaeological work)**
 - Condition 9 (in part) (bricks, tiles, surface and facing materials)**
 - Condition 10 (window and door joinery)**
 - Condition 15 (drainage network and hydro-brake control)**
 - Condition 16 (access and car parking details)**
 - Condition 17 (refuse storage/disposal)**
 - Condition 18 (crime prevention measures)**
- ii That the discharge of Condition 11 (exterior lighting) be refused for the reasons set out in the report of the Head of Development Control;**
- iii That in respect of Condition 13 (tree protection) the Council recognises non-compliance with the requirements of the condition, but considers that it is not expedient to pursue formal enforcement action;**
- iv That the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the removal of the coloured lighting and flood lighting installed on the north west elevation of the conference centre building and on the existing storage building; and**
- v That consideration of Condition 14 (boundary treatment) be deferred.**

[Speaker Howard Darling]

- b** That in respect of Application No 2016/0112 (Land adjacent Grimstock Hill, Lichfield Road, Coleshill) the applicant be informed that as a consequence of the report submitted under condition 8 of PAP/2015/0584 dated 8 November 2016, the Council is seeking a financial contribution of £285,314 for off-site affordable housing provision in North Warwickshire to be secured through a Section 106 Agreement. The phasing of this payment is open to negotiation but the condition will not be fully discharged until the Agreement has been signed;
- c** That consideration of Application No 2016/0060 (Great Chapel Field, Wall Hill Road, Chapel Green, Fillongley) be deferred;

[Speaker Howard Darling]

- d** That Application No 2016/0213 (Land South of Gardeners Cottage, Pooley Lane, Polesworth) be refused for the reasons set out in the report of the Head of Development Control;
- e** That consideration of Application No 2016/0642 (Redlands, New Street, Baddesley Ensor, CV9 2DL) and Application No 2016/0643 (Land Adjacent to Redlands, with access onto Jean Street, New Street, Baddesley Ensor, CV9 2DL) be deferred for site visits;

[Speaker Elaine Whittle]

- f** That in respect of Application No 2016/0686 (Land at Delves Farm to rear of, 21a-33 Boulters Lane, Wood End, CV9 2QF) the Council would have refused planning permission if it had determined the case for the reasons set out in the report of the Head of Development Control;

[For the consideration of this Application Councillor Simpson vacated the Chair. Councillor Reilly in the Chair]

- g** That consideration of Application No 2016/0709 (Land East of 68, Vicarage Lane, Water Orton) be deferred for a site visit;

[Speakers John Warren, Peter Grace, Colin Turner and Julian Harradence]

- h** That Application No 2016/0719 (6, Coventry Road, Coleshill, B46 3BE) be refused for the following reasons

“It is considered that the proposal will have a detrimental impact on the vitality of the town of Coleshill given the

number of food outlets already existing throughout the town. The proposal is thus not considered to accord with Policy NW20 of the North Warwickshire Core Strategy 2014 or to paragraph 23 of the National Planning Policy Framework 2012.”

[Speaker Hugh Gore]

- i That Applications No 2017/0053 and 2017/0054 (Land North of Manor Barns, Newton Lane, Austrey) be approved subject to the conditions set out in the report of the Head of Development Control; and**
- j That Application No 2017/0092 (Block 01-07 & Block 08-14 Chancery Court, Chancery Lane, Chapel End, CV10 0PA) be approved subject to the conditions set out in the report of the Head of Development Control.**

94 Draft Local Plan – consultation and next steps

The Assistant Chief Executive and Solicitor to the Council updated Members on the Draft Local Plan consultation and outlined the next steps.

Resolved:

- a That the report be noted;**
- b That a further report be submitted to the Board on the representations received following the consultation exercise; and**
- c That comments made by the Board be taken in to consideration by the Local Development Framework Sub-Committee when it looks at any changes that may be made to the emerging Local Plan.**

95 Tree Preservation Order 109 Tamworth Road Wood End

The Board was informed that following the confirmation of the Tree Preservation Order made in respect of 109 Tamworth Road, Wood End, a further representation has been received from the owner of the site indicating that trees T2 and T3 had been incorrectly positioned on the reference plan and that the large oaks should be sited further north along the boundary hedge. The Board was invited to confirm the revised plan.

Resolved:

That the Tree Preservation Order be confirmed (with modifications) in respect of six mature Oak trees.

96 Tree Preservation Order Father Hudson's Coventry Road Coleshill

The Board was invited to consider the representations received and decide whether or not to confirm the Tree Preservation Order made in respect of trees at Father Hudson's, Coventry Road, Coleshill.

Resolved:

That the Tree Preservation Order be confirmed in respect of one Deodar Cedar, one small leafed Lime, two Lawson Cypress and two Sycamore at Father Hudson's, Coventry Road, Coleshill.

97 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 by Schedule 12A to the Act.

98 Breaches of Planning Control

The Head of Development Control reported on an alleged breach of planning control on land at Whitegate Stables, Kingsbury Road, Lea Marston and the Board was asked to agree a suggested course of action.

Resolved:

That in respect of land at Whitegate Stables, Kingsbury Road, Lea Marston, the Solicitor to the Council be authorised to issue an enforcement notice in relation to the unauthorised change of use of the land from agricultural and equestrian use; to B8 (storage and distribution use) also including the siting of storage containers and mobile site offices, together with the construction of unauthorised bunding and hardstanding. The notice to require:

- **Cease the unauthorised use of the land for B8 (storage and distribution use) also including the siting of storage containers and mobile site offices and remove the storage containers, mobile site offices and any other associated items from the land.**

- **Break up and dig up of the unauthorised hardstanding area, excluding the area of the original track and yard area as shown on the notice plan, remove of the resulting materials from the site, and then level the bunds by scraping the material back on to the area formally occupied by the hardstanding.**
- **That the compliance period be six months.**

M Simpson
Chairman

**Planning and Development Board
3 April 2017
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/1	DOC/2016/0004	Note	Site Visit	28/3/17
4/3	PAP/2016/0060	Warwickshire County Council	Consultation	6/2/17
4/4	PAP/2016/0213	K Bradford	Support	27/3/17
4/9	PAP/2016/0709	Agent	E-mail	28/3/17
		J Warren	Objection	21/3/17
		Agent	E-mail	27/3/17
		S Gallagher	Representation	3/4/17
		R Wild	Objection	29/3/17
8		FHS	Letter	28/3/17