

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

14 December 2015

Present: Councillor Lea in the Chair.

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

Councillors Chambers, Hayfield and Waters were also in attendance.

39 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Waters declared a non-pecuniary interest in Minute No 42 Planning Applications (Application No 2015/0550 - Land Adjacent to 10, Dog Lane, Nether Whitacre) left the meeting and took no part in the discussion or voting thereon.

Councillors Morson and Moss declared a non-pecuniary interest in Minute No 42 Planning Applications (Application No 2015/0020 - Land adjacent to Oldbury Road, Oldbury) by reason of being Members of the County Council's Regulatory Committee, left the meeting and took no part in the discussion or voting thereon.

Councillor Humphreys declared a non-pecuniary interest in Minute No 42 Planning Applications (Applications No 2015/0110 and 2015/0113 - The Angel Inn, 24 Church Street, Atherstone, CV9 1HA) left the meeting and took no part in the discussion or voting thereon.

Councillors Sweet and Wright declared a non-pecuniary interest in Minute No 42 Planning Applications (Application No 2015/0369 - 52 New Street, Baddesley, CV9 2DN) left the meeting and took no part in the discussion or voting thereon.

40 **Minutes**

The minutes of the meetings of the Board held on 30 September, 12 October, 3 November and 9 November 2015, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

41 **Budgetary Control Report 2015/16 – Period Ended 30 November 2015**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2015 to 30 November 2015. The 2015/2016 budget and the actual position for the

period, compared with the estimate at that date were detailed, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted

42 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 2015/0550 (Land Adjacent to 10, Dog Lane, Nether Whitacre) be refused for the following reasons

“1. The proposal is not appropriate development in the Green Belt because it does not meet the terms of the exceptions outlined in the National Planning Policy Framework 2012. This is because the scale of the proposal is not considered to be limited; that there are doubts as to whether it would amount to local community needs, and Policy NW2 of the Core Strategy 2014 says that affordable housing should be adjacent to a village. There is substantial harm to the openness of the Green Belt here, and the development site is not considered to be in a sustainable location. There are no other planning considerations of sufficient weight to amount to the very special circumstances necessary to override the substantial harm caused. The proposal therefore does not accord with Policies NW1, NW2, NW3 and NW5 of the Core Strategy 2014 and the National Planning Policy Framework.”

[Speakers Jim Thompson, Jayne Cashmore, Ryan Harris and Lesley Ford Kaylm]

b That in respect of Application No 2015/0020 (Land adjacent to Oldbury Road, Oldbury)

i the Council Objects to this proposal on the grounds that:

a) The number of pitches proposed far exceeds the requirement for the number of transit pitches in

North Warwickshire as defined in Policy NW7 (Gypsy and Travellers) of the North Warwickshire Core Strategy 2014. The site proposed also fails to comply with Policy NW8 (Gypsy and Travellers Sites) of the Core Strategy in that the number of pitches proposed exceeds the limit of five pitches set in this Policy. There is no justification as to why such a large site needs to be located within North Warwickshire to meet the needs of other Boroughs in Warwickshire. The location of this site is in a rural area and as such this large site will dominate the surrounding area.

b) Policies NW1 (Sustainable Development) and NW8 (Gypsy and Travellers Sites) require that there is a presumption in favour of sustainable development. The site proposed is located in an isolated rural location which is not within a safe walking distance of any development boundary being some 1.7km from Hartshill along a rural road without any footpaths. The site is also not within a safe walking distance of public transport. As such, this site cannot be classed as a sustainable location.

c) There are concerns raised about the use of Oldbury Road by up to 12 towing vehicles plus other vehicles. Whilst improvements to the vehicular access into the site might be sought, there is concern that the proposed development will not be able to fully mitigate its impacts on the wider rural highway network which is of concern.

ii the County Council also be made aware that:

1) The application form states that there will be no further works to the hardstanding area. During the site visit it was observed that a large proportion of the surfaced area was waterlogged. The material used to create this surfaced area is not compacted and towing vehicles would have difficulties driving over it. Drainage improvements are required for this site along with improvements to the surface of this area.

2) Notwithstanding the objections, although not mentioned in the application form or supporting documentation, it is expected that any permission granted will be subject to a condition limiting occupancy to Gypsy and Travellers only.

[Speaker Chris Clark]

- c That in respect of Application No 2015/0065 (Former Baddesley Colliery, Main Road, Baxterley, Atherstone, CV9 2LE) a site visit be organised to the JLR plant at Damson Wood in Solihull, and that officers report to the Board in due course on this matter once all of the consultation responses have been received;**
- d That provided the applicant first enters in to a Section 106 Agreement in respect of the provision of an off-site contribution for affordable housing as set out in the report of the Head of Development Control, Application No 2015/0004 (Land To Rear Of 6, Moorbrooke, Hartshill, CV10 0QQ) be approved subject to the conditions set out in the said report. That the Head of Development Control contact the County Council Flood Officers to draw attention to the flooding situation at Coleshill Road in Chapel End, Hartshill and request what measures are proposed to relieve the situation;**

[Speaker Steven Salisbury]

- e That the Council indicates that it is minded to support Applications No 2015/0110 and 2015/0113 (The Angel Inn, 24 Church Street, Atherstone, CV9 1HA) and the Head of Development Control, in consultation with Councillors Simpspon, Sweet and two local Ward Members, be given delegated authority to approve detailed matters;**

[Speakers Judy Vero and Andrew Taylor]

- f That consideration of Application No 2015/0369 (52 New Street, Baddesley, CV9 2DN) be deferred for a site visit;**
- g That consideration of Application No 2015/0478 (Dordon Ambulance Station, Watling Street, Dordon, B78 1TE) be deferred;**
- h That Application No 2015/0483 (The Brambles, Main Road, Baxterley, Atherstone, CV9 2LW) be approved subject to the following conditions**
 - “1. The development hereby approved shall not be carried out otherwise than in accordance with the site location plan received on 31 July 2015.**
 - 2. The permission hereby granted shall expire on 31 December 2018 and the caravan shall be removed from the site, together with all associated structures and all ancillary services and infrastructure either on or**

before this date. The land shall be restored to its former condition within one calendar month of the removal of this caravan. The restoration shall be in accordance with a scheme which shall first be submitted to and approved by the Local Planning Authority in writing. The land shall be restored to the written satisfaction of the Local Planning Authority.

3. The permission hereby granted shall enure solely for the benefit of Mr and Mrs M and K Smith, and for no other persons whomsoever.
4. For the avoidance of doubt this permission relates to the stationing of a caravan which shall conform to the definition within Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968.”

[Speakers Charles Holt and Martin Smith]

- i That consideration of Application No 2015/0585 (Hill Top Farm, Church Lane, Corley, CV7 8DA) be deferred;
- j That Application No 2015/0607 (Land Adjacent To Fir Tree Paddock, Quarry Lane, Mancetter, CV9 2RD) be approved subject to the conditions set out in the report of the Head of Development Control;

[Speaker Nathaniel Green]

- k That Application No 2015/0614 (Land North Of Stone Cottage, Lower House Lane, Baddesley Ensor, CV9 2QB) be refused for the reasons set out in the report of the Head of Development Control;

[Speakers Rob Cole and Guy Maxfield]

- l That consideration of Applications No 2015/0631 and 0645 (Blackberry Barn, Coleshill Road, Maxstoke) be deferred;

[Speaker Ray Evans]

- m That the receipt of Application No 2015/0674 (Former Social Club, 66 Station Road, Nether Whitacre, Coleshill, B46 2EH) be noted; and
- n That Application No 2015/0701 (Land East Of Kirby Glebe Farm, Atherstone Road, Hartshill, CV10 0TB) be approved subject to the conditions set out in the report of the Head of Development Control and the following additional condition

“The vehicular access to the site from the public highway (Atherstone Road C12) shall not be used until it has been remodelled to provide an access no less than 5 metres in width for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway, and surfaced with a bound material for a distance of 12 metres, as measured from the near edge of the public highway carriageway. The vehicular access to the site shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.”

43 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act.

44 Tree Preservation Order - Arley

The Board was invited to consider the making of a Tree Preservation Order in respect of a number of trees on land adjacent to 60 Spring Hill, New Arley.

Resolved:

That a Tree Preservation Order be made to replace the existing Order 713.002/4 with immediate effect, in respect of the trees Turkey Oak (T1), the English Oaks (T3, T2, T4, T5, T6 and T7), the Scots Pines (T8, T9, T10, T11, T12, T13, T14 and T15) all located on or adjacent to 60 Spring Hill, New Arley, for the reasons given in the report of the Head of Development Control, and that any representations received be referred to the Board for it to consider whether to make the Order permanent.

45 Tree Preservation Order - Fillongley

The Board was invited to consider the making of a Tree Preservation Order in respect of a number of trees on land at Hill Top House (formerly Timbertops), Mill Lane, Fillongley.

Resolved:

That a Tree Preservation Order be made with immediate effect, in respect of the Weeping Willow (T1), Blue Atlantic Cedar (T2), Birches (T3, T4, T5, T6 and T9, T10, T11), Crack Willow (T7), Leyland Cypress (T12) and the tree (T8) species to be confirmed, all located

at Land At Hill Top House (formerly Timbertops), Mill Lane, Fillongley, for the reasons given in the report of the Head of Development Control, and that any representations received be referred to the Board for it to consider whether to make the Order permanent.

J Lea
Chairman

**Planning and Development Board
14 December 2015
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
6/5	CON/2015/0020	Mr & Mrs Allsopp	Objection	1/12/15
		Mr Smith	Objection	1/12/15
6/15	PAP/2015/0004	Warwickshire County Council Flooding	Consultation	30/11/15
		Applicant	E-mail	30/11/15
6/24	PAP/2015/0110 and PAP/2015/0113	Atherstone Civic Society	Objection	1/12/15
		Consultant Architect	Consultation	2/12/15
		Applicant	Amended plans	9/12/15
6/80	PAP/2015/0550	Member Site Visit	Note	9/12/15
		CPRE	Objection	6/12/15
		J Thompson	Objection	13/12/15
		Applicant	E-mail	5/12/15
		Craig Tracey MP	Representation	27/10/15
		S Sweet and 66 others	Objection	9/12/15
		Nether Whitacre Parish Council	Objection	14/12/15
6/109	PAP/2015/0585	Applicant	E-mail	11/12/15
6/149	PAP/2015/0614	Member Site Visit	Note	9/12/15
		K Cole	Objection	30/11/15
		Applicant	Letter	4/12/15
		Case Officer	E-mail	7/12/15
		Warwickshire County Council Footpaths	Consultation	25/11/15
		Warwickshire Museum	Consultation	11/12/15

		Applicant	E-mail	1/12/15
		Applicant	Letter	4/12/15
		Applicant	E-mail	14/12/15
6/171	PAP/2015/0631 and PAP/2015/0645	Mr Fetherston-Dilke	E-mail	10/12/15
		Maxstoke Parish Council	E-mail	14/12/15
6/196	PAP/2015/0701	A Turner	Objection	5/12/15
		J Lowe	Objection	4/12/15
		S Turner	Objection	3/12/15
		G McKenzie	Objection	7/12/15
		Mr Smith	Objection	8/12/15
		Mr B	Objection	8/12/15
		Mr A	Objection	8/12/15
		Warwickshire County Council Highways	Consultation	4/12/15