

**To: The Deputy Leader and Members of the
Planning and Development Board**

**(Councillors Butcher, Barber, L Dirveiks,
Humphreys, Lea, May, B Moss, Phillips,
Sherratt, Simpson, A Stanley, Sweet, Turley,
Watkins and Winter)**

For the information of other Members of the Council

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For general enquiries please contact David Harris, Democratic Services Manager, on 01827 719222 or via e-mail - davidharris@northwarks.gov.uk.

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

PLANNING AND DEVELOPMENT BOARD AGENDA

14 JULY 2014

The Planning and Development Board will meet in The Council Chamber, The Council House, South Street, Atherstone, Warwickshire CV9 1DE on Monday 14 July 2014 at 6.30 pm.

AGENDA

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

- 4 **Minutes of the meeting of the Board held on 10 March, 14 April, 19 May and 16 June 2014 (copies herewith) to be approved as a correct record and signed by the Chairman.**

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

- 5 **Budgetary Control Report 2014 / 2015 - Period Ended 30 June 2014** - Report of the Assistant Director (Finance and Human Resources)

Summary

The report covers revenue expenditure and income for the period from 1 April 2014 to 30 June 2014. The 2014/2015 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371).

- 6 **Planning Applications** – Report of the Head of Development Control.

Summary

Town and Country Planning Act 1990 – applications presented for determination

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

- 7 **Five Year Housing Supply** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report brings Members up to date with the latest five year housing supply.

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

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

- 8 **Exclusion of the Public and Press**

Recommendation:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for

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

9 Breaches of Planning Control – Report of the Head of Development Control

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

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

10 March 2014

Present: Councillor Sweet in the Chair.

Councillors Butcher, L Dirveiks, Humphreys, Lea, May, B Moss, Phillips, Sherratt, Simpson, A Stanley, Turley, Watkins, Winter and Wykes

Councillors Lewis and Smith were also in attendance and with the consent of the Chairman Councillor Lewis spoke on the business recorded at Minute No 64 Planning Applications (Application No 2013/0347 - Land Adjacent to 19 Tamworth Road, Wood End).

62 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

63 **Minutes**

The minutes of the meetings of the Board held on 16 December 2013, 13 January and 10 February 2014, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

64 **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 2013/0347 (Land Adjacent to 19, Tamworth Road, Wood End, CV9 2QH) be approved subject to the conditions set out in the report of the Head of Development Control;**
- b **That Application No 2013/0566 (13, Browns Lane, Dordon, B78 1TR) be approved subject to the conditions set out in the report of the Head of Development Control; and**
- c **That Application No 2014/0017 (1, Orchard Close, Austrey, Atherstone, CV9 3EN) be approved subject to the amendment of condition (ii) to read as follows**

“(ii) The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 297/2B received on 27 February 2014 and location plan received by the Local Planning Authority on 14 January 2014.”

R Sweet
Chairman

**Planning and Development Board
10 March 2014
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/1	PAP/2013/0347	Mr Ball	Objection	10/3/14
5/3	PAP/2014/0017	Mrs Angus	No objection	6/3/14

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

14 April 2014

Present: Councillor Sweet in the Chair.

Councillors Butcher, L Dirveiks, Humphreys, Lea, May, B Moss, Phillips, Sherratt, Simpson, A Stanley, Turley, Watkins, Winter and Wykes

65 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Watkins declared a non-pecuniary interest in Minute No 66 Planning Applications (Application No 2013/0341- Nether Cottage, 72 Coton Road, Whitacre Heath, Coleshill, Warwickshire, B46 2HL) and took no part in the discussion or voting thereon.

66 **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 2014/0004 (Marston Fields Farm, Kingsbury Road, Lea Marston, Sutton Coldfield, B76 0DP) the County Council be advised that the Borough Council objects to this proposal for the reasons set out in the report of the Head of Development Control and to the additional reason relating to the importation of materials;**
- b **That in respect of the Heart of England, Meriden Road, Fillongley, CV7 8DX**

- i **Application No 2013/0931 – The Hotel**

- The Council is minded to refuse the Application for the reasons set out in the report of the Head of Development Control;**

- ii **Application No 2013/0367 – The Use of Land**

- The Council is minded to refuse the Application for the reasons set out in the report of the Head of Development Control;**

- iii **Application No 2013/0230 – Reed Beds**

The Council is minded to approve the Application subject to the conditions set out in the report of the Head of Development Control; and

iv Application No 2014/0068 – The Guest House

Planning permission be approved to vary the condition.

[Speakers Judith Burrin and Stephen Hammon]

- c That consideration of Application No 2013/0341(Nether Cottage, 72 Coton Road, Whitacre Heath, Coleshill, Warwickshire, B46 2HL) be deferred;**

[Speaker Gideon Howell]

- d That Application No 2013/0582 (Land South of Church Walk, Church Walk, Mancetter, CV9) be approved subject to the conditions set out in the report of the Head of Development Control;**

[Speaker Tim Willis]

- e That provided the applicant first enters in to a Section 106 Agreement as detailed in the report of the Head of Development Control, Application No 2013/0594 (Land On The West Side Of The Fox And Dogs, Orton Road, Warton, Warwickshire) be approved subject to conditions set out in the report;**

- f That provided the applicant first enters in to a Section 106 Agreement as detailed in the report of the Head of Development Control, Application No 2014/0008 (Derwent House, Church Lane, Corley, Coventry, CV7 8BA) be approved subject to conditions set out in the report;**

[Speaker James Cassidy]

- g That provided the applicant first enters in to a Section 106 Agreement as detailed in the report of the Head of Development Control, Application No 2014/0014 (Land South West of M42 Roundabout, Watling Street, Dordon) be approved subject to conditions set out in the report;**

- h That consideration of Application No 2014/0043 (Hill House, 217 Long Street, Atherstone) be deferred;**

[Speaker Alan Jones]

- i That the receipt of Application No 2014/0072 (Land South of, Grendon Road, Polesworth) be noted; and
- j That in respect of Application No 2014/0092 (Baddesley Ensor Social Club, 50 New Street, Baddesley Ensor, Atherstone, CV9 2DN), subject to the completion of the Unilateral Undertaking as set out in the report of the Head of Development Control, planning permission PAP/2013/0459 dated 19 December 2013 may proceed without compliance with condition 16, but in compliance with all of the other conditions.

67 Neighbourhood Designation Area for Corley Neighbourhood Plan

The Assistant Chief Executive and Solicitor to the Council reported on the progress of the formal consultation on the Corley Neighbourhood Plan Designation area.

Resolved:

- a That the responses to the proposed Corley Neighbourhood Plan Designation be noted; and
- b The Neighbourhood Designation Area for Corley Neighbourhood Plan be agreed and approved.

68 Corporate Plan Targets 2013/14

The Head of Development Control reported on the action taken on a number of targets as set out in the 2013/14 Corporate Plan.

Resolved:

That the report be noted.

69 Government Consultation

The Head of Development Control reported on the Government's latest consultation paper seeking additional changes to the planning system in order to speed up decision making and to introduce a threshold below which affordable housing provision should not be sought.

Resolved:

- a That the Council objects to the introduction of the proposed threshold on affordable housing provision as set out in the report of the Head of Development Control and that, in consultation with the Chairman and the Opposition Spokesperson, he be authorised

**to respond accordingly to the consultation paper;
and**

- b That the response be copied to the two Members of Parliament for North Warwickshire.**

R Sweet
Chairman

**Planning and Development Board
14 April 2014
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/2	PAP/2013/0391 PAP/2013/0367 PAP/2013/0230	Atherstone Civic Society	Objection	7/4/14
		Mrs Burrin	Objection	5/4/14
		Mrs Burrin	Objection	6/4/14
		Mrs Hooke	Objection	5/4/14
		Mrs McHugh	Objection	6/4/14
		Mrs Hooke	Objection	13/4/14
		WCC Highways	Consultation	10/4/14
4/5	PAP/2013/0594	Environmental Health Officer	Consultation	7/4/14

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

19 May 2014

Present: Councillor Butcher in the Chair.

Councillors Barber, L Dirveiks, Lea, May, B Moss, Phillips, Sherratt, Simpson, Smith, A Stanley, Sweet, Turley, Watkins and Winter

An apology for absence was received from Councillor Humphreys (substitute Councillor Smith)

Councillor Moore was also in attendance and with the consent of the Chairman spoke on Minute No 2 (Application No 2014/0179 - Land South Of Dairy House Farm, Spon Lane, Grendon).

1 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor May declared an interest in Minute No 2 Planning Applications (Application No 2014/0008 -The Former Shale Tip, Merevale Lane, Atherstone) and took no part in the discussion or voting thereon.

Councillor Lea declared a pecuniary interest in Minute No 2 Planning Applications (Application No 2013/0592 - The Workshop, Middleton Lane, Middleton, B78 2BN) left the meeting and took no part in the discussion or voting thereon.

2 **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 2014/0008 (The Former Shale Tip, Merevale Lane, Atherstone) the County Council be informed that this Council raises no objection to the proposed amendments;**
- b **That provided the applicant first enters in to a Section 106 Agreement relating to the provision of affordable housing as detailed in the report of the Head of Development Control, Application No 2013/0496 (Grendon Boarding Kennels, Grendon**

Boarding Kennels, Watling Street, Grendon, Atherstone, CV9 2PW), be approved subject to conditions set out in the report;

- c That consideration of Application No 2013/0592 (The Workshop, Middleton Lane, Middleton, B78 2BN) be deferred;**

[Speaker: Keith Whalley]

- d That Application No 2014/0043 (Hill House, 217 Long Street, Atherstone, CV9 1AH) be approved subject to the following conditions**

- i) Standard Plan Number – the location plan and plan numbered 11533.1 both received on 27 January 2014; and**
- ii) The garage hereby approved shall be used for garaging purposes at all times and for no other purpose whatsoever.**

[Speaker Dorothy Walsh]

- e That provided the applicant first enters in to a Section 106 Agreement as detailed in the report of the Head of Development Control, Application No 2014/0084 (Units 9 & 10 (formerly buildings at Heathland Farm), Barnes Wood Lane, Nether Whitacre, Warwickshire, B46 2EF), be approved subject to conditions set out in the report;**

- f That Application No 2014/0113 (Barclay House, Kingsbury Road, Curdworth, B76 9EE) be approved subject to the amendment of condition 7 to read as follows**

“7. The illuminated sign hereby consented shall only be illuminated during the permitted hours of the business use of the premises – that is no later than 2230 hours on Mondays to Thursdays, Sundays and Bank Holidays and no later than 2300 hours on Fridays and Saturdays.”

- g That Application No 2014/0179 (Land South Of Dairy House Farm, Spon Lane, Grendon) be refused for the following reasons**

“It is considered that the proposed variation does not accord with saved policy ENV11 of the North

Warwickshire Local Plan 2006 in that the proposal does not retain sufficient distance between the existing houses in Spon Lane and those proposed under the grant of planning permission here, such that by virtue of the loss of outlook and openness there would be a loss of residential amenity for those existing occupiers, with the potential for overlooking and loss of privacy. It is considered that saved policy ENV11 carries full weight as it accords with the fourth core planning principle of the NPPF 2012”.

Upon being put to the meeting the Chairman declared the vote to be unanimous in refusal of the Application.

[Speaker Michael Robson]

h That receipt of Application No 2014/0181 (Land North of, Overwoods Road, Hockley, B77 5NQ) be noted.

3 Works to Trees in a Conservation Area – Birmingham Road, Coleshill

The Assistant Director (Leisure and Community Development) reported on proposals for works to be undertaken to trees at Birmingham Road in Coleshill, which was within a conservation area.

Resolved:

That the proposed works to be undertaken to trees in Birmingham Road, Coleshill be noted and the Community and Environment Board informed accordingly.

4 Management of Trees within the Atherstone CCTV Surveillance Area

The Assistant Director (Leisure and Community Development) reported on a proposed approach to the management of trees within the Atherstone CCTV surveillance area.

Resolved:

That the proposed approach to the management of trees within the Atherstone CCTV surveillance area be noted and the Community and Environment Board informed accordingly.

5 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2013 to March 2014

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 2013 to March 2014.

Resolved:

That the report be noted.

6 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.

7 Breaches of Planning Control

The Head of Development Control reported on an alleged breach and the Board was asked to agree a suggested course of action.

Resolved:

That in respect of land adjacent to Headlands, 18 Warton Lane, Austrey, the Solicitor to the Council be authorised to take legal action through the Magistrates' Court in response to the felling of an Ash Tree, which was protected by a Tree Preservation Order and in addition to serve a tree replacement notice on the owner of the land.

D Butcher
Chairman

**Planning and Development Board
19 May 2014
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/7	PAP/2014/0179	R Nicholson	Objection	08/5/14
		ETS Jones	Objection	08/5/14
		Applicant	Amended plan	09/5/14
		Grendon Parish Council	Objection	19/5/14

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

16 June 2014

Present: Councillor Butcher in the Chair.

Councillors Barber, L Dirveiks, Hayfield, Humphreys, Lea, May, Morson, Phillips, Sherratt, A Stanley, Sweet, Turley, Watkins and Winter

Apologies for absence were received from Councillor B Moss (substitute Councillor Morson) and Councillor Simpson (substitute Councillor Hayfield)

Councillors Lewis, Moore and Smith were also in attendance.

8 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillors Humphreys, Morson and Winter declared an interest in Minute No 9 Planning Applications (Application No 2014/0168 - Ivy Cottage, Freasley, B78 2EZ) left the meeting and took no part in the discussion or voting thereon.

9 **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 consideration of Application No 2013/0452 (Land adjacent to Castle Close, Coventry Road, Fillongley), be deferred for a site visit;**

[Speakers Adrian White, Geoff Billington and George Percy]

- b **That provided the applicant first enters in to a Section 106 Agreement as detailed in the report of the Head of Development Control, Application No 2014/0028 (The Paddocks, Austrey Road, Warton, B79 0HW), be approved subject to conditions set out in the report;**

- c That in respect of Application No 2014/0117 (George and Dragon, 154 Coventry Road, Coleshill, B46 3EH)**
 - i) The Application be approved subject to the condition set out in the report of the Head of Development Control;**
 - ii) That the applicant be advised that any marquee erected on the raised hard-standing should be a temporary structure and that as a consequence this matter will be monitored by Council officers;**
 - iii) That if a marquee does appear and raises cause for concern, the Council's Licensing Sub-Committee be asked to review the licence for these premises.**

[Speaker William Richards and Simon Kennedy]

- d That consideration of Application No 2014/0168 (Ivy Cottage, Freasley, B78 2EZ) be deferred for a site visit;**

[Speaker Richard Smith]

- e That the report in respect of Application No 2014/0228 (1-7 (odd nos), Church Walk, Mancetter, Atherstone, CV9 1PZ) be noted.**

10 Annual Performance Report 2013/14

The Head of Development Control reported on the performance of the Development Control service during the past year comparing it with previous years.

Resolved:

- a That the report be noted; and**

Recommendation to the Executive Board

- b That the amendments to the Scheme of Delegation as set out in the report of the Head of Development Control be agreed; and**
- c That a six monthly report be submitted to the Planning and Development Board on Section 106 monies.**

D Butcher
Chairman

**Planning and Development Board
16 June 2014
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/4	PAP/2013/0452	County Ecologist	Consultation	11/6/14
		Environment Agency	Consultation	12/6/14
		WCC Flood Team	Consultation	12/6/14
		WCC Flood Team	Consultation	12/6/14
		Warwickshire Wildlife Trust	Consultation	16/6/14
		English Heritage	Letter	22/5/14
		Mrs Martin	E-mail	11/6/14
		Case Officer	E-mail	11/6/14
		Mrs Martin	E-mail	11/6/14
		Applicant	E-mail	12/6/14
		J Walsh	Objection	15/6/14
		Fillongley Village Hall Trust	Objection	13/6/14
		W Broad	Objection	13/6/14
		C Moore	Objection	10/6/14
		J Roberts	Objection	10/6/14
		Case Officer	E-mail	13/6/14
		Mrs Martin	E-mail	11/6/14
		Mrs Martin	E-mail	11/6/14
		Mrs Martin	E-mail	11/6/14
		Case Officer	E-mail	11/6/14
		Fillongley Parish Council	E-mail	11/6/14
		Applicant	E-mail	4/6/14
		Objectors	Papers	16/6/14
Fillongley Parish Council	Papers	16/6/14		
Corley Parish Council	E-mail	16/6/14		

Agenda Item No 5

Planning and Development Board

14 July 2014

Report of the Assistant Director (Finance and Human Resources)

Budgetary Control Report 2014 / 2015 Period Ended 30 June 2014

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2014 to 30 June 2014. The 2014/2015 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

Recommendation to the Board

That the report be noted and that the Board requests any further information it feels would assist it in monitoring the budgets under the Board's control.

2 Consultation

- 2.1 Councillors Butcher, N Dirveiks, Smith and Sweet have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Introduction

- 3.1 Under the Service Reporting Code of Practice (SeRCOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but also support costs relating to such areas as finance, office accommodation, telephone costs and IT services. The figures contained within this report are calculated on this basis.

4 Overall Position

- 4.1 Net controllable expenditure for those services that report to the Planning and Development Board as at 30 June 2014 is £50,106 compared with a profiled budgetary position of £98,245; an under spend of £48,139 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period. Where possible, the year-to-date budget figures have been calculated with some allowance for seasonal variations, in order to give a better comparison with actual figures. Reasons for the variations are given, where appropriate, in more detail below.

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4.2 Planning Control

4.2.1 Income is currently ahead of forecast by £44,757, the bulk of which is attributable to a large planning application of £33,999 from a single applicant and the remainder is due to additional medium / large applications received. This has been offset in part by additional expenditure on Professional Fees.

4.3 Local Land Charges

4.3.1 Income from Local Land Charges is currently £4,206 ahead of profile due to the sale of additional searches.

5 Performance Indicators

5.1 In addition to the financial information provided to this Board, when the budgets were set in February, performance indicators were included as a means of putting the financial position into context. These are shown at Appendix B.

...

5.2 Despite the number of planning applications received being lower than profiled, the Net Cost per Application is almost half the profiled level. This would support the fact that we have handled more medium to large applications in this period.

5.3 The gross and net cost per Land Charge is lower than expected due to the number of searches undertaken having exceeded the profiled level by 37%. This upturn is as a result of the increased buoyancy in the housing market presently.

6 Risks to the Budget

6.1 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.
- Reductions in income relating to planning applications.
- Proposed plans by government to relax planning permission on certain extensions may affect the level of planning income received.
- Risk to the mix of Local Land Charge applications not bringing in the expected level of fee income.

7 Estimated Out-turn

- 7.1 Members have requested that Budgetary Control Reports provide details on the likely out-turn position for each of the services reporting to this Board. If planning income continues at the current level, the original estimate of £453,730 will not be needed. However it is still early in the financial year and, given the potential for variation, no changes have been made to the estimated out-turn.
- 7.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this board, and may change as the financial year progresses. Members will be updated in future reports of any further changes to the forecast out turn.

8 Building Control

- 8.1 Figures provided by the Building Control Partnership indicate that this Council's share of the costs up to 31 May 2014 show a favourable variance.
- 8.2 The approved budget provision for Building Control is £60,330, which should be more than sufficient to cover the full year costs currently estimated by the Partnership. We will continue to monitor this over the course of the year.

9 Report Implications

9.1 Finance and Value for Money Implications

- 9.1.1 The Council's budgeted contribution from General Fund balances for the 2014/15 financial year is £595,463. Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board for comment.

9.2 Environment and Sustainability Implications

- 9.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

APPENDIX A**North Warwickshire Borough Council****Planning and Development Board****Budgetary Control Report 2014/2015 as at 30 June 2014**

Description	Approved Budget 2014/2015	Profiled Budget June 2014	Actual June 2014	Variance	Comments
Planning Control	320,190	80,505	38,049	(42,456)	Comment 4.2
Building Control Non fee-earning	76,070	3,935	3,771	(164)	
Conservation and Built Heritage	45,250	14,430	14,420	(10)	
Local Land Charges	(780)	(3,875)	(7,969)	(4,094)	Comment 4.3
Street Naming & Numbering	13,000	3,250	1,835	(1,415)	
	453,730	98,245	50,106	(48,139)	

Key Performance Indicators for Budgets Reporting to the Planning and Development Board

	Budgeted Performance	Profiled Budgeted Performance	Actual Performance to Date
Planning Control			
No of Planning Applications	800	200	182
Gross cost per Application	£886.39	£905.03	£948.11
Net cost per Application	£400.24	£402.53	£202.76
Caseload per Planning Officer			
All applications	148	37.0	33.7
Local Land Charges			
No of Searches	450	113	154
Gross cost per Search	£89.78	£69.57	£50.81
Net cost per Search	-£1.73	-£34.44	-£43.39

Agenda Item No 6

Planning and Development Board

14 July 2014

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.
- 5.2 The next meeting at which planning applications will be considered following this meeting, is due to be held on Monday, 11 August 2014 at 6.30pm in the Council Chamber at the Council House.

6 **Public Speaking**

- 6.1 Information relating to public speaking at Planning and Development Board meetings can be found at: www.northwarks.gov.uk/downloads/file/4037/.
- 6.2 If you wish to speak at a meeting of the Planning and Development Board, you may either:
- e-mail democraticservices@northwarks.gov.uk;
 - telephone (01827) 719222; or
 - write to the Democratic Services Section, The Council House, South Street, Atherstone, Warwickshire, CV9 1DE enclosing a completed form.

Planning Applications – Index

Item No	Application No	Page No	Description	General / Significant
1	CON/2014/0013	4	KSD Recyled Aggregates Ltd, Lichfield Road, Curdworth, Sutton Coldfield, To extend the recycling site to the north to create an area for green waste and wood waste recycling, to include in-Vessel Composting Units, to produce materials to be used as soil enhancers and an area for a concrete batching plant.	General
2	PAP/2013/0452	13	Land adjacent to Castle Close, Coventry Road, Fillongley, Erection of 3 no: detached houses with associated drives	General
3	PAP/2014/0080	51	Cherry Tree Farm, Atherstone Road, Hartshill, New kennels block with adjacent dog run and car parking area replacing existing stables and paddock	General
4	PAP/2014/0167	59	The Depot, Station Road, Arley, Warwickshire, Change of use from restoration, display and sale of vintage cars to repair, display and sale of cars	General
5	PAP/2014/0168	67	Ivy Cottage, Freasley, Retrospective application for change of use of land to mixed use equestrian and allotments	General
6	PAP/2014/0228	77	1-7 (odd nos), Church Walk, Mancetter, Atherstone, Demolition of block of 4 shops and 4 maisonettes and construction of 14 flats and 6 houses	General

General Development Applications

(1) Application No: CON/2014/0013

KSD Recyled Aggregates Ltd, Lichfield Road, Curdworth, Sutton Coldfield, B76 0BB

Proposed Extension of the Dunton Aggregates Recycling site to the north to create an area for green waste and wood waste recycling, to include in-vessel composting units, to produce materials to be used as soil enhancers and an area for a concrete batching plant for KSD Aggregates

Introduction

This application has been submitted to the Warwickshire County Council as Waste Authority and it will determine this in due course. As part of that process the Borough Council has been invited for its observations.

The Site

Members will be familiar with the existing premises just to the south of the Dunton Island junction with the M42 Motorway on the east side of the A446 before the Hams Hall roundabout is reached. These premises are in open countryside. To the north is Dunton Hall, a grade 2 Listed Building and Curdworth is 2 kilometres to the west on the other side of the M42 and M6 Toll roads. There is a small cottage fronting the A446 just to the south of the site's existing access directly onto the south-bound stretch of this road.

The site of the existing proposals is "filled" land, being part of the original minerals site and where restoration has taken place. The existing "working" area of the site is 2.13 ha and the area of the proposed extension is 0.97ha.

The existing and proposed sites are in the Green Belt – see Appendix A.

Background

Sand and gravel has formerly been extracted from the existing site since 1945 and its restoration involved landfill of waste materials. The current permission requires restoration by 2044. The use of the site for recycling activity was first permitted in 1995 and subsequent renewals have resulted in an end date of 2021, to coincide with the expected end of landfill operations.

The Proposals

It is proposed to extend the existing "working" area of the site to the north, removing the already filled material here such that the increased area could accommodate a dedicated area for green and wood waste to be shredded and matured together with the erection of a concrete batching plant. A new three metre tall northern perimeter bund would be included consistent with the existing ones to the east and west so as to enclose the whole site. This bund would be constructed first using material from the site itself as the levels of the existing "working" site platform are extended northwards. Surplus material would be recycled on the existing "working" site. This operation; the

creation of new hard-standings, the connections made to the existing bunds and landscaping would take around twelve months.

The proposed batching plant would then be constructed in the north east corner of the site and comprise a 15 metre tall silo with a loading and mixing plant, conveyors and storage bins – see Appendices B and C. It is said that at peak times, there would be 32 loads a day taken off site by 26 tonne mixer vehicles. Aggregates and sand are already produced on site and it is said that these should be sufficient.

The proposed green waste and wood recycling plant would be constructed in the north-west corner of the site and comprise composting vessels, storage bins, a maturation area and holding tanks. The vessels would be 2.4 metres tall – see Appendices B and D. It is said that only two HGV movements a day would be involved.

The existing planning permission for the existing site conditions restricts volumes of traffic to be restricted to 200 vehicles in a day – 20 per hour. Because the present use of the site is not at capacity, the anticipated proposed movements outlined above would fall, according to the developer, within this maximum. It is therefore accepted by the developer that this figure will be retained if the current proposals are permitted.

Working hours for both of the proposed operations would be the same as the existing site – 0730 to 1730 during the week and 0730 to 1300 on Saturdays with no working on Sundays or Bank Holidays.

The application is supported by documentary evidence said to show a high regional demand and need for these operations; the national and local planning policy background supporting recycling and re-use of materials and waste concluding that the site is regionally significant in its location with immediate access to the main highway network.

The applicant sets out the matters which he believes are the very special circumstances to warrant this development in the Green Belt. These are the historic use of the site; bringing brownfield land into use, removing poor quality infill, the regional significance of the waste operation and compliance with national and local waste planning policy.

Development Plan

Warwickshire County Council Waste Core Strategy 2013 – Policies CS1 (Waste Management Capacity); CS2 (Spatial Waste Planning Strategy), CS3 (Large Scale Waste Sites) and CS5 (Reuse, Recycling, Waste transfer and composting)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV1 (Protection and Enhancement of Natural Landscape); ENV2 (Green Belt), ENV6 (Land Resources), ENV9 (Air Quality), ENV11 (Neighbour Amenities), ENV13 (Building Design), ENV14 (Access Design) and ENV16 (Listed Buildings).

Other Material Planning Considerations

The National Planning Policy Framework 2012

The Council's Submitted Core Strategy 2013 - Policies NW2 (Green Belt); NW8 (Sustainable Development), NW9 (Renewable Energy and Energy Efficiency) and NW11 (Natural and Historic Environment).

The Inspector's Main Modifications to the Submitted Core Strategy 2014.

Observations

The site is in the Green Belt. The control of development herein is controlled through saved policy ENV2 of the Local Plan. This requires Government advice to be followed. This is now set out in the NPPF. These proposals are for inappropriate development within the Green Belt as the new structures do not accord with any definitions for exceptions to new buildings in the NPPF, and because the overall development will impact on the openness of the Green Belt. This is due to the new buildings, their number and size, the bunds, and the loss of open land through incorporation of the site into a working quarry. As such there is a presumption of refusal here.

It is thus necessary to see if there are planning considerations of such merit here that they would amount to the very special circumstances necessary to outweigh this presumption of refusal. The two most significant of these considerations are the waste planning policy context and the site characteristics.

The County Council's Waste Core Strategy seeks to ensure that there is sufficient capacity provided to manage all waste streams arising within the County. The strategy also says that a positive approach should be taken such that the NPPF's presumption in favour of sustainable development is followed. The Strategy concludes that Warwickshire "is well placed to provide the treatment capacity required to meet landfill diversion targets" and that the broad locations identified in the strategy provide "sufficient flexibility for future waste management proposals". These preferred locations are general industrial land; existing waste sites, active mineral and landfill sites and contaminated or derelict land. Additionally, sites should be within close proximity to primary settlements, but where close to Coleshill amongst other towns, only where it is demonstrated that the proposal provides significant transport, operational and environmental benefits.

The site characteristics too lend support to these policies – direct access to the main highway network; close proximity to the conurbation, a working minerals and waste site and re-using filled land.

Together it is considered that these factors do carry significant weight. However there are equally significant factors weighing against the proposal.

In short these are that the site is in the Green Belt and this proposal would seriously impact on openness; secondly that the proposal involves “re-opening” already filled land, thirdly that the Council has already requested the County Council on earlier occasions about an over-supply of green/organic waste management capacity in the Borough, and finally that the proposals will have a significant adverse impact on the setting of Dunton Hall, a grade 2 Listed Building. Looking back at the policy wording above in respect of towns such as Coleshill, it is considered that there would be significant environmental dis-benefits here and thus the policy support for the proposal is weakened.

Members should be aware that the County Council as Highway Authority will advise the County’s Regulatory Committee on highway impacts and that the Borough Council’s own Environmental Health Officers will separately offer advice on potential risks of pollution to that Board. This report just deals with the planning issues.

Recommendation

That the Council objects to this proposal on the following grounds:

1. The site is in the Green Belt and it is not considered that there are the very special circumstances of such weight to override the presumption of refusal for this inappropriate development.
2. The proposals would cause substantial harm to the setting of Dunton Hall, a grade 2 Listed Building.
3. The proposal for the green waste plant would lead to an over- supply of such facilities within the Borough.
4. These grounds would cause adverse environmental impacts and thus not accord with policy CS3 of the Waste Core Strategy 2013.

BACKGROUND PAPERS

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

Planning Application No: CON/2014/0013

Background Paper No	Author	Nature of Background Paper	Date
1	Warwickshire County Council	Letter	20/6/14

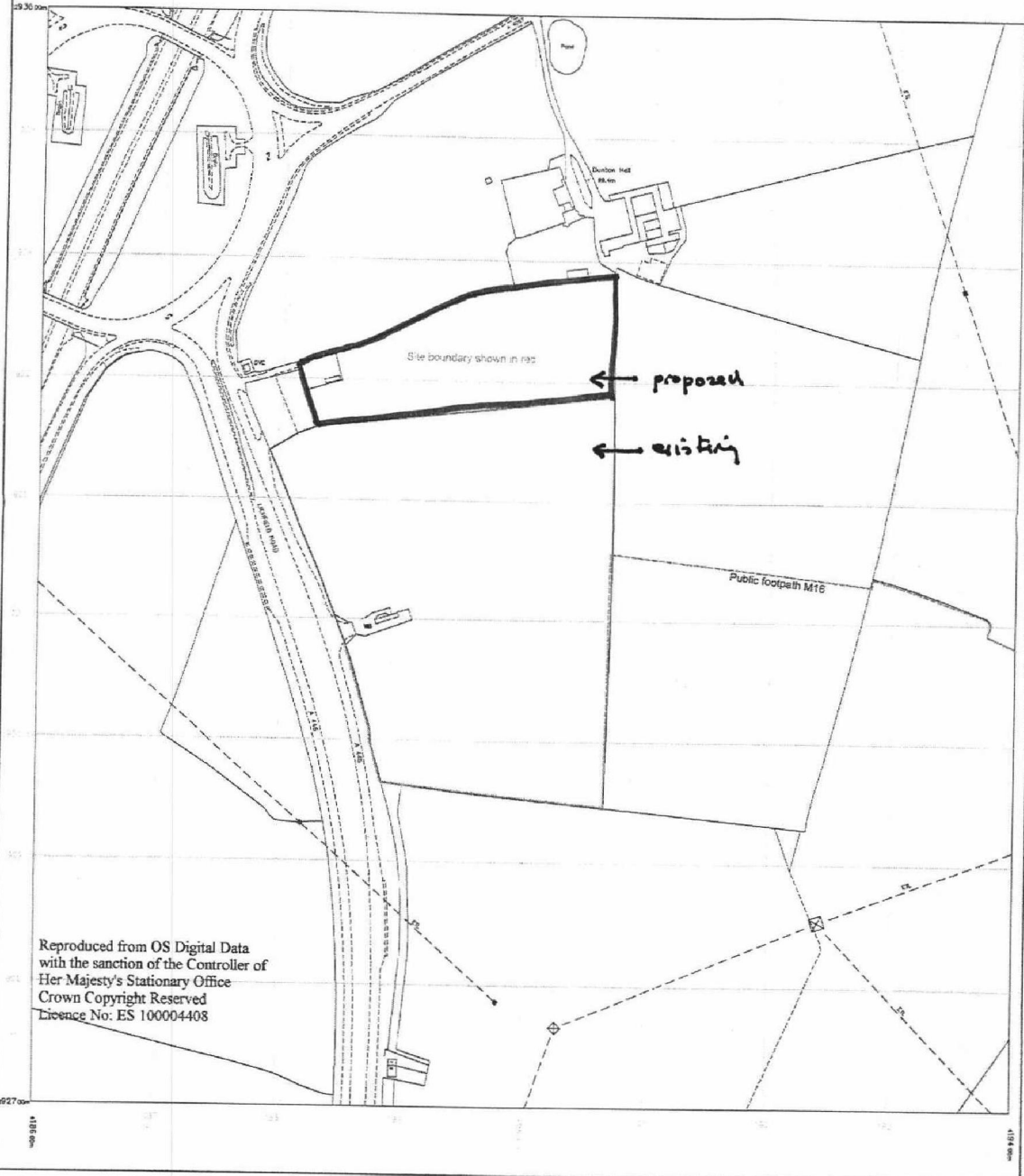
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

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.

Dunton Recycling Centre
Location Plan
Scale 1/3000
Ref: KSD/DRC/14/01
May 2014

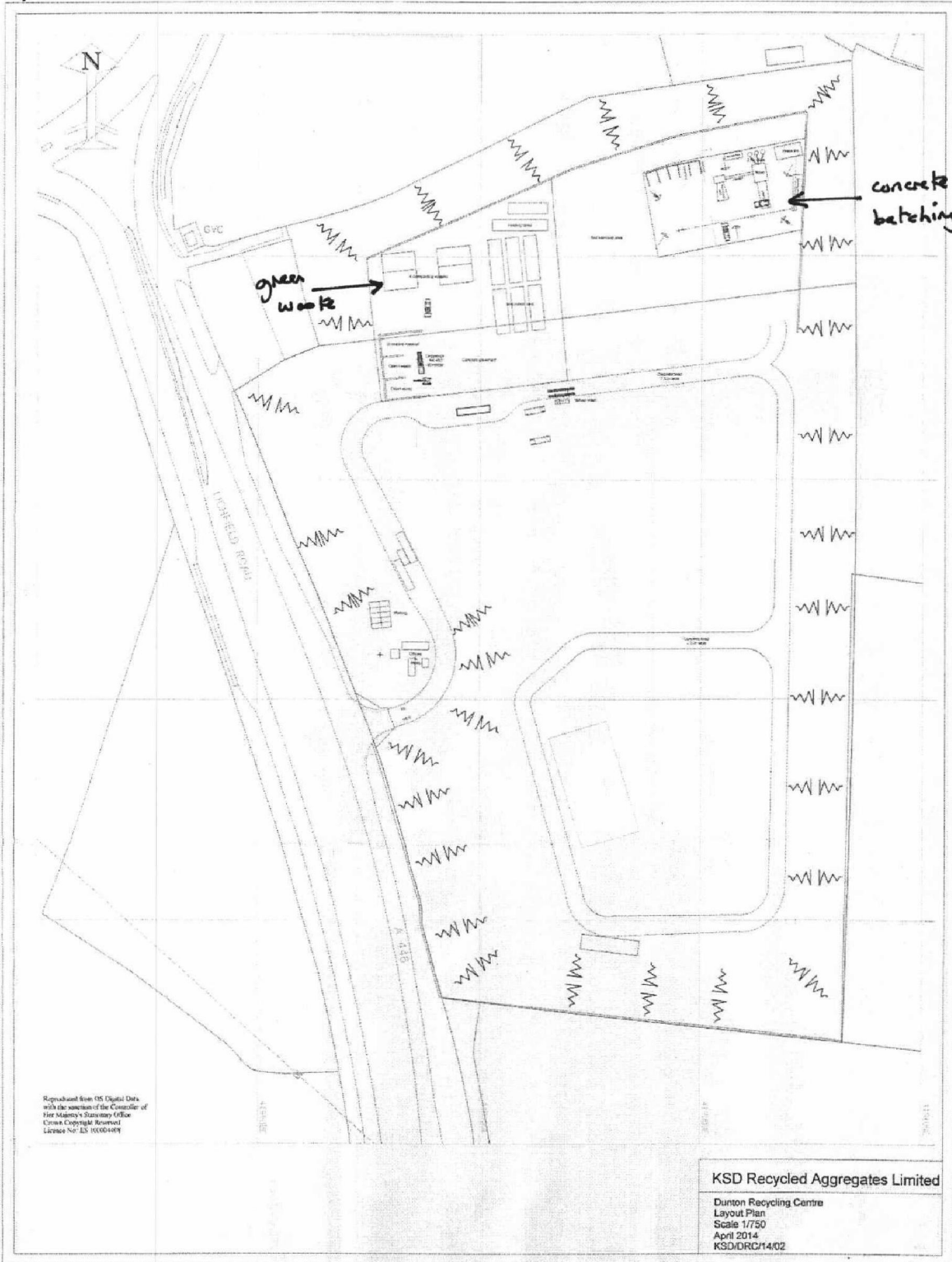


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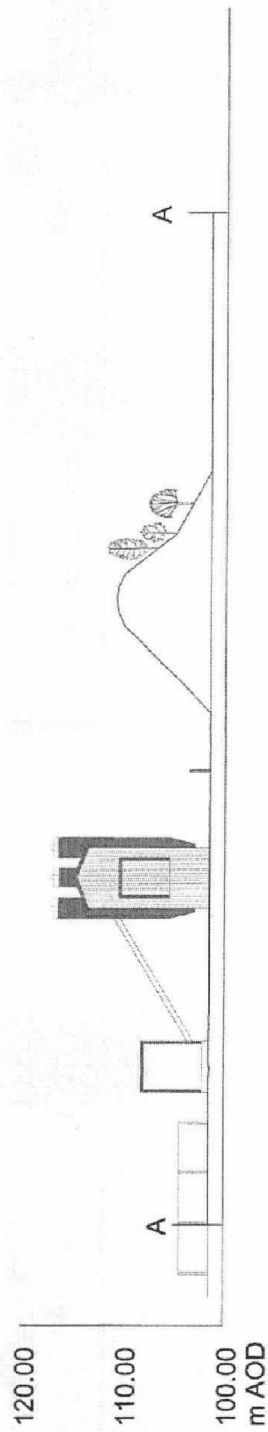
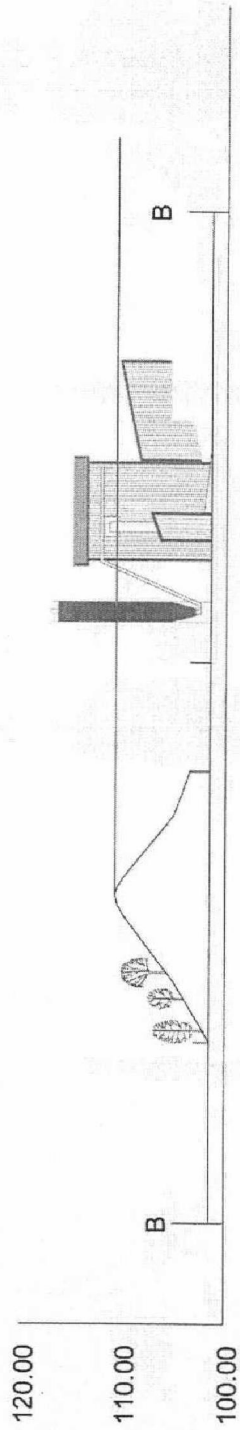


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Appendix B



Appendix C



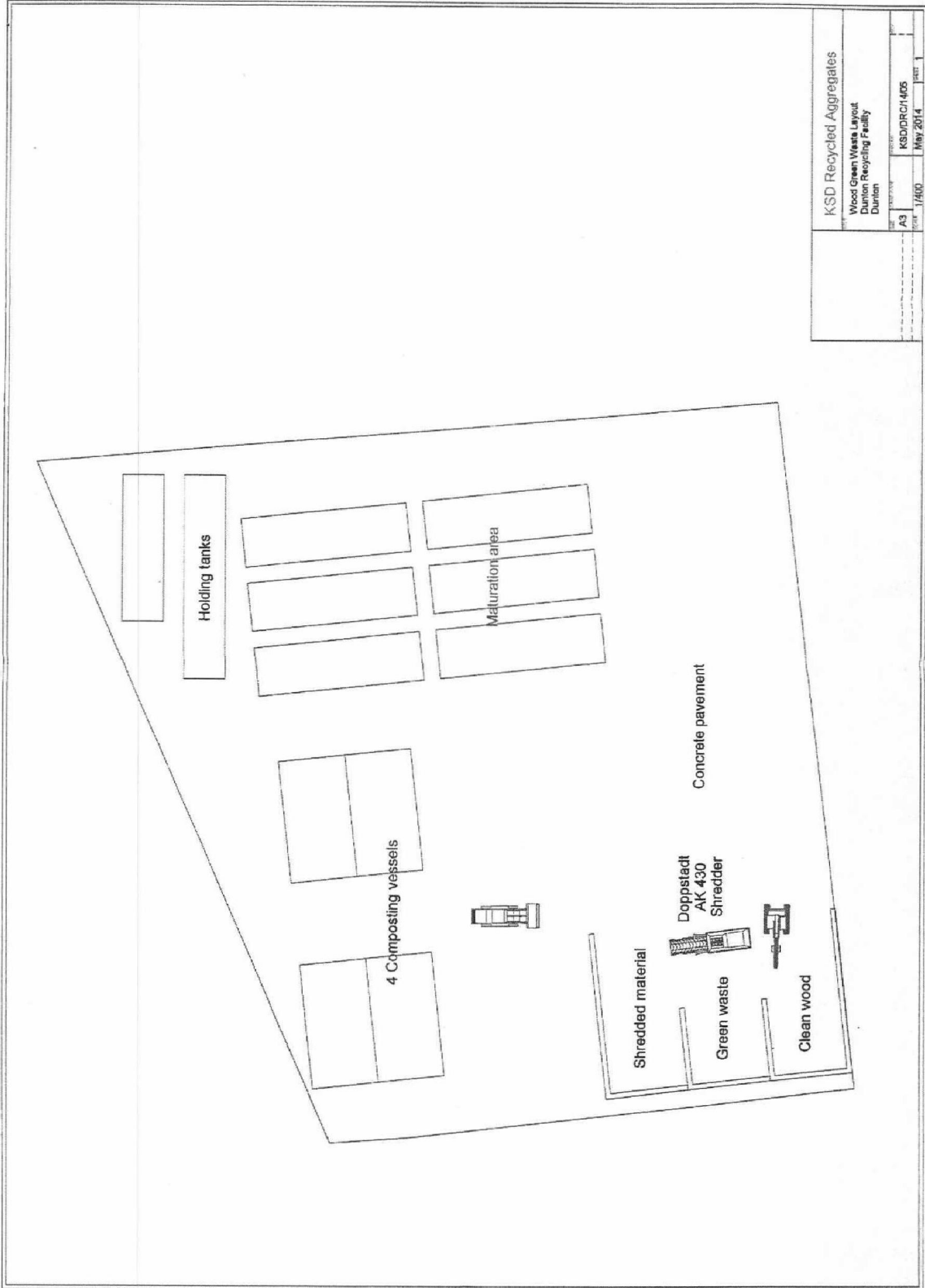
KSD Recycled Aggregates Ltd

Typical Sections on AA & BB
Dunton Recycling Centre
Lichfield Road
Curdworth

SIZE	DATE	PROJECT NO.	REV
A1	May 2014	KSD/DRC/14/09	

SCALE: 1/200

Appendix 2



KSD Recycled Aggregates	
Wood Green Waste Layout Dunton Recycling Facility Dunton	
DATE: 1/16/14	REVISED: KSD/DC/1405
SCALE: A3	ISSUE: May 2014
PAGE 1	

(2) Application No: PAP/2013/0452

Land adjacent to Castle Close, Coventry Road, Fillongley,

Erection of 3 no: detached houses with associated drives, for

Bonds Hospital Estate Charity

Introduction

This application was reported to the Board's June meeting but a decision was deferred in order to allow Members to visit the site. This has now taken place and the matter is brought back to the Board for determination.

The description of the site and the application proposals were included in the last report together with an outline of the relevant Development Plan policies and other material planning considerations pertinent to the application. Consultation responses were also included in that report. It is not proposed to repeat these matters here, but for convenience the report is attached at Appendix A, and it should be treated as part of this current report.

Members will now be brought up to date in regard of further consultation responses which were reported verbally at the June meeting, together with other matters.

For the avoidance of doubt the most up to date layout and appearance of the proposed dwellings is attached at Appendix B

Consultations

The County Ecologist – This consultation was undertaken in view of the representations made concerning the loss of bio-diversity and the ecological value of the site. The County ecologist has visited the site concluding that it is predominantly improved grassland with remnant scrub that has some common hedgerow flora. He continues by saying that this habitat has parish value ecologically. There are no protected or important species records in the immediate vicinity of the site and little habitat to support such species. The DEFRA bio-diversity metric used to evaluate the bio-diversity impact of the site calculates a loss of 0.24 units. It is his opinion that this loss can be compensated for through enhancements to the boundary features of the site to ensure connectivity is restored at the settlement's boundary. As a result a condition is recommended.

Warwickshire Wildlife Trust – The Trust was consulted and has responded by saying that it has looked at the County Ecologist's report and the bat survey. The Trust concurs with the Ecologist's findings and fully supports the recommended condition.

The Environment Agency – The Agency was re-consulted in view of the concerns raised by the local community in respect of local flooding incidents and has responded by saying that as the end-use is domestic and the land is currently vacant and does not seem to have a contaminative history, it concludes that this site is outside of its consultation requirements in respect of the aquifer and therefore the developer should adhere to good practice and safe ways of working in line with the industry’s code of practice. In respect of drainage matters then Severn Trent Water Ltd should advise.

The Warwickshire County Council as Flood Defence Authority - This additional consultation was undertaken as a consequence of the local flooding history and in view of the need to seek further advice on drainage matters. It has responded by saying that it would wish to see a condition attached to the grant of any planning permission requiring full details of the surface water drainage arrangements.

Severn Trent Water Ltd – There was criticism at the last meeting that the “wrong” office of Severn Trent had been consulted. Severn Trent Water has been re-consulted and its Leicester and Coventry offices have coordinated a response. It is confirmed that, “the additional foul flow generated from the three dwellings would be negligible in relation to the overall flows. However it is important that surface water is not connected to the public system”. This can be achieved by a planning condition.

English Heritage – There was concern expressed locally that insufficient weight had been attributed to the heritage value of the site, particularly it being recognised as part of a Historic Farmstead. English Heritage has responded by saying that it does not wish to comment in detail but points out that the application should be determined in accordance with national and local policy guidance and that assessment is for the Council to make. It is again pointed out that English Heritage has not objected to the inclusion of this site as a draft site allocation for new housing.

The Warwickshire County Council as Highway Authority – The Council’s formal comments on the revised plan are awaited and will be reported verbally at the meeting.

Representations

Members will recall that a summary of objections from the local community was circulated prior to the last meeting. These papers are attached at Appendix C.

Other Material Planning Considerations

The Inspector’s Proposed Main Modifications to the Council’s Submitted Core Strategy. These were published by the Council in early July. They will carry weight but as they are presently out to consultation, they will not carry full weight. However they are material considerations. The Borough’s housing requirement is proposed to be raised from 150 to 175 houses a year. Fillongley’s housing requirement remains as a minimum of 30 dwellings in the plan period.

The Council’s Draft Pre-Submission Site Allocations. This document is also out for consultation. It too carries weight but not full weight. It includes the application site as a preferred option under reference FIL4.

The Five Year Housing Supply. This has been updated as part of the regular monitoring work on the Core Strategy and is reported elsewhere on this agenda. Because of the historic under-supply of housing in the Borough, the Council has to add 20% to its figures, thus the requirement is for a 6 year supply. The most up to date figure as reported to this Board meeting is that we have a 5.7 year supply.

Observations

Firstly, as a consequence of the further re-consultation work undertaken into each of the matters raised by objectors, it is clear that there is no objection to the proposal subject to conditions, and final acceptance by the Highway Authority. These would either involve new ones or enhancements of the original recommended conditions. For convenience the recommendation below includes a revised set of conditions.

Secondly, the policy situation has not altered since the last report. Indeed the case for approval has strengthened. The Inspector dealing with the Core Strategy has recommended an increase in overall housing supply in the plan period; the Council has not got a five year housing supply plus the 20% requirement because of historic under-delivery, and the settlement is a sustainable location.

Recommendation

That subject to the completion of a Section 106 Agreement to provide an off-site contribution for affordable housing as set out in the report at Appendix A, and there being no objection from the Highway Authority, planning permission be **GRANTED** subject to the following conditions, together with any other conditions required by the Highway Authority:

- 1). Standard Three year condition
- 2). Standard Plan numbers condition – plan numbers 282/5B and 2A received on 26/4/14; plan number 282/4A received on 11/4/14 and plan number 282/3G received on 4/6/14.

Pre-Commencement Conditions

- 3). No development shall commence on site until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority.

REASON

In view of the potential archaeological interest in the site

- 4). No development shall commence on the site until the applicant has first submitted a surface water drainage scheme for the site to the Local Planning Authority, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, and that scheme has been approved in writing by the Local Planning Authority. This scheme should demonstrate that the surface water run-off generated up to and including the 1 in 100 year climate critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme will also need to demonstrate overland flood flow routes in case of system failure through hydraulically modelling the floodwater outline, indicating flood flow depths and velocities, together with details of the maintenance regime for the whole drainage system. Only the approved measures shall then be implemented on site.

REASON

In the interests of reducing the risk of flooding both on and off-site

- 5). No development shall commence on site until such time as full details of the means to dispose foul water from the site have first been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt no surface water drainage or run-off shall enter the existing foul water system. Only the approved details shall then be implemented on site.

REASON

In the interests of reducing the risk of flooding and pollution

- 6). No development shall commence on site until such time as full details of the landscaping for the whole site, including the restoration of the southern hedgerow, have first been submitted to and approved in writing by the Local Planning Authority. Species reflecting those of the Ancient Arden Landscape Character are to be included. Only the approved scheme shall then be implemented on site.

REASON

In the interests of the visual amenities of the area and to enhance bio-diversity.

- 7). No development shall take place on the site until such time as an Environmental Protection Plan for Construction has first been submitted to and approved in writing by the Local Planning Authority. This plan shall specifically deal with the area around the protected tree and the Coventry Road hedgerow. The plan shall specifically include: an appropriately scaled plan showing the Environmental Protection Zones where construction activities are restricted; where protective measures (both physical and sensitive work practices) are needed to avoid impacts during construction and details of all responsible persons. Nothing shall be stored or placed in these protected areas and there shall be no change in ground levels or excavation without the express Local Planning Authority consent. All construction activities shall then proceed in accordance with the approved plan.

REASON

To protect features of recognised nature conservation and landscape importance.

- 8). No development shall commence on site until such time as full details of the proposed retaining wall at the rear of the plots, including levels, dimensions, cross-sections, construction and associated land drainage have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

In the interests of the visual amenity of the area and to reduce the risk of flooding.

- 9). No development shall commence on site until such time as details of all facing materials and tiling to be used together with all ground surface treatments have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be used on site.

REASON

In the interests of the visual amenities of the area.

Pre-Occupation Conditions

- 10). None of the dwellings hereby approved shall be occupied until such time as the details approved under conditions (iv), (v), (vi) and (viii) have all been fully implemented on site to the written satisfaction of the Local Planning Authority.

REASON

To ensure a satisfactory development

On-Going Conditions

- 11). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended or as may be subsequently amended, no development within Classes E and F of Part One of Schedule 2 to that Order shall take place without the written approval of the Local Planning Authority.

REASON

To reduce the risk of flooding through increased surface water run-off

- 12). Two car parking spaces shall be provided and maintained within the curtilage of each of the three plots hereby approved at all times.

REASON

In order to reduce the potential for on-street car parking

Notes

- 1). The Local Planning Authority has worked positively with the applicant in this case to address planning issues arising through seeking amended plans and fully engaging in consultation as a consequence of representations made thus satisfying the requirements of the NPPF.
- 2). The applicant's attention is drawn to the Countryside and Wildlife Act 1980 in respect of its provisions for nesting birds.
- 3). The applicant's attention is drawn to British Standard BS5837:2012 in respect of good working practice close to trees.

BACKGROUND PAPERS

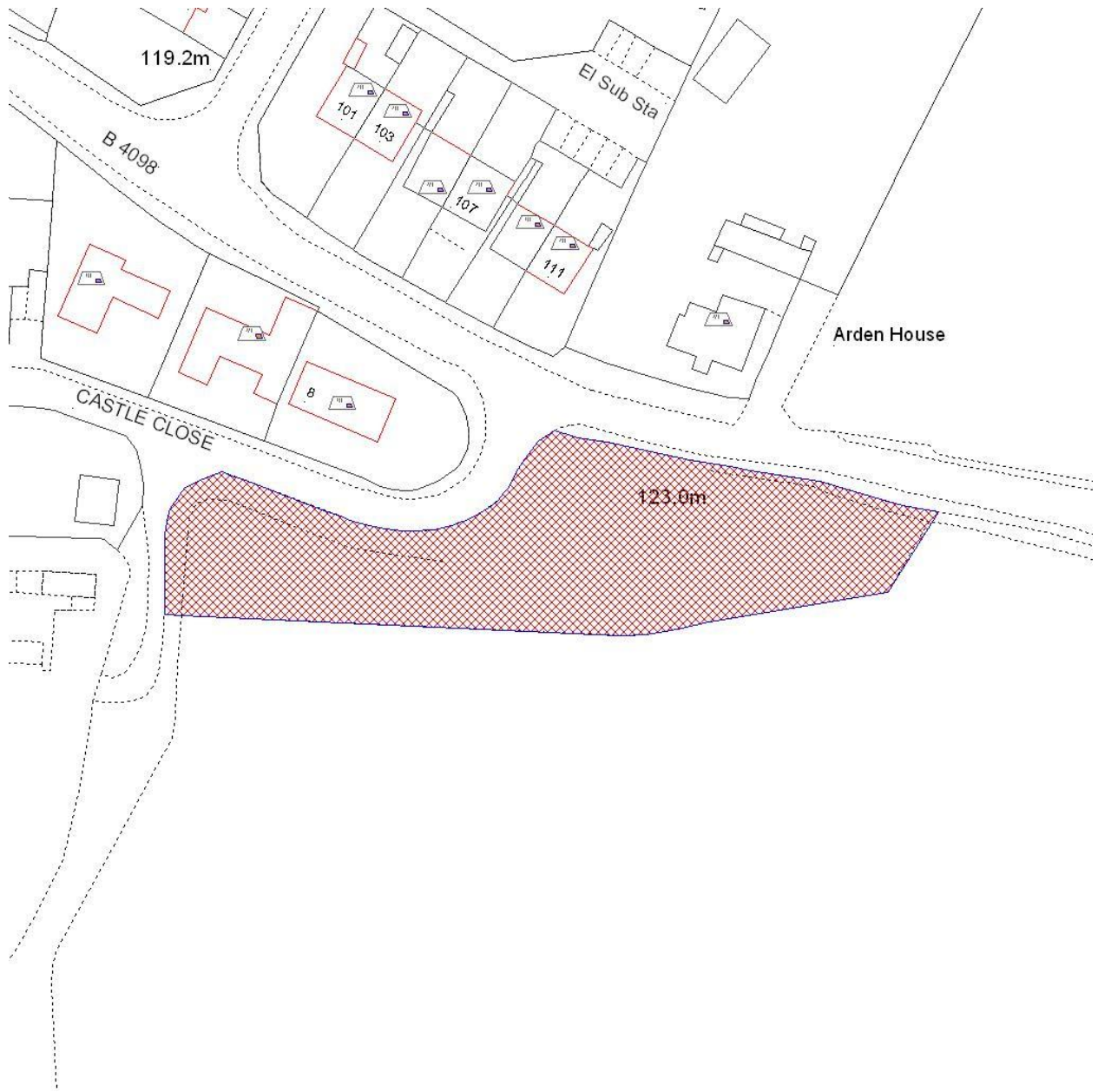
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2013/0452

Background Paper No	Author	Nature of Background Paper	Date
1	Case Officer	Letter	17/6/14
2	English Heritage	Consultation	19/6/14
3	Case Officer	E-mail	20/6/14
4	Severn Trent Water	Consultation	30/6/14

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.



General Development Applications

(#) Application No: PAP/2013/0452

Land adjacent to Castle Close, Coventry Road, Fillongley,

Erection of 3 no: detached houses with associated garages and access drive, for

Bonds Hospital Estate Charity

Introduction

The application is brought before the Planning and Development Board as a Section 106 Agreement has been submitted as part of the application.

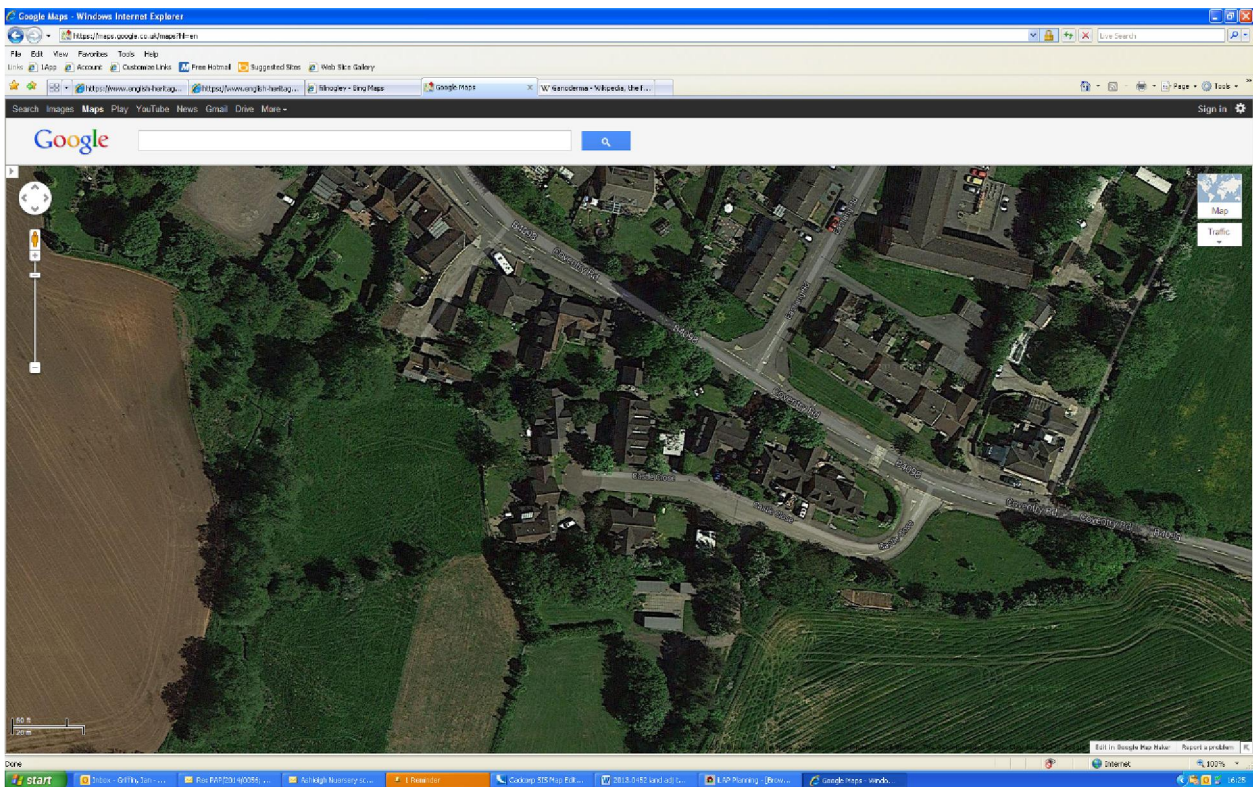
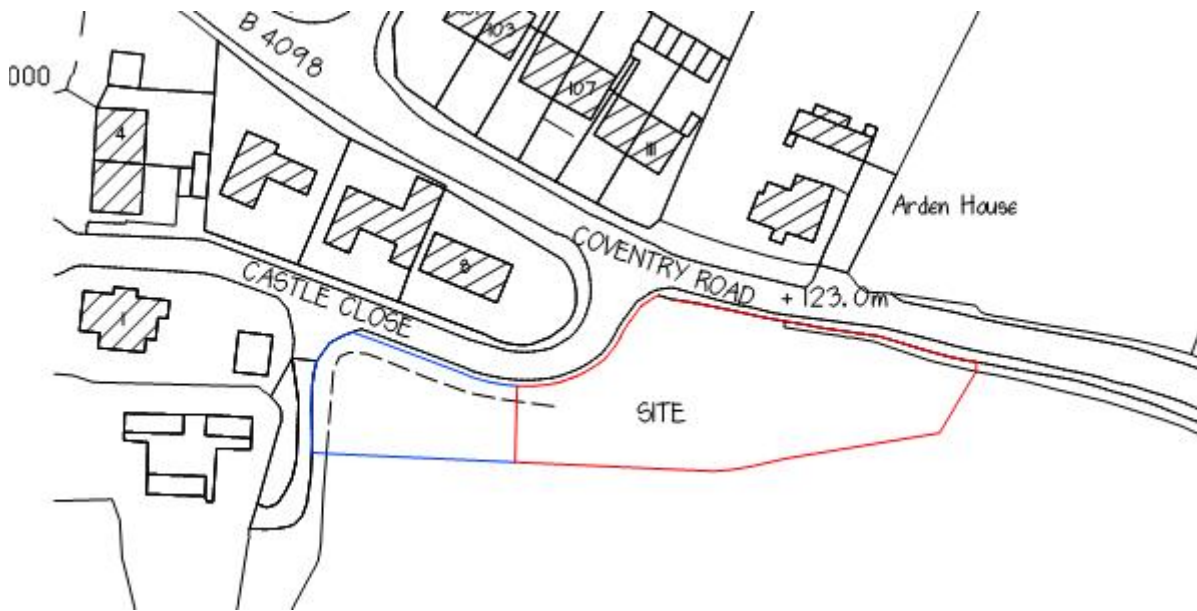
The Site

The site is land at the junction of Castle Close and Coventry Road, on the southern edge of Fillongley. It is presently amenity grassland, bounded on its northern boundary by a mature hedge. There is a mature Oak on the boundary with the Coventry Road which is the subject of a Tree Preservation Order. Along the southern boundary are seven young Norway Maple trees and three other broadleaf trees. There are also two mature Holly trees here.

The land is a narrow parcel with its widest part being at the junction of Castle Close and Coventry Road. It slopes up from Coventry Road and Castle Close with a height difference of about 2.5 metres.

To the rear of the site is an agricultural field, and an access drive which is also used to access a camping site for the Girl Guides off Castle Close. There are eight detached dwellings in Castle Close, which are rural in character and design, and date from the 1980's. Opposite Castle Close is Arden House and other 1960's/70's dwellings.

The general location is illustrated below.



Aerial photography taken from www.google.co.uk (15/4/14)

The Proposal

The proposal is for three detached market dwellings which are to be sited in the centre of the site. The design and appearance are basically similar, and they would share an access off Castle Close. The overall layout and appearance is illustrated at Appendix A

Background

The whole of the application site is within the development boundary for Fillongley as defined by the North Warwickshire Local Plan 2006. It is not therefore in the Green Belt.

The replacement Local Plan – the submitted Core Strategy – identifies a housing requirement of 30 dwellings for Fillongley.

The site is identified as one of the Preferred Options for delivering this requirement in the Site Allocations Document as agreed by the Council in April 2014 for further consultation. It is site “FIL4” capable of accommodating three dwellings.

The site is not within the Fillongley Conservation Area. However it is close to the Area’s southern boundary. This is shown at Appendix B.

The land to the south west is within a Scheduled Ancient Monument Site and this too is illustrated at Appendix B.

The girl guides use the land to the rear of the site as a camping site. This dates from 1978. Planning permission for a replacement camping hut was granted in 2012.

Development Plan

Saved Policies of the North Warwickshire Local Plan 2006 (“the Local Plan”) - Core Policy 2 (Development Distribution), Core Policy 3 (Natural and historic Environment); Core Policy 5 (Development in Towns and Villages), ENV2 (Green Belt), ENV15 (Heritage Conservation); ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), ENV15 (Heritage Conservation), ENV16 (Listed Buildings), HSG2 (Affordable Housing), HSG4 (Densities), TPT3 (Access and Sustainable Travel and Transport) and TPT6 (Vehicle Parking).

Other Relevant Material Considerations

The National Planning Policy Framework 2012 – (“NPPF”)

The Council’s Core Strategy Submission Version 2013: policies NW2 (Green Belt); NW3 (Housing Development), NW5 (Affordable Housing), NW8 (Sustainable Development), NW9 (Renewable Energy and Energy Efficiency), NW11 (Natural and Historic Environment) and NW10 (Quality of Development).

The Council’s Preferred Options for Site Allocations – Consultation Document April 2014

The Fillongley Conservation Area Designation Report - 1970

The North Warwickshire Landscape Character Assessment - 2010

Consultations

Environment Agency – The proposal will have low environmental risk.

Severn Trent Water Ltd – No objection subject to a standard condition.

Warwickshire County Council as Highway Authority – Originally submitted an objection on the grounds that the size of the garages and drives was not to the Authority’s standard specification and that the design of the turning area needed amendment. It considered that these matters could lead to on-street parking in Castle Close. Amended plans have now been submitted in order to overcome these issues – the drives and

turning areas have been made larger and all of the garages have been removed, replaced by parking areas as shown at Appendix A. The Highway Authority has yet to comment on this latest plan and its comments will be reported verbally at the meeting. This will also be the case in respect of local resident's comments on the latest layout.

Warwickshire Museum – No objection subject to its standard condition.

Warwickshire Tree Officer - No objection as the proposed development takes account of the root protection areas of the oak tree covered by an Order and the other boundary trees around the site. The removal of other trees along the southern boundary is considered to be reasonable.

Environmental Health Officer – No objection

Representations

Fillongley Parish Council – It objects to the proposal and refers to the following matters:

- The infill of this piece of land, albeit highlighted by the Site Allocations Document will change the character of the village. It will build on the small piece of proven amenity land that prevents the village from being “ribbon development”. The Parish Council has previously been told that NWBC is against this style of development within the Borough. Building on this land is contrary to the Council's own policy ENV5.
- When Castle Close was developed in the 1980's the last two homes (no's 7 and 8) were only allowed on appeal. The developer was told categorically that building on this plot would not be permitted. Further development is contrary to ENV 11 because of the loss of amenity.
- The land is immediately adjacent to the Conservation Area. The proposed development is for three standard properties. It appears that no consideration has been given to the unique nature of the site or to the style of buildings in the Conservation Area. The Council does not consider that the proposal meets the following Local Plan policies - Core Policy 4; Core Policy 11, ENV 12, (points i and ii), ENV 13 (point 1) and ENV 15 (points 2 and 5).
- The nearby Eastlang Road already suffers from car congestion. This proposal will create the same situation in Castle Close. There is also a Guides camp site at the rear of Castle Close. When the Camp Site is used, the road already becomes unmanageable as it is a cul-de-sac. The proposal is contrary to policies ENV 11 and ENV14.
- Prior to the site being “cleansed” for development there was a small spinney which created a wildlife “corridor”. The removal of the spinney area will undoubtedly affect wildlife movements detrimentally. Further development of the land into suburban gardens will also remove habitat from this wildlife-rich area. This is contrary to Local Plan Core Policy 3 and policy ENV 3.
- The Borough Council will be aware of the problems that Fillongley already has with flooding and sewage flooding. It should be noted that there are three issues regarding this:
 - a) The storm water/road drains from Castle Close will mix with the sewage waste. When flooding has occurred, some properties in Castle Close get flooded with a mixture of flood water and raw sewage. Any additional surface run off from paved areas will add to this.

- b) Currently the centre of the village suffers from flooding on a regular basis. Rain water flows down Coventry Road into the centre of the village. Additional hard surfaces will add to the run-off (as will removal of trees because the roots that previously held the soil together and absorbed some of the water are no longer there).
- c) There is also a problem in that the sewers, travelling down from above Castle Close to the centre of the village block regularly causing a backlog of sewage inside some properties. The Parish Council think that it would be folly to increase the number of houses linking in to the currently overloaded system.
- The Parish is currently working on an emerging Neighbourhood Plan. The initial scoping survey within the Parish showed that there was strong support from the Parish for keeping green areas green. The Parish Council is supporting a development of brown-field land elsewhere in the parish. This will be the subject of a Neighbourhood Development Order. It could provide for the full 30 dwellings as set out in the Core Strategy.

Twelve letters of objection have been received from local residents. These cover many of the matters raised above by the Parish Council, expanding on some in detail. Other matters included in the letters are:

- The land ownership plans are questioned.
- There is no detail on landscaping proposals or retaining walls and banking
- What will the ecological impact be and is this covered adequately in the accompanying documentation?
- What impact will there be on the Protected tree, and its root area needs proper protection?
- The site has important flora and fauna value (in particular dandelions which are important for bee retention and amphibians)
- The design will dominate the street scene – the dwellings will be at a higher level than those in Castle Close
- More detail is needed for the open areas to be left
- Retaining walls will affect land drainage
- There will be an impact on the setting of Arden House – built in 1760.
- There will be an impact on the original Castle Farm; its historic farmstead setting and the early history of sandstone exploitation in the area linked to the adjacent ancient monument. The application site may well have been an associated orchard.

The George Elliot Fellowship has written saying that there are local and personal connections to George Eliot as she spent much time at the neighbouring Castle Farm. Its environs should be retained and not be compromised by this development.

Two letters of support have been received.

Observations

Prior to commencing this section of the report, it is useful to provide a selection of photographs of the site and its surroundings.



a) Introduction

This application has generated a significant number of issues, and all of these will need to be addressed in the determination of this case. That will rest on balancing the relevant saved policies of the Local Plan with those of the Council's emerging Core Strategy and the content of the NPPF. The first part of this section will look at the matter of principle and then detailed matters will be followed through in later sections.

Members will be aware from previous cases reported to the Board and from recent appeal cases that the matter of principle rests on the weight to be given to the policies in the respective documents referred to above. In order to assist here, Members will know that the housing policies of the Local Plan are out of date and thus carry no weight. Those in the emerging Core Strategy carry more weight as they are based on very recent evidence of housing need and that that evidence has recently been the subject of objective assessment at the Examination in Public. However as that Strategy has not yet been adopted, the policies of the NPPF will still carry the greater weight in respect of housing issues.

With this background the matter of principle can be assessed.

b) The Local Plan - New Housing

This application site is not in the Green Belt. Indeed it is wholly within the development boundary for Fillongley as defined by the Local Plan. As such and in line with the policies of that Plan, there is no objection in principle to the residential development of this site.

c) The Submitted Core Strategy – New Housing

The submitted version of the Core Strategy does not alter the green belt boundary around Fillongley. The application site thus remains within the development boundary shown for the village in this document. Indeed in this case, the village is identified for further housing development for a minimum of 30 dwellings. As such there is no objection in principle to this current proposal.

The Council has also published its Preferred Options for Site Allocations illustrating how these 30 dwellings might be accommodated in Fillongley. The application site is identified as a preferred allocation for three houses. The Council has recently endorsed this preferred option in its latest consultation which will be published shortly. This therefore reinforces support in principle.

d) The “NPPF” – New Housing

The essence of the NPPF in respect of its approach to new housing is that Local Planning Authorities are required to “significantly boost” new housing developments. They should do this through their Core Strategies by allocating land, and secondly through the grant of planning permissions. The Borough Council has done the former through its submitted Core Strategy and the Preferred Options document. However as indicated in the introduction these do not yet carry full weight. In these circumstances the NPPF requires the grant of planning permissions if the development the subject of a planning application is “sustainable” and that it assists in meeting the Authority's five year housing supply. In this case, the development is sustainable in principle as the site

is within and has been consistently within the defined development boundary for Fillongley. Secondly, the Council does not have a five year housing supply. As a consequence there is no objection in principle under the NPPF to this development.

e) The Matter of Principle

Having gone through each of the three background policy considerations here, then it becomes very clear that there is support for this development in principle from all of the respective planning policy documents. Members are therefore strongly recommended to adopt this conclusion.

As a consequence the determination of this application will rest on detailed matters. The approach to be taken in this respect is that set out in the NPPF. The Board will have to assess whether there are “significant and demonstrably adverse impacts” which outweigh the support in principle for this proposal. In doing so, Members are advised that there should be evidence to support a “significant and demonstrably” adverse impact if it is to carry weight.

There are clearly a number of matters here which need to be assessed as suggested by the content of the objections received. However there are two matters which need to be dealt with first - those of alternative sites and the provision of affordable housing.

f) Other Sites

The Parish Council and others refer to the prospect of an alternative site being brought forward to meet the Core Strategy housing requirement for thirty dwellings in Fillongley. As always Members are asked to treat the current application on its own merits. In this case, then the Parish Council’s prospective Neighbourhood Development Order is just that – prospective. It carries no weight. Additionally that site is in the Green Belt and there is still an argument that is to be resolved as to whether its development would conflict with the emerging Core Strategy or not, and whether the site is in a sustainable location. As such Members are asked to give no weight to a potential reason for refusal based on the prospect of an alternative housing site coming forward.

g) Affordable Housing

The Local Plan requires all new housing in Fillongley to be “affordable”. The emerging Core Strategy requires a far more flexible approach to affordable provision subject to the viability of each individual housing scheme in line with the approach of the NPPF. In balancing these approaches, it is considered that the balance lies with the NPPF and the emerging Core Strategy. As a consequence in this case, an off-site affordable housing contribution of £75k is offered. It is considered that this is reasonable in this case.

It is now proposed to assess those detailed matters which might give rise to significant and demonstrable adverse impacts.

h) Neighbour Amenity

Saved policy ENV11 of the Local Plan says that development should not be permitted if neighbouring occupiers would suffer significant loss of amenity including amongst other things, overlooking, loss of privacy or disturbance such as traffic. The NPPF has as one of its core planning principles that new development should have a good standard of

amenity for all existing and future occupants of land and buildings. It is considered that saved policy ENV11 accords with the NPPF and thus that it should carry full weight. It could therefore be cited as a potential reason for refusal if there was a “significant and demonstrably” adverse amenity impact.

It is not denied that there will be an impact here as new development would appear where none exists presently. However it is not considered that this would be so significant or demonstrably adverse to warrant a reason for refusal. Arden House would be the closest house overlooking the site and would have a separation distance of some 21 metres to the closest new front elevation. Members will be aware that the Council has no adopted guidance on separation distances but it has consistently used a figure of 21 or 22 metres in its decision making – consistent with other neighbouring Authorities. Given that there is a road in between the two sites and that there will be partial screening by retained trees and landscaping, this distance is considered to be reasonable. The same considerations would apply to the neighbouring property to Arden House – namely 111 Coventry Road which would be some 30 metres distant. The closest property in Castle Close is number 8 and its side gable would face the side gable of the new house on plot three – a distance of 22 metres. There are no windows in the side gable of the nearest of the proposed houses which would overlook number 8 and the front windows would be at an oblique angle. There is however a first floor window in the side gable of number 8. It is agreed that the new house would be at a higher level than number 8 – by a metre to a metre and a half - but that is not considered to be so adverse as to warrant the new house being “domineering” or overly “prominent”. Given also that the vehicular access to the three proposed houses is located before the drive to number 8 is reached in Castle Close and that the property backs onto the main road, it is not considered that there would be a demonstrable adverse impact upon the residential amenity of the occupier to number 8.

In conclusion it is not considered that a reason for refusal based on potential adverse impacts on neighbouring residential amenity could be evidenced.

i) Land Ownership

The application site boundary has been amended as a consequence of the representations received. However Members will be aware that this is not a material planning consideration and should a planning permission be granted then the resolution of any ownership issue is a private matter between the parties. However a note can be added to any Notice referring to the Party Wall Act and to ownership concerns.

j) Drainage

Saved policy ENV8 of the Local Plan requires that water resources are safeguarded and enhanced, by ensuring that new development has a satisfactory surface and foul water drainage system and that aquifers are protected. The NPPF requires the determination of planning applications to be made such that flood risk is not increased elsewhere. It is considered that ENV8 accords with the NPPF and thus that it would carry full weight in the event of evidence to demonstrably show adverse impacts arising from a development proposal. That is not considered to be the case here. Surface water from the proposal will be disposed of through a combination of sustainable drainage measures including rainwater harvesting; soak-aways and permeable drive way materials. It is material that Severn Trent Water Ltd has not objected. Severn Trent Water has also confirmed that there is sufficient capacity in the main foul drainage

system to accommodate the new development. The Environment Agency has not objected on the grounds of potential impact on the aquifer.

The condition requested by Severn Trent Water would “reserve” the detailed design of all of these measures to be approved prior to construction. This is the appropriate way forward.

k) Wildlife including Trees

Saved Core Policy 3 of the Local Plan seeks to protect and enhance bio-diversity and this is supplemented by saved policy ENV3 which refers to designated nature conservation and wildlife sites, and saved policy ENV4 which seeks to retain, trees, woodlands and hedgerows. The NPPF seeks as one of its core planning principles to conserve and enhance the natural environment by refusing development that would cause significant harm and to ensure that there is bio-diversity enhancement in a development proposal. It is thus considered that the saved Local Plan policies accord with the NPPF and as such could be cited in refusal reasons if there was evidence that the proposals would cause significant and demonstrable harm.

The application site is not itself or does it adjoin any local, national or regionally designated or potentially designated wildlife site. There is one tree covered by an Order, but as the whole of the site is outside of the Conservation Area there is no protection for any other tree on the site or around its boundary. The bat survey submitted with the application found no evidence of bat roosts. The County Council’s Forestry Officer has responded by saying that the development would not impact on the root system of the protected tree or other notable trees. As a consequence, any reason for refusal here would have to be based on evidence of a significant adverse ecological impact. It is noteworthy that this site is a preferred option in the Council’s consultation on site allocations, and as such has already not attracted objection from the ecology assessments undertaken during the process of identifying the preferred option sites.

The development will change the ecology of the site. That will involve the lowering of levels; the introduction of a retaining wall and bank together with the loss of trees in the southern boundary. The issue is whether this will cause demonstrable harm to the bio-diversity of the area. It is considered that it would not be of this extent.

l) Landscape

Saved policy ENV1 of the Local Plan says that development that would not protect or enhance the intrinsic qualities of the existing landscape should not be supported. Saved policy ENV5 seeks to retain open space but only if identified on the Proposals Map and following an Open Spaces audit. The NPPF has a similar objective to that of ENV1 as one of its core planning policies. It is thus considered that the saved policy would carry full weight if it was to be cited as a reason for refusal.

The North Warwickshire Landscape Character Assessment includes the whole of Fillongley within the “Arden Hills and Valleys” zone. The main characteristics of the area are described as being elevated farmland with low rounded hills, steep scarps and small incised valleys. Hilltop woodlands and tree cover create an intricate and small scale character punctuated by scattered farms and hamlets. It is not considered that this proposal would materially affect or lessen the description so set out. This is because of

its small size; the pronounced fall in level from the southern boundary towards the road so containing the site visually within the village, the visual connection with Castle Close rather than open agricultural land, and that the development would not materially extend the built up area of Fillongley or alter its overall compact boundary. Moreover, contrary to the Parish Council's view, the site itself is not identified in the Local Plan as an ENV5 site and the Borough wide audit undertaken does not alter this position. Perhaps of more weight is the representation that the development would extend ribbon development in the village. This is correct as a new frontage development would be created. The counter argument is however substantial. This site is within the defined development boundary for both the Local Plan and the emerging Core Strategy, within a settlement considered to be sustainable and where new housing should take place. It is not in the Green Belt and neither is it recognised in the Local Plan as a protected ENV5 Open Space. Given the conclusion above on the principle of development, the fact is that this was always a site which was seen to be a potential development site. That this would be through a frontage development was accepted.

m) Highways

Saved policy ENV14 of the Local Plan requires all new development to have safe vehicular access and that the local highway network has the capacity to accommodate any increase in traffic generated. The NPPF requires the safe and suitable access. As such the saved policy would carry full weight should it be cited as a reason for refusal. Saved Policy TPT6 of the Local Plan requires parking provision in line with a set of standards to be treated as maximum provision. The NPPF suggests that standards can be set provided they reflect a number of factors. The saved policy TPT6 is not fully in accord with the NPPF and thus should be treated with caution if to be cited as a reason for refusal.

The Highway Authority originally objected to the proposal on the grounds that there was insufficient turning space; the sizes of the drives were not to a standard specification and that there was a potential car parking issue given that the garages were of minimum dimensions. Amended plans have been submitted which are considered to address all of these matters, but the formal view of the County Council is still awaited. The drives and turning areas are considered to meet current highway standards and no garages are now proposed.

Picking up on the parking issue which was the underlying issue with the County Council's original objection, then the site is in a sustainable location where there is a shop, a school and public transport connections. The proposed parking provision is for two spaces per dwelling exactly in line with the standards set out by this Council in its saved policy TPT6. It is not considered that there is any scope here for a reason for refusal.

One of the issues raised by objectors was the obstruction caused in Castle Close by the use of the land to the rear by the Guides. That permission was conditioned because of this likelihood and as such there may well be cause to investigate compliance with the relevant parking conditions. Additionally the Police can deal with illegal parking.

Given all of these matters it is not considered that there is scope here for a refusal reason.

n) Urban Design

Saved policies ENV12 and ENV13 require new development to be well related to both the immediate setting and the wider surroundings so as to provide an attractive appearance. The NPPF also requires good quality design from new developments. As such these two saved policies carry full weight and could be used in any refusal reason.

The site is not in the village's Conservation Area and neither is there any adopted design guidance for Fillongley and hence any refusal reason here would have to be based on a very poor design clearly out of keeping with its surroundings. This is not the case here. The materials to be used are brick and tile; chimneys have been added, the fenestration includes curved lintels and there are bay windows and covered canopies, all features which the Board has requested elsewhere throughout the Borough. The site is visually and physically separated from the earlier existing development in Castle Close and thus a different approach can reasonably be taken here. Indeed there is also a variety of different house types opposite the site. As a consequence there is not the scope here for a refusal reason.

o) Heritage Interests

The site is not within the Conservation Area but its western edge does come close to it. As such saved policy ENV15 says that new development which would have a harmful effect on the character, appearance or setting of the Area or views into or out of it will not be permitted. The NPPF contains very similar wording and thus it is considered that the saved policy would carry full weight should there be evidence to support a refusal here. The plan showing the extent of the Area in relation to the application site is at Appendix B.

The designation report for the Fillongley Conservation Area describes the development of the village as a compact settlement clustered around the junctions of Ousterne Lane and Church Lane with Coventry Road, where there is a marked hollow and stream. To the south Castle Farm is mentioned as being significant overlooking the stream. The Church is mentioned to the north. The report says that the attractiveness of the Area is due to the use of one brick type and tile. The closest development to the site is the former Castle Farm which has now been developed through new build and conversions to form the present day Castle Close. It is not considered that the current proposal would affect the character or appearance of the Conservation Area as described above due to the site not being within or close to the centre of the village, and that it is visually and physically separated from the former Castle Farm.

Other heritage interests cited in the representations include the impact on the setting of Arden House referred to earlier. This is not a Listed Building but its setting has already been compromised by the adjoining more modern development in Coventry Road. Even with the proposed development there would be sufficient open space around it for it to retain a "presence".

Representations have indicated that the site historically was almost certain to be part of the former Castle Farm farmstead probably as a former orchard, and that the former farmstead has been recognised by English Heritage. As referred to above, the site is not in the Conservation Area and has no designated heritage identification. It is separated from the former farm house, whose character and setting has already been materially altered by recent new development in Castle Close. As an identified preferred location it too has not attracted objection from the heritage assessments undertaken prior to the identification of these options. Moreover the Warwickshire Museum has not objected to the current application. A similar response would be appropriate to the site being a possible former sandstone quarry.

The link with the George Elliot family is noteworthy, but the development of this site would not diminish that historic record and the whole of the former farmstead buildings have now been removed, redeveloped and converted. There is no planning reason for refusal here.

p) Conclusions

There is no objection in principle to this proposal as its development is supported by all three relevant planning policy documents. Given this conclusion any refusal would involve detailed matters and a wide range of potential issues have been identified in the representations received. However if these are to carry any weight to override the presumption in favour of development they would have to result in significant and demonstrable adverse impacts supported by robust evidence. The various Agencies involved have not raised objections and whilst there will be impacts these are not so substantial to warrant a refusal.

Recommendation

That subject to the completion of a Section 106 Agreement to provide an off-site contribution for affordable housing as set out in this report, planning permission be **GRANTED** subject to the following conditions:

1. Standard Three year condition

2. Standard plan numbers – 282/5B and 2A received on 26/4/14; plan 282/4A received on 11/4/14 and plan number 282/3G received on 4/6/14.

Pre-commencement Conditions

3. No development shall commence on site until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON

In view of the potential archaeological interest in the site

4. No development shall commence on site until details of the means to dispose of both foul and surface water from the site have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site.

REASON

In order to reduce the risk of flooding and pollution

5. No development shall commence on site until such time as full details of the landscaping for the site have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site.

REASON

In the interests of the visual amenities of the area.

6. No development shall commence on site until such time as full details of the measures that are to be provided on site to protect the root system of the protected tree have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site and these shall remain in place until such time as works have been completed.

REASON

In the interests of ensuring the longevity of the protected tree.

7. No development shall commence on site until such time as full details of the proposed retaining wall at the rear of the plots including levels, cross-sections, construction and associated land drainage have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site.

REASON

In the interests of the visual amenities of the area and to reduce the risk of flooding

8. No development shall commence on site until such time as details of all facing materials and tiling together with all ground surface treatments have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be used on the site.

REASON

In the interests of the visual amenities of the area.

Pre-Occupation Conditions

9. None of the three dwellings hereby approved shall be occupied until such time as the details approved under conditions (iv), (v) and (vii) have all been fully implemented on site to the written satisfaction of the Local Planning Authority.

REASON

In order to ensure a satisfactory development

On-going Conditions

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended or as may be subsequently amended, no development within Class E of Part One of Schedule 2 to that Order shall take place without the written approval of the Local Planning Authority.

REASON

In the interests of highway safety so as to reduce the risk of on-street car parking through ensuring that garages are suitably sized.

11. Two car parking spaces shall be provided and maintained within the curtilage of each of the three plots hereby approved at all times.

REASON

In order to reduce the potential for on-street car parking.

Together with any conditions requested by the Highway Authority

Notes

The Local Planning Authority has worked positively with the applicant in this case to address planning issues through seeking amended plans in order to meet responses from consultation agencies thus meeting the requirements of the NPPF.

BACKGROUND PAPERS

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

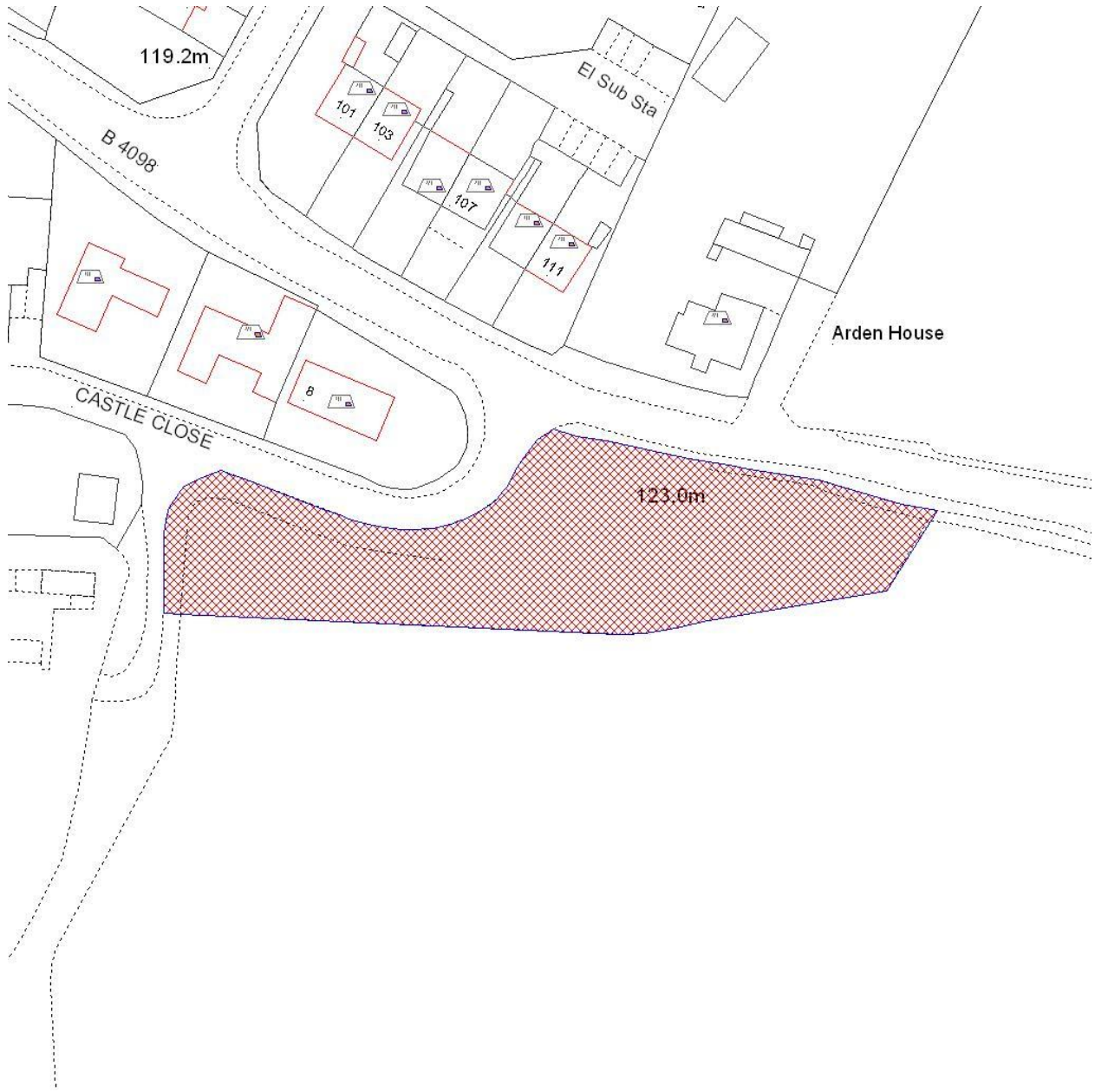
Planning Application No: PAP/2013/0452

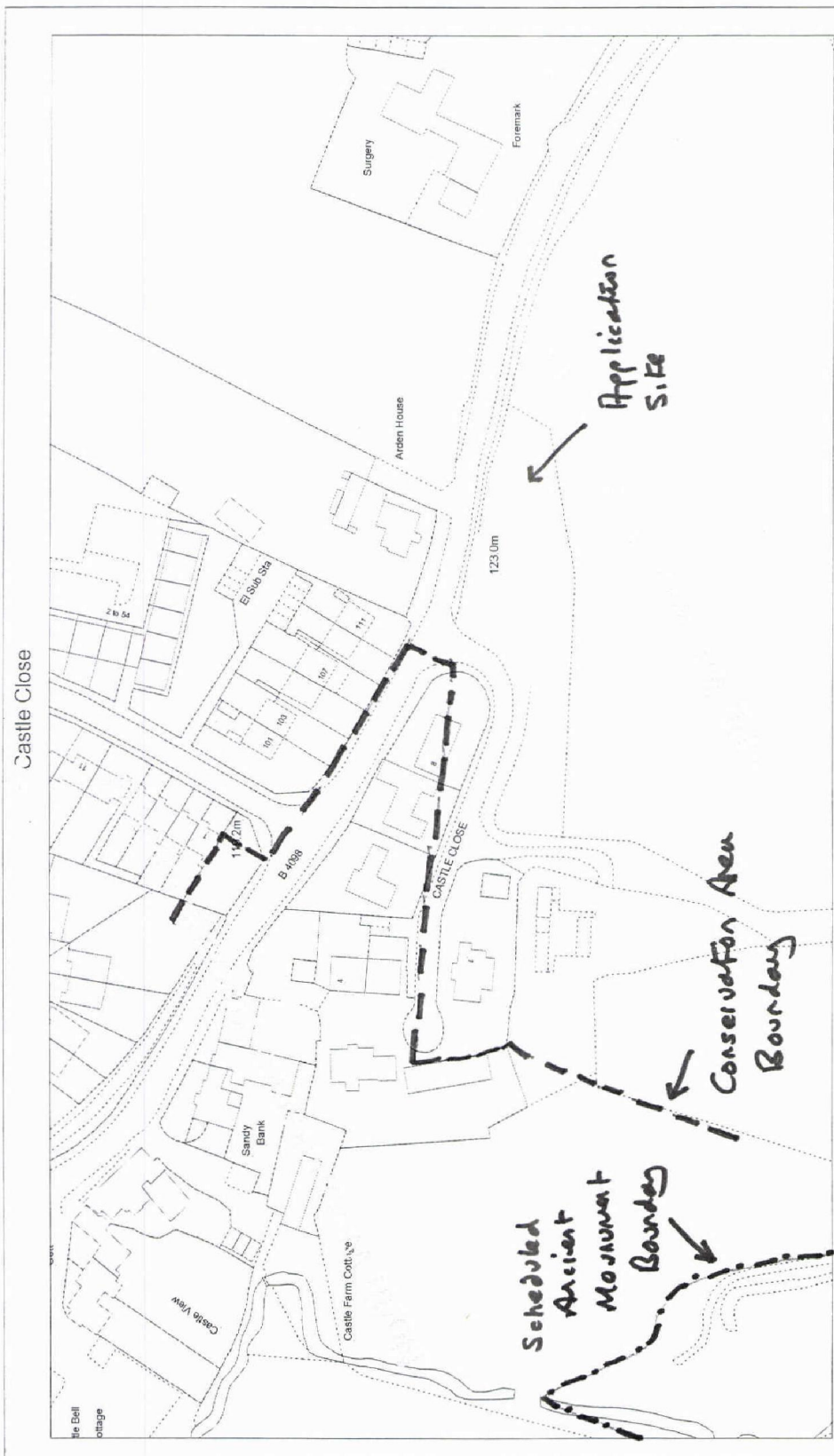
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	11/9/13
2	Case Officer	e-mail	6/3/14
3	Environment Agency	Consultation	6/3/14
4	Environmental Health Officer	Consultation	6/3/14
5	Case Officer	Letter	7/3/14
6	Dr Stokes	Support	9/3/14
7	J Roberts	Objection	10/3/14
8	Case Officer	Letter	12/3/14
9	Case Officer	e-mail	13/3/14
10	S Martin	Objection	12/3/14
11	Case Officer	e-mail	13/3/14
12	Case Officer	Letter	12/3/14
13	Case Officer	Letter	11/3/14
14	P Mahoney	Support	18/3/14
15	Case Officer	e-mail	21/3/14
16	Applicant	Letter	19/3/14
17	Forward Planning	No objection	21/3/14
18	Case Officer	e-mail	24/3/14
19	Case Officer	'phone call	26/3/14
20	Applicant	e-mail	26/3/14
21	Applicant	e-mail	26/3/14
22	WCC Forestry	Consultation	20/3/14
23	D Whiteford	Objection	21/3/14
24	J Roberts	Objection	24/3/14
25	Mr and Mrs Chinn	Objection	25/3/14
26	G Purchase	Objection	
27	Mr and Mrs Sanders	Objection	25/3/14
28	L Moore	Objection	23/3/14
29	Case Officer	e-mail	26/3/14
30	Severn Trent Water Ltd	Consultation	18/3/14
31	Forward Planning	No objection	31/3/14
32	G Jones	Objection	29/3/14
33	Fillongley Parish Council	Objection	25/3/14
34	Case Officer	E-mail	31/3/14
35	L Moore	Objection	30/3/14
36	D Whiteford	Objection	1/4/14
37	Mr and Mrs Hammond	Objection	31/3/14
38	Case Officer	E-mail	1/4/14
39	Applicant	Letter	7/4/14

40	J Roberts	Objection	4/4/14
41	L Gill	Representation	4/4/14
42	WCC Highways	Objection	9/4/14
43	Case Officer	E-mail	10/4/14
44	Applicant	E-mail	11/4/14
45	Case Officer	E-mail	11/4/14
46	Case Officer	E-mail	11/4/14
47	Case Officer	E-mail	11/4/14
48	S Martin	E-mail	11/4/14
49	George Eliot Fellowship	Objection	14/4/14
50	Severn Trent Water	Consultation	9/4/14
51	J Roberts	Representation	15/4/14
52	S Martin	E-mail	11/4/14
53	West Midlands Farmsteads	Report	
54	Mr and Mrs Sanders	Objection	13/4/14
55	Case Officer	E-mail	16/4/14
56	Applicant	E-mail	16/4/14
57	S Martin	Objection	16/4/14
58	Case Officer	E-mail	17/4/14
59	George Eliot Fellowship	Objection	16/4/14
60	Applicant	E-mail	16/4/14
61	P Telfer	Objection	28/4/14
62	Applicant	E-mail	28/4/14
63	S Martin	E-mail	28/4/14
64	WCC Highways	Objection	25/4/14
65	G Billington	Objection	26/4/14
66	Fillongley Parish Council	Objection	24/4/14
67	L Moore	Objection	20/4/14
68	S Maxey	E-mail	16/5/14
69	Applicant	E-mail	9/5/14
70	Applicant	E-mail	28/5/14
71	WCC Highways	Objection	27/5/14
72	Case Officer	E-mail	29/5/14
73	Warwickshire Museum	Consultation	2/6/14
74	Warwickshire County Council	Consultation	4/6/14

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 Assessment





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North Warwickshire
 Site Allocations Development Plan Document
 Issues and Options

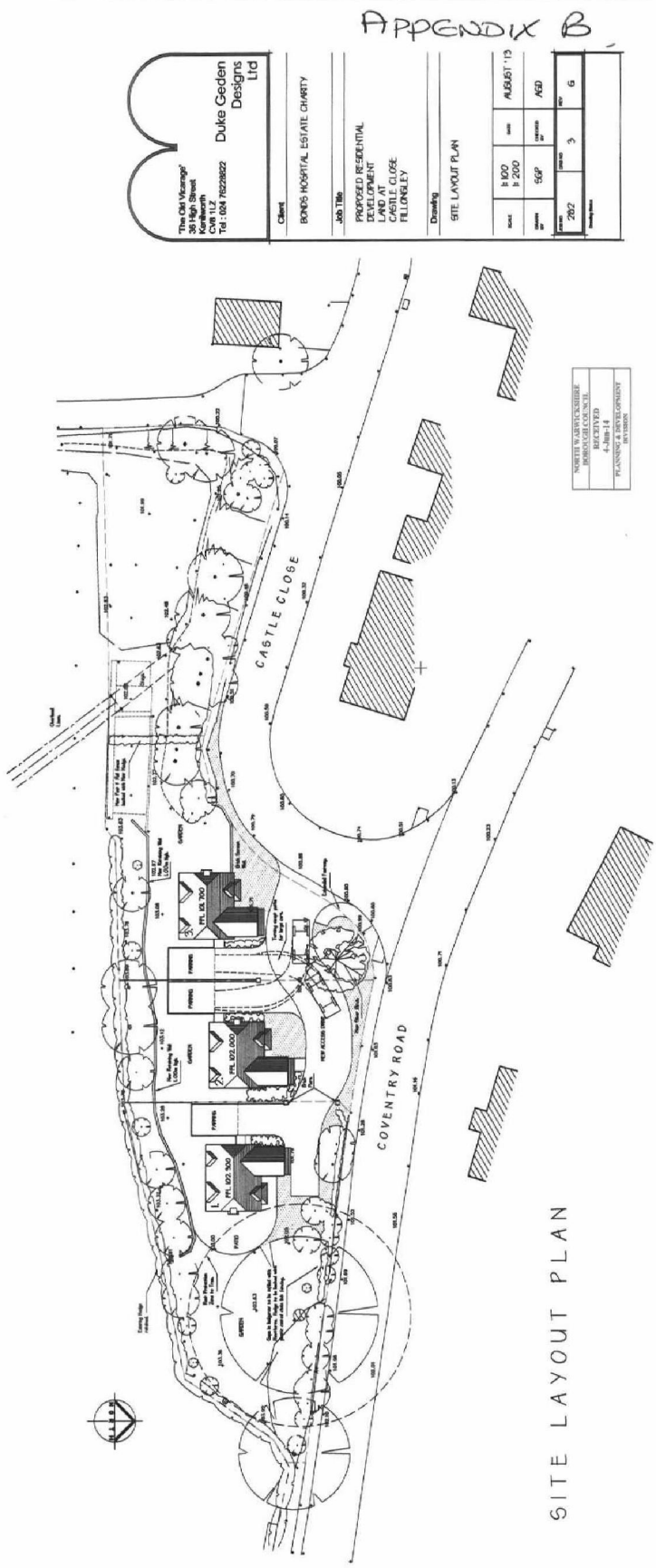


North Warwickshire
 Borough Council

20130452



ELEVATION TO COVENTRY ROAD



SITE LAYOUT PLAN

APPENDIX B

The Old Vicarage
38 High Street
Coventry CV4 1JZ
Tel: 024 7622822

Duke Geden Designs Ltd

CLIENT
BONDS HOSPITAL RES/STATE CHARITY

JOB TITLE
PROPOSED RESIDENTIAL DEVELOPMENT LAND AT CASTLE CLOSE FELLOWLEY

Drawing
SITE LAYOUT PLAN

DATE	SCALE	BY	CHECKED
2013	1:100 1:200	SGP	AKD

DATE: 3 AUGUST '13

NO.	DATE	BY
282	3	6

PROJECT IS UNFINISHED
REVISIONS TO BE MADE
FOR THE DEVELOPER'S
PLANNING APPLICATION
BY 15/08/13

CASTLE CLOSE, (OLD ORCHARD CASTLE FARM) FILLONGLEY NWBC Application PAP/2013/0452SITE DESCRIPTION 'The Old Orchard' Castle Farm, now Castle Close, off Coventry Rd1

Inaccurate statements and less than full information in key areas re
Report PLANNING AND DEVELOPMENT BOARD 16 JUNE 2014.

Residents, professional researchers, and experts are concerned about inaccuracies in the baseline evidence of this report which seeks to support this site. Whilst the reasoning for application of various 'planning' policies may well be sound, if the evidence base on which these are made is distorted and key details missing then there is concern as to democratic planning process.

The inaccuracies relate to statutory bodies, official sources and a robust evidence base which cannot be ignored. The process followed is clearly erratic and superficial, leading to 'unfair' decision making.

Water and pollution -2 aspects a, SITE RUN OFF and b SEWAGERAGE

A Runoff from the highway combined with hard surface run off from existing houses already causes surcharging and sewage-water mix pressure, pushing manhole cover off with sewage flows over lower private turning circle. Sewage then flows via a gulley into garden of Castle Frm cottage and into BOURNE Brook-on into village flooding. SURFACE RUN OFF cannot be contained by the applicants proposal, the combined proposal of SUDS 1 and 2 standards does not offer control of runoff.

Further more the adjacent perched aquifer 3 metres above—of springs/issues (British Geological Survey/OS etc) may 'arrest' ground water by capillary movements to highway. Already an example of the water moving soil down the track—there will be/and are exposed soil areas. The old high banked orchard has performed as a sponge and 'conduit' away from carriageway. SEE ENVIRONMENT AGENCY*

2B SEWAGERAGE

SEVERN TRENT WATER LTD effectively, have NOT given any approval. Severn Trent Water are concerned and therefore carrying out a major survey of the area including Castle Close, yet the planner's report makes no reference to this. The planner's report says ST say 'No objection subject to a standard condition'. The report also says, under J. Drainage, "It is material that Severn Trent have not objected", and that STW would "reserve" detailed design prior to construction is not accurate. This standard procedure is not relevant in this case—risk is too high.

FILLONGLEY SEWAGERAGE ASSESSMENT /STUDY—CLEAR VIEW CONSULTANTS report due Oct 2014 monitoring work being carried out by ON SITE COMPANY is investigating the entire deep valley village and potential sites outside flood zones.

(Evidence base shows photographs lower Castle Close flooded by sewage and water mix, 3" from a front door and feet away from garages, other doors. The private turning courtyard is shown flooding as the manhole cover is forced up and sewage surges out, filling the entire circular courtyard over the kerb height and up the steps of the bottom house, over the grassed area. (We request that

councillors and the agencies look at these as presented at 2013 SITE ALLOCATIONS representations).
Sewage mix then flows from gulleys on private courtyards into the garden of cottage and into the Bourne Brook before adding to village (house) flooding. Granting permission, *"This is an appropriate way to go", is irresponsible in the light of the situation, risking more hard surface run off, aquifer impacts/groundwater arrested by new deeper (than original) retaining walls which may add to flooding, impacting residents in clean up and damage costs to property, health risks and stress.* NWBC policies do not support impacts such as this, and not before crucial surveys are completed.

{SEVERN TRENT-FILLONGLEY DRAINAGE ANALYSIS - JUNE –AUG 2014, Severn Trent are carrying out an analysis of drainage/sewerage in the catchment area of Fillongley Village. ST have appointed one of their framework subcontractors, Clear Consultants of Derby to investigate this, build a computer model which models the physical capacity of sewerage/drainage and with 'testing' work based on rainfall for flow simulation. Clear Consultants are using subcontractor On Site to provide 'on site' sewer flow surveys. This involves fitting rain fall analysis equipment, 6 pieces have now been fitted in the village valley area, and higher zone. This work started on June 5th and data is being collected continuously over min of 5 weeks. Clear Consultants are scheduled to take 3 months to analyse data and information, with final report in approx 3 months. Fillongley Neighbourhood Plan will use data to inform housing sites and flooding impacts, of immense concern in the village. Evidence data collected by FNP is also being provided to the consultants).

"The arresting of ground water by excavations, including the site's retaining walls with adjacent (higher bank) an area of springs/and aquifer (BRITISH GEOLOGICAL SURVEY) into drains or as runoff are adding water".

Severn Trent are taking a responsible approach to this entire situation, and carrying out professional work. It is therefore not appropriate to grant this planning application, at best premature.

3 ENVIRONMENT AGENCY –EA Are carrying out a further investigation by 2 specialist teams

A EA -GROUNDWATER TEAM B EA POLLUTION TEAM

4 HIGHWAY AUTHORITY * Continue to place an objection as turning cannot take place on site, this then impacts the turn in to the site –adding danger. 3 houses will cause extra traffic and parking in the CLOSE, which ends in PRIVATE TURNING CIRCLE funded by residents.

There is no access over this area by pedestrian or vehicle, and The CLOSE is governed by a number of covenants.

5 SOCIO-ECONOMIC AMENITY VALUE TO COMMUNITY (National and international interest)

HERITAGE ASSETS HAVE VALUE TO THE COMMUNITY.

Apart from being the last GREEN SPACE in the village, a highly visible site demonstrating topography and the setting of the village it is an acknowledged by ENGLISH HERITAGE 'historic farmstead' in it's developed form.

NB Given the 'planning weight' of the NEIGHBOURHOOD PLAN-SCOPING SURVEY this is a GREEN SPACE to be protected by the plan. 90% respondents requiring protection green spaces, ruralness.

Fillongley Conservation area is adjacent and an historic building opposite with many links to Warwickshire/Coventry's historic development.

CASTLE FARM HOUSE AND CASTLE FARMSTEAD HAVE HISTORIC LINKS OF NATIONAL AND INTERNATIONAL IMPORTANCE.

Despite detailed expert representations, and specific information (**Professor K Hughes, and George Eliot Society**) together with secondary direction to the heritage planning tools, the report indicates that English Heritage Database set up for PLANNING purpose—HISTORIC ENVIRONMENT RECORD – HER, was not consulted by planners, nor were the experts running this at WCC.

NB The HER -Historic Farmsteads Database specifically names CASTLE FARMSTEAD –albeit with a 50% expert assessed change and therefore an attempt to dismiss all the housing in the CONSERVATION AREA of Castle Close as new “1980s” , is of concern.

The maps from 1700s, and when sold in 1920s clearly show the old orchard, and are in the planning heritage database. The lead DIRECTOR of the ENGLISH HERITAGE FARMSTEAD's project has indicated 'setting is important such as tracks, banks, orchards etc' and 'topography' all a part of the identity of the village.

NWBC/DEFRA/EUROPEAN AGRICULTURAL FUND/LEADER-details are included in Fillongley NEIGHBOURHOOD PLAN, baseline data as directed by FORWARD PLANNING.

NB NWBC are supposed to be playing a part in the RURAL ECONOMY –LEP and SEP REPORTS.

In the LEADER DEFRA project see NORTH WARWICKSHIRE RURAL GROWTH and drive to develop – RURAL TOURISM'. The GEORGE ELIOT 'brand' is in development proposal stages but as the female Shakespeare, and evidence of the national academic interest together with European and Japanese interest in visiting the area such historic farmsteads and CASTLE FARM HOUSE are assets of the community-as much as the historic village.

Packing housing onto every available space, especially spoiling assets-by destroying their setting , when the NEIGHBOURHOOD PLAN and FPC are proposing alternatives, is not responsible planning.

This old orchard site are all part of open HERITAGE SPACE/ allowing heritage buildings to breath. NWBC's statement covers support for cultural and heritage- **“Enhancement, restoration and upgrading of the cultural and natural heritage of villages and high nature sites”**. **“Enhancement of cultural and community activities and investments to enhance venues providing cultural and heritage activity”**. **A permanent Girl Guide campsite welcomes guides from all over the UK to Castle Mound site**. It is a rural and heritage location, with Scheduled Monument, a moated site, medieval fishponds etc part of the site, which is also designated WILDLIFE SITE. The idea of creating a housing estate over the bank spilling the 'historic bowl' -the setting reflecting the typography spoils the entrance to the rural camp site.

It is completely against a policy to enhance and develop such valuable assets-working against and nibbling away at the village heritage assets. **NWBC in it's bid recognise the part this plays in “rural tourism” such as the Guide historic site-attracting big camps most weekends, up to 200 guides e.g. 40 families on 29/6/2014**. However, with the sitting of the current housing the guides enjoy privacy, more housing stuck on every available piece of land conflict with NWBC's own attempts at enhancing assets.

The female Shakespeare -George Eliot will be developed as a 'brand' in the area and the unploughed old orchard of the historic farmstead, with enhanced ecology and unique topography can play a role in bio diversity offsetting for the applicant.

6

ECOLOGY Whilst the site itself, now devoid of its 120 scrubs/trees felled by the applicant is still important with a loss of biodiversity. The site was recorded in NP for an ecological survey but the application is premature.

LANDSCAPE –ie site topography has NOT BEEN ASSESSED see below, and only been assessed at regional level-ARDEN VALLEYS.

The AMENITY VALUE includes VETERAN OAK with TPO PROTECTION and highly visible from key vistas in the village. The high amenity value has a high rating in the TEMPO REPORT.

See Ecologists Report.

SUMMARY

Currently this highly visible, old orchard site, a special GREEN SPACE –high banked stream and setting for Conservation area, historic farmstead of CASTLE FARM, and rural village (not a group of bitty patches of housing) punches well above it's weight in community identity and as a valuable asset IN NATIONAL and INTERNATIONAL CONTEXT. Flood impacts and traffic are covered elsewhere but the issue of the turning circle and courtyards at the end of the Close need to be stressed are private property and it is those areas impacted by sewage flooding and potentially illegal parking, trespass, AND delivery vehicle turning etc

The loss in value including rural village tourism does not outweigh short term gain, in fact the damage including to flooding and traffic/parking safety is of concern impacting greatly on residents.

NB The site has not been subject to the LOCAL PLAN-SITE ALLOCATIONS 2014 CONSULTATION nor assessed under EIA SUSTAINABILITY APPRAISAL baseline data as being produced by NEIGHBOURHOOD PLAN, and is in fact 'premature' and, consequently the decision to support the application is ill founded and 'unfair'.

PAP/2013/0452

We intend to show “significant and demonstrably adverse impact” by this proposal. All policies noted are SAVED policies and as such should have FULL WEIGHT.

DOCUMENTS

1. The Case Officers Report states that there is “no objection in principle” to using this site for housing. This cannot be true as FPC strongly object as they did at the initial consultation for the Site Allocations Plan. The **NWBC Local Plan** is being superseded by the Core Strategy. Saved Policies from the plan are fully weighted and demonstrate (below) that the application should be refused.
2. Submitted **NWBC Core Strategy** states that the site is identified as a “preferred allocation”. FPC believe that this is due only to an error, whereby NWBC allocated the number of houses required to be sited in Fillongley without looking at the land which was available within the Development Boundary. Another parcel of land that was also a “preferred allocation” was not available by the owners for development but the availability had not been checked before Forward Planning put it forward as a preferred site. The current sites offered as preferred sites also only have the superficial Site Sustainability Appraisal (ie Strategic Level). More thorough Sustainability Appraisals, we believe, would show that the site is unsuitable for housing. Had this level of Sustainability Appraisal been completed already, this site would not have been put forward.

FPC objected in the initial stages of Consultation, and as this has not yet been reconsidered on, the inclusion in the submitted Core Strategy is irrelevant at this time.

3. Fillongleys emerging **Neighbourhood Plan** does hold some weight even though it is not finished. The initial scoping survey found the following results to OPEN ENDED questions;
 - In answer to “What 3 things do you like about living in Fillongley?”
 - 18% specified the rural environment
 - 20% specified “countryside”
 - In answer to “Three things you would like to protect”
 - 40% specified Countryside/Greenbelt
 - 7% specified Nature
 - In answer to “What else would you like to see the Neighbourhood Plan include?”
 - 8 % specified more wildlife spaces
 - 5% specified more amenity spaces.

This should be strongly weighted as this was put out as a general survey, with general questions, and before anyone was aware of any threat to green spaces in the Parish. This was the feeling of the local people.

4. **NPPF** - "New Housing", "requires the granting of planning permissions if the development... is "sustainable". We do not consider that this is sustainable due to the incapacity of the sewerage system and the existing flooding issues in the village. These have become of greater concern over the last 7 years.

NWBC SAVED POLICIES

ENV 1 states that "Development that would neither protect nor enhance the intrinsic qualities of the existing landscape, as defined by Landscape Character Assessment will not be permitted"

Core Policy 3 "All development decisions will seek to protect or enhance biodiversity, natural habitats, the historic environment, and existing landscape and townscape character."

We believe that the proposal is contrary to this policy as this neither protects nor enhances the existing landscape, indeed the development proposes to change the nature of the open, green, banked site by excavation in order to fit in these houses. Please also refer to the stated emerging Neighbourhood Plan which shows the preference of local people to keep the landscape as it is.

ENV1 Carries full weight if it were to be cited as a reason for refusal.

Core Policy 2 "in other settlements with development boundaries defined on the Proposals Map, housing development will be limited to that for which local affordable housing need has been identified".

These are clearly not affordable houses. The Fillongley Housing Needs Survey 2014 which runs alongside the Neighbourhood Plan shows a potential need for mainly 2 bedroom bungalows for local people. A Section 106 provision for Affordable Housing outside of the Parish and at the same time building houses that we don't need does not help our Community.

ENV 8 states "The water resources of the Borough will be safeguarded and enhanced, and development protected from floodwater by:5 Requiring mediation measures where pollution has already occurred."

We would request that if the Board dismiss the feeling of local people and the overwhelming evidence against this proposal, then remediation measures are put in to the sewerage and drainage in Castle Close and Coventry Road **before any development** can take place.

FPC would dispute the conclusion of this department of Severn Trent as FPC have already been trying to resolve current issues in the centre of the village (see attached email), and during the course of investigation into this issue, ST have confirmed that they have only taken responsibility for some drainage in 2011 and are not fully aware of details of the system so are currently measuring sewerage flow and capacity in the whole village to enable computer modelling of the system. The Asset Manager (Mr Geoff Timms) has stated that he would not think that the Leicester-based planning response team would be aware of the issues that the local office is investigating.

The Officers Report states STW say 'No objection subject to a standard condition'. The report also says, under J. Drainage, "It is material that Severn Trent have not objected", and that STW would "reserve" detailed design prior to construction is not accurate. This standard procedure is not relevant in this case as the risk of flooding and pollution is too high.

It should be noted that the photographic evidence shows that, at times, the existing system cannot cope with the capacity that it has, and to allow any further increase into the mixed foul/storm drainage in Castle Close will directly impact the whole of the centre of the village by increased risk of flooding with sewage contaminated water.

ENV11 states "Development will not be permitted if the occupiers of nearby properties would suffer significant loss of amenity, including overlooking, loss of privacy, or disturbance due to traffic,....noise.... Occupiers of the development itself should also enjoy satisfactory standards of these amenities."

This contravenes Saved Policy ENV 11 in that the occupier should enjoy a satisfactory standard of amenity.

We believe that the development itself contravenes ENV 11 as they do not offer a "good standard of amenity" i.e. who would buy a house of this size/price without a garage?

This does not provide a good standard of Amenity, with regard to the proposed future residents, in that no garages are provided. It is likely to be a short time period after completion that applications for garages will come forward. It is in everyones interest to preempt this by minding the Objections of the WCC Highways and refusing the application.

The site has a high amenity value in its current state. It includes a veteran oak tree with TPO and is a highly visible, high banked statement and setting for the historic farmstead of Castle Farm and the Conservation Area.

Neighbour Amenity

- There would be significant loss of Amenity to all residents of Castle Close but in particular to No. 8, also to Arden House, Coventry Road due to traffic.
- It is already noted that "neighbours" implication in this case, is far more reaching than the immediate properties, in that due to the nature of the sewerage, the implications would affect the Amenity of all properties in the centre of the Village.
- It should also be noted that poor sewerage affects the business of the Manor House Pub as clogged sewers (as per Ms Kenricks email) do not create a pleasant environment to increase business in the pub.

The Officer notes that this could be cited as a reason for refusal.

ENV 12 states "Development will only be permitted if:

- All the elements of the proposal are well related to each other and harmonise with both the immediate setting and wider surroundings to present a visually attractive environment.***

farmed, fields. Uninterrupted Green Belt. The Guides camp site is in fact behind 1 Castle Close.

Ribbon Development It is a fact that NWBC are against “ribbon development” that this infill would certainly cause. Residents have enjoyed the “break” in the ribbon development that is afforded by the open landscape and one last open piece of land as you enter the village.

Distance It is sometimes difficult to gauge distances given, but in this case, be they 21,22 or 23 metres it basically equates to directly opposite/ “the other side of the road”. If you look at the map, this proposal is the other side of the main road to Arden House and the other side of Castle Close to No. 8.

Design The design has changed significantly over the period of submission, and whilst the principle of 3 houses hasn’t changed, a large number of details have. The detail is also where the Objections can be made and the detailed plans and amendments thereof have not been made available on the website for viewing.

Other sites Whilst it is correct that the Neighbourhood Development Order is still in early stages, Sec 89 of the Localism Act 2011 confirms that FPC are able to bring the other brownfield site forward. It accords with the principle of the Localism Act, being the preferred option by building on brown field and leaving green field sites alone.

Tourism Heritage Assets have value to the Community. This newly discovered link between this old orchard and George Eliot could lead to tourism development.

Inaccurate Statements There is concern from FPC and residents that because the plans have changed so much and so frequently, that the Statutory Consultees have not been notified of the changes and the responses that were provided by the Officers Report are not necessarily the responses to the plans in front of you.

Residents, professional researchers, and experts are concerned about inaccuracies in the baseline evidence of this report which seeks to support this site. Whilst the reasoning for application of various ‘planning’ policies may well be sound, if the evidence base on which these are made is distorted and key details missing then there is concern as to democratic planning process.

The inaccuracies relate to statutory bodies, official sources and a robust evidence base which cannot be ignored. The process followed is clearly erratic and superficial, potentially leading to ‘unfair’ decision making.

E U Laws AARHUS Convention *objective sets out in article 1 -it aims to contribute to the protection of the right of every person ...future generations to live in an environment adequate to his or her health and well being.* We do not consider that to unnecessarily remove an amenity open space, and develop properties that will exacerbate flooding and sewerage issues in all ways that we have demonstrated will fulfil this Convention Objective.

Conclusion

The site has not been subject to the Local Plan Site Allocations Consultation, nor a detailed Environmental Impact Assessment Sustainability Appraisal. As such this application is “premature” and consequently the Officers decision to support the application is ill founded and unfair.

The Officers report lists 25 letters of Objection though we know that more have been sent since the report was produced. We would urge you to take note of the objections of the local people, based on your own policies and reject the application.

CONCISE OBJECTIONS TO PAP/2013/0452

- Site Allocation done on low level sustainability appraisal – not consulted on and previously objected to, therefore not supported in principle. Detailed Sustainability Appraisal will show unsuitability of site.
- **Against policy ENV 11** stated by the Officer as carrying full weight and **could be a reason for refusal.**
- **Against policy ENV1 and NPPF**, stated by the Officer as carrying full weight and **could be a reason for refusal.**
- Height shown on plan is not 1.5 m above height of No 8 but in excess of 3 metres (according to analysis of plan) thereby increasing impact under ENV 11 and ENV 1.
- **Against policy ENV14** stated by Officer as carrying full and could be a **reason for refusal.**
- Objected to by the WCC Highways.
- Contrary to policy ENV 8 as photographic evidence and local experience demonstrate significant problems with flooding AND sewerage issues both in the Close and the village centre (just down the road)
- It is material that Severn Trent Planning Response team are not aware of existing problems in the sewerage and drainage system.
- It is also NEW material evidence that Severn Trent Assets team are mapping sewerage in village ready for modelling as **they are aware of existing issues.**
- Against ENV 12 and 13 stated by the Officer as carrying full and could be a reason for refusal as will remove existing banked feature, not in accord with historic properties in the VILLAGE, don't harmonise with setting, harmful to appearance, character and setting of the Conservation Area. Site is adjacent to Conservation Area and houses awarded design award for excellent architecture.
- Ribbon development as opposed by NWBC.

(3) Application No: PAP/2014/0080

Cherry Tree Farm, Atherstone Road, Hartshill, CV10 0TB

New kennels block with adjacent dog run and car parking area replacing existing stables and paddock, for

Mr James Hammond

Introduction

This application is referred to the Board for determination by both local Members, concerned about potential noise impacts.

The Site

Cherry Tree Farm lies in open countryside to the north of Hartshill on the west side of Atherstone Road and accessed off that road about 200 metres south of the canal bridge. The farm is set back about 50 metres along this access track. It is located at the foot of quite a slope on the crest of which are the residential properties of Cherryfield Close, some 85 metres distant.

The existing premises consist of a newly completed replacement house and some agricultural buildings. Existing dilapidated wooden stables to the north of the farm range would be demolished to make way for the new kennel building.

The location is illustrated at Appendix A.

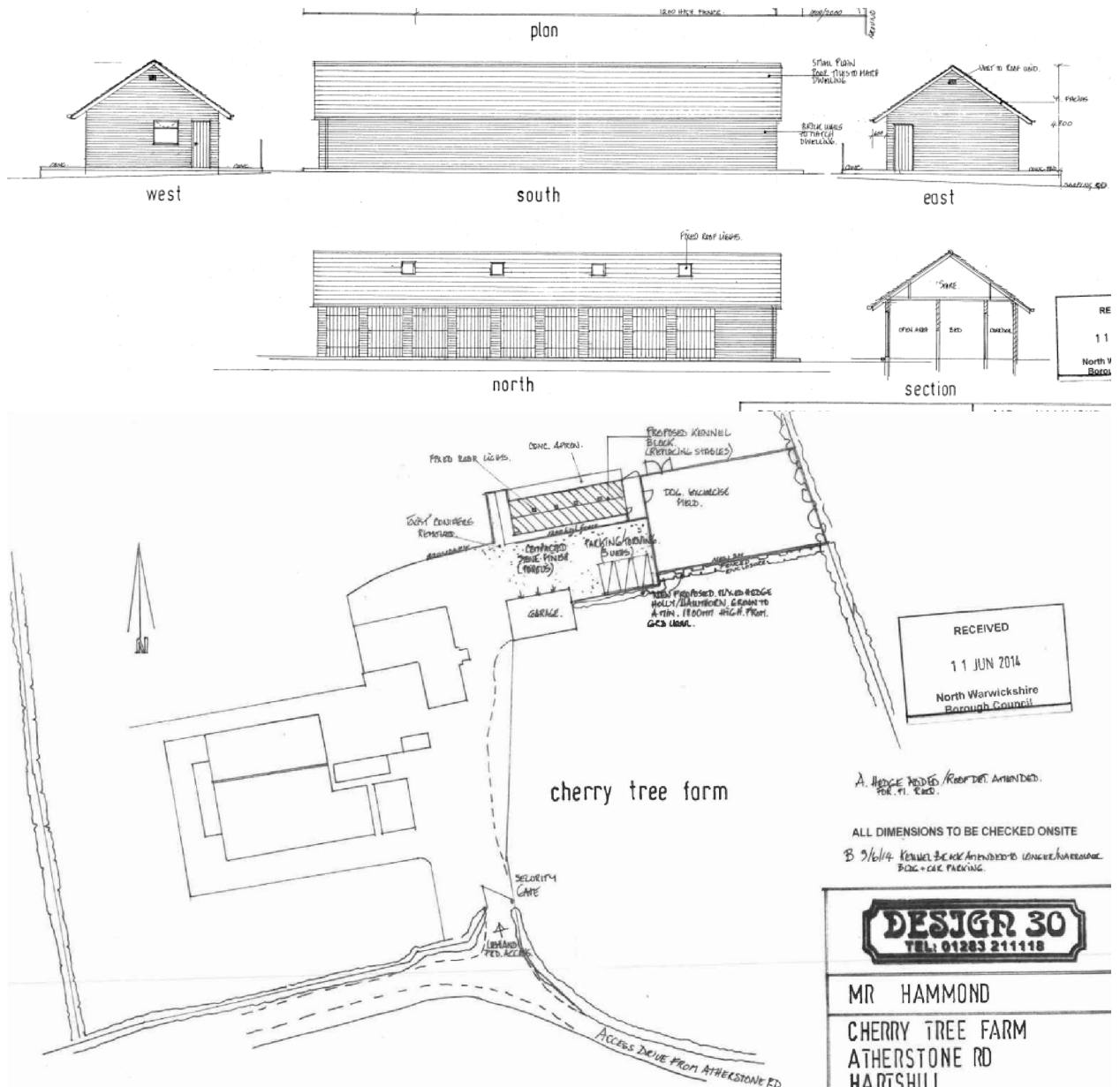
The Proposals

This comprises a new kennel block with an adjacent dog run and car parking area to replace the existing stable and paddock. The building would measure 6 metres by 20 metres long, with roof ridge of 4.8 metres. This would house 9 kennels with a store and office. The exercise area would be 11 metres by 10.3 metres, and be accessed directly from the kennels, and be surrounded by a 2 metre fence and hedging. Three car parking spaces are shown too.

It is proposed that they be open in the morning and afternoon, and the applicant will offer a collection service. It is expected that the dogs would be here for an average of about a week.

The location of the building and its design has been revised during the course of the application as a consequence of advice given by the Council's Environmental Health Officer.

The most up to date plans are shown below.



Development Plan

Saved policies of the North Warwickshire Local Plan 2006 - ENV1 (Protection and Enhancement of the Natural Landscape); ENV11 (Neighbour Amenities), ENV13 (Building Design) and ENV14 (Access Design).

Other Material Planning Considerations

The Council's Submitted Core Strategy 2013 - policy NW 8 (Sustainable Development)

The National Planning Policy Framework 2012

Consultations

County Council as Highway Authority - No objection but suggest a condition covering pick up and drop off times

County Council Footpaths - No objection subject to path number AE100 remaining open.

Environmental Health Officer – He was involved in offering advice on the location and design of the proposed buildings. He has no objection to the revised plans shown above.

Warwickshire Museum – No objection subject to a standard condition.

Representations

Objections have been received from three residents of Cherryfield Close. The issues involve: noise day and night from dogs barking and howling will cause disturbance; this is not out of the way and dogs will be heard, there is a lot of activity along the access track which will cause the dogs to bark, the construction does have “open spaces”, the greatest potential for noise is in the holidays when residents too have free time, the residential properties here are at a higher level and thus sounds will travel (even the Witherley hounds can be heard at times), there will be extra vehicular use of the lane, there was only a breeding establishment here previously not a kennels despite the applicant’s claims,

Observations

The Council has always agreed that kennels should preferably be located in rural areas away from existing residential property so as to reduce the risk of noise disturbance. This is the case here. However there are residential properties within 100 metres to the south and this issue will therefore need to be addressed.

There is not considered to be any issues here arising from the location of the building or its design in terms of its visual impact as the building is on the site of existing stables, close by other buildings, small in scale and designed as an agricultural building. Similarly the scale is small in terms of its activity (just nine kennels) and thus the anticipated additional traffic movement is expected to be low. Indeed the Highway Authority has not objected to the proposal.

The key issue is that of potential noise nuisance. The relevant planning policy here is saved policy ENV11. This says that development should not be permitted if, “the occupiers of nearby properties would suffer significant loss of amenity” including amongst other things- “noise”. This policy is considered to accord with the NPPF – the fourth core planning principle in paragraph 17 – and thus it would carry full weight. The key word here is “significant”. If the Council is minded to refuse on these grounds then it has to have the evidence to show that there would be a “significant” adverse impact rather than a perceived impact or an objection on principle. In this case that evidence is not available. It is of substantial weight that the Council’s own Environmental Health Officer does not object. Indeed he has been involved in offering guidance so as to mitigate noise disturbance. The proposal has been revised as a direct consequence.

The revisions include:

- A single length linear building, with openings facing north away from property.
- No internal openings such that dogs can see each other.
- Roof lights to the north elevation only with none in the southern side, and.
- The dog runs area bounded by both fence and hedge.

He also points out that should noise arise, then there are powers available to both residents and to the Council in the Environmental Protection Act.

Recommendation

That planning permission be **GRANTED** subject to the following conditions:

- 1). Standard Three year condition.
- 2). Standard plan numbers condition – the location plan received on 19/2/14 and plan numbers 11532A/2 and 3B received on 11/6/14.
- 3). Customers visiting the site shall only arrive or depart between 1000 and 1300 hours and between 1400 and 1600 hours on weekdays (including Saturdays) and between 1000 and 1300 hours and 1400 hours to 1800 hours on Sundays.

REASON

In the interests of highway safety and the amenities of nearby residents.

- 4). The facing materials and roofing tiles to be used shall match those used on the existing house and garage at this site.

REASON

In the interests of the visual amenities of the area.

- 5). No work shall commence on site until such time as the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of archaeological research.

- 6). The development hereby approved shall not be brought into use for business purposes until the whole of the parking and turning area as shown on the approved plan has first been full completed to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety.

- 7). There shall be no new openings made to any elevation of the building hereby approved and the roof lights shown on the approved plan shall remain closed at all times.

REASON

In the interests of the reducing to risk of noise disturbance.

Notes

- 1). The Local Planning Authority has worked positively in this case in order to address the planning issues through seeking amended plans thus meeting the requirements of the NPPF.
- 2). Standard Radon gas note
- 3). The applicant's attention is drawn to the offer to encourage "pick-up" of customer's dogs using his own transport so as to reduce vehicle movements.

BACKGROUND PAPERS

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

Planning Application No: PAP/2014/0080

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	10/3/014
2	Agent	E-mail	28/3/14
3	Mr and Mrs Lorriman	Objection	28/3/14
4	WCC Highways	Consultation	27/3/14
5	Case Officer	Letter	28/3/14
6	Agent	Letter	28/3/14
7	Mr and Mrs Phillips	Objection	29/3/14
8	Case Officer	Letter	31/3/14
9	WCC Footpaths	Consultation	31/3/14
10	Mr and Mrs Spooner	Objection	31/3/14
11	Case Officer	E-mail	1/4/14
12	Environmental Health Officer	Consultation	11/4/14
13	Case Officer	E-mail	11/4/14
14	Agent	E-mail	14/4/14
15	Agent	Letter	14/4/14
16	Agent	E-mail	22/4/14
17	Mr Lorriman	Objection	27/4/14
18	M Phillips	Objection	27/4/14
19	A Tippins	Objection	23/4/14
20	Warwickshire Museum	Consultation	2/6/14
21	Agent	Letter	10/6/14
22	Mr Lorriman	Objection	17/6/14
23	Environmental Health Officer	Objection	20/6/14

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

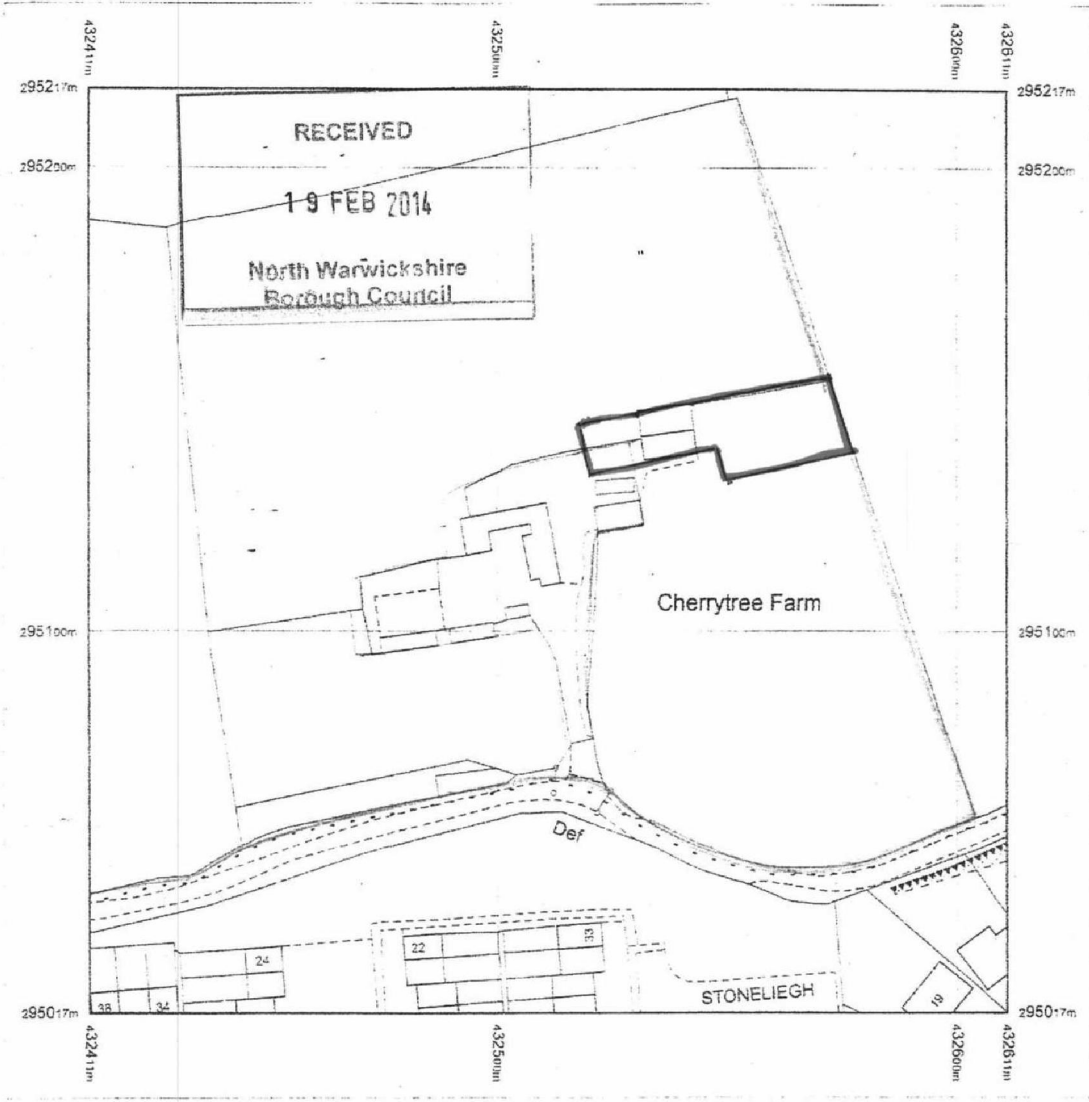
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



APPENDIX A,
2014 / 0080



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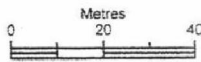
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CHERRY TREE FARM
ATHERSTONE ROAD
HARTSHILL CV10 0TS

(4) Application No: PAP/2014/0167

The Depot, Station Road, Arley, Warwickshire, CV7 8FG

Change of use from restoration, display and sale of vintage cars to repair, display and sale of cars for

Mr D Thomas

Introduction

The application is reported to the Board as a consequence of an objection originally being received from the Warwickshire County Council as Highway Authority.

The Site

The site was last used as a garage facility for the restoration, display and sale of vintage cars. Formerly the premises had been used as a base for the operation of road haulage vehicles and as a depot by calor gas. The site lies on the south side of Station Road, approximately 120 metres west of its junction with Spring Hill. The premises have recently become vacant, they but comprise a concrete yard with an existing brick built building which forms an office and a sales room; a corrugated iron work shop and a block built store. It has two separate vehicular accesses from Station Road and the site is secured by a wire link fence with vehicular access gates. There is a ribbon development comprising mainly of detached bungalows on the opposite site of the site and open fields lie to the rear beyond the Bourne Brook. The site has area of some 0.23 ha and it lies within the Green Belt.

The site is illustrated at Appendix A and photographs of the site are at Appendix B.

Background

The site originally operated as a haulage depot and so a commercial use has been long established here in this Green Belt location. Planning permission was refused for its residential redevelopment in 1980. The use of the site for vintage car restoration, display and sales was approved conditionally in 1987 and a further permission was granted in 1987 for a change of use of the office space for the retailing of garden furniture. However the only implemented use was that of vintage car restoration and sales and the buildings that presently occupy the site facilitated that use.

The Proposals

The nature of the proposal here has altered since the submission of the original application. That included the use of one of the buildings on the site for a potential light industrial occupier with working hours beyond those of the 1987 permission referred to above.

In light of the objections received – see below – the applicant changed his proposal through the withdrawal of the additional light industrial occupier. In essence therefore the application before the Board presently, is to continue the same use as in recent years but with varied conditions. This is because the 1987 permission conditioned car

sales to vintage cars alone and to restricted hours. These were 0800 to 1800 hours on Mondays to Fridays; 0800 to 1200 on Saturdays with no sales on Sundays and at Bank Holidays. The proposed car sales hours are 0900 to 1800 on weekdays, Saturdays, Sundays and Bank Holidays.

No physical works to the site are proposed as all repairs and any restoration work would take place inside the existing buildings.

Development Plan

Saved Policies of the North Warwickshire Local Plan 2006: ENV2 (Green Belt); ENV11 (Neighbours Amenities); ENV7 (Development of Existing Employment Land Outside Defined Development Boundaries) and ENV8 (Water Resources).

Other Relevant Material Considerations

The National Planning Policy Framework – 2012: (“the NPPF”).

The Submitted Version of the Core Strategy - 2013: Policies NW2 (Green Belt); NW7 (Employment) and NW8 (Sustainable Development).

The Inspector’s Proposed Main Modifications to the Council’s Submitted Core Strategy – July 2014

Consultations

Environment Agency – No objection

Severn Trent Water Ltd – No objection

Environmental Health Officer – No objection subject to an hours conditions

Warwickshire County Council as Highway Authority – The Council originally objected to the original submission because it considered that continuation of the same use together with another light industrial occupier would lead to an intensification of traffic generation from the existing sub-standard access points. The change in the application description with the removal of the light industrial use removes these concerns.

Representations

Three local residents objected to the original proposal to include a light industrial occupier onto the site because of potential amenity, highway and pollution impacts.

Observations

The site has operated as a car restoration and sales business since 1987 and this provides the “fall-back” position or base-line against which this current application in its revised form should be assessed. It is considered appropriate that the site could now be re-occupied for a commercial business with a very similar operation. The principle of the use is considered to be acceptable given that the existing buildings and hard standing remain. Indeed its continued use would accord generally with saved policy ENV7 of the Development Plan which seeks to protect local employment land provided that there are no significant adverse impacts. It will be necessary to assess these later.

The submitted Core Strategy also seeks to support small scale rural business and to enable their expansion if that does not impact on the environment or the character of the surroundings. The Proposed Modifications do not affect this position. As a consequence it is considered that this revised proposal is acceptable in principle subject to assessment of the amenity impacts.

There is not considered to be an adverse visual impact as the current permission allows for the open display of cars without restriction. The greatest concern however is the potential for disturbance to local residents particularly from any noise arising from repair work. It is considered that the best way to mitigate against this possibility is through new conditions – one restricting all repair and any restoration work to inside the buildings and secondly to limit such repair work to the existing permitted sales hours as set out in the 1987 permission. Additionally car repairs should be limited to those cars on site for sale, rather than for the general public as a normal garage repair workshop.

The sales hours, although proposed to be extended over the 1987 permission, are considered to be acceptable.

In highway terms it will be important to limit deliveries such that no car transporters are used and that all vehicles use the preferred eastern access given the better visibility at its junction with Station Road.

Recommendation

That planning permission be **GRANTED** subject to the following conditions:

1. Standard Three year condition
2. Standard plan numbers – the location plan received on 3/4/14.
3. There shall be no sales of cars from this site other than between 0900 and 1800 hours on any day.

REASON

In the interests of the amenities of nearby residential occupiers

4. There shall be no repair, valeting or restoration of any car on the site other than between 0900 and 1800 hours on Mondays to Fridays and 0900 to 1200 hours on Saturdays with no such work undertaken on Sundays and Bank Holidays.

REASON

In the interests of the amenities of nearby residential occupiers.

5. No car brought to this site for sale shall be delivered using a car transporter.

REASON

In the interests of highway safety

- 6 There shall be no repair, valeting or restoration of any car for sale on this site undertaken outside of any of the buildings on the site

REASON

In the interests of the amenities of nearby residential occupiers.

- 7 All vehicular access to the site shall be via the eastern most access.

REASON

In the interests of highway safety

- 8 No repairs, valeting or restoration work shall take place on this site other than to cars that are to be sold from this site.

REASON

In the interests of the amenities of nearby residential occupiers and in the interests of highway safety.

Notes

The Local Planning Authority has worked positively with the applicant in this case addressing the planning issues arising through seeking amendments to the proposals thus meeting the requirements of the National Planning Policy Framework.

BACKGROUND PAPERS

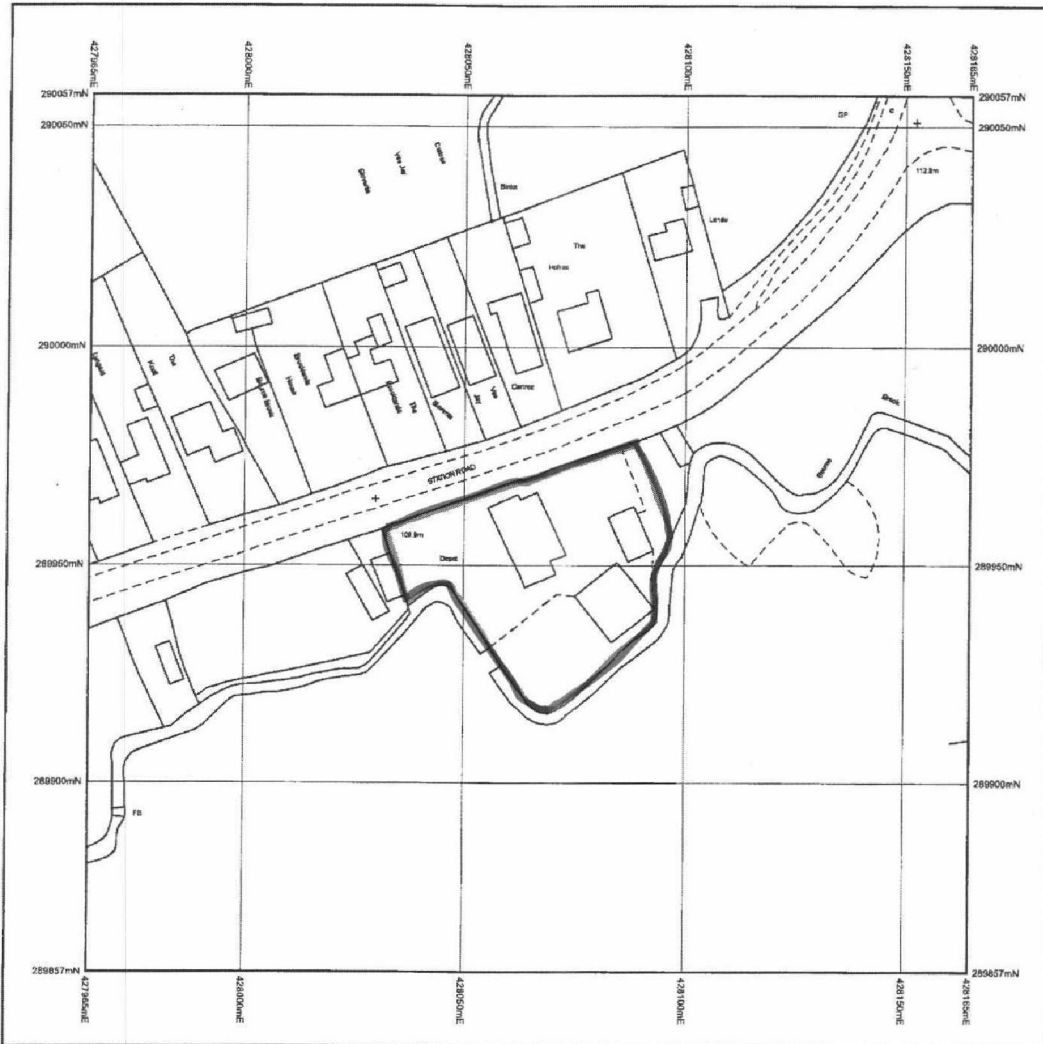
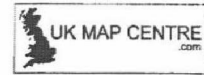
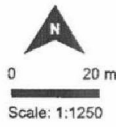
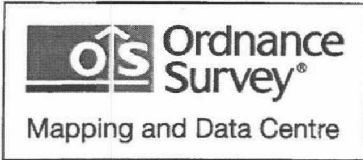
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2014/0167

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	10/4/14
2	Severn Trent Water Ltd	Consultation	19/5/14
3	E Fellows	Objection	15/4/14
4	T Fallowell	Objection	15/4/14
5	C Daltch	Objection	27/4/14
6	WCC Highways	Consultation	27/5/14
7	Environment Agency	Consultation	10/4/14
8	Environmental Health Officer	Consultation	4/6/14

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.



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(5) Application No: PAP/2014/0168

Ivy Cottage, Freasley, B78 2EZ

Retrospective application for change of use of land to mixed use equestrian and allotments, for

Mr & Mrs Pritchard

This application was reported to the Planning and Development board in June, but determination was deferred in order to enable Member to visit the site. That has now taken place and the matter is referred back to the Board. For convenience the previous report is attached at Appendix A.

There has been no further correspondence on the case to report.

Recommendation

That the recommendations set out in Appendix A be agreed.



General Development Applications

(#) Application No: PAP/2014/0168

Ivy Cottage, Freasley, B78 2EZ

Retrospective application for change of use of land to mixed use equestrian and allotments, for

Mr & Mrs Pritchard

Introduction

The application is reported to Board as authorisation is required to proceed with enforcement action if the recommendation of refusal is agreed.

The Site

The site is located on the east side of the lane that runs through Freasley and is adjacent to Freasley Common. It is north of Ivy Cottage. The application site consists of a stable block and a barn with a ménage and the land is used for exercising horses. However additional structures such as a wall, a hen house and a greenhouse have been erected along with planting beds and vegetable patches. The site is served by an informal access off the lane. The main dwelling-Ivy Cottage-is sited on a separate parcel of land further to the south.

The plan at Appendix A illustrates the location of the stables, the ménage, the additional structures and Ivy Cottage.

The Proposal

This is a retrospective application to retain a change of use of the land to mixed use comprising equestrian and allotments together with the retention of the structures.

Background

The site has been subject to numerous planning permissions in recent years including a conservatory on the dwelling and a new separate garden room. The site also gained consent for the stable block and ménage on a separate parcel of land beyond the curtilage of the dwelling house in 2013.

Unauthorised development has occurred on the parcel of land which presently comprises of the stable block and a ménage. A large greenhouse with a mono pitch roof has been erected backing onto a new wall structure. This greenhouse measures 2.5 by 3.8 metres and is 2.6 metres at its tallest. The back wall is larger with a width of 7.5 metres and a height of 2.8 metres. A potting shed has been erected to the side of the greenhouse and a row of cold frames has been installed in front of the greenhouse along with a series of raised planting beds. A hen house measuring 2.2 by 2.2 metres and 2.3 metres tall is sited a little beyond. It is understood that the land owner wishes to use part of the equestrian site as allotment land for his own use.

The erection of new walls and buildings together with the change of use of land on the equestrian site is unauthorised development as permitted development rights for such development do not exist beyond residential land. The applicant has chosen to remedy this breach through the submission of this retrospective application.

A plan illustrating these features and some photographs are included in this report below.

Development Plan

Saved policies of the North Warwickshire Local Plan 2006 - Core Policy 2 (Development Distribution); ENV1 (Protection and Enhancement of the Natural Landscape), ENV11 (Neighbours Amenities) and ENV13 (Building Design).

Other Relevant Material Considerations

The North Warwickshire Core Strategy (Submission Document February 2013) - Policies NW10 (Quality of Development) and NW8 (Sustainable Development)

The National Planning Policy Framework 2012-(NPPF).

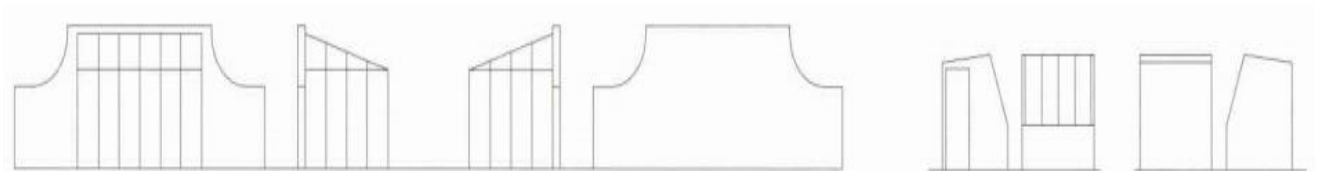
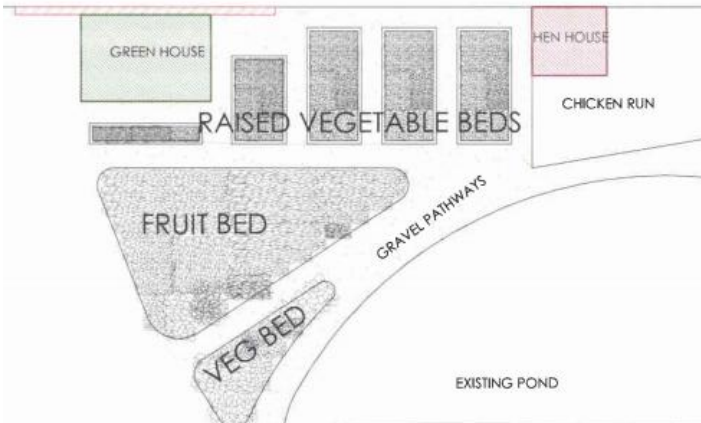
Representations

A local resident objects by saying that this retrospective application is now the fourth one applied for over a period of four years. It is not consistent with the previous applications of an equestrian theme as this now proposes a garden with a greenhouse which is more aligned to a house rather than stables. The 3 metre high wall which has already been built does not conform with the normal fencing for a ménage which should be post and rail. It is also inconceivable that a greenhouse that abuts this wall should be next to the entrance of the ménage as glass and horses do not mix. Considering this and other breaches of planning related to the previous application which have yet to be corrected, he suggests that this application is refused. It appears that a residential development has been gradually introduced over the last four planning applications.

The Dordon Parish Council says that commercial mixed use for equestrian purposes is not appropriate for a hamlet. It also considers that the allotments will create more traffic which again will have an adverse impact on the hamlet because of the single carriageway width of the track. Additionally there could be adverse ecological impacts.

Observations

The site lies within open countryside and outside of any settlement boundary. The main issue here is the appropriateness of these additional structures in a rural setting particularly in terms of their visual impact.



a) Design

A small glass house would not normally be an inappropriate structure by virtue of its design, and this one is relatively small. The hen house is also small in scale and these are often seen on agricultural land. Similarly, the planting beds are not in themselves inappropriate in a rural setting. However here the applicant has constructed a tall ornamental wall within the middle of the site and it appears to form part of the boundary to the ménage which was approved under the previous application for the stables and the equestrian land use. The ornamental wall also forms the rear supporting elevation to the green house. Walls and boundary treatments would normally be included around the perimeter of a site, but not mark the edge of a ménage or to a greenhouse. An ornamental wall of this type of construction has a robust appearance rather than a more simple treatment such as a post and rail fence which would normally bound a manage for example. Together, it is considered that the proliferation of these structures when taken with the stable and barn is considered to have an adverse cumulative visual impact here materially affecting the openness of the setting and the rural character. These features do not accord with saved policy ENV13 which seeks to ensure that new development “positively integrates into its surroundings”.

b) Use

Saved Core Policy 2 looks to only allow development outside of development boundaries which requires a rural location. The structures here do not require a rural location.

c) Common Land

There is an area of Common Land which runs through Freasley and this contributes to the open character of the area. The development the subject of this application appears to be located outside this common land and thus would not impact on the right of others to use that land.

d) Enforcement

Give the recommendation below, the Board if it agrees to this, will also have to consider whether it is expedient or not to authorise enforcement action. This would require the removal of the wall, the green house, the hen house, the potting shed and the raised planting beds. The reason for such action is to remove the cumulative adverse visual impact and thus would be in line with saved policies ENV1 and ENV13 of the North Warwickshire Local Plan 2006. It is considered that these do accord with the NPPF and thus carry full weight. The compliance period should be three months.

There will clearly be a cost to the owner here but then the construction of these features was commenced at his own risk. That cost is not considered to be substantial and neither would it have other adverse consequences. The owner has the right of appeal against both a refusal and the issue of any Notice.

Recommendation

A) That planning permission be **REFUSED** for the following reason:

1. The development results in a piecemeal development of the parcel of land and a proliferation of structures which together with other authorised structures is considered to have a detrimental impact on the visual amenities of the area and on the openness of the countryside hereabouts. As such, the proposal is contrary to saved policies ENV13 and ENV1 of the North Warwickshire Local Plan 2006, which are considered to carry full weight as they accord with the National Planning Policy Framework 2012.

B) That authority also be granted to the Assistant Chief Executive and Solicitor to the Council to serve an enforcement notice requiring the removal of the wall, the greenhouse, the hen house, the potting shed and the raised planting beds together with the restoration of the land to its former condition, within a period of three months, for the reason given in the refusal reason set out above.

Notes

1. Notwithstanding this refusal, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussion. However the planning issues at this site cannot be satisfactorily addressed. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

Planning Application No: PAP/2014/0168

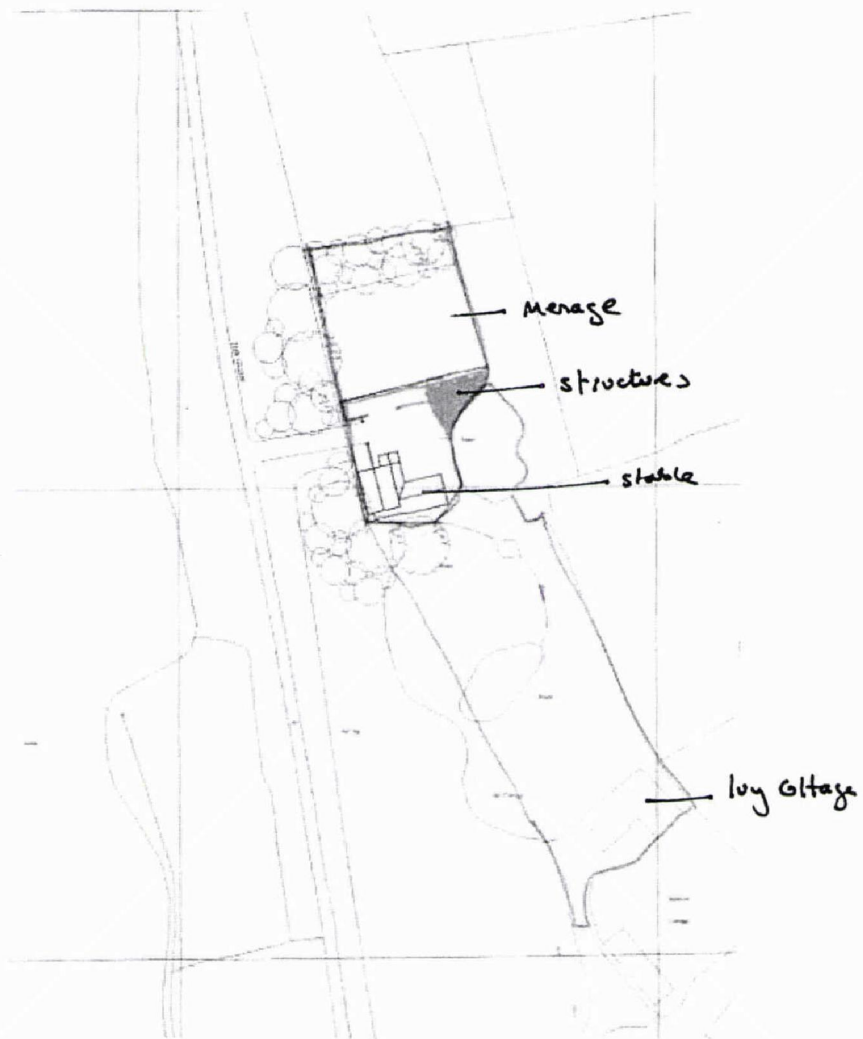
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	4/4/14
2	Dordon Parish Council	Objection	23/4/13
3	Mr Farmer	Objection	25/4/14
4	Case Officer	E-mail to Agent	29/5/14

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

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



Appendix A



(6) Application No: PAP/2014/0228

1-7 (odd nos), Church Walk, Mancetter, Atherstone, CV9 1PZ

Demolition of block of 4 shops and 4 maisonettes and construction of 14 flats and 6 houses, for

- Waterloo Housing Group

Introduction

The receipt of this application was reported to the May Board. That report described the site, outlined the proposal and drew attention to the relevant planning policies in the determination of this application. It is not proposed to repeat matters covered in that earlier report but it should be treated as part of the overall determination. For convenience it is copied as Appendix A.

Consultations

Environment Agency – No objections

Environmental Health Officer – No objection subject to a safeguarding condition.

Warwickshire Museum – No objection subject to its standard condition

Severn Trent Water Ltd – No objection but draws attention to the sewer serving the existing development.

Warwickshire Police – No objection subject to detailed design issues

Warwickshire County Council as Highway Authority – An objection was received to the originally submitted plans because it was not considered that the proposed access was sufficient to accommodate larger vehicles and also because some of the car parking spaces were not to a standard size. Amended plans have been submitted and are presently with the County Council for further comment. The meeting will be brought up to date verbally on this issue.

Representations

Atherstone Civic Society – It has no objection, but wishes to ensure that the proposed landscaping is undertaken.

An objection has been received from a local resident who wishes to see more garages built.

A further representation has been received asking about the shops and the garages. An objection signed by four local residents, says that there is no need for more flats. Moreover, they say that the current plans are different to original proposals which showed that the area was to contain 45 houses.

Observations

As outlined in the previous report there is no objection in principle to this proposal which has been known about for some time. The key issues are the matters of detail.

The overall layout and built form here are in keeping with the surrounding area and will complement the approved care home on the adjoining site. Three storey development is appropriate here as is the two storey housing to the rear. The design reflects that of the new care home rather than replicating the “dated” appearance of the existing buildings.

There are no objections to the scheme from the various consultations apart from the Highway Authority. As mentioned above, amended plans have been submitted in order to address its comments.

In respect of the comments made by the residents, then the new shops within the care home will be very likely to be available prior to demolition of the existing facilities as work on that project is due to start this September. The garages will be demolished and existing tenants will be offered alternative accommodation if available. The type of housing accommodation being proposed has the support of the Housing Officer. The application should be determined on whether the proposed development is acceptable in planning terms, not what perhaps earlier plans may have shown. The Housing Officer has been in contact with those making the representations to explain matters.

Recommendation

That, subject to the Highway Authority having no objection, planning permission be **GRANTED** subject to the following conditions and any others which that Authority may wish to add:

- 1). Standard Three year condition
- 2). Standard Plan numbers – plan numbers 11006/1B, 5, 6P, 7, 8, and 9 received on 1/5/14 and plan numbers 11006/2B and 4B received on 27/6/14.

Pre-commencement Conditions

- 3). No development shall commence on site until full details of the measures to be installed for the purposes of both foul and surface water drainage have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

In order to reduce the risk of flooding and pollution.

- 4). No development shall commence on site until the applicant, or their agents or successors in title, have first secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

REASON

In the interests of archaeological investigation given the setting and location of the site.

- 5). No development shall commence on site until details of all of the facing materials and ground surfaces to be used on site have first been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the visual amenities of the area.

- 6). No development shall commence on site until such time as full details of the landscaping to be implemented on the site have first been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the visual amenities of the area

- 7). No development other than the demolition of the existing buildings shall take place on site until such time as asbestos testing of the near surface has been undertaken and the findings of that testing have been submitted to the Local Planning Authority. Work may only then commence on the implementation of the approved plans on the written instruction of the Local Planning Authority.

REASON

In the interests of reducing the risk of pollution.

Pre-Occupancy Conditions

- 8). The development hereby approved shall not be brought into residential occupation until such time as all of the parking and turning areas as shown on the approved plan have first been fully constructed and completed to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety

- 9). The development hereby approved shall not be brought into residential occupation until such time as the landscaping details as approved under condition (vi) above have first been fully implemented on the site.

REASON

In the interests of the visual amenities of the area.

Other Conditions

- 10). All existing surface hard-standings and their sub-bases shall be removed from the site during the site enabling works.

REASON

In order to reduce the risk of contaminated ground conditions.

- 11). The approved landscaped areas shall have a minimum of 300mm thickness of new soil provided.

REASON

In order to reduce the risk of pollution.

Notes

- 1). Standard Radon Gas informative
- 2). The Council has worked positively in this case to address the planning issues arising in this case through pre-application discussion and seeking changes to comply with consultation responses thus meeting the requirement of the NPPF.

BACKGROUND PAPERS

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

Planning Application No: PAP/2014/0228

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	8/5/14
2	N Dingley	Representation	16/5/14
3	Warwickshire Police	Consultation	19/5/14
4	W Grieg	Objection	27/5/14
5	Severn Trent Water Ltd	Consultation	23/5/14
6	Atherstone Civic Society	Representation	28/5/14
7	Warwickshire Museum	Consultation	28/5/14
8	Environment Agency	Consultation	2/6/14
9	C Thay	Objection	4/6/14
10	E Deeming	Objection	4/6/14
11	T Holloway	Objection	4/6/14
12	Applicant	E-mail	29/5/14
13	Environmental Health Officer	Consultation	30/5/14
14	WCC Highways	Consultation	11/6/14
15	WCC Infrastructure	Consultation	11/6/14
16	Environment Health Officer	E-mail	19/6/14
17	Applicant	E-mail	27/6/14

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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General Development Applications

(#) Application No: PAP/2014/0228

1-7 (odd nos), Church Walk, Mancetter, Atherstone, CV9 1PZ

Demolition of block of 4 shops and 4 maisonettes and construction of 14 flats and 6 houses, for

Waterloo Housing Group

Introduction

This application is referred to the Board as the Council is the land owner.

The Site

This is a three storey parade of four shops at ground level with maisonettes on the upper floors on the south side of church Walk opposite its junction with Daniel Road. This block faces Church Walk behind a small lay-by. Beyond at the rear is a group of twelve lock-up garages and vacant land. There are two storey semi-detached properties running along the site's northern boundary and to the immediate north of the site. On the other side of the road are more two storey residential properties with a three storey block of flats further to the east. To the immediate south of the site is the open space associated with the former Mancetter Primary School a little further to the south. Members will be aware that planning permission has recently been granted for a three storey Extra Care Home on this open land with its frontage to Church Walk.

The site is illustrated at Appendix A.

The Proposal

The whole site would be cleared. In its place a three storey block would be constructed where the present parade now is. This would provide fourteen flats – 6 one bed and 8 two bed units. This block would appear as two sections connected by a lower link. The northern end would be two storey so as to align with the existing residential property to the north. The block would be 12 metres to its roof ridgeline, 1.5 metres less than the care home. The new block would be some 24 metres from the front elevation of the opposite houses. The existing access of Church Walk giving access to the rear would be improved such as to provide vehicular access to the redevelopment site at the rear. Here there would be three blocks of residential development. They would run along the north side of this new access facing the properties in Priory Walk and the new care home – the separation distance to the rear of the Priory Walk houses would be 30 to 35 metres. These blocks would be two storey in height each accommodating two residential units – four two bed and two three bed. In total therefore 20 new residential units are proposed with 26 car parking spaces distributed throughout the site. All of the units would be affordable units.

The proposed layout is at Appendix B and the elevations are at Appendix C.

The application is accompanied by other documents.

A tree survey indicates that some of the larger trees along the common boundary with the new care home site should be retained but otherwise new landscaping would offer a better opportunity for bio-diversity and visual enhancement.

A ground conditions survey suggests very minor areas contamination and no need for gas prevention measures to be incorporated into the design of foundations.

A design and access statement illustrates how the built form and proposed appearance of the proposal has been devised as a consequence of its setting.

Development Plan

Saved policies of the north Warwickshire Local Plan 2006 – Core Policy 2 (Development Distribution), Core Policy 8 (Affordable Housing), ENV6 (Land Resources), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG2 (Affordable Housing), and TPT6 (Vehicle Parking).

Other Relevant Material Considerations

The National Planning Policy Framework 2012 (NPPF).

The Submitted Version of the Core Strategy 2013 – Policies NW1 (Settlement Hierarchy), NW4 (Split of Housing Numbers), NW5 (Affordable Housing) and NW8 (Sustainable Development).

Consultation of proposed modification to Policy NW5 – 2014

The Preferred Options for Site Allocation Consultation - 2014

Observations

There is no objection in principle here. The site is within the development boundary of Mancetter as defined by the Development Plan and in a settlement where growth is to be encouraged by that Plan. Moreover Mancetter is considered to be suitable for additional housing growth in the submitted Core Strategy and indeed the site is also identified as a preferred site allocation for new housing. Additionally the proposal is for 100% provision of affordable housing. It would also assist in meeting the Council's five year housing supply. For all of these reasons the determination of this application rests on its detail.

The determination report will therefore look at those detailed matters – particularly at design, appearance, amenity and parking.

Recommendation

That the application be noted at the present time.

BACKGROUND PAPERS

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

Planning Application No: PAP/2014/0228

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	8/5/14

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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2014/0228



Scale 1:1250

SITE AREA 0.29 HA



NORTH WARWICKSHIRE
BOROUGH COUNCIL

RECEIVED
1-May-14

PLANNING & DEVELOPMENT
DIVISION

B RED LINE ADJUSTED 25/4/14
A RED LINE REVISED 1/4/14
REVISIONS DATE

S. P. Faizey
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WATERLOO/NWBC			
RESIDENTIAL DEVELOPMENT			
CHURCH WALK, MANCETTER			
LOCATION PLAN			
scale/A4	date	drawn	drawing
1:1250	JAN 11	SPF	11006/1B

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970

969

968

2014/0228



Scale 1:500



SITE AREA 0.29HA

ACCOMMODATION

- Plot 1 1B 2P Flat @ 47.63m²
- Plot 2 2B 4P Flat @ 70.14m²
- Plot 3 1B 2P Flat @ 47.63m²
- Plot 4 2B 4P Flat @ 69.38m²
- Plot 5 2B 4P Flat @ 69.38m²
- Plot 6 1B 2P Flat @ 47.63m²
- Plot 7 2B 4P Flat @ 70.14m²
- Plot 8 1B 2P Flat @ 47.63m²
- Plot 9 2B 4P Flat @ 69.38m²
- Plot 10 2B 4P Flat @ 69.38m²
- Plot 11 1B 2P Flat @ 47.63m²
- Plot 12 1B 2P Flat @ 47.63m²
- Plot 13 2B 4P Flat @ 69.38m²
- Plot 14 2B 4P Flat @ 69.38m²
- Plot 15 3B 5P House @ 85.36m²
- Plot 16 2B 4P House @ 76.46m²
- Plot 17 2B 4P House @ 76.46m²
- Plot 18 2B 4P House @ 76.46m²
- Plot 19 2B 4P House @ 76.46m²
- Plot 20 3B 5P House @ 85.36m²

A WORKS IN AND UNOBTAINED REVISIONS

7/11/14 DATE

S. P. Faizey

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Appendix B

WATERLOO

RESIDENTIAL DEVELOPMENT
CHURCH WALK, MANCETTER

SITE PLAN

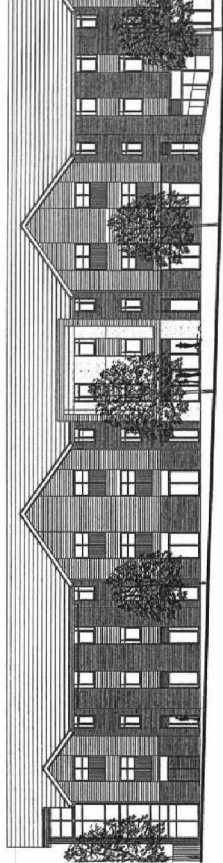
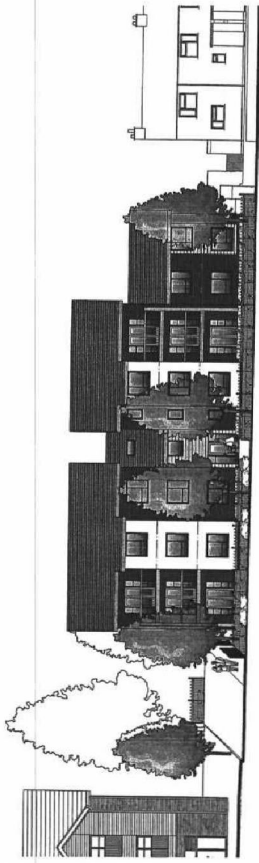
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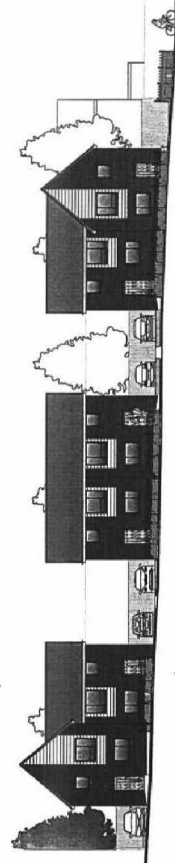
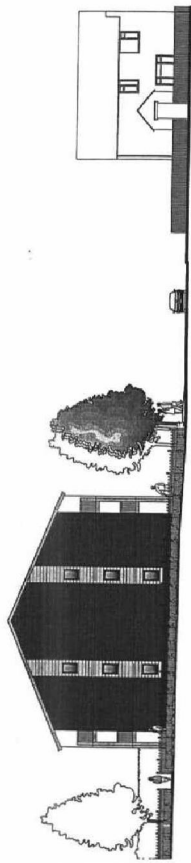


NORTH WARWICKSHIRE BOROUGH COUNCIL
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2014/0228



STREET SCENE TO CHURCH WALK



STREET SCENE TO NEW ACCESS ROAD

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WATERLOO
 RESIDENTIAL DEVELOPMENT
 CHURCH WALK, MANCETTER
 STREET SCENE

DATE	NO.	BY	SCALE
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NORTH WARWICKSHIRE
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 PLANNING & DEVELOPMENT
 DIVISION

Agenda Item No 7

Planning and Development Board

14 July 2014

Report of the Assistant Chief Executive and Solicitor to the Council

Five Year Housing Supply

1 Summary

- 1.1 This report brings Members up to date with the latest five year housing supply.

Recommendation to the Board

That the report be noted.

2 Consultation

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

3 Background

- 3.1 As Members will recall it is important the Borough Council maintains a five year housing supply. Paragraph 47 of the NPPF requires local planning authorities to:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;...”

- 3.2 The NPPF explains that for sites “to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a

demand for the type of units or sites have long term phasing plans.” (*Footnote 11 in NPPF*)

3.3 A paper is attached as Appendix 1 outlining the supply of housing as at April 2014.

4 Previous Five Year Housing Supply figures

4.1 In December 2012 there was 5.4 years taking in to account completions up to 31 March 2012, local investment plan sites as well as sites granted planning permission up to 31 August 2012.

4.2 The five year housing supply as of 31 March 2013 was described as being between 5.57 years of housing supply using the 5% flexibility factor or 4.87 years of housing supply using a 20% flexibility factor.

5 Recent Inquiries and Examinations

5.1 Since the last iteration of the five year housing supply there has been the hearings for the Examination of the Core Strategy and appeals such as the one at Grendon. It is clear from these and other appeals / examinations nationally that the flexibility buffer needs to be added to the first five years of delivery in order to ensure more housing is provided early on the Plan period. This means that the approach called “Sedgefield” should be followed.

5.2 It is also clearer how to determine whether it should be a 5% or a 20% buffer which is added to the requirement in the first five years. Table 1 below shows the gross and net completions for the Borough from the 1996/97 monitoring year through to 2013/14. The housing target over this period was 150 units per annum and was only achieved on a few occasions.

Table 1: NWBC Housing Completions 1996-2013

Year	Gross completions	Net completions
1996/97	142	122
1997/98	263	261
1998/99	209	207
1999/2000	86	84
2000/01	91	89
2001/02	180	171
2002/03	105	100
2003/04	126	120
2004/05	117	104
2005/06	107	106
2006/07	174	167
2007/08	143	142
2008/09	130	106
2009/10	95	79
2010/11	105	98
2011/12	88	75
2012/13	50	38
2013/14	124	119

- 5.3 Although we would argue these low figures were as a result of wider planning policies, especially urban renaissance policies which tried to draw people back in to the urban areas rather than the shire districts, it does mean that we require a 20% flexibility factor to be included in the five year housing calculations.

6 Current Five Year Housing Supply

- 6.1 Appendix 1 provides the detailed information of how the five year housing supply has been calculated and what has been included to produce the figures.
- 6.2 It is concluded in para 4.1 and shown in Table 9 on page 13 of Appendix 1 that there is currently a 5.7 five year housing supply.

7 Future Consideration of Planning Applications

- 7.1 As mentioned above the Borough Council needs five years of housing supply which clearly the figures now shows that we have. However as explained above there is also a 20% buffer required which essentially means that 6 years ($5 + 20\% = 6$) are actually required.
- 7.2 We are still short. However the direction of travel with the consultation on the Site Allocations Plan is making this more achievable.
- 7.3 Members are also strongly advised to note that even if a 6 year supply of housing is achieved there will still always be a need to consider housing applications positively. This is due to the need for housing overall and the need to maintain the supply over an extended period of time such that in the terms of the NPPF, there is a “significant boost” to housing numbers.

8 Report Implications

8.1 Environment and Sustainability Implications

- 8.1.1 The delivery of housing is a key part of the Core Strategy and the Site Allocations Plan.

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

Five Year Housing Supply
As at 31st March 2014

1. **Introduction**

- 1.1 This paper sets out the latest situation with the Borough Council's five year housing supply. It looks at the various sites with planning permission; the sites brought forward from the saved Local Plan 2006 as well as considering other sites that the Borough Council is confident will come forward. This includes those from the Local Investment Plan, those that have been granted planning permission since April 2013 up to 31 March 2014. The new Planning Practice Guidance states that local planning authorities should count housing provided for older people, including residential institutions in Use Class C2 against their housing requirement. (Paragraph: 037Reference ID: 3-037-20140306). In terms of care bedrooms, we have assumed that two thirds of bedrooms will release a house on the market. This is based on the assumption that in some cases a partner will be left in the main home. Thus, for a care home of 100 bedrooms, 67 bedrooms would be counted.
- 1.2 Following the analysis it is clear that the Borough Council does have a five year housing supply, with an element of flexibility.

2 **Sites with Planning Permission**

a: **Calculation of the 5 Year Housing Supply: Identified sites with planning permission**

- 2.1 The following approach has been taken:

- a) Identify sites allocated for development in the North Warwickshire Local Plan
- b) Individually identify all large sites of 10 or more dwellings on sites of 0.4 ha and above with planning permission and their development status at **31 March 2014**.
- c) Individually identify all medium sites with planning permission for 10 or more dwellings on sites up to 0.4 and their development status at **31 March 2014**.
- d) Individually identify all smaller sites, with planning permission, of 5 to 9 dwellings net capacity and their development status at **31 March 2014**.
- e) For sites of 1-4 dwellings, with planning permission, identify the total capacity not started or under construction at **31 March 2014**.
- f) Identify care home units since 1 April 2011 and their development status at **31 March 2014**.

b: **Sites identified in North Warwickshire Local Plan 2006**

- 2.2 Five sites were identified in the adopted local plan following the Inspectors report. Of these only one is still available for development following successful completion on two of the sites and two sites are under construction. The one remaining site is:

Site 1 Britannia Mill, Coleshill Road, Atherstone

Discussion is currently underway for Site 1
(Table 1)

c: **Large sites of 10 or more dwellings on sites of 0.4 ha and above with planning permission.**

- 2.3 There are fourteen sites which fall within this category giving a gross total of 612 dwellings. Three of the sites have work in progress. They are Kingsbury Hall, Kingsbury, Phoenix Yard, Atherstone and Land at Rowland Way, Atherstone. Two sites are complete; these are Miners Welfare Centre, Arley & Land rear of 17-21 Queensway, Hurley. (Table 2)

Five Year Housing Supply
As at 31 March 2014

d: Medium sites of 10 or more dwellings on sites below 0.4 ha with planning permission.

2.4 There are ten sites which fall within this category giving a gross total of 160 dwellings. Two of the sites have work in progress at the present time. These are Arley Working Men's Club & 32 Parkfield Road, Coleshill. 17-19 Long Street, Atherstone is complete with 13 dwellings **(Table 3)**

Smaller sites of 5-9 dwellings with planning permission

2.5 Nine sites fall within this category giving a gross total of 64 dwellings, with an average of 7 dwellings per site. None of these sites have work in progress. Three sites are complete with a total of 20 dwellings. **(Table 4)**

e: Small sites of 1-4 dwellings with planning permission

2.6 There are eighty seven sites within this category, too many to list individually. However, of the possible gross total of 158 dwellings with consent, 3 sites require demolitions amounting to 3 dwellings. Of the 87 sites, 8 are outline applications. Five sites expired in 2013/14 with the loss of 69 units. **(Table 5)**

2.7 Care Homes sites since 1 April 2011

There are 85 gross units within this category covering 6 sites. 12 Grange Road, Hartshill is under construction and Orchard Blythe, Coleshill is complete with 9 units. **(Table 6)**

Figure 1: Summary Table of Planning Permissions

Table		Gross Site Area (ha)	Net Site Area (ha)	Gross Capacity	Net Capacity
1	Adopted Local Plan - Land Allocation And Proposals	0.42	0.42	56	56
2	Large Sites Of 10 Or More Dwellings On Sites Of 0.4 Ha And Above With Planning Permission	18.18	16.41	612	551
3	Medium Sites Of 10 Or More Dwellings On Sites Below 0.4 Ha	2.47	2.47	160	147
4	Smaller Sites Of 5-9 Dwellings With Planning Permission	3.16	3.14	64	44
5	Small Sites Of 1-4 Dwellings With Planning Permission	15.04	15.01	158	132
6	Care Homes sites since 1 April 2011	6.36	6.36	85	76
	TOTAL	45.63	43.81	1135	1006

3 Other Sites

3.1 In addition to the sites with planning consent and saved Local Plan allocations, the Borough Council is working with the Homes & Communities Agency to deliver its Local Investment Plan. There are two plans, one which ends March 2015 and one which ends March 2018. These plans have

Five Year Housing Supply
As at 31 March 2014

identified and are delivering on a number of sites. Some of these are already identified above but others are new sites. These are listed in **Tables 7 & 8**.

Figure 2: Warwickshire Local Investment Plan Sites

Table		Gross	Net
7	Local Investment Plan ending March 2015 allocation not covered in tables 1-6 above	121	121

Figure 3: Additional potential Warwickshire Local Investment Plan Sites

Table			
8	Potential LIP sites 2015-2018 not covered in tables 1-7 above	480	480

Figure 4: Five Year Housing Supply

Table	Title	Five Year Housing Figure with 20% flexibility factor
9	Five Year Housing Supply using SHMA and including sites from the Warwickshire Local Investment Plan (Sedgefield Approach)	5.7

4 Conclusion

- 4.1 A number of planning applications are coming forward including applications for the sites in the Warwickshire Local Investment Plans (LIP). It is reasonable to expect that all of the LIP sites covered in tables 7 & 8 above will come forward over the next four years. In the 2015-2018 Local Investment Plan a cautious approach has been taken on which sites to include and sites have only been included where discussions have already taken place and where planning applications are due to be submitted for permission. The Planning Practice Guidance states 'Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible'. This is dealt with by using the Sedgefield approach. This approach provides a 5.7 five year supply with a 20% flexibility factor. **(Table 9)**

Five Year Housing Supply
As at 31 March 2014

Table 1: Adopted Local Plan - Land Allocation and Proposals

Site Address	Gross Site Area (ha)	Net Site Area (ha)	Gross Capacity	Net Capacity	Site Status	Comments
Britannia Mill, Coleshill Road, Atherstone	0.42	0.42	56	56	-	Planning application discussion currently underway
TOTAL	0.42	0.42	56	56		

Five Year Housing Supply
As at 31 March 2014

Table 2: Large Sites Of 10 or More Dwellings on Sites of 0.4 Ha and Above With Planning Permission

Site Address	Application No	Date of Permission	Gross Site Area (ha)	Net Site Area (ha)	Gross Capacity	Net Capacity	Site Status	Comments
Phoenix Yard, Church St, Atherstone	PAP/2007/0528	16/10/07	0.77	0.69	73	69	U/C	4 completions
157-159 Long St, Atherstone	PAP/2007/0594	22/02/08	0.49	0.44	40	40	N/S	
Kingsbury Hall, Kingsbury	PAP/2008/0482	06/05/09	1.16	0.87	29	29	U/C	
Land rear of 29-41, New Road, Water Orton	PAP/2006/0182	30/11/06	0.71	0.64	31	31	N/S	Ground work underway
Wagstaff Farm, Shustoke	PAP/2009/0592	13/12/10	0.67	0.67	14	14	U/C	
Miners Welfare Centre, Arley	PAP/2010/0399	17/03/11	0.92	0.92	42	0	COM	complete
Land rear of 17-21 Queensway, Hurley	PAP/2011/0646	20/03/12	0.48	0.48	15	0	COM	complete
Atherstone Police Station & Magistrates Court	PAP/2010/0374	27/9/12	0.48	0.48	14	14	U/C	
Father Hudson's, Coleshill	PAP/2013/0168	23/8/13	3.13	2.48	113	113	U/C	
Land at Lister Road, Atherstone	PAP/2012/0598	16/4/13	0.69	0.69	24	24	U/C	
Whitacre Garden Centre, Nether Whitacre	PAP/2012/0348	29/4/13	1.6	1.6	33	33	U/C	
Land at Rowland Way, Atherstone	PAP/2012/0297	4/9/13	2.94	2.31	88	88	U/C	
31 Plough Hill Road, Hartshill	PAP/2011/0527	6/11/13	0.46	0.46	11	11	-	Outline

Five Year Housing Supply
As at 31 March 2014

Land south of Dairy House Farm, Grendon	PAP/2013/0224	25/4/13	3.68	3.68	85	85	-	Outline
TOTAL			18.18	16.41	612	551		

Table 3: Medium Sites Of 10 or More Dwellings on Sites below 0.4 Ha with Planning Permission

Site Address	Application No	Date of Permission	Gross Site Area (ha)	Net Site Area (ha)	Gross Capacity	Net Capacity	Site Status	Comments
12 Fosters Yard Hotel, Polesworth	PAP/2008/0634	20/02/12	0.15	0.15	12	12	N/S	Outline permission
17-19 Long Street, Atherstone	PAP/2009/0045	11/05/09	0.11	0.11	13	0	COM	Complete
Ex Corley Motors Site off George St, Arley	PAP/2006/0839	31/03/10	0.21	0.21	10	10	N/S	
Ivy House, Atherstone	PAP/2011/0187	19/10/11	0.36	0.36	14	14	N/S	
Bridge House, Atherstone	PAP/2010/0172	12/04/11	0.17	0.17	14	14	N/S	
Arley Working Men's Club, Arley	PAP/2012/0008	20/03/12	0.38	0.38	16	16	U/C	Under construction
Land rear of 70-78 New Street, Dordon	PAP/2012/0498	18/12/12	0.30	0.30	11	11	N/S	
32 Parkfield Road, Coleshill	PAP/2012/0192	4/02/13	0.28	0.28	14	14	U/C	under construction
Land at South Street to the rear of Atherstone Garage	PAP/2012/0078	21/11/12	0.30	0.30	46	46	U/C	Developers on site
Baddesley Ensor Social Club	PAP/2013/0459	19/12/13	0.21	0.21	10	10	U/C	
TOTAL			2.47	2.47	160	147		

Five Year Housing Supply
As at 31 March 2014

Table 4: Smaller Sites of 5-9 Dwellings with Planning Permission

Site Address	Application No	Date of Permission	Gross Site Area (ha)	Net Site Area (ha)	Gross Capacity	Net Capacity	Site Status	Comments
The Bungalow, Coleshill	PAP/2007/0754	26/05/11	0.25	0.23	7	7	N/S	
151 Plank Lane, Water Orton	PAP/2008/0369	14/09/11	0.20	0.20	8	0	COM	complete
Land at Old Farm Road, Mancetter	PAP/2011/0657	20/03/12	0.16	0.16	6	0	COM	complete
Land rear of Barge & Bridge PH, Coleshill Rd, Atherstone	PAP/2010/0477	15/01/13	0.1	0.1	11	11	N/S	
Creative Agency, 58-60 Coventry Rd, Coleshill	PAP/2012/0333	4/09/12	0.09	0.09	6	0	COM	complete
Land to the rear of 58-82 St Georges Rd, Atherstone	PAP/2012/0470	18/12/12	0.35	0.35	9	9	U/C	On site
22/24 Park Cottages, Coleshill	PAP/2012/0540	16/01/13	0.17	0.17	7	7	N/S	
Castle Farm, Maxstoke	PAP/2013/0263	3/2/14	0.73	0.73	5	5	N/S	
Poplars Yard, Shuttington	PAP/2013/0071	10/6/13	1.11	1.11	5	5	N/S	
TOTAL			3.16	3.14	64	44		

Five Year Housing Supply
As at 31 March 2014

Table 5: Small Sites of 1- 4 Dwellings with Planning Permission

Site Address	Gross Site Area (ha)	Net Site Area (ha)	Gross Capacity	Net Capacity	Comments
There are currently 87 small sites covering North Warwickshire Borough area	15.04	15.01	158	132	Of the 87 sites, 8 sites are Outline at the present time. 5 sites expired in 2013/14 with the loss of 69 units.
TOTAL	15.04	15.01	158	132	

Table 6: Care Home Units since 1 April 2011

Site Address	Gross Site Area (ha)	Net Site Area (ha)	Gross Capacity (units)	Net Capacity (units)	Comments
There are 6 care home sites since 1 April 2011	6.36	6.36	85	76	One site of 9 units is complete and one site is under construction with 23 units
TOTAL	6.36	6.36	85	76	

Five Year Housing Supply
As at 31 March 2014

Table 7: Strategic Housing Sites for Warwickshire's Local Investment Plan up to 31 March 2015

Note: The following tables show the development sites within North Warwickshire Borough Councils will be looking to develop within its area and which align with the Homes and Communities Agency three key programme priorities, namely:

- Housing Supply – to include new build (rural and urban)
- Place Making and Regeneration
- Existing Stock – to include empty homes (private and public).

All land identified within this section has been prioritised by the Local authority as being of strategic importance within the next three to five years and therefore are expected to start within the lifespan of the Local Investment Plan which currently ends March 2015. As such, it has been agreed that there is no need for any type of prioritisation of projects. It is to be noted that windfall sites and new development opportunities will emerge over time and that this schedule will need to be updated regularly.

Sites for North Warwickshire

Local Authority	HCA Priority Grouping	Identified site	Description of site	Potential overall units.	Affordable Housing Element	Delivery Partner	Action Stage
North Warwickshire	Place Making and Regeneration	Off Church Walk, Mancetter	County owned rural site	80	80	Extra Care Development	Awaiting archaeological dig evidence.
North Warwickshire	Housing Supply	Church Walk, Mancetter	This is a rural site owned by the Local Authority	18	18	North Warwickshire Borough Council/Waterloo Housing Group	Currently getting plans
North Warwickshire	Housing Supply	Arley Miners Welfare Hall, New Arley	This is a private site which is in a rural location	See table 2 above	15	Cassidy Group/Bromford	COM

Five Year Housing Supply
As at 31 March 2014

Local Authority	HCA Priority Grouping	Identified site	Description of site	Potential overall units.	Affordable Housing Element	Delivery Partner	Action Stage
North Warwickshire	Housing Supply Place making and Regeneration	Lister Road, Atherstone	This is a local authority owned site in a rural location that has the potential for delivering extra care.	See table 2 above	28	Waterloo Housing Group/North Warwickshire Borough Council	U/C
North Warwickshire	Housing Supply	St Georges Road, Atherstone	Rural site owned by the Local authority	See table 4	9	North Warwickshire Borough Council	On site
North Warwickshire	Housing Supply	Watling Street, Atherstone	Rural site owned by the Local Authority	6	6	Waterloo Housing Group	Currently at feasibility stage
North Warwickshire	Place Making and Regeneration Housing Supply	Father Hudsons, Coleshill	Private site in a rural location that has been included in the SHLAA for development within the next five years.	See table 1 above	26		U/C
North Warwickshire	Housing Supply	Rowland Way, Atherstone	Private site	See table 2 above	26	Redrow Homes	U/C
North Warwickshire		Corley Nurseries, Corley		17	?		Going to public consultation. Likely completion date March 2015
TOTAL				121			

Five Year Housing Supply
As at 31 March 2014

Table 8: Strategic Housing Sites for Warwickshire's Local Investment Plan up to 31 March 2018

Identified site	Description of site	Potential overall units	Affordable Housing Element	Delivery Partner	Action Stage
Durno's Nursery, Holly Lane, Atherstone	3.75 – Preferred option outside of development boundary	84	34	Not known	Feasibility Stage
Orchard Colliery Site, r/o Simla A5 Dordon	12 – Preferred option outside of development boundary	191	76	Not known	Feasibility Stage
Land at St Helena Road, Polesworth	6.2 – site option for flexibility	139	56	Not known	In for Planning
Land off High Street, Coleshill	0.16 – and is within the development boundary	3 definite (potential 6 units)	6	Not known	Feasibility Stage
Land adj 3 Meadow Gardens, Baddesley	0.29 – Preferred option outside of development boundary	8	8	Not known	Feasibility Stage
Derek Avenue, Dordon	0.09 ha – Council owned garage site	5-6	5-6	NWBC & Waterloo	Feasibility Stage

Five Year Housing Supply
As at 31 March 2014

Identified site	Description of site	Potential overall units	Affordable Housing Element	Delivery Partner	Action Stage
Glenville Avenue, Wood End	0.06 ha – Council owned parking area	3-4	3-4	NWBC & Waterloo	Feasibility Stage
Park Road, Polesworth	0.08 ha – Council owned garage site	5-6	5-6	NWBC & Waterloo	Feasibility Stage
York Avenue, Atherstone	0.12 ha – Council owned garage site	9-10 houses or 7-8 bungalows	9-10 houses or 7-8 bungalows	NWBC & Waterloo	Feasibility Stage
Ridge Lane, Mancetter	0.42 ha – Field owned by the Council	18	18	NWBC & Waterloo	Feasibility Stage
High Street, Hurley	0.17 ha – private site	10	10	Waterloo Housing Group	Planning application in
Princes Road, Hurley	0.04	4	4	Waterloo Housing Group	Planning application in
TOTAL		480			

Five Year Housing Supply
As at 31 March 2014

Five Year Housing Supply using SHMA and including sites from the Warwickshire Local Investment Plan (Sedgefield Approach)

Housing Dwellings to be delivered to 2029

		Dwellings Net	Average Dwellings per annum
a)	Housing requirement 2011-2029 (3150 ÷ 18yrs=)	3150	175
	Number of dwellings that should have been built – 1/4/11 – 31/3/14= 3 years	525	3x175
b)	Net additions to stock 1/4/11 – 31/3/14 Completions that have already taken place.	232	2011/2012 = 75 2012/2013 = 38 2013/2014 = 119
c)	Shortfall 525-232	293	

Amount required for next five years:

d)	Requirement for 5 years April 2014 - April 2019	875	(175 x 5yrs)
	Plus the shortfall	875 + 293 = 1168	
e)	Plus a 20% flexibility factor	234	
f)	Housing requirement for next five years (d + e)	1402	280

Amount of Housing Land left to find for remaining Plan period

	Housing in the Pipeline (sites already with planning permission or allocated)	1006 + 121 from LIP sites up to 2015 + 480 LIP sites 2015-2018 = 1607	(of which 76 units are care homes)
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Five year housing supply 1607/280 = 5.7

	Land to be found in remaining Plan period (2625 - 1607)	1018	15x175 = 2625
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Using the above information, total land to be found in remaining plan period including
land for Tamworth = 1018 + 500 = 1518

Agenda Item No 8

Planning and Development Board

14 July 2014

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

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

Agenda Item No 9

Breaches of Planning Control - Report of the Head of Development Control.

Paragraph 6 – by reason of the need to consider appropriate legal action

The Contact Officer for this report is David Harris (719222).