

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

14 October 2013

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

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

Councillor Watkins declared a pecuniary interest in Minute No 30 Planning Applications (Applications No 2013/0425 and 2013/0426 - The Coleshill School, Coventry Road, Coleshill) left the meeting and took no part in the discussion or voting thereon.

Councillor Phillips declared a non-pecuniary interest in Minute No 30 Planning Applications (Applications No 2013/0425 and 2013/0426 - The Coleshill School, Coventry Road, Coleshill) by reason of being Chairman of the Council's Community and Environment Board, left the meeting and took no part in the discussion or voting thereon.

#### 29 **Minutes**

The minutes of the meetings of the Board held on 15 July, 12 August and 9 September 2013, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 30 **Budgetary Control Report 2013/2014 – Period Ended 30 September 2013**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2013 to 30 September 2013. The 2013/2014 budget and the actual position for the period, compared with the estimate at that date were detailed, together with an estimate of the out-turn position for services reporting to the Board.

**Resolved:**

**That the report be noted.**

#### 31 **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 providing the applicant first enters into a Section 106 Agreement as set out in the report of the Head of Development Control, Application No 2013/0052 (Land Adjacent to, 1 Ivyleigh Villas, Church Lane, Shuttington, B79 0EB) be approved subject to the conditions set out in the report;

**[Speaker: Sara Jones]**

- b** That subject to the satisfactory resolution of the outstanding matters of detail pertaining to the Section 106 Agreement by the Head of Development Control, in consultation with the Chairman of the Board and the Opposition Spokesperson, Applications No 2013/0269 and 2013/0272 (Business Park, Hall End Farm, Watling Street, Dordon, B78 1SZ) be approved subject to the conditions set out in the report;

**[Speakers David Hodgetts and Huw Williams]**

- c** That providing the applicant first enters into a Section 106 Unilateral Undertaking as set out in the report of the Head of Development Control, Application No 2013/0338 (8 Shawbury Village, Shawbury Lane, Shustoke, Coleshill, B46 2RU) be approved subject to the conditions set out in the report;

- d** That in respect of Application No 2013/0357 (Hilltop House, Mill Lane, Fillongley, CV7 8EE)

- i** Under the provisions of Section 97 of the Town & Country Planning Act 1990 the planning permission referenced PAP/2013/0080 be revoked; and

- ii** Application No 2013/0357 be approved subject to the conditions set out in the report of the Head of Development Control;

- e** That Application No 2013/0380 (Abbey Green Park, Grendon Road, Polesworth, Warwickshire) be approved subject to the conditions set out in the report of the Head of Development Control; and

- f** That Applications No 2013/0425 and 2013/0426 (The Coleshill School, Coventry Road, Coleshill) be approved subject to the conditions set out in the report of the Head of Development Control.

**32 Statutory Consultees – Local Enterprise Partnership Protocol**

The Assistant Chief Executive and Solicitor to the Council reported on the Local Enterprise Partnership's recently agreed protocol on working with statutory consultees to planning applications and Members were asked to agree a suggested course of action.

**Resolved:**

**That the protocol be noted and that regard be had to the protocol in the determination of planning applications.**

**33 Planning Application PAP/2013/0224 Spon Lane, Grendon**

The Head of Development Control reported that an appeal had been lodged following the refusal of planning permission and Members were asked to approve the approach to be followed so as to best defend the Council's position. He then reminded the Board of the scope of the application and the nature of the planning issues raised by the application.

**Resolved:**

**a That, upon the receipt of legal advice it is considered that the Council also refuse planning permission in this case for the following reason;**

**“2. It is considered that the proposed development would be inappropriate in size and in this location as it would materially extend the settlement of Grendon onto green field land impacting on its local character and distinctiveness”;**

**b That the Council engages planning consultants to represent the Council on this appeal working in association with planning officers; and**

**c That the use of some of the additional planning fee income to fund the appeal costs up to the value of £40,000 be approved.**

**34 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.**

## 35 Breaches of Planning Control

The Head of Development Control reported on two alleged breaches of planning control and the Board was asked to agree suggested courses of action.

### **Resolved:**

- a That in the case of 61 Hillside, Hartshill, a Breach of Conditions Notice is issued requiring the south elevation of the conservatory to be glazed with obscure glass thus to comply with condition 4 of planning permission PAP/2012/0247 dated 27 June 2012, with a compliance period of two months, for the reasons set out in the report of the Head of Development Control;**
- b That in the case of Aldermore Farm, Middleton Lane, Middleton, two Enforcement Notices are issued, one for the removal of the wooden shed and the second for the removal of the caravan, both with compliance periods of two months, for the reasons set out in the report of the Head of Development Control; and**
- c That in respect of land adjacent to The Cedars, Coton Road, Nether Whitacre (former Buchan's site), the Solicitor to the Council be authorised to issue an Enforcement Notice relating to the unauthorised change of use of the land from agriculture to a heavy vehicle/plant driver training use together with the siting of a portable office building associated with that use. The Notice to require the cessation of the unauthorised use together with the removal of the vehicles/plant and portable building and that the compliance period be six months.**

R Sweet  
Chairman

**Planning and Development Board  
14 October 2013  
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
6/90	PAP/2013/0425 and PAP/2013/0426	Coleshill Town Council	Representation	27/9/13