

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

12 August 2013

Present: Councillor Sweet in the Chair.

Councillors L Dirveiks, Fowler, Humphreys, Johnston, Lea, Morson, B Moss, Phillips, Sherratt, Simpson, Smith, A Stanley, Turley and Winter

Apologies for absence were received from Councillors Butcher (Substitute Councillor Morson), May (Substitute Councillor Smith), Watkins (Substitute Councillor Fowler) and Wykes (Substitute Councillor Johnston).

Councillors Ferro and Moore were also in attendance and with the consent of the Chairman spoke on Minute No 17 Planning Applications (Applications No 2013/0168 and 2013/0169 - Father Hudson's, Coventry Road, Coleshill, B46 3EA and Application No 2013/0224 - Land South Of Dairy House Farm, Spon Lane, Grendon) respectively.

16 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillors Morson and Lea declared a non-pecuniary interest in Minute No 17 Planning Applications (Application No 2013/0012 - Land at, Sewage Treatment Works, Lichfield Road, Coleshill, B46 1DA and Application No 2013/0013 - Sita UK - Packington House, Packington Lane, Meriden, CV7 7HN) by reason of being members of the County Council's Regulatory Committee and took no part in the discussion or voting thereon.

Councillors Fowler and Sherratt declared a non-pecuniary interest in Minute No 17 Planning Applications (Application No 2013/0325 (Adjacent to Wynn House, 60 High Street, Coleshill, B46 1AZ).

17 **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 2013/0208 (River Tame Flood Defence, Land adjacent to Birmingham Road, Coton Road, Whitacre Heath)**

- i) That planning permission be approved subject to the conditions specified in the report of the Head of Development Control;**
- ii) The Head of Development Control be asked to write on behalf of the Board to the Environment Agency, Warwickshire County Council, Severn Trent Water Ltd and Network Rail indicating a preference for a pumping station and requesting that they work together to facilitate and implement jointly funded drainage improvements in the Whitacre Heath area;**
- iii) That reports are brought to the Board as appropriate on the progress made by the Environment Agency, Warwickshire County Council, Severn Trent Water Ltd and Network Rail to resolve the surface water flooding issues in Whitacre Heath; and**
- iv) That a Liaison Committee be put in place involving the local community and local Members in order to address the more detailed issues arising as these matters are dealt with by the Agencies involved.**

[Speakers Davinder Gill and John Buckingham]

- b That in respect of Application No 2013/0012 (Land at, Sewage Treatment Works, Lichfield Road, Coleshill, B46 1DA)**
 - i) the County Council be notified that this Council has no objection to the proposal provided that both the Council's Environmental Health Officers, and the County's own highway officers have no objections, and that the County Waste Authority is satisfied that there is conclusive evidence to show that the proposal would not result in excess capacity within North Warwickshire to the detriment of the Green Belt;**
 - ii) the Head of Development Control also write to the Warwickshire County Council informing them of the Council increasing concern about the number of waste developments that are being permitted in the Green Belt and to emphasise that environmental protections such as the Green Belt should remain of substantial importance.**
- c That, subject to the comments of the Borough Environmental Health Officer and the Highway Authority, this Council has no objection to the proposed variations in respect of Application No 2013/0013 (Sita UK - Packington House,**

Packington Lane, Meriden, CV7 7HN) for the reasons outlined in the report of the Head of Development Control;

- d That Application No 2013/0107 (Oak Tree Farm, Quarry Lane, Mancetter, Atherstone, CV9 2RD) be approved subject to the conditions set out in the report of the Head of Development Control;**

[Speaker Heather Bacon-Campbell]

- e That in respect of Applications No 2013/0168 and 2013/0169 (Father Hudson's, Coventry Road, Coleshill, B46 3EA)**

- i) planning permission be approved subject to the conditions set out in the report of the Head of Development Control; and**

- ii) notwithstanding the advice already received, the Head of Development Control be asked to write to the Fire Service Authority to look at the possible fire risks involved given the proximity of the adjoining farm to the development.**

[Speakers Gary Stevenson and Tim Bradford]

- f That in respect of Application No 2013/0211 (Mallard Lodge Site, Marsh Lane, Water Orton, B46 1NS) the Council is minded to grant planning permission for the reasons set out in the report of the Head of Development Control subject to the said conditions and to consequential amendments to the existing Section 106 Agreement, but that the matter first be referred to the Secretary of State under Article 9 of the 2009 Town and Country Planning (Consultation) Direction. If the case is not called-in by the Secretary of State then the development be granted planning permission;**

- g That Application No 2013/0224 (Land South Of Dairy House Farm, Spon Lane, Grendon) be refused for the following reasons;**

“The Council considers that it has land to provide a five year housing supply. The submitted Core Strategy shows how this can be taken forward to 2028 in line with the planning principles of the National Planning Policy Framework 2012. The current proposal does not accord with the emerging Core Strategy in that the Council considers the proposal to be unsustainable development extending the village of Grendon on to greenfield land.”

[Speakers Clare Marshall, Simon Jones and Michael Robson]

- h That in respect of Application No 2013/0278 (Moto Service Station, M42 Motorway Services Area, Green Lane, Dordon, B77 5PS)**
 - i) planning permission be approved subject to the conditions set out in the report of the Head of Development Control; and**
 - ii) that Tamworth Borough Council be consulted on the suggestion to split the Benefit Fund on a 50/50 basis and that this be affected through two separate Unilateral Undertakings under Section 106 of the Planning Act, and that their response be referred back to this Board.**
- i That Application No 2013/0285 (Poultry Farm, Gorseley Green Lane, Fillongley, CV7 8PH) be refused for the reasons set out in the report of the Head of Development Control;**

[Speakers Clarke Adams and Craig Barks]

- j That subject to the Highway Authority not objecting to the revisions, and to the updating of the existing 106 Agreement to refer to Application No 2013/0288 (Caldecote Hall Industrial Estate, Caldecote Hall Drive, Caldecote, Warwickshire, CV10 0TW), condition 2 of planning permission PAP/2011/042 dated 28/3/12 be varied so as to refer to the site location plan and plan numbers 110G, 013B, 210C, 220B, 220D, 240D, 250, 205C and 200C all received on 14 June 2013, and to all of the other conditions contained in that permission, including any alterations as may be required by the Highway Authority;**
- k That consideration of Application No 2013/0321 (Wienerberger Brick Works, Rush Lane, Dosthill, B77 1LT) be deferred for a site visit;**
- l That Application No 2013/0325 (Adjacent to Wynn House, 60 High Street, Coleshill, B46 1AZ) be approved subject to the amendment of condition iv) to read as follows**
 - “iv) The two dwelling units hereby approved shall not be occupied until two parking space for each has been provided and marked out within the existing car park in accordance with a scheme to be first agreed in writing with the Local Planning Authority. Specifically; the marking shall indicate that the spaces are available**

for residents only between the hours of 6pm to 8.30am daily.”

- m That in respect of Application No 2013/0365 (3, Willow Walk, Arley, CV7 8NY), provided no new representation is received that had not been already identified in the previous report, planning permission be approved following the expiry of the consultation process, subject to the conditions set out in the report of the Head of Development Control.**

18 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2013

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 – June 2013.

Resolved:

That the report be noted.

19 Neighbourhood Plan Designations for Austrey and Fillongley

The Assistant Chief Executive and Solicitor to the Council reported on the progress of the formal consultation on the designation of Austrey Neighbourhood Plan area and the Fillongley Neighbourhood Plan area.

Resolved:

- a That the responses to the proposed consultation be noted; and**
- b The designation of the Neighbourhood Plan Areas for Austrey and Fillongley be approved.**

20 Emergency Tree Preservation Order - Land at Mancetter Manor, The Green, Mancetter

The Board was invited to confirm the decision to issue an Emergency Tree Preservation Order in respect of 1 Horse Chestnut Tree and 2 Lime Trees at Mancetter Manor, The Green, Mancetter.

Resolved:

That the decision to issue an Emergency Tree Preservation Order be confirmed in respect of 1 Horse Chestnut Tree and 2 Lime Trees, for the reasons given in the report of the Head of Development Control, and that any representations received be referred to the Board for it to consider whether to make the Order permanent.

21 **Emergency Tree Preservation Order – Land at Coventry Road, Fillongley**

The Board was invited to confirm the decision to issue an Emergency Tree Preservation Order in respect of 1 Oak tree on land at Coventry Road, Fillongley.

Resolved:

That the decision to issue an Emergency Tree Preservation Order be confirmed in respect of 1 Oak tree, for the reasons given in the report of the Head of Development Control, and that any representations received be referred to the Board for it to consider whether to make the Order permanent.

R Sweet
Chairman

**Planning and Development Board
12 August 2013
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/4	PAP/2013/0107	Canal and River Trust	Consultation	12/8/2013
4/5	PAP/2013/0168 and PAP/2013/0169	Warwickshire County Council Applicant	Consultation Draft Undertaking	9/8/13 12/8/13
4/6	PAP/213/0211	Agent	Plans and Letter	31/7/13
4/7	PAP/2013/0224	E Jones	Representation	9/8/13
4/8	PAP/2013/0278	Birmingham Airport Agents	Consultation Draft Undertaking	9/8/13 12/8/13
4/9	PAP/2013/0285	Mr and Mrs Adams Note Mrs Prowse CPRE	Objection Site Visit Objection Objection	31/7/13 31/7/13 7/8/13 9/8/13
4/10	PAP/2013/0288	Warwickshire County Council	Consultation	22/7/13
4/12	PAP/2013/0325	Coleshill Town Council Agent	Representation Note	7/8/13 6/8/13