

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

11 February 2013

Present: Councillor Sweet in the Chair.

Councillors Barber, Butcher, L Dirveiks, Hayfield, Humphreys, May, B Moss, Phillips, Sherratt, A Stanley, Turley, Winter and Wykes

Apologies for absence were received from Councillors Lea (substitute Councillor Wykes), Simpson and Watkins (substitute Councillor Hayfield).

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

Councillor Hayfield declared a non-pecuniary interest in Minute No. 63 Planning Applications (Application No 2012/0448 (Wagstaff Farm, Shawbury Lane, Shustoke, Coleshill, Warwickshire, B46 2SG) and took no part in discussion or voting thereon.

63 **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 provided the applicant first completes a revised Section 106 legal agreement or Deed of Modification to reflect the current application, with the Heads of Terms of the latter framed around the existing agreement and delegated to the Head of Development Control, Application No 2012/0301 (Priory Farm Karting Circuit, Priory Farm, Robeys Lane, Alvecote, B78 1AR) be approved subject to the conditions specified in the reports;**

[Speakers: Councillor Clarke and James Beauchamp]

- b **That provided a Section 106 Agreement is signed in respect of the £50k contribution as set out in the report of the Head of Development Control, Application No 2012/0347 (Birch Coppice Business Park Phase 3, Land at Hall Farm and The Beanstalk, Gypsy Lane, Birch Coppice Business Park, Dordon), be approved subject to the amendment of conditions 4 and 20 in the report to read as follows;**

“4. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered 902/30/A 11-78-08, 12371/102 and 12371/SK11A received by the Local Planning Authority on 10/7/2012. For the avoidance of doubt the details relevant to the layout of buildings shown plan number 12371/102 are not hereby approved;

“20. Each building constructed pursuant to this permission shall achieve the prevailing required standard in terms of energy efficiency at the time of its design and construction. The minimum standard shall be to deliver an Energy Performance Certificate “A-rated” building or similar”.

- c That providing the applicant first signs a Section 106 Agreement relating to the matters as outlined in the report of the Head of Development Control and subject to the satisfactory resolution of the outstanding matter concerning the proper archaeological investigation of the site, then the Council be “minded to support” the application, and that provided that there are no material implications on the detailed matters raised in the report as a consequence of archaeological investigations, Application No 2012/0350 (Birch Coppice Business Park Phase 3, Land at Hall End Farm and The Beanstalk, Gypsy Lane, Dordon) be approved subject to the amendment of conditions 4, 6 and 20 in the report to read as follows;**

“4. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered 902/31/A, 11/78/07, 12371/103 and 12371/SK11A received by the Local Planning Authority on 10/7/2012.

6. The use of the site shall be limited to those uses falling within Use Classes B1(C), B2 or B8 of the T&CP Use Classes Order 1987, as amended. The gross floor space of all buildings erected on the site shall not exceed 99,695 square metres of gross floor space.

20. Each building constructed pursuant to this permission shall achieve the prevailing required standard in terms of energy efficiency at the time of its design and construction. The minimum standard shall be to deliver an Energy Performance Certificate “A-rated” building or similar” and

That in consultation with the Chairman, Vice Chairman and Opposition spokesperson the Head of Development Control be given delegated powers to work with the applicant to explore the use of conditions as a means of resolving the outstanding archaeological issue.

- d That providing the applicant first signs a Section 106 Agreement containing the contributions as set out in the report of the Head of Development Control, Application No 2012/0348 (Whitacre Garden Centre, Tamworth Road, Nether Whitacre, Coleshill, Warwickshire, B46 2DP) be approved subject to the conditions specified in the report;

[Speaker Paul Southern]

- e That Application No 2012/0448 (Wagstaff Farm, Shawbury Lane, Shustoke, Coleshill, Warwickshire, B46 2SG) be refused for the reasons set out in the report of the Head of Development Control;

[Speaker Ben Henry]

- f That in respect of Wagstaff Farm, Shawbury Lane, Shustoke, Coleshill, Warwickshire, B46 2SG, the Assistant Chief Executive and Solicitor to the Council be authorised to serve an enforcement notice requiring the demolition of the building and removal of hardstanding to the rear of the building within 3 months, along with disposal of materials obtained from its demolition in a lawful manner;

- g That providing the applicant first signs a Section 106 Agreement as set out in the report of the Head of Development Control, Application No 2012/0602 (The Paddocks, Austrey Road, Warton, Warwickshire, B79 0HW) be approved subject to the conditions specified in the report; and

- h That on the proviso that the Environment Agency withdraw its objection, Application No: PAP/2012/0621 (Unit 8a, Innage Park, Abeles Way, Holly Lane Industrial Estate, Atherstone, CV9 2QX) be approved subject to the conditions specified in the report of the Head of Development Control.

64 External Review of Government Planning Practice Guidance

The Head of Development Control reported that Lord Taylor had undertaken a review of current Government Planning guidance and the Board was informed of the conclusions of his review.

Resolved:

That the overall conclusions of the Taylor report be noted.

65 **Changes of Use Permitted Development Rights**

The Head of Development Control reported on the Government's response to recent consultations on extending permitted development rights for proposed changes of use.

Resolved:

That the changes are noted, but that no application is made for exemption as indicated in the report of the Head of Development Control.

66 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – December 2012**

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 2012 – December 2012.

Resolved:

That the report be noted.

R Sweet
Chairman

Planning and Development Board

**11 February 2013
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/5	2012/0301	G Cottrell	Objection	7/2/13
4/40	2012/0347 and 2012/350	Head of Development Control	Addendum	11/2/13
4/98	2012/0348	Nether Whitacre Parish Council Martyn Bramwich Associates Mr Edwards Warwickshire Council Council	Representation Representation Representation Consultation	4/2/13 7/2/13 4/2/13 11/2/13
4/181	2012/0621	Warwickshire County Council Highways Environment Agency	Consultation Consultation	1/2/13 5/2/13