

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

17 December 2012

Present: Councillor Sweet in the Chair.

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

Apologies for absence were received from Councillors Barber, Watkins (substitute Councillor Wykes) and Winter (substitute Councillor Morson).

Councillor Hayfield was also in attendance and with the consent of the Chairman spoke on a number of planning applications under consideration.

47 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillors Lea, B Moss and Sweet declared an interest in Minute No 50 - Planning Applications (Application No 2012/0020 (Gun Hill Infant School, Gun Hill, Arley, Coventry, Warwickshire, CV7 8HB) by reason of being Members of the County Council's Regulatory Committee and took no part in the discussion or voting thereon. In addition Councillor Sweet vacated the Chair for the consideration of this item.

48 **Minutes**

The minutes of the meetings of the Board held on 15 October and 12 November 2012, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

49 **Budgetary Control Report 2012/2013 Period Ended 30 November 2012**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2012 to 30 November 2012. The 2012/2013 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.

50 **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:

[Councillor Phillips in the Chair]

- a **That in respect of Application No 2012/0020 (Gun Hill Infant School, Gun Hill, Arley, Coventry, Warwickshire, CV7 8HB) the Borough Council submits a holding objection to the County Council on the grounds that whilst it does not object in principle to the new School being constructed at Gun Hill, it does consider that alternative options for that new School have not been thoroughly explored with the community, in view of the substantial harm done to the Green Belt under the current proposals. Moreover the Council is concerned about the traffic and highway impacts which appear to be under-estimated, and is also very disappointed with the design and appearance of the proposed building as it lacks any recognition of local character;**

[Councillor Sweet in the Chair]

- b **That the receipt of Applications No 2010/0462 and 2011/0014 (Beech House, Market Street, Atherstone); Application No 2012/0514 (The Former Telephone Exchange, North Street, Atherstone); Applications No 2012/0515 and 012/0521(Land at Old Bank Gardens the rear of 94, 96 and 98 Long Street, Atherstone) and Application No 2012/0517 (Land at the rear of 108 Long Street, Atherstone) be noted;**
- c **That in respect of Application No 2011/0527 (31 Plough Hill Road, Chapel End, CV10 0PJ) if an appeal is lodged against Nuneaton and Bedworth Borough Council's refusal and that appeal succeeds, the application be granted subject to conditions as outlined in the October Planning Board agenda and the agenda for this meeting, with authority delegated to the Head of Development Control; but that if an appeal is not lodged or an appeal fails, the application be referred back to the Board with a fresh recommendation based on the circumstances pertaining at that time;**
- d **That Application No 2012/0220 (Plot 6(b) and Plot 10(a), Faraday Avenue, Hams Hall National Distribution Park, Coleshill, B46 1AL) be approved subject to the conditions set out in the report of the Head of Development Control;**

[Speaker Simon Smart]

- e That in respect of Application No 2012/0248 (Land to the North of, Common Lane, Corley, CV7 8AQ)**
 - i The Certificate of Lawfulness not be granted on the grounds that on the balance of probability the application has not shown that the use sought and the area sought are sufficiently distinguished from the requirements of extant Enforcement Notices relating to similar uses covering the same land; and**
 - ii Authority be given to the Solicitor to the Council to commence further legal proceedings under Section 179 of the 1990 Town and Country Planning Act, in order to uphold the requirements of the extant Enforcement Notices in respect of the ongoing illegal use of the land.**

- f That in respect of Application No 2012/0301 (Priory Farm Karting Circuit, Priory Farm, Robeys Lane, Alvecote, B78 1AR)**
 - i The application be deferred for a site visit so to enable Members to appreciate the scope of the proposal in respect of the current limits on the use, as well as view other features and the wider surroundings; and**
 - ii The Environmental Health officer be invited to attend a future meeting when this application is determined so as to enable any specific queries from Members to be answered.**

- g That consideration of Application No 2012/0348 (Whitacre Garden Centre, Tamworth Road, Nether Whitacre, Coleshill, Warwickshire, B46 2DP) be deferred and the Head of Development Control instructed to continue discussions with the applicant on the matters identified in the conclusion to his report;**

[Speakers Paul Southern and Donna Savage]

- h That Applications No 2012/0432 and 0433 (Blackgreaves Farm, Blackgreaves Lane, Lea Marston, B76 0DA) be approved subject to the conditions set out in the report of the Head of Development Control;**

- i That in respect of Applications No 2012/0432 and 0433 (Blackgreaves Farm, Blackgreaves Lane, Lea Marston, B76 0DA) the Solicitor to the Council be authorised to write to the**

owner of the building explaining the requirements of Section 9 of the Planning (Listed Building and Conservation Areas) Act 1990 and the offences that appear to have been committed. That the Solicitor to the Council also keeps a record of these offences on a file under the applicant's name and should any further offences be recorded by this applicant against Listed Buildings in the Borough, then the Council reserves the right to re-open this case;

- j That Application No 2012/0470 (Land to the Rear of 58-82 St. George's Road, Atherstone) be approved subject to the following additional condition:

“ xiv) No work shall commence on site until such time as details of the street lighting to be installed have first been submitted to and approved in writing by the Local Planning Authority. Only the approved lighting shall then be installed.”

[Speaker Robert Gisbourne]

- k That Application No 2012/0483 (Marriott Forest Of Arden Hotel And Country Club, Maxstoke Lane, CV7 7HR) be refused for the reasons set out in the report of the Head of Development Control and that enforcement proceedings are commenced with a view to removing the unauthorised signs;

[Speaker Eamon Thompson]

- l That Application No 2012/0498 (Land rear of 70 to 78 New Street, Dordon) be approved subject to the conditions set out in the report of the Head of Development Control; and
- m That Application No 2012/0530 (St Marys Church, Friars Gate, Atherstone, Warwickshire, CV9 1EZ) be approved subject to the conditions set out in the report of the Head of Development Control.

51 Public Speaking at Planning and Development Board

The Head of Development Control reported that the Board had experienced public speaking at its meetings during the past year and was asked whether it wished to continue with the procedure following the trial period.

Resolved:

- a That the Planning and Development Board considers that the opportunity to speak at its Board meetings has been successful; and

Recommendation to the Executive Board:

- b That the procedure be made permanent without any changes to the current practice.**

52 Government Consultations – Appeal Procedures and Extending Permitted Development Rights

The Head of Development Control reported that the Government had published two consultations, seeking representations. One reviewed the planning appeal process with the aim of speeding up decisions and the second proposed extending householder and other permitted development rights for a period of three years. The Board was asked to endorse a suggested response.

Resolved:

That the Council agrees with the recommendations in respect of planning appeal procedures but strongly objects to those relating to extending permitted development rights as it considers that they would have adverse permanent impacts that would outweigh any temporary benefit from their introduction.

53 HS2 – Property Compensation and Safeguarded Area

The Board was invited to comment on the consultation by the Secretary of State on the Property Compensation and the Safeguarding area.

Resolved:

That the Assistant Chief Executive and Solicitor to the Council prepares a final response in consultation with the Leader, Leader of the Opposition, Chairman of Planning & Development Board and Opposition Spokesperson, HS2 spokesperson and Opposition HS2 spokesperson to meet the consultation deadline

R Sweet
Chairman

**Planning and Development Board
17 December 2012
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
6/5	2012/0020	Arley Parish Council	Support	14/12/12
6/78	2012/0220	Agent	Amended plan	14/12/12
6/123	2012/0348	Tyler Parkes	Objection	14/12/12
		Coleshill Civic Society	Representation	7/12/12
		Nether Whitacre Parish Council	Representation	14/12/12
		J Naylor	Objection	12/12/12
		A Hughes	Objection	14/12/12
		M Wildash	Representation	16/12/12
6/145	2012/0432	Coleshill Civic Society	Representation	13/12/12
		Heritage Officer	Objection	7/12/12