

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

12 November 2012

Present: Councillor Winter in the Chair.

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

Apologies for absence were received from Councillors Sweet and Watkins (Substitute Councillor Wykes)

Councillors Ferro and Fowler were also in attendance and with the consent of the Chairman spoke on Minute No 43 Planning Applications (Application No 2012/0313 (Car Park, Park Road, Coleshill, B46 3LA)

40 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor B Moss declared himself pre-disposed in respect of Minute No 43 Planning Applications (Application No 2012/0313 (Car Park, Park Road, Coleshill, B46 3LA) left the meeting and took no part in the discussion or voting thereon.

41 **Election of Vice-Chairman**

It was proposed by Councillor B Moss, seconded by Councillor Turley and

Resolved:

That Councillor Phillips be elected Vice-Chairman for the meeting.

42 **Works to Trees in a Conservation Area - Atherstone**

The Assistant Director (Leisure and Community Development) reported on proposals for works to trees within in the Atherstone Conservation Area. The Board was asked to agree a suggested course of action.

Resolved:

That the Board notes the proposed works to be undertaken to trees within the Atherstone Conservation Area and refers the issue of works to trees adjacent to CCTV cameras to the Community and Environment Board for consideration, in particular for that Board to ensure works are not done to

trees solely as a result of CCTV cameras being put in the wrong place.

43 **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: CON/2012/0018 (Consultation from Hinckley and Bosworth Borough Council (HBBC) - Elms Farm, Atherstone Road, Appleby Parva, Swadlincote) the Council objects to the proposal on the grounds that it considers that the proposal does not harmonise with its immediate setting or wider surroundings such that it would not present a visually attractive environment from North Warwickshire's perspective. It would neither protect nor enhance the intrinsic qualities of North Warwickshire's existing landscape. The proposal is thus not in accordance with the saved policies ENV1 and ENV12 of the North Warwickshire Local Plan 2006;**

- b **That providing the Applicant first enters in an Agreement under S106 as set out in the report of the Head of Development Control, Application No 2012/0112 (Colwell, Church Road, Shustoke, B46 2JY) be approved subject to the conditions specified in the said report;**

- [Speaker James Berry]

- c **That consideration of Application No 2012/0220 (Plot 6(b) and Plot 10(a), Faraday Avenue, Hams Hall National Distribution Park, Coleshill, B46 1AL) be deferred for a site visit;**

- d **That Application No 2012/0313 (Car Park, Park Road, Coleshill, B46 3LA be refused for the following reasons**

“It is considered that the proposal to vary delivery hours to a full 24 hour period from those already agreed, would be highly likely to give rise to adverse impact on the residential amenity that neighbouring occupiers could reasonably be expected to enjoy. This is due to the close proximity of residential properties to the site; noise associated both directly and

indirectly with deliveries outside normal trading hours – lighting, engines, door and shutter openings, forklift truck activity and the manoeuvring of vehicles – when ambient noise conditions are at their lowest, and the irregularity of such deliveries. The cumulative effects of these factors is considered to amount to a significant impact such that the proposal is not in accordance with saved policy ENV11 of the North Warwickshire Local Plan 2006”;

- e That Application No 2012/0407 (3 Ramsden Road, Mancetter, Atherstone, Warwickshire, CV9 1PB) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speaker Jane Carr]

- f That consideration of Application No 2012/0498 (Land rear of 70 to 78 New Street, Dordon) be deferred for a site visit.

44 **Progress Report on Corporate Plan and Performance Indicator Targets April – September 2012**

The Chief Executive and Deputy Chief Executive informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April – September 2012.

Resolved:

That the report be noted

45 **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.

46 **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 respect of Land at Stipers Hill Farm, Kisses Barn Lane, Warton the Solicitor to the Council be authorised to issue two Enforcement Notices as follows
- i** The first relating to the change of use of the land for general industrial use; the storage of non-agricultural vehicles including: public service vehicles; heavy goods vehicles; caravans/mobile homes; scrap cars/car parts; containers; and boats, requiring the cessation of the uses and the removal of the stored items;
 - ii** The compliance period be six months;
 - iii** The second relating to the formation of an unauthorised hardstanding area. The enforcement notice to require the digging up/breaking up of the hardstanding area; the removal of the resulting materials, and the reinstatement of the land with topsoil;
 - iv** The compliance period be seven months (so that the compliance period within the first notice is not foreshortened).
- b** That in respect of The Heart of England Old Hall Farm, Fillongley, the Solicitor to the Council be given delegated authority to take any additional enforcement action and to apply for an Injunction should forthcoming inspections reveal non-compliance with extant Enforcement Notice requirements and apprehended breaches of planning control at this site.

Chairman

**Planning and Development Board
12 November 2012
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/4	CON/2012/0018	Polesworth Parish Council	Objection	26/11/12
		Austrey Parish Council	Objection	22/10/12
		R Meredith	Objection	6/11/12
5/14	2012/0112	Agent	Revised Section 106	09/11/12