

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

13 February 2012

Present: Councillor Sweet in the Chair.

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

An apology for absence was received from Councillor Holland.

Councillors Fowler, Hayfield, Payne, Smith and Watkins were also in attendance. With the consent of the Chairman, Councillors Hayfield and Smith spoke on Minute No 68 Planning Applications (Various Applications relating to Heart of England Ltd).

#### 67 **Declarations of Personal or Prejudicial Interests**

Personal interests arising from the membership of Warwickshire County Council of Councillors Lea, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Barber (Ansley), Butcher (Polesworth), B Moss (Kingsbury), Phillips (Kingsbury) and Winter (Dordon) were deemed to be declared at this meeting.

Councillors Butcher declared a personal interest in Minute No 68 Planning Applications (Application No 2011/0577 - 47 Fairfields Hill, Polesworth) by reason of previous discussions with both the applicant and objectors and took no part in the discussion or voting thereon.

Councillors Lea, B Moss and Sweet declared a personal interest in Minute No 68 Planning Applications (Land at Packington Landfill Site, Packington Lane) by reason of being Members of Warwickshire County Council and took no part in the discussion and voting thereon. In addition Councillor Sweet vacated the Chair for the consideration of this matter.

#### 68 **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 the Heart of England Ltd, Meriden Road, Fillongley**
  - i Application No 2011/0317 be refused for the reasons set out in the report of the Head of Development Control;**

- ii Application No 2011/0261 be refused for the reasons set out in the report of the Head of Development Control;**
- iii Application No 2011/0229 be refused for the reasons set out in the report of the Head of Development Control;**
- iv Application No 2011/0324 be refused for the reasons set out in the report of the Head of Development Control;**
- v Application No 2011/0133 be refused for the reasons set out in the report of the Head of Development Control;**
- vi Application No 2011/0131 be refused for the reasons set out in the report of the Head of Development Control;**
- vii Application No 2011/0132 be refused for the reasons set out in the report of the Head of Development Control;**
- viii Application No 2011/0134 be refused for the reasons set out in the report of the Head of Development Control;**
- ix Application No 2011/0289 be refused for the reasons set out in the report of the Head of Development Control;**
- x Application No 2011/0269 be approved subject to the conditions set out in the report of the Head of Development Control;**
- xi Application No 2011/0281 be refused for the reasons set out in the report of the Head of Development Control; and**
- xii That the Solicitor to the Council be authorized to issue a listed building Enforcement Notice to require the removal of the rear porch and the making good of the listed building.**

**[Speakers: Judith Burrin, Robert Williams and Stephen Hammon]**

- b That provided the applicant first enters in to a Section 106 agreement in respect of the issues set out in the report, Application No 2011/0054 (Land to rear of Barge and Bridge Public House, Westwood Road, Atherstone) be approved subject to the conditions set out in the report of the Head of Development Control and to the following additional condition**

**“18 Notwithstanding the terms of condition 2 above, this planning permission does not permit the use of concrete roofing tiles nor the string brick course around the elevations. Roofing materials should be agreed as per condition 3 below and the brick course omitted from construction.”**

- c That Application No 2011/0552 (146 High Street, Coleshill) be approved subject to the amendment of condition 4, the replacement of condition 7 and an additional condition as follows**

**“4 Notwithstanding the details shown on the application plans, the development hereby permitted shall not brought into use until physical measures have been constructed within the access to slow egress onto the highway in accordance with details to be submitted and approved in writing by the Local Planning Authority. These measures shall include speed humps, illumination, mirrors and signage.**

**7 For the avoidance of doubt, there shall be no takeaway service or ‘over the counter’ sales from these premises.**

**The use hereby approved shall not be commenced for business purposes until such time as full details for the widening of the existing kerbed access onto High Street have first been submitted to and approved in writing by the Local Planning Authority. The approved measures shall then be implemented as approved.”**

**[Speaker: Diane Davies]**

- d That Application No 2011/0577 (47 Fairfields Hill, Polesworth) be approved subject to the conditions specified in the report of the Head of Development Control;**

**[Speakers: Brian Clemons and Marcus Rubensaat]**

**e That Application No 2011/0612 (Meadow Farm, Warton Lane, Austrey) be approved subject to the conditions specified in the report of the Head of Development Control;**

**f That Application No 2011/0619 (White House Farm, Devitts Green Lane, Arley) be refused and refusal reason 1 be amended to read as follows**

**“1 The proposal conflicts with the purposes of including land in the Green Belt, such that it is considered to constitute inappropriate development, and is harmful to the openness of the Green Belt. That harm arising is of a local nature and substantial weight is attached to it, whereas renewable energy schemes only carry significant weight. National targets and local renewable energy targets are not considered to carry material weight to override this fundamental concern; the energy needs of the farm do not command a proposal of this scale; and whilst energy will be created for wider use, this will not directly benefit the local area, nor are they considered to be sufficiently grand to outweigh the substantial harm caused. As such, the applicant has failed to clearly demonstrate the very special circumstances necessary to outweigh that harm to openness. The proposal therefore remains as inappropriate development, harmful to the openness of the Green Belt, and contrary to saved policy ENV2 of the North Warwickshire Local Plan 2006 and national policies as set out in Planning Policy Guidance Note 2 (PPG2).”**

**[Speaker: Mark Chamberlain]**

**g That Application No 2011/0648 (Meadow Street Park and Gardens, Meadow Street, Atherstone be approved subject to the conditions specified in the report of the Head of Development Control;**

**h That consideration of Application No 2011/0670 (Ash End Farm, Middleton Lane, Middleton, Tamworth) be deferred for a site visit;**

**[Speaker: David Stentiford]**

**i That Application No 2012/0008 (Arley Working Mens Club, Spring Hill, Arley) is noted at this time and that a full determination report is prepared in due course, once consultation has taken place;**

**j That the report in respect of Application No 2012/0020 (Car Park, Park Road, Coleshill) be noted at this stage and**

**Officers asked to liaise with applicants on the issues raised by Members at the meeting; and**

- k That in respect of land at Packington Landfill Site, Packington Lane the County Council be informed that this Council objects to this proposal on the grounds set out in the report, which essentially concludes that the overall public benefit lies with the restoration of the whole of Packington landfill site in order to achieve the permanent outcome of green belt objectives.**

**[Councillor Winter in the Chair for the consideration of Minute No 68k]**

**69 Corporate Plan 2011 - 12 Key Actions**

The Head of Development Control reported on how the three key actions set out in the Corporate Plan for this year in respect of the Development Control Service had been taken forward.

**Resolved:**

**That the report be noted.**

**70 Liberalising the Regime for Flying Flags**

The Head of Development Control reported that the Government had published a discussion paper on removing the need to obtain Advertisement Consent from the Local Planning Authority in order to fly a wider range of flags than at present.

**Resolved:**

**That the paper be noted but that no reply is made.**

**71 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – December 2011**

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 to December 2011.

**Resolved:**

**That the report be noted.**

R Sweet  
Chairman

## Planning and Development Board

13 February 2012

### Additional Background Papers

Agenda Item	Application Number	Author	Nature	Date
4/8	2011/0054	Atherstone Civic Society	Representation	13/2/11
4/17	2011/0552	Agent	Representation	13/2/12
4/61	2011/0619	A & M Callwood	Objection	9/2/12
		J Birch	Objection	5/2/12
4/86	2011/0670	Agent	Representation	8/2/12
		Agent	Representation	10/2/12
4/115	Packington	Environmental Health Officer	Consultation	8/2/12
		Agent	Representation	9/2/12