

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

15 February 2010

Present: Councillor Simpson in the Chair.

Councillors Bowden, Fox, Lea, Morson, B Moss, Sherratt, M Stanley, Swann, Sweet, Winter and Wykes.

An apology for absence was received from Councillor L Dirveiks.

Councillor Phillips was also in attendance.

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

Personal interests arising from the membership of Warwickshire County Council of Councillors Fox, Lea, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Fox (Shustoke), B Moss (Kingsbury), Sherratt (Coleshill) and M Stanley (Polesworth) were deemed to be declared at this meeting.

Councillors Simpson and Swann declared a personal interest in Minute No 75 (Breach of Planning Control) left the meeting and took no part in the discussion or voting thereon.

#### 69 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board.

##### **Resolved:**

**a That in respect of Application No 2009/0544 (The Stables Garages, Caldecote Hall Drive, Caldecote)**

**i) planning permission be refused for the following reason**

**“It is considered that the garages are not in keeping with the immediate setting and wider surroundings, and thus do not present a visually attractive environment. This is because of the hap hazard location of the garages, and particularly their appearance when considered against the overall setting of Caldecote Hall and its parkland which has seen substantial improvement in recent years. The proposal is thus not in accord with saved policies ENV12 and ENV13 of the North Warwickshire Local Plan 2006.”**

- ii) the Head of Development Control be asked carry out further discussions with the applicant; and
  - iii) that consideration of whether or not it is expedient to issue an enforcement notice be deferred to a future meeting of the Board.
- b That Application No 2010/0004 (Land adjacent to 34 Laurel Drive, Hartshill) be approved subject to the following condition:
- “i) Within twelve months of the commencement of development a landscaping scheme to include new trees shall be submitted to the Local Planning Authority for approval. Details shall include the replacement species and their location.”

## 70 Rights of Entry

Following staffing changes in his section, the Head of Development Control reported on the need to review authorisations in respect of the power to enter property.

### **Recommended:**

**That the posts named in the report of the Head of Development Control be given authority, under the Legislation referred to, to enter property in undertaking their planning and related duties.**

## 71 Government Consultations

The Head of Development Control reported that the Government had published three further consultation papers in response to the recommendations of the Killian Pretty Review into the planning application process. The Board was asked to approve a suggested course of action.

### **Resolved:**

- a That the papers be noted;
- b The Council records its objection to the intention to retain mandatory Newspaper adverts for some planning applications, and that CLG be notified accordingly; and
- c That the Council informs CLG, that whilst it welcomes the change towards the management of new development, particularly at the strategic level, it considers that there needs to be more balance in that approach at the local level. It has concerns that the overall thrust of the changes

now being introduced as a consequence of the Killian Pretty Review, will weaken the care taken by planning officers and Members in the micro-management of development which is often of particular concern to local residents and their community representatives. The full detail of proposals; the need for conditions and the enforcement of breaches are all necessary in this balance, and the Council considers that the current changes give far too little weight to these considerations, in its apparent rush towards adoption of the new approach.

**72 Countryside and Heritage Portfolio Group**

The minutes of the last meeting of the Countryside and Heritage Portfolio Group held on 6 January 2010 were received and noted.

**73 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2009 – December 2009**

Members were informed of the achievement of the Council's Corporate Plan and Performance Indicator targets for 2009 during April to December 2009.

**Resolved:**

**That the performance achieved for the Corporate Plan and Performance Indicator targets for April to December 2009, be noted.**

**74 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 by Schedule 12A to the Act.**

**[At this point in the meeting Councillor Simpson vacated the Chair and left the meeting. Councillor Lea in the Chair]**

**75 Breach of Planning Control**

The Head of Development Control reported on an alleged breach of planning control at Bates Butchers, 6 Market Street, Atherstone and the Board was asked to agree a suggested course of action.

**Resolved:**

- a** That the Solicitor to the Council be authorised to issue a Listed Building Enforcement Notice relating to the new UPVC window in the side elevation of 6 Market Street, facing Derby Lane at ground floor level and partial removal of render from the same elevation;
- b** That the Notice requires:
  - i.** The removal of the unauthorised UPVC window.
  - ii** That a replacement, single glazed, casement, wooden window be installed, to a traditional design, to be specified in detailed drawings, which are to accompany the Listed Building Enforcement Notice.
  - iii** The window shall be set back within a 100mm reveal.
  - iv** The render shall be reinstated to match existing surrounding render.
- c** That the compliance period be three months.

M Simpson  
Chairman

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE SCRUTINY BOARD

16 February 2010

Present: Councillor Swann in the Chair

Councillors Butcher, Forwood, Fowler, Gordon and M Stanley.

Apologies for absence were received from Councillors Davis, N Dirveiks, Freer, Johnston, M Moss and Welby.

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

Any personal interests arising from the membership of Warwickshire County Council of Councillor Fowler and membership of the various Town or Parish Councils of Councillors Butcher (Polesworth) and M Stanley (Polesworth) were deemed to be declared at the meeting.

Councillor Fowler declared a personal interest in Minute No. 18 (Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2009 to December 2009) by reason of being Vice Chairman of the North Warwickshire Citizens' Advice Bureau.

#### 17 **Minutes**

The minutes of the Scrutiny Board held on 9 November 2009, copies having previously been circulated, were approved as a correct record and signed by the Chairman.

The Assistant Chief Executive and Solicitor to the Council informed Members that the report detailed in Minute No. 12 of the minutes of the Scrutiny Board held on 9 November 2009 would be brought to the next Board on 26 April 2010.

#### 18 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2009 to December 2009**

The Chief Executive and the Director of Resources informed Members of the actual performance and achievement against the Corporate Plan and Performance Indicator targets during April to December 2009.

#### **Resolved:**

**That the performance achieved for the Corporate Plan and Performance Indicator targets for April to December 2009, be noted.**

19 **The Role of Scrutiny in Equality and Cohesion**

The Assistant Chief Executive informed Members of changes in equality related legislation which the Council had a number of duties to respond to and put forward proposals for the Scrutiny Board to regularly review progress with meeting these duties and to act as a champion to ensure the Council met its equality and cohesion objectives.

**Resolved:**

**That the proposals included within the report of the Assistant Chief Executive to assist Members to scrutinise the Council's performance in meeting its equality and cohesion objectives be endorsed.**

20 **Member Development Strategy – Results of the Member Survey, Priorities for Training and Final Strategy**

The Assistant Chief Executive and Solicitor to the Council detailed the results of the survey of Members' training requirements, and sought approval for priorities for training based on that survey and for the final Member Development Strategy.

**Resolved:**

**a That the questionnaire results be noted;**

**Recommendation to the Resources Board:**

**b That the Resources Board be asked to approve the priority areas for training and authorise the Assistant Chief Executive and Solicitor to the Council to prepare training based on the priorities identified; and**

**c That the Resources Board be asked to endorse the final Member Development Strategy for approval by the Executive Board.**

21 **Climate Change Strategy and Action Plan**

The Assistant Chief Executive and Solicitor to the Council sought the Board's comments on the Climate Change Strategy and Action Plan.

**Resolved:**

**That the Strategy and Action Plan be endorsed.**

**22 Audit Reports**

The Assistant Chief Executive and Solicitor to the Council presented the quarterly reports of audit carried out within the Council.

**Resolved:**

**That the report be noted.**

**23 Councillor Call for Action**

The Assistant Chief Executive and Solicitor to the Council provided a verbal update on the Councillor Call for Action.

**Resolved:**

**a That the verbal update be noted; and**

**b That the Assistant Chief Executive and Solicitor to the Council forward the Councillor Call for Action form to Members prior to each Scrutiny Board for their completion if necessary.**

**24 Update on Detailed Scrutiny Projects**

The Assistant Chief Executive and Solicitor to the Council updated Members on the detailed scrutiny projects currently being undertaken.

**Resolved:**

**That the verbal update be noted.**

S Swann  
Chairman