

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

11 January 2016

Present: Councillor Lea in the Chair.

Councillors Bell, Davey, L Dirveiks, Farrell, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Phillips, Smitten, Sweet and A Wright.

Apologies for absence were received from Councillors Moss (Substitute Councillor Farrell) and Simpson (Substitute Councillor Davey).

Councillors Smith and Waters were also in attendance. With the consent of the Chairman Councillor Smith spoke Minute 47 Planning Applications (Application No 2015/0687 (Ashleigh, Coventry Road, Fillongley, CV7 8BZ).

#### 46 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Sweet declared a non-pecuniary interest in Minute No 47 Planning Applications (Applications No 2015/0065 and 2015/0068 - Former Baddesley Colliery, Main Road, Baxterley, Atherstone, CV9 2LE) left the meeting and took no part in the discussion or voting thereon.

Jenny Price declared a pecuniary interest in Minute No 47 Planning Applications (Application No 2015/0726 - Oak Tree House, Main Road, Austrey, CV9 3EH) and left the meeting during consideration of this matter.

#### 47 **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 Applications No 2015/0065 and 2015/0068 (Former Baddesley Colliery, Main Road, Baxterley, Atherstone, CV9 2LE)**
  - i The details set out in the report of the Head of Development Control be approved in full discharge of conditions attached to planning permission PAP/2015/0271 dated 23/6/15; and**

- ii That subject to there being no objections from the Environmental Health Officer or the Local Lead Flooding Authority that cannot be overcome by the imposition of conditions, the details submitted in respect of condition 7 (remediation) and 8 (surface water discharge) be approved by the Head of Development Control under his delegated powers.

**[Speaker Mark Walton]**

- b That provided the applicant first enters in to a Section 106 Agreement as set out in the report of the Head of Development Control, Applications No 2015/0631 and 2015/0635 (Blackberry Barn, Coleshill Road, Maxstoke, B46 2QE) be approved subject to the conditions set out in the report of the Head of Development Control and to an additional condition requiring utilities to be served from the main house;

**[Speaker Zoe Morris]**

- c That in respect of Application No 2015/0643 (52 Station Road, Whitacre Heath, B46 2EH) the Council confirms that the change of use is permitted development and that the change of use may proceed;
- d That provided the applicant first enters in to a Section 106 Agreement in respect of the provision of an off-site contribution for affordable housing as set out in the report of the Head of Development Control, Application No 2015/0664 (Ridley House, Ridley Lane, Nether Whitacre, B46 2DH) be approved subject to the conditions set out in the said report;

**[Speaker Darren Freeman]**

- e That Application No 2015/0687 (Ashleigh, Coventry Road, Fillongley, CV7 8BZ) be refused for the following reasons

“Notwithstanding the location of the site within the development boundary of Fillongley, the proposal is not considered to be in keeping with the character and local distinctiveness of this part of the village by virtue of it being “back-land” development not in accordance with the ribbon development seen in this location. As a consequence it also has adverse impacts on the residential amenity that occupiers of the existing houses might reasonably be expected to enjoy. The proposal is contrary to Policies NW10 and NW12 of the North Warwickshire Core Strategy 2014.”

**[Speakers Stuart McIndoe and James Cassidy]**

- f That Application No 2015/0726 (Oak Tree House, Main Road, Austrey, CV9 3EH) be approved subject to the conditions set out in the report of the Head of Development Control.**

**48 Recent Appeal Decisions**

The Head of Development Control reported on a number of recent appeal decisions.

**Resolved:**

**That the decisions be noted.**

**49 Heart of England Liaison Group**

The Board was invited to consider the appointment of the Council's representatives to serve on the Heart of England Liaison Group.

**Resolved:**

**That Councillors Smith and D Wright be appointed as the Council's representatives on the Heart of England Liaison Group.**

**50 Proposed Changes to National Planning Policy**

The Head of Development Control reported that the Government had published proposed changes to the National Planning Policy Framework 2012 following its recent planning and housing announcements. The Board was invited to endorse a number of recommended responses.

**Resolved:**

**That, subject to the inclusion of representations in relation to the submission of applications as reported at the meeting, the Council responds to the proposed National Planning Policy Framework changes as set out in the report of the Head of Development Control.**

**51 The Coventry and Warwickshire LEP: Planning Protocol**

The Board was invited to approve the Coventry and Warwickshire LEP: Planning Protocol.

**Resolved:**

**That the Coventry and Warwickshire LEP: Planning Protocol be approved.**

52 **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.**

53 **Appeal by St Modwen Development Limited Land at Junction 10 M42**

The Assistant Chief Executive and Solicitor to the Council sought approval to appoint a barrister to assist with the appeal by St Modwen Development Limited.

**Resolved:**

- a That a barrister be appointed as detailed in the report of the Assistant Chief Executive and Solicitor to the Council; and**

**Recommended to the Executive Board:**

- b That a supplementary estimate is approved to fund the appeal costs to the value set out in the report.**

J Lea  
Chairman

**Planning and Development Board  
11 January 2016  
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4//4	DOC/2015/0065 and DOC/2015/0068	Note  Mr Rollason	Site Visit  E-mail	6/1/16  11/1/16
4/64	PAP/2015/0643	Coleshill Civic Society	Representation	11/1/16
4/92	PAP/2015/0687	Agent	Representation	22/12/15