

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

23 May 2011

Present: Councillor Sweet in the Chair.

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

Apologies for absence were received from Councillors Barber, Phillips and Turley.

#### 1 **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 Butcher (Polesworth), B Moss (Kingsbury) and Winter (Dordon) were deemed to be declared at this meeting.

Councillor B Moss declared a personal interest in Minute No 8 (Breaches of Planning Control - Recreation Ground off Tamworth Road, Kingsbury) by reason of being a member of Kingsbury Parish Council.

#### 2 **Minutes**

The minutes of the meetings of the Board held on 14 March, 23 March and 11 April 2011, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 3 **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, provided the applicant first enters into a Section 106 Agreement as varied to allow the provision and first occupation of 4 affordable dwellings within 2 years (failing which 6 affordable dwellings are to be provided) alongside the unchanged contribution towards open space, Application No 2008/0369 (151 Plank Lane, Water Orton) be approved subject to conditions outlined in Appendix A to the report of the Head of Development Control;**

**b** That, provided the applicant first enters into a Section 106 Agreement as set out in the report of the Head of Development Control, Application No 2009/0420 (Almshouses, Church Lane, Middleton) be approved subject to the conditions set out in the said report and to an additional condition relating to a routing agreement for construction traffic;

**c** That Application No 2010/0058 (Grimscote Manor, Lichfield Road, Coleshill) be approved subject to the following additional condition

**“The marquee hereby approved shall be removed from the site before 31 May 2014, and the land reinstated to a grassed area, to the written satisfaction of the Local Planning Authority.”**

**Details relating to the provision of car parking spaces shall be reported to the Board and plans submitted shall clearly identify the location of the marquee.**

**d** That in respect of Grimscote Manor, Lichfield Road, Coleshill, provided the access improvements and on-site car parking provision required under conditions (iv) and vi) of planning permission No 2010/0058, are implemented on site and that conditions (v) and (vii) are subsequently discharged, then it is not considered expedient to institute enforcement proceedings against the use of the George Lewis Suite for functions for the reasons set out in the report of the Head of Development Control;

**e** That Application No 2010/0315 (108 Long Street, Atherstone) be refused for the following reason:

**“The site lies in the Atherstone Conservation Area whose character and appearance in this location is marked by an openness that derives from the retention of historic rear gardens and yards. There are a number of rear elevations to Listed Buildings that overlook this space. It is considered that the built form, with its massing and extended footprint would have an adverse impact on the character and appearance of this part of the Conservation Area by enclosing the view over this open area; reducing the openness of the Area, also reducing in the loss of views of those rear elevations, and introducing a built form that is out of keeping. This proposal does not therefore accord with saved Policies ENV15 and ENV16 of the North Warwickshire Local Plan 2006, together with Government Planning Policy in PPS5.”**

- f **That Applications No 2011/0046 and 2011/0048 (Atherstone Garage, 157-159 Long Street, Athertstone) be approved subject to the amendment of conditions 1 to read 'three years'.**

4 **Government Consultation Paper – Use Classes Order**

The Head of Development Control reported that the Government had published a consultation paper on proposed changes to the Town and Country Planning (Use Classes) Order and the Board was informed of the proposals.

**Resolved:**

**That the Council is certain that there are no benefits in this proposal for North Warwickshire, given the Authority's priorities of promoting sustainable development, and encouraging job and employment creation within the Borough.**

5 **Tree Preservation Order – 18 Minworth Road, Water Orton**

The Head of Development Control reported that a Tree Preservation Order had recently been made and the period for representations had passed. Having considered the representations received, the Board was invited to confirm the Order.

**Resolved:**

**That the Tree Preservation Order made in respect of an Ash tree at 18 Minworth Road, Water Orton be confirmed without modification.**

6 **Waste Development Framework - Core Strategy - Emerging Spatial Options consultation (March 2011)**

Under Section 100B(4)(b) of the Local Government Act 1972 the Chairman had agreed to the consideration of this item by reason of the urgent need to respond to the consultation document prior to the deadline.

The Assistant Chief Executive and Solicitor to the Council reported on the Warwickshire County Council's Waste Development Framework - Core Strategy - Emerging Spatial Options consultation document (March 2011) and the Board was invited to consider suggested responses to the questions raised in the document.

**Resolved:**

**That, together with the issues raised at the meeting, the comments set out in Appendix 1 to the report of the Assistant Chief Executive and Solicitor to the Council be sent to Warwickshire County Council as the Borough Council's response to the consultation document.**

**7 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act.**

**8 Breaches of Planning Control**

The Head of Development Control reported on a number of alleged breaches of planning control and the Board was asked to agree suggested courses of action.

**Resolved:**

- a That in respect of the Recreation Ground off Tamworth Road, Kingsbury in the circumstances set out in the report of the Head of Development Control, it is not considered expedient to take enforcement action in this case, but that the parties involved be requested to continue their dialogue; and**
- b That in respect of Lynwyn, Botts Green Lane, Over Whitacre**
  - i the owner be notified in writing that the alterations undertaken to the outbuilding as requested by the Council in its letter of 15 February 2011, are now satisfactory and that no further action will be taken on this particular matter; and**
  - ii That based on the matters brought to the attention of the Board in the report, the Enforcement Notice dated 24 February 2011 relating to this property be withdrawn.**

9 **Ash End Farm, Middleton – Temporary Stop Notice**

Under Section 100B(4)(b) of the Local Government Act 1972 the Chairman had agreed to the consideration of this item by reason of the need to report on the action taken.

The Head of Development Control reported on the emergency action taken in respect of unauthorised building operations at Ash End Farm, Middleton.

**Resolved:**

**That the action taken concerning the issue of a Temporary Stop Notice in respect of the breach of planning control at Ash End Farm, Middleton be noted.**

R Sweet  
Chairman

**Planning and Development Board  
23 May 2011  
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/2	2009/0420	Middleton Parish Council	Representations	11/5/11
		Middleton Parish Council	Representations	15/5/11
5/3	2010/0058	Head of Development Control	Letter	12/4/11
		Environmental Health Officer	E-mail	20/4/11
			E-mail	12/5/11
		Case Officer	Note	21/5/11
		Site Visit Note		
5/4	2010/0315	Atherstone Civic Society	Objection	23/5/11