

**To: The Deputy Leader and Members of the Planning and Development Board
(Councillors Sweet, Barber, Butcher, L Dirveiks, Holland, Humphreys, Lea, B Moss, Phillips, Sherratt, Simpson, A Stanley, Turley, Winter and Wykes)**

For the information of other Members of the Council

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For enquiries about specific reports please contact the officer named in the reports

PLANNING AND DEVELOPMENT BOARD AGENDA

17 OCTOBER 2011

The Planning and Development Board will meet in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire on Monday 17 October 2011 at 6.30 pm.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Declarations of Personal or Prejudicial Interests.**
(Any 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) are deemed to be declared at this meeting.

- 4 **Minutes of the Meetings of the Board held on** 18 July, 15 August and 12 September 2011 – copies herewith to be agreed as a correct record and signed by the Chairman.

PART A – ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 5 **Planning Applications** – Report of the Head of Development Control.

Summary

Town and Country Planning Act 1990 – applications presented for determination

The Contact Officer for this report is Jeff Brown (719310).

- 6 **Waste Development Framework - Core Strategy – Preferred Option and Policies consultation (September 2011)** – Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report and appendix outlines Warwickshire County Council's Waste Development Framework - Core Strategy - Preferred Option and Policies consultation document (September 2011) and the Borough Council's recommended responses to the questions raised in the document.

The Contact Officer for this report is Mike Dittman (719451).

PART C – EXEMPT INFORMATION (GOLD PAPERS)

- 7 **Exclusion of the Public and Press**

Recommendation:

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.

8 **Nuneaton and North Warwickshire Building Control Partnership –**
Report of the Head of Development Control.

The Contact Officer for this report is Jeff Brown (719310).

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

18 July 2011

Present: Councillor Sweet in the Chair.

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

An apology for absence was received from Councillor Sherratt.

Councillors Lewis and Payne were also in attendance.

17 **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 Lea, B Moss and Sweet declared a personal interest in Minute No 21 - Planning Applications (Application No 2011/0346 - Proposed Bund & Landscaping Merevale Lane, Merevale) by reason of being members of Warwickshire County Council and took no part in the discussion or voting thereon.

18 **Minutes**

The minutes of the meetings of the Board held on 23 May and 20 June 2011, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

19 **Development Control Section**

Jeff Brown, Head of Development Control, presented an outline of the work of the Development Control Section.

20 **Budgetary Control Report 2011/2012 Period Ended 30 June 2011**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2011 to 30 June 2011. The 2011/12 budget and the actual position for the period, compared with the estimate at that date were detailed, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

21 **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 Application No 2011/0273 (Land Rear Of Atherstone Road, Hartshill) be approved subject to the conditions set out in the report of the Head of Development Control; and**
- b **That in respect of Application No 2011/0346 (Proposed Bund & Landscaping Merevale Lane, Merevale) the County Council be notified that this Council has no objection to this proposal. [For consideration of this matter Councillor Sweet vacated the Chair – Councillor Winter in the Chair]**

22 **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.

23 **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 Ash End Farm, Middleton Lane, Middleton, the Head of Development Control continue dialogue with the planning agent with a view to reporting to and recommending any further action to the Planning and Development Board in August;**
- b **That in respect of New House Farm, Wishaw Lane, Curdworth, Sutton Coldfield**
 - (i) **the Solicitor to the Council be authorised to issue an Enforcement Notice relating to the erection of a building, comprising additional living accommodation, within the garden of the property;**

- (ii) **the owner/occupier being required to demolish the structure and remove the resulting materials from the site, and also to reinstate the land by digging up and removing the foundation of the building and any associated hardstanding, service connections, or related development; and**
 - (iii) **the compliance period be six months.**
- c That Breach Brook Market Garden, Square Lane, Corley the Solicitor to the Council be authorised to take appropriate legal action in response to the non-compliance with an extant Enforcement Notice requiring: Cease the residential use of the land, removal of all development ancillary to a residential use and the reinstatement of the building as stables, in accordance with the approved plans dated 11 December 2002 under planning reference 1089/2002.**

R Sweet
Chairman

**Planning and Development Board
18 July 2011
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
7	2011/0273	Applicant	Application	20/5/11
		Warwickshire Police	Consultation	3/6/11
		Nuneaton & Bedworth Council	Consultation	14/6/11
		WCC Highways	Consultation	2/6/11
		WCC Highways	Letter	23/6/11

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

15 August 2011

Present: Councillor Sweet in the Chair.

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

Councillor N Dirveiks was also in attendance.

24 **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.

Councillor Sweet declared a personal and prejudicial interest in Minute No 27 (Proposed Tree Preservation Order - The Vicarage, Baddesley Ensor) vacated the Chair and took no part in the discussion or voting thereon.

25 **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 subject to the signing of a Section 106 Agreement with the following terms:**

“£25000 as a contribution towards improvement and/or enhancement of existing off-site Public Open Space provision in Atherstone and £10000 as a contribution towards the provision of additional spaces on the car park opposite the site and maintenance of the public car parks in Atherstone,”

planning application No 2010/0236 (The Vero Works, 36 Station Street, Atherstone) be approved subject to the conditions with the general wording as set out in the report of the Head of Development Control, but that the exact wording be delegated to officers in consultation with the Chairman and Vice-Chairman of the Board together with the Opposition Planning Spokesperson;

- b** That Application No 2011/0122 (Victor Valet Limited, Kingsbury Road, Curdworth, Warwickshire) be approved subject to the conditions set out in the report of the Head of Development Control;
- c** That Application No 2011/0256 (3 The Green Austrey Atherstone) be refused for the reasons set out in the report of the Head of Development Control;
- d** That Application No 2011/0270 (19 Edward Road, Water Orton) be approved subject to the amendment of condition i) to read as follows

“i) The development hereby approved shall be discontinued on or before 30 September 2012”
- e** That the report in respect of Planning Application No 2011/0286 (Grendon Fields Farm, Warton Lane, Grendon) be noted, and the Board undertake a site visit prior to determination of this application;
- f** That the report in respect of Applications No 2011/0340 and 2011/0342 (Shustoke House Barns, Coleshill Road (B4114), Shustoke) be noted and the Board undertake a site visit prior to determination of these applications;
- g** That in respect of Application No 2011/0353 (West Midland Water Ski Centre, Tamworth Road, Kingsbury) this Council raises no objection subject to the following conditions:
 - i)** that the County Council satisfies itself that the Environment Agency has no objection to the flood alleviation measures being proposed;
 - ii)** that the County Council satisfies itself, from its consultation with the appropriate ornithological bodies, that there is unlikely to be an adverse impact on the ornithological value of the lake as an over-wintering resource; and finally
 - iii)** that this Council remains very concerned about the adverse visual impact of this significant artificial feature in the landscape which is affecting the openness of the Green Belt hereabouts. As a consequence, the County Council is strongly urged to formally seek re-contouring of the main bund between the River and Lake A such that it appears as a lower and more natural feature.

- h That in respect of Application No 2011/0370 (Land Off Lower House Lane Lower House Lane Baddesley Ensor) the County Council be informed that this Council raises no objection.**

26 Planning Protocol

The Assistant Chief Executive and Solicitor to the Council reported on an outline Draft Planning Protocol which the Coventry and Warwickshire Local Enterprise Partnership had requested the Borough Council to consider.

Resolved:

- a That the Coventry and Warwickshire Local Enterprise Partnership be informed that this Council is unhappy with the Planning Protocol as drafted;**
- b That the Council recommends that the Planning Protocol be redrafted to better balance the commitments of the Local Planning Authority and the Business Community; and**
- c That these observations be sent to the Department for Communities and Local Government and the two local Members of Parliament.**

27 Proposed Tree Preservation Order - The Vicarage, Baddesley Ensor

[Councillor Sweet vacated the Chair for this item and took no part in the discussion or voting thereon – Councillor Winter in the Chair]

The Board was invited to confirm or otherwise a Tree Preservation Order made in respect of land at The Vicarage in Baddesley Ensor.

Resolved:

That the Tree Preservation Order be confirmed.

28 Use Classes Order Consultation Paper

The Head of Development Control reported that the Government had circulated a further paper for consultation concerning the possibility of further relaxation of the Use Classes Order and that the Council's comments had been invited.

Resolved:

- a That in North Warwickshire's case, this Council considers that any further relaxation in the Use Classes Order will**

inevitably involve far worse adverse impacts arising from unrestricted changes of use, particularly traffic and environmental impacts, and that these would outweigh any benefits that might arise. Any alternative should be introduced through Local Development Orders such that local circumstances can be better reflected;

- b That this Council has in particular seen the adverse impacts arising from temporary use permitted development rights, and once again requests that these are reviewed such that greater emphasis is given to limiting these rights so as to reduce these impacts on local communities; and**
- c That the Government be asked to consider the introduction of a rolling programme of modernisation for the Use Classes Order.**

29 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - June 2011

The Chief Executive and the Deputy Chief Executive reported on the performance and achievement against the Corporate Plan and Performance Indicator targets relevant to the Board for the first quarter from April to June 2011.

Resolved:

That the report be noted.

30 Annual Performance Report

The Head of Development Control reported on the annual performance over 2009/10 of the Development Control service comparing it with recent years.

Resolved:

That the report be noted.

31 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.

32 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 Ash End Farm, Middleton Lane, Middleton**
- 1.1 the Solicitor to the Council be authorised to issue an Enforcement Notice relating to the unauthorised erection of a building intended for residential purposes; creation of hard standing with retaining wall; erection of wall adjacent to the public highway exceeding 1 metre in height; and change of use of land from agricultural to residential;**
 - 1.2 the compliance period be three months in relation to demolishing the building and removing unauthorised works;**
 - 1.3 the compliance period be six months in relation to restoring the agricultural land to its former condition;**
 - 1.4 the Solicitor to the Council also be authorised to issue a full Stop Notice relating to the erection of the building and creation of hard standing with retaining wall; and**
 - 1.5 Officers maintain an open dialogue with the landowner should they provide any possible solutions which would negate the need for formal enforcement action, ahead of any formal service of Notice(s).**
- b That in respect of the site adjacent to Woodside Farm Bungalow, Linden Lane, Polesworth it is no longer in the public interest for the Solicitor to the Council to take legal action in response to the non-compliance with an extant Enforcement Notice requiring the demolition and/or removal of a stables building because a similar volume of older, poor quality buildings have been demolished and the majority of the resulting materials have been removed from the land.**

R Sweet
Chairman

**Planning and Development Board
15 August 2011
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/1	2010/0236	Assistant Director (Streetscape)	Consultation	12/8/11
4/7	2011/0353	Turley Associates	Letter	15/8/11

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

12 September 2011

Present: Councillor Sweet in the Chair.

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

An apology for absence was received from Councillor Turley.

Councillor May was also in attendance but left the meeting before consideration of Application No 2011/0332 (OS Field 2961, Hickey Lane, off Main Road, Newton Regis, Tamworth).

33 **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.

Councillor B Moss declared a personal and prejudicial interest in Minute No 35 – Planning Applications (Application No 2011/0417 - 50 Mill Crescent Kingsbury Tamworth) left the meeting and took no part in the discussion or voting thereon.

Councillor Simpson declared a personal interest in Minute No 35 – Planning Applications (Land within NEC Complex - Consultation by Solihull MBC) by reason of his connections with the adjacent Crowne Plaza Hotel.

34 **Budgetary Control Report 2011/2012 Period Ending 31 August 2011**

The Assistant Director (Finance and Human Resources) reported on the expenditure and income from the period 1 April 2011 to 31 August 2011.

Resolved:

That the report be noted.

35 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. A supplementary report was circulated at the meeting in respect Application No 2011/0227 (24 - 26 Atherstone Road, Hartshill). Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a That Application No 2011/0227 (24 - 26 Atherstone Road, Hartshill) be refused for the reasons set out in the addendum report of the Head of Development Control;**
- b That Application No 2011/0332 (OS Field 2961, Hickey Lane, off Main Road, Newton Regis, Tamworth) be approved subject to the amendment of condition iii to read as follows**

“iii The clay pigeon shooting hereby approved shall not take place other than between 1000 hours and 1400 on Sundays and shall be limited to no more than 28 days of operation in any one calendar year.”

- c That provided amended plans are first agreed, Applications No 2011/0340 and 0342 (Shustoke House Barns, Coleshill Road, Shustoke) be approved subject to the following amended and additional conditions**

“xxv Within six months of the date of this permission, full details shall be submitted of the landscaping to be provided throughout the site, together with full details of measures to enhance bio-diversity throughout the site, shall be submitted to the Local Planning Authority. Particular attention shall be paid to the area between the car parks and the road. Once agreed in writing, these details and measures shall then be implemented in accordance with a programme that itself shall have been agreed in writing by the Local Planning Authority.

xxvii Within twelve months of the occupation of the site for business purposes, a noise assessment report shall be submitted to the Local Planning Authority providing information, to be agreed in advance with the Authority, which provides evidence on the level of noise emissions arising from the business operations. This report shall also contain recommendations arising from the report findings as to any measures that might be needed to reduce noise emissions. If this is the case, those measures shall be agreed in writing by the Local Planning Authority, and fully installed in line with a timetable also agreed by the Authority. Thereafter further assessment reports will be prepared and submitted as requested by the Local Planning Authority.

xxx Within twelve months of the date of this permission, full details shall be submitted outlining a programme

of repairs and refurbishment for the building marked as “Existing Open Cart Store” on approved plan number 1012/03. This programme shall include a schedule of repairs, timetable, and proposals for the building’s use. The details as may be approved shall then be fully implemented in accordance with the agreed timetable.”

- d That Application No 2011/0417 (50 Mill Crescent, Kingsbury, Tamworth be approved subject to conditions specified in the report of the Head of Development Control; and**
- e That in respect of the land within NEC Complex - consultation by Solihull MBC the Head of Development Control be authorised to respond taking into account the matters raised in his report and the issues raised at the meeting by the Board.**

36 Public Speaking at Planning and Development Board Meetings

The Assistant Chief Executive and Solicitor to the Council sought approval for a scheme to allow the public to speak on planning applications considered by the Planning and Development Board.

Recommendation to the Executive Board

- a That the scheme for public speaking at the Planning and Development Board detailed in the Appendix be adopted; and**
- b That the scheme be reviewed in twelve months time.**

37 Executive and Planning and Development Board Terms of Reference

The Assistant Chief Executive and Solicitor to the Council reported on proposed changes in the Terms of Reference of the Executive and Planning and Development Boards and Members were asked to agree a suggested course of action.

Resolved:

That the changes to the Constitution detailed in the Appendices to the report of the Assistant Chief Executive and Solicitor to the Council be agreed and referred to the Executive Board for approval.

38 Draft Core Strategy and Accompanying Documents

The Assistant Chief Executive and Solicitor to the Council provided Members with the documents to accompany the Draft Core Strategy and the Board was asked to agree a suggested course of action.

Recommended to the Executive Board:

That the report be agreed and referred to the Executive Board for approval.

39 A5 Strategy 2011 - 2026

The Assistant Chief Executive and Solicitor to the Council reported on proposals for the development of and consultation on a draft Strategy for the A5 Transport Corridor.

Resolved:

- a That the comments from the Board on the draft strategy be fed into the consultation process; and**
- b That the date of the launch of the Draft Strategy for consultation and event on Friday the 30 September 2011 be noted.**

40 Draft National Planning Policy Framework

The Assistant Chief Executive and Solicitor to the Council sought views on the Draft National Planning Policy Guidance which aimed to bring existing Planning Policy Statements, Planning Policy Guidance Notes and some Circulars into a single consolidated document.

Recommendation to Executive Board

- a That Members be invited to respond to Assistant Chief Executive and Solicitor to the Council by the 30 September 2011 with any observations on the draft guidance; and**
- b That those observations, together with the comments included in the report be sent as the Council's response to the consultation.**

R Sweet
Chairman

**Planning and Development Board
12 September 2011
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/1	2011/0227	Objection	K Moss	8/9/11
		Objection	S Moss	8/9/11
		Objection	Mr & Mrs Holloway	12/9/11
		Objection	T & C Sharp	12/9/11
		Objection	J Allen	12/9/11
5/2	2011/0332	Objection	M Abbott	7/9/11
		Objection	A Hall	7/9/11
		Objection	R Edge	8/9/11
		Objection	P Wilson	8/9/11
		Objection	L Kesterton	8/9/11
		Objection	Anon	8/9/11
		Objection	J Walsh	7/9/11
		Objection	J Humphries	9/9/11
5/3	2011/0340 & 2011/0342	Representation	R Swindells	5/9/11
		Objection	P Pears	5/9/11
		Objection	M Swindells	5/9/11
		Objection	Mr Dade	10/9/11
		Objection	R & C Parker	11/9/11

Agenda Item No 6

Planning and Development Board

17 October 2011

Report of the Assistant Chief Executive and Solicitor to the Council

Waste Development Framework - Core Strategy – Preferred Option and Policies consultation (September 2011)

1 Summary

- 1.1 This report and appendix outlines Warwickshire County Council's Waste Development Framework - Core Strategy - Preferred Option and Policies consultation document (September 2011) and the Borough Council's recommended responses to the questions raised in the document.

Recommendation to Board

That the comments given in Appendix A, with any additional comments by Members, be sent to Warwickshire County Council as the Borough Council's response to the consultation by 7 November 2011.

2 Introduction

- 2.1 The Core Strategy of the Waste Development Framework is a Development Plan Document which sets out the Spatial Strategy, Vision, Objectives and Policies for managing waste for a 15 year plan period up to 2027/2028. It also provides the framework for implementation and monitoring and for waste development management. The document is available for examination online at www.warwickshire.gov.uk/wastecorestrategy.
- 2.2 As Members will recall a report was considered by Members at the May Planning and Development Board.
- 2.3 Five Spatial Options were considered. Following analysis of the responses and having tested the five options through a Sustainability Appraisal, Option 5 has been taken forward and will form the basis of this consultation on the preferred locational strategy. The consultation will run from the 26 September 2011 to the 7 November 2011.

3 Timetable

- 3.1 The County Council intends to deliver the Waste Core Strategy in the following manner:

7 November	End of current consultation
March 2012	Publication consultation
Spring 2012	Submission
14 weeks later examination	Examination in Public
Adoption	expected spring 2013

3.2 Comments received during the consultation will inform and influence the next stage of the Waste Core Strategy which will be a Publication document, to be produced for consultation in March 2012. The final plan will then be submitted in Spring 2012, with an Examination in Public due approximately 14 weeks after. Subsequently Warwickshire County Council intends to adopt the Waste Core Strategy in November 2012 - January 2013.

4 **Waste Development Framework - Core Strategy preferred options and policies Document.**

4.1 As noted in the earlier Planning and Development Board Report of the 23 May 2011, the Core Strategy Preferred Option and Policies document sets out the national and local policy framework within which the Waste core strategy will sit. It sets out a Spatial Portrait of the County, identifying current waste management services/facilities in relation to existing settlement location and transport distribution networks and infrastructure.

4.2 It also sets out the current constraints affecting the County in planning and environmental terms, including issues such as Green Belt designation and flooding areas.

4.3 The vision has been amended from the original broad and simple statement to include far more detail and focus on the primary centres and most sustainable secondary locations, which include Atherstone and Coleshill in North Warwickshire. It also includes added emphasis on safeguarding communities from adverse environmental impacts and the need to protect the natural, historic, cultural and water environment of the County. It is considered that the Borough should still support this vision as it has been broadened to reflect some of the concerns raised about potential adverse impacts of waste management facilities on the more rural areas at the earlier consultation.

4.4 The Key Objectives, as amended are also considered reasonable and should be supported by the Borough.

4.5 The key issues have also been amended following the earlier consultation but raise no further issues of concern, or that the Borough consider necessary to seek further amendments.

4.6 There is, however, one area of concern in the document. This is the relationship and consistency of the Preferred Option 5 with the Vision, key issues and constraints identified.

4.7 The Preferred Option 5, from the earlier Core Strategy Revised Spatial Options document, stated;

Option 5: A 'settlement hierarchy' option based on areas of higher population and/or existing waste management capacity

i.e. Develop facilities on industrial estates, brownfield industrial land and existing waste management facilities within the following locations:

- i. priority given to within and/or in close proximity to the 'primary' settlements of Nuneaton, Rugby, Leamington Spa, Bedworth, Warwick, Stratford-upon-Avon and Kenilworth; or within 5km of the Coventry Major Urban Area (MUA); or
- ii. within and/or in close proximity to the 'secondary' settlements of Atherstone, Coleshill and Southam where it is demonstrated that the development provides significant transport, operational and environmental benefits; or
- iii. sites outside primary and secondary settlements where specific types of waste development might be acceptable where there are no unacceptable adverse environmental effects.

4.8 For information the Borough's previous comments on Option 5 were as follows;

Option 5 – Although relating well to those settlements likely to generate greatest levels of waste the restriction of only locating facilities within or in close proximity to the primary settlements may restrict access to and opportunity of delivering sufficient sited waste management facilities in other significant settlements North Warwickshire Borough. The Borough has no “Primary settlements” within its boundary and only 2 “Secondary Settlements” at Atherstone and Coleshill are explicitly identified (see general point above). This may encourage additional, unnecessary and adverse levels of traffic generation.

4.9 The concern is that the Option, particularly in so far as it affects Coleshill, does not adequately or consistently reflect or address the constraints issue of the Green Belt, identified earlier in the document under the Constraints Map.

4.10 The areas “in close proximity to secondary settlements” (within 5km) around Coleshill are wholly in Green Belt. This Green Belt area is under particular pressure from development and such issues as the potential HS2 route, which, added to potential additional pressure for finding Waste Management sites raises concerns over potential loss of Green Belt. It is felt a more overt, direct recognition of the importance of maintaining Green Belt should be referenced in the document and, in such cases/situations as Coleshill, should direct new waste management facilities to brown field locations or sites within current development boundaries.

5 Strategic Policy comments

5.1 The Core Strategy Policies are broadly supported. However, there are a number of clarifications sought or suggested as follows;

- i) The Core Strategy Policies 3 and 4 have separate considerations for 'large' and 'small' scale waste sites. Policy CS 3 is in more detail than the broad criteria in Policy CS 4 for small sites. Why is this and is this necessary? These two policies should be combined, using amended wording in Core Policy 3 to apply to both large and small sites, as both fall to be located within the 'broad areas' identified in the Preferred Option. Is there a concern over 'co-location' of large and small sites? Should the services delivered from both type of sites be mutually exclusive?
- ii) In terms of the major waste management facility at Packington, does this fall under the auspices and control of Policy 3 or Policy 6. Some clarification over this matter would be welcomed.
- iii) Further to earlier comments made at the Spatial Options Consultation stage, the Core Strategy Preferred Spatial Option does not identify adjoining, cross border waste facilities that could and often currently do provide some of the waste services for the County. Where capacity exists this may help prevent the pressure for new facilities, particularly within the Green Belt.

5.2 There are no other major objections to, or amendments sought for the Core Strategy Policies.

6 Recommendations: North Warwickshire Borough Response to the consultation

6.1 The Borough's response to the consultation includes the comments detailed above and the responses to the Questionnaire accompanying the document, shown in the attached Appendix 1, which are highlighted in italics for ease of identification. In addition, the following points are also considered relevant;

i) The consultation period of 6 weeks is considered inappropriate and insufficient in that it does not accord with the "Warwickshire Compact" whereby major consultation documents, particularly dealing with strategic policy issues, should have a 12 week consultation period, with clear explanations and rationale for shorter time-frames or a more informal approach (notwithstanding the earlier consultation exercises and stages already undertaken on the Waste Core strategy).

ii) An early response received from Councillor Simpson seeks some clarity in our responses on the questionnaire; *"I think that we are being a little disjointed in the responses to question 18 (in respect of option 5) and Question 7. We should emphasise the need to look at cross boundary solutions. In the case of the Coleshill area, many people use the Solihull MBC site at Bickenhill"*.

These comments have been incorporated into our initial responses to the questionnaire.

7 Report Implications

7.1 Finance and Value for Money Implications

7.1.1 There are considered to be no finance or value for money implications arising at present from the Consultation report. The “Preferred option” consultation and Waste management strategy may have financial implications for the Council in terms of the impact on waste management and the location and operation of waste services.

7.2 Safer Communities Implications

7.2.1 An effective and comprehensive waste management strategy and provision of facilities and sites for future waste generation will help address and discourage issues such as illegal fly-tipping and inappropriate waste disposal and treatment that may also have health and safety implications.

7.3 Legal and Human Rights Implications

7.3.1 These issues are addressed in the regulations and legal process governing the consultation and LDF process.

7.4 Environment and Sustainability Implications

7.4.1 Positive potential impact. The delivery of an effective and comprehensive waste management strategy and provision of facilities and sites for future waste generation, with a focus on re-use and recycling will help reduce CO₂ (and Methane) generation, address potential pollution problems while reducing the need to transport waste large distances.

7.5 Equalities Implications

7.5.1 The regulations governing the LDF process and consultation require an Equalities Impact Assessment to be undertaken on the emerging Core Strategy Preferred Option and Policies document. This will be available from the county council.

7.6 Links to Council’s Priorities

7.6.1 The consultation report will have future implications for the following Council priorities;

- Enhancing community involvement and access to services
- Protecting and improving our environment
- Defending and improving our countryside and rural heritage

The Contact Officer for this report is Mike Dittman (719451).

**Waste Development Framework Core Strategy-
Preferred Option and Policies Questionnaire**

Please complete this questionnaire and return it to us at the following
freepost address:

**Waste Core Strategy – Preferred Option and Policies
Planning and Development Group,
Communities,
Warwickshire County Council,
FREEPOST LG111
PO Box 43
Warwick
CV34 4BR**

or email to planningstrategy@warwickshire.gov.uk by 7th November 2011.

Your details (* = mandatory fields)

Name*: North Warwickshire Borough Council

Please complete the address* and postcode* information on page 7 of this questionnaire. If this information is not provided, the comments cannot be accepted and taken into account as part of the consultation process.

----- Spatial Vision -----

1) Do you agree with the vision statement? (Please tick) If not, what amendments would you make?

Yes No Unsure

_Yes_____

----- Key Objectives -----

2) Do you agree with the key objectives set out in the document? If not, what amendments or additional objectives would you like to see?

Yes No Unsure

Yes _____

----- Draft Core Strategy Policies -----

3) Do you agree with the policy on waste management capacity (Core Strategy Policy 1) and what are the reasons for your view?

Yes No Unsure

Yes _____

4) Do you agree with the policy on the spatial waste planning strategy for Warwickshire (Core Strategy Policy 2) and what are the reasons for your view?

Yes No Unsure

Yes - with qualifications noted in the Board Report 17th October 2011 regarding Green Belt designations and the need to protect such areas from development, targeting brown field sites or sites within current development boundaries. The Strategy should also emphasise the need to look at cross boundary solutions, particularly where existing facilities exist that could accommodate or expanded to cater for growth, temporary or otherwise, without/rather than requiring new sites, particularly in Green Belt locations. In the case of the Coleshill area, many people use the Solihull MBC site at Bickenhill

5) Do you agree with the policy on the strategy for locating large scale waste sites (Core Strategy Policy 3) and what are the reasons for your view?

Yes No Unsure

No – In particular it is the reference to close proximity (5 km) of Coleshill which lies in the Green Belt. The Draft of the Preferred option for the Borough's own Core Strategy strongly protects the Green belt and is concerned that although the Green belt is seen as a constraints in section 3 this does not seem to have stopped the inclusion of this policy steer.

6) Do you agree with the policy on the strategy for locating small scale waste sites (Core Strategy Policy 4) and what are the reasons for your view?

Yes No Unsure

Unsure – there may be the opportunity of combining this Policy with the latter CS3 on large sites. The issues appear to be the same and the spatial location requirements are essentially the same. So why separate the two policies?

7) Do you agree with the policy on proposals for reuse, recycling, waste transfer/storage and composting (Core Strategy Policy 5) and what are the reasons for your view?

Yes No Unsure

Yes. Nevertheless, the Strategy should emphasise the need to look at cross boundary solutions, particularly where existing facilities exist that could accommodate or expanded to cater for growth without/rather than requiring new sites, particularly in Green Belt locations. In the case of the Coleshill area, many people use the Solihull MBC site at Bickenhill .

8) Do you agree with the policy on proposals for other types of recovery (Core Strategy Policy 6) and what are the reasons for your view?

Yes No Unsure

Yes

9) Do you agree with the policy on landfill developments (Core Strategy Policy 7) and what are the reasons for your view?

Yes No Unsure

Yes

10) Do you agree with the policy on safeguarding of waste management sites (Core Strategy Policy 8) and what are the reasons for your view?

Yes No Unsure

Yes

-----Draft Development Management Policies -----

11) Do you agree with the policy on the protection of the natural and built environment (Development Management Policy 1) and what are the reasons for your view?

Yes No Unsure

Yes

12) Do you agree with the policy on managing health and amenity impacts of waste development (Development Management Policy 2) and what are the reasons for your view?

Yes No Unsure

Yes

13) Do you agree with the policy on sustainable transportation (Development Management Policy 3) and what are the reasons for your view?

Yes No Unsure

Yes (Encouraging alternative transport options and discouraging use of Rural roads by heavy lorries, impacting on rural communities, is considered important)

14) Do you agree with the policy on the design of new waste management facilities (Development Management Policy 4) and what are the reasons for your view?

Yes No Unsure

Yes _____

15) Do you agree with the policy on recreational assets and public rights of way (Development Management Policy 5) and what are the reasons for your view?

Yes No Unsure

Yes _____

16) Do you agree with the policy on flood risk and water quality (Development Management Policy 6) and what are the reasons for your view?

Yes No Unsure

Yes _____

17) Do you agree with the policy on aviation safeguarding (Development Management Policy 7) and what are the reasons for your view?

Yes No Unsure

Yes _____

18) Do you agree with the policy on temporary uses and their restoration and aftercare (Development Management Policy 8) and what are the reasons for your view?

Yes No Unsure

Yes. Nevertheless, the Strategy should emphasise the need to look at cross boundary solutions, particularly where existing facilities exist that could accommodate or expanded to cater for growth, temporary or otherwise, without/rather than requiring new sites, particularly in Green Belt locations. In the case of the Coleshill area, many people use the Solihull MBC site at Bickenhill

19) Are there any other policies that you feel need to be included?

Yes No Unsure

Unsure, possibly clearer reference to Green Belt protection and retention in either existing proposed Policy Development Management Policy 1 or as a stand alone Policy?

----- **CONSULTATION PROCESS** -----

20) Would you like the council to keep you informed of progress on the Core Strategy?

Yes No

YOUR DETAILS (* = mandatory fields)

Please note that the following information will not form part of the information that is made publicly available.

Address*: North Warwickshire Borough Council
The Council House, South Street
Atherstone, Warks

Postcode*: CV9 1DE

Telephone: 01827 715341

Email: planningpolicy@northwarks.gov.uk

The above personal data will be processed in accordance with the Data Protection Act 1998 and will only be used by the County Council for the purposes of contacting you about the Waste Core Strategy. It will not be passed onto any third parties.

All responses to the following questions are optional and will be processed in accordance with the Data Protection Act 1998 and treated in confidence. They will only be used by the County Council for diversity monitoring purposes.

Are you

Male **Female**

Please tick the appropriate age band

- Under 18**
- 18 – 29**
- 30 – 44**
- 45 – 59**
- Over 60**

Do you have a disability as defined within the Disability Discrimination Act 1995?

Yes **No**

What is your ethnic group?

- White**
- Mixed**
- Asian/Asian British**
- Black/ Black British**
- Chinese**

Contact us...

**Waste Core Strategy – Preferred Option and Policies
Planning and Development Group,
Communities,
Warwickshire County Council,
FREEPOST LG111
PO Box 43**

**Warwick
CV34 4BR**

Email...

planningstrategy@warwickshire.gov.uk

Telephone...

01926 412391 or 01926 412538

Website...

www.warwickshire.gov.uk/wastecorestrategy

This information can be made available in alternative formats such as Braille, audio, large print or other languages. For information on this service please contact Directorate Services on:

Tel: 01926 412395;

Fax: 01926 412641;

Email: format@warwickshire.gov.uk

Agenda Item No 7

Planning and Development Board

17 October 2011

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

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.

Agenda Item No 8

Nuneaton and North Warwickshire Building Control Partnership

Paragraph 3 – by reason of the report referring to the business affairs of another Authority

The Contact Officer for this report is David Harris (719222).