

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

17 October 2011

Present: Councillor Sweet in the Chair.

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

An apology for absence was received from Councillor Phillips (Councillor Lewis as substitute).

41 **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), Lewis (Kingsbury), B Moss (Kingsbury) and Winter (Dordon) were deemed to be declared at this meeting.

Councillor Holland declared a personal and prejudicial interest in Minute No 44 Planning Applications (Application No 2011/0381 – 62 Coleshill Road, Water Orton) left the meeting and took no part in the discussion or voting thereon.

Councillor Simpson declared a personal and prejudicial interest in Minute No 44 Planning Applications (Application No 2011/0384 – Croft Barn, Bentley Lane, Maxstoke) left the meeting and took no part in the discussion or voting thereon.

Councillor Lea declared a personal and prejudicial interest in Minute No 44 Planning Applications (Application No 2011/0434 – The White House, Middleton Lane, Middleton) left the meeting and took no part in the discussion or voting thereon.

Councillor Sherratt declared a personal and prejudicial interest in Minute No 44 Planning Applications (Application No 2011/0492 – 120 Coleshill Road, Coleshill) left the meeting and took no part in the discussion or voting thereon.

42 **Minutes**

The minutes of the meetings of the Board held on 18 July, 15 August and 12 September 2011, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

[Councillor Winter in the Chair]

43 **Waste Development Framework**

The Assistant Chief Executive and Solicitor to the Council reported on Warwickshire County Council's Waste Development Framework - Core Strategy - Preferred Option and Policies consultation document (September 2011) and the Board was asked to agree a suggested response.

Resolved:

That, together with the issues raised at the meeting, including the need to emphasise (in relation to the to the preferred option and draft core strategy policies) that waste management facilities should be located and delivered on existing and proposed industrial estates in preference to new green field sites or sites in residential areas and also actively to encourage the re-use/recycling of waste tyres (through appropriate processing) rather than simply disposal, the comments given in Appendix A 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.

[Councillor Sweet in the Chair]

44 **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 Willows Hotel, 145 Watling Street, Grendon**
 - i) **Applicaton No 2010/0049 – application to discharge conditions 3, 5 and 7 be refused for the reasons set out in the report of the Head of Development Control and the application to discharge condition 8 be granted;**
 - ii) **Application No 2010/0422 be refused for the reasons set out in the report of the Head of Development Control; and**
 - iii) **The Solicitor to the Council be authorised to issue Breach of Conditions Notices in respect of conditions**

5 and 7 of planning permission 2008/0269 dated 9 April 2009.

- b** That consideration of Application No 2011/0202 (Land adjacent to 204 Coventry Road, Coleshill) be deferred for a site visit;
- c** That consideration of Application No 2011/0286 (Grendon Fields Farm, Warton Lane, Grendon) be deferred;
- d** That consideration of Applications No 2011/0300 and 2011/0313 (Nethersole Centre, High Street, Polesworth) be deferred for a site visit;
- e** That Application No 2011/0371 (Land Off (adj to 44 Coleshill Road) Church Lane, Curdworth) be approved subject to the conditions specified in the report of the Head of Development Control;
- f** That Application No 2011/0381 (62 Coleshill Road, Water Orton) be approved subject to the condition specified in the report of the Head of Development Control;
- g** That Application No 2011/0384 (Croft Barn, Bentley Lane, Maxstoke) be refused for the reasons set out in the report and the Assistant Chief Executive and Solicitor to the Council be authorised to issue an enforcement notice requiring the removal of the wooden hut and reinstatement of the land accordingly;
- h** That the report in respect of Application No 2011/0420 (Caldecote Hall Industrial Estate, Caldecote) be noted and the Head of Development Control be asked to refer the design issues raised at the meeting to the Applicant;
- i** That consideration of Applications No 2011/0434 and 2011/0440 (The White House, Middleton Lane, Middleton) be deferred to enable the applicant to carry out works in accordance with an agreed schedule and timetable. That if the said works are not concluded to the satisfaction of the Council, the Assistant Chief Executive and Solicitor to the Council be authorised to issue an enforcement notice in the terms set out in the report;
- j** That Application No 2011/0460 (Betteridge Barn, Dingle Lane, Nether Whitacre) be refused for the following reasons
 - 1. The proposal is considered to be inappropriate development within the Green Belt, harmful to the openness of it by way of associated vehicles, activity and

ancillary works to facilitate the use. It is not considered that very special circumstances have been demonstrated to outweigh this harm. The proposal is therefore contrary to saved policy ENV2 of the North Warwickshire Local Plan 2006 and national Planning Policy Guidance Note Number 2.

2. The ancillary works to create an adequate access along with sufficient parking and turning space will bring forward an urbanising effect in a distinctly rural location. Vehicles associated with the use would further compound this effect. The proposal is therefore contrary to saved policy ENV12 of the North Warwickshire Local Plan 2006.
3. The site is in an unsustainable location with no direct access to the rural distributor road network, nor is it served by a range of transport methods, in a wholly rural location. The proposal is therefore contrary to saved Core Policy 2 and saved policy ECON9 of the North Warwickshire Local Plan 2006.

- k That the report in respect of Applications No 2011/0481, 2011/0504 and 2011/0505 (Beech House, 19 Market Street, Atherstone) be noted;
- l That in respect of Application No 2011/0492 (120 Coventry Road, Coleshill) it is not considered that an Order should be made in this instance and thus the tree can be removed; and
- m That Application No 2011/0187 (Ivy House, Taverners Lane, Atherstone) be approved subject to the conditions specified in the report of the Head of Development Control.

45 **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.

46 **Nuneaton and North Warwickshire Building Control Partnership**

The Head of Development Control reported that the contract between the two Authorities setting up the Building Control Partnership expired in mid-October and the Board was asked to agree a suggested course of action.

Resolved:

That the Council requests a four year extension of this Partnership.

47 **Authority to Seek an Injunction Highfield Lane, Corley**

Under Section 100B(4)(b) of the Local Government Act 1972, the Chairman had agreed to the consideration of this report in view of the urgent need to seek authority for legal action to be taken.

The Head of Development Control sought authority from the Board to seek an Injunction under Section 187B of the Town and Country Planning Act 1990 in order to restrain apprehended breaches of planning control in respect of the residential development of land at Highfield Lane in Corley.

Resolved:

That the Assistant Chief Executive and Solicitor to the Council be authorised to seek an Injunction from the Court under Section 187B of the Town and Country Planning Act 1990 in order to restrain apprehended breaches of planning control, namely the change of use of the land from agriculture to use as a residential caravan site; as a base for a business use and engineering works to construct an access road and associated hard standings on land at Highfield Lane, Corley.

R Sweet
Chairman

**Planning and Development Board
17 October 2011
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/86	2011/0371	Parish Council	Representation	6/10/11
5/116	2011/0434	Applicant Applicant	Comments Comments	6/10/11 13/10/11
5/130	2011/0460	Mr & Mrs Starkey	Objection	11/10/11
5/156	2011/0492	Representation	Coleshill Civic Society	12/10/11
5/163	2011/0187	N Mitchell	Representation	3/10/11