

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

4 November 2019

Present: Councillor Simpson in the Chair.

Councillors Bell, T Clews, Chambers, Dirveiks, Hayfield, D Humphreys, Jarvis, Lebrun, Morson, Parsons, H Phillips, Symonds and A Wright.

Apologies for absence were received from Councillor Deakin (substitute Chambers) and Downes (substitute Rose).

Councillors D Clews, Jenns, Lees and Moss were also in attendance. With the permission of the Chairman, Cllr D Clews spoke on item 35 d (Brittannia Mill), and Cllrs Jenns and Moss spoke on item 35 g (Land adjacent to Orchard House, Cliff).

33 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillors Chambers, D Clews and Jarvis declared non-pecuniary interests in respect of item 35 i by virtue of their membership of Atherstone Town Council, left the meeting and took no part in the discussion on that item.

34 **Budgetary Control Report**

The Corporate Director – Resources reported on the revenue expenditure and income for the period from 1 April 2019 to 30 September 2019, the 2019/20 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to the Board.

35 **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 Application Nos PAP/2019/0134 and DOC2019/0080 (Land South East of Northbound M6 Carriageway, Corley Services, Smorrall Lane, Corley) that delegated authority be given the Head of Development Control to approve the Management Plan dated October 2019 be approved in full discharge of condition 9 attached**

to planning permission APP/R3705/W/17/3192501 dated 22/10/18:

Speakers: Howard Darling and Jennifer Smith

- b That Application No PAP/2018/0140 (Land East of Castle Road & North of Camp Hill Road, Hartshill & Nuneaton) be deferred for the following reasons:**
 - i) The Board acknowledges this is an allocated site**
 - ii) However, there are a number of issues we still need more details on around exactly how the section 106 agreement and conditions will protect the issues mentioned in the report, particularly around the through road and mitigation for the respective parties. This will have to include issues of over pressure and air quality.**
 - iii) That the matter therefore be deferred for this detail.**

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Speakers: John Groves, Glenys Roberts and Neil Beards

- c That in respect of Application No PAP/2018/0349 (Land South and South West of Whitegate Stables, Kingsbury Road, Lea Marston, Warwickshire) that the matter be deferred and Council will then engage with the applicant to discuss the matters raised in the report of the Head of Development through a meeting between appropriate Members and representatives of the applicant with the outcome of that meeting being referred back to the Board.**

Speakers: Kevin Oakley

- d That in respect of Application Nos PAP/2019/0180 and PAP/2019/0183 (Britannia Works, Coleshill Road, Atherstone, CV9 2AA) planning permission and listed building consent be granted subject to the conditions set out in the report of the Head of Development Control:**

Speakers: Janice Deeming and Tark Millican

- e That in respect of Application No PAP/2019/0256 (Land 50 Metres South of Kirby Glebe Farm, Atherstone Road, Hartshill):**
 - i) planning permission be refused as the proposal does not satisfy Policy NW8 of the North Warwickshire Core Strategy 2014 in that it is considered that the proposal could not be**

assimilated into its surroundings and landscape because of its size and because of the cumulative effect when taken together with neighbouring developments, to the extent that significant harm would be caused. It neither accords policy NW 10 (6) of the same Core Strategy in that the access and its junction with the Atherstone Road in that paragraphs 108, 109 and 110 of the NPPF are not satisfied thus causing significant harm. It is not considered that the applicant's considerations are of sufficient weight to override the combined substantial harm caused, and

- ii) that the Council is minded to serve an Enforcement Notice in the terms referred to in the report of the Head of Development Control, but a further report be brought to the Board once the impacts of such action on the occupiers of the sited have been assessed;

Speakers: Glenys Roberts

- f
 - i) That in respect of Application No PAP/2019/0411 (2 Tamworth Road, Polesworth, B78 1JH) planning permission be refused for the reasons set out in the report of the Head of Development Control and
 - ii) The the Board considers that it is expedient in this case to commence enforcement action for the reasons given in the report of the Head of Development Control. The Notice will require cessation of the use of the site for the storage of motor home vehicles and that the compliance period would be six months;
- g That in respect of Application No PAP/2019/047 (Land Adjacent Orchard House, Cliff Hall Lane, Cliff) planning permission be refused for the reasons set out in the report of the Head of Development Control and that a further report be brought to the Board in respect of enforcement matters relating to the site also outlined in the report;

Speaker: Aida McManus

- h That in respect of Application No PAP/2019/0457 (Kirby Glebe Farm, Atherstone Road, Hartshill, Warwickshire, CV10 0TB):
 - i) planning permission be refused as the proposal does not satisfy Policy NW8 of the North

Warwickshire Core Strategy 2014 in that it is considered that the proposal could not be assimilated into its surroundings and landscape because of its size and because of the cumulative effect when taken together with neighbouring developments, to the extent that significant harm would be caused. It neither accourds policy NW 10 (6) of the same Core Strategy in that the access and its junction with the Atherstone Road in that paragraphs 108, 109 and 110 of the NPPF are not satisfied thus causing significant harm. It is not considered that the applicant's considerations are of sufficient weight to override the combined substantial harm caused, and

- ii) that the Council is minded to serve an Enforcement Notice in the terms referred to in the report of the Head of Development Control, but a further report be brought to the Board once the impacts of such action on the occupiers of the sited have been assessed;**
- i i) That subject to the receipt of no adverse representations, Application No PAP/2019/0507 (CCTV locations Central Atherstone, including Long Street / South Street / Market Square, Atherstone) be approved subject to the conditions set out in the report of the Head of Development Control, and**
- iii) That subject to the receipt of no adverse representations, Application No PAP/2019/0508 (Old Bank House & The Old Bakery, 129 & 94 Long Street, Atherstone, CV9 1AP & CV9 1AB) be approved subject to the conditions set out in the report of the Head of Development Control; and**
- j That Application No PAP/2019/0539 (Meadow Street Park and Gardens, Meadow Street, Atherstone) be approved but appropriate replacement are provided within twelve months of the removal of the trees.**

36 Appeal Update

The Head of Development Control updated the Board on a recent appeal decision.

Resolved:

That the report be noted.

37 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.

38 Breaches of Planning Control

The Head of Development Control provided a preliminary outline of enforcement issues at a site and recommended a way forward.

Resolved:

- a That the general approach to this matter be as set out in the report of the Head of Development Control; and**
- b That, as a consequence, this is communicated to the relevant Agencies so as to establish a link with the families involved.**

**Councillor Simpson
Chairman**

**Planning and Development Board
4 November 2019
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/5	DOC/2019/0080	Corley PC	Objection	23/10/19
5/239	PAP/2018/0349	Resident	Objection	4/11/19
		Resident	Objection	4/11/19
		Resident	Resident	4/11/19
5/249	PAP/2019/0180	Warwickshire County Council	Consultation	25/10/19
5/325	PAP/2019/0508	Historic England	Consultation	30/10/19