

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

16 December 2013

Present: Councillor Sweet in the Chair.

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

An apology for absence was received from Councillor Lea (substitute Councillor Barber)

41 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

42 **Minutes**

The minutes of the meetings of the Board held on 14 October and 11 November 2013, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

43 **Budgetary Control Report 2013/2014 – Period Ended 30 November 2013**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2013 to 30 November 2013. The 2013/2014 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.

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 Application No 2013/0023 (Hockley no 2 Quarry, Tamworth Road, Dosthil)**

- i** That the County Council be strongly recommended, in the interests of sustainable development, to seek a legal agreement connecting the extraction of clay here with its use at the adjoining brickworks; and
 - ii** That Councillor B Moss be appointed as the Council's representative to sit on the Liaison Committee.
- b** That providing the applicant first enters into a Section 106 Agreement containing the off-site affordable housing contribution as set out in the report of the Head of Development Control, Application No 2013/0105 (Builders Yard Adjacent to, Old House Farm, Old Farm Lane, Hoggrills End, Nether Whitacre, B46 2DL) be approved subject to the conditions set out in the report;
- c** That providing the applicant first enters into a Section 106 Agreement as set out in the report of the Head of Development Control, Application No 2013/0332 (62 Birmingham Road, Water Orton, Warwickshire, B46 1TH) be approved subject to the conditions set out in the report;
- d** That Application No 2013/0443 (2, Crowberry Lane, Middleton, Tamworth, B78 2AJ) be refused for the reasons set out in the report of the Head of Development Control;

[Speaker Paul Turner]

- e** That in respect of Application No 2013/0443 (2, Crowberry Lane, Middleton, Tamworth, B78 2AJ) an Enforcement Notice be issued for the reasons set out in the report of the Head of Development Control, requiring the removal of the first floor roof and accommodation so as to re-instate the single storey building with a ridge height of 2.6 metres as illustrated in the 2005 Certificate and that the compliance period be six months;
- f** That providing the applicant first enters into a Section 106 Agreement as set out in the report of the Head of Development Control, Application No 2013/0493 (Aldi Stores Limited, 32 Station Street, Atherstone, CV9 1BU) be approved subject to the amendment of condition 1 as follows
 - "1.** No deliveries shall be taken at or despatched from the site or lorries enter the site (including refuse collection vehicles) outside the hours of 0600-0800 hours and 2000-2200 hours on Mondays-Saturdays and 0800-1000 hours and 1600-1800 hours on Sundays. Deliveries to

and collections from the store (including refuse collection vehicles) shall be made only by rigid chassis vehicles or by a tractor (truck) unit with a trailer measuring 11.3 metres in body length, 2.6 metres in overall width and having a wheelbase of 7.2 metres.”

- g That Application No 2013/0500 (Poultry Farm, Green End Road, Fillongley) be refused for the following reasons**

“The proposal is inappropriate development in the Green Belt. It conflicts with the purpose of including land within the Green Belt and has harm on its openness. It will also cause harm to the character and appearance of the surrounding rural landscape. It is not considered that the benefit to the farm business nor the delivery of renewable energy amounts to the very special circumstances necessary to outweigh the harm done to the Green Belt by virtue of its inappropriateness. The proposal is thus contrary to saved policies ENV1 and ENV2 of the North Warwickshire Local Plan 2006.

[Speakers David Green and Marie Stacey]

45 Father Hudson’s Society Redevelopment Scheme

The Head of Development Control reported further on the fire risk issues and the response of the Warwickshire Fire and Rescue Service in respect of the Father Hudson’s Society Redevelopment Scheme in Coleshill.

Resolved:

- a That the Fire and Rescue Service’s response be referred to both the developer and to the land owner with a recommendation that the owner considers offering an alternative site to the farmer for his storage requirements, and secondly that the developer considers a review of the layout for this part of the site; and**
- b That the responses are reported to the Board in due course.**

[Speakers Gary Stevenson and Giles Brockbank]

46 **Neighbourhood Designation Area for Arley Neighbourhood Plan**

The Assistant Chief Executive and Solicitor to the Council reported on the progress of the formal consultation on the Arley Neighbourhood Plan Designation area.

Resolved:

- a **That the responses to the proposed Arley Neighbourhood Plan Designation be noted; and**
- b **The Neighbourhood Designation Area for Arley Neighbourhood Plan be agreed and approved.**

47 **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.

48 **Breaches of Planning Control**

The Head of Development Control reported on the breach of planning control at the Heart of England site, Wall Hill Road, Fillongley.

Resolved:

That the Board notes the proposed legal action through the Magistrates' Court (authority already delegated to the Solicitor to the Council) in relation to the non-compliance with elements of an enforcement notice relating to an 'inland beach' that requires:

- i. **Demolish the sandstone rockery and building within the rockery to including its roof, decked area, steps and railing, as shown approximately on the notice plan and remove the resulting sandstone, building materials and any other resulting materials from the site.**
- ii **Dig up the sand beach and lift the astroturf/beach lining material, the extent of which is shown approximately on the notice plan, and remove the sand, astroturf/beach lining material and any other resulting materials from the site.**
- iii **Reinstate the land by re-grading the area formally occupied by the sand beach, sandstone rockery and building to match the contour heights shown on the plan approved 6 March**

2008, application reference PAP/2007/0503, Lake and Wetland Area, drawing no. 180/27/1, plan dated 7 June 07, this re-grading to include a covering of topsoil to a depth of 400mm across this area and planted with grass or turfed.

49 Appeal by the Kler Group, Spon Lane, Grendon

The Head of Development Control reported on the use of planning consultants in respect of the appeal by the Kler Group, Spon Lane, Grendon and the Board was asked to agree a suggested course of action.

Resolved:

- a That the use of the Chief Executive's emergency powers to instruct planning consultants in this appeal be confirmed; and**
- b That some of the additional planning fee income received this year be used to fund the appeal costs to the value of £50,000.**

R Sweet
Chairman

**Planning and Development Board
16 December 2013
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
6/5	PAP/2013/0493	Environmental Health Officer	Consultation	13/12/13
7	PAP/2013/0168	Mr Stevenson	Representation	12/12/13