

Minutes of the meeting of Burton Green Parish Council

Held 18th February 2013 at 7.00pm at

Burton Green Village Hall

Cllrs present : Archie Taylor (Chair)
Ian Cox (Vice-Chair)
Marlene Cox
Ian de Worryingham
Adrian Hickinbottom
Vaughan Owen
Marcus Stewart

In attendance : Cllr John Whitehouse
Cllr Mrs Anne Blacklock
Cllr Michael Coker
Cllr George Illingworth
Mr S Hay, Warwick District Council (Planning Policy Team)
Mrs L Baudet (Clerk)

18/13 Apologies

There were no apologies for absence

19/13 Agenda items

With Councillors agreement, the Chairman requested to move Agenda items 10 and 13(a) to be dealt with after Agenda item 4.

20/13 Declarations of Interest

There were no interests declared

21/13 Mr Stephen Hay, Senior Planner at Warwick District Council

Mr Hay gave a powerpoint presentation on 'Villages and Housing' looking at contextual issues such as the new local plan and national policy, the village hierarchy research and how the District would be working with Parish Councils in the future. He highlighted the following key points :

- Policy Context : the new Local Plan looks to provide options for villages to expand and sustain services, there is a clear agenda for economic growth, housing developments will seek to support the vitality of rural settlements, greenbelt boundaries may be re-established around new developments
- Village Hierarchy Research : Local Plan Preferred Options Document provides some outline village classifications – Burton Green category 2 (30 to 80 units of housing), the current classifications being broadly based on services, size of village and accessibility – more detailed research is currently being undertaken
- Comparing villages : this will involve looking at the scope for integration and housing imbalance, services and facilities, accessibility to services, school provision and growth potential as well as physical sites available and potential environmental impacts
- Working with Parish Councils : meetings will be held with Parish Councils to discuss potential housing options and identification of potential sites, which would then be evaluated and

mapped. A shortlist of site options would be identified, and based on research and site options housing numbers would then be agreed. Baseline information would be fed into supporting Villages Development Plan Document (DPD). The DPD will form part of the Local Plan and will allocate housing sites and redefine village envelopes. The process will be subject to public consultation and examination.

The Chairman opened the meeting for public participation.

22/13 Public participation

Minute 21/13 continued – Mr S Hay, Warwick District Council

After hearing the presentation by Mr S Hay, residents and Councillors made the following observations and comments:

- It would be difficult to identify housing sites until more is known about the impact of HS2 eg where temporary constructions will be placed ; there may be areas of land that will be owned by the Government. Cllr Hills felt it was important to identify pockets of land beforehand and put plans in place to safeguard areas eg Crackley gap.
- Considerable development has been done on the Warwick University site which is in an area of green belt ; although it was felt that the University was good on environmental considerations as part of their applications.
- At the request of the Chairman, Cllr Owen talked to the public about Neighbourhood Planning ; it was important that a Neighbourhood Plan is produced so that residents can have a say about what areas of the village are developed and the design. Future developments would be unavoidable due to pressure for growth coming from the Government. The local school and Village Hall were very important facilities and it is important that there is sufficient demand for these facilities in the area.
- Due to the effect of housing demolition under the HS2 compulsory purchases, Cllr Illingworth asked Mr Hay if the 30 to 80 units of housing identified under category 2 were gross or net. Mr Hay replied that the Local Plan would indicate a definitive figure and will take demolition of housing into account.
- A resident expressed concerns regarding problem families through social housing and asked for clarification of the percentage of social housing required, which Mr Hay stated was 40%.
- The Chair commented that it may be possible to get an enhanced new Village Hall
- It was commented that a new infrastructure for the sewage system would be required ; this would come under the remit of planning applications
- Cllr Blacklock raised the issue about current developments in green belt and whether the boundaries of the green belt would be re-drawn to allow for development ; Mr Hay stated that in exceptional circumstances it may be an option, but that a Village Development Plan would address issues such as this. The Local Plan would not designate housing sites or boundaries of green belt.
- Concerns were expressed about how to 'market' Burton Green to attract new residents when houses were empty. It was felt that the village was 'linear' and needed bringing together.

At the request of the Chairman, Cllr Stewart addressed residents regarding the Parish Plan, outlining its purpose, its content and the production process. A residential survey has been compiled, which has been tested on a sample of residents, and would be issued early March. It is estimated that the Parish Plan will cost between £3000 to £5000 to produce and a breakdown of costs would be available shortly. There is a grant of £1500, held within the Parish Councils budget allocated towards the costs of a Parish Plan.

Neighbourhood Planning

Cllr Owen reported that CPRE had recently run a workshop on Neighbourhood Planning which had been informative. Only a Parish/Town Council can produce a Neighbourhood Plan, and funding of c£5000 may be available through a Government grant.

Le Van

A letter (Appendix A) had been sent by the Clerk to Mr Eland at the Planning Inspectorate giving historical background and context to the appeal, and confirming that the Parish Council consider that the decision reached by Inspector P.N Jarratt, at the Planning Appeal, should be upheld and that the Certificate of Lawfulness be denied. The Chair confirmed that he had also personally written to the Planning Inspectorate in Bristol. Further communication had been received from Warwick District Council stating that the Planning Inspectorate now intend to hold a hearing and that the timetable for submissions had now changed, with a deadline of 27th March 2013. It was agreed that the Clerk would write and request that the hearing be held locally with the suggestion of Burton Green Village Hall.

The Chairman closed public participation.

23/13 Minutes of previous meeting

RESOLVED : that the minutes of the previous meeting held on 28th January, having been circulated and read, be signed as a correct record.

Cllr Stewart indicated that the letter sent to HS2 needed to be updated with the amended final version.

24/13 Meeting Dates

24.1 Parish Council meetings

It was agreed that meetings continue to be held on the third Monday of every month at Burton Green Primary School, commencing at 7.30pm.

24.2 Annual Meeting of Electorate

It was agreed that the annual Meeting of Electorate could be held on a Friday evening, possibly in April, and that the Chairman would liaise with the Village Hall to agree a date for the booking. The Council would not be funding refreshments or producing a hard copy report for distribution to residents. It was agreed that the Chair would draft a copy of the report to be given for approval by the Parish Council at the March meeting.

25/13 Progress reports for information

The Chairman confirmed that Highways had now given permission for the location of the grit bins, which were now in situ.

26/13 Community Reports

26.1 Warwickshire Police

No items reported.

26.2 County Councillor – Kenilworth Abbey

Cllr John Whitehouse reported on the following :

- Speed limit review – a meeting would be arranged shortly
- Red Lane footpaths – awaiting date for works to commence
- Greenway resurfacing – work scheduled to commence in the Spring

26.3 District Councillors – Kenilworth Abbey

Cllr Ann Blacklock reported on the following :

- It had been reported to Warwick District Council that Burton Green wishes to remain with Kenilworth and District Community Forum and wished to be treated as part of Rural East ; the request has been noted. Members were assured that although they were currently not included in either Rural East or Rural West, they were still covered by the Standards Committee in the event of any complaints being made
- Warwick District Council were continuing with plans to update rural footway lighting, with work already done in Red Lane
- Residents have raised concerns regarding fly tipping on the Greenway and it was agreed that a joint letter from the Parish Council and also the Residents Association could be sent to houses in Hodgetts Lane.
- Warwick District Council would be setting their 2013/14 budget ; there would be no increase in Council Tax charges to residents

Cllr George Illingworth updated Members on the problem with sewage in Red Lane and reported that a notice had been served on the owner to take action ; if this is not done then Warwick District Council Environmental Services can take action and charge the owner, which could be costly if a new sewage disposal system is required.

26.4 Link Councillor with Burton Green C of E Primary School

Cllr Hickinbottom had no items to report

26.5 Link Councillor with Burton Green Village Hall Committee

Cllr Stewart had no items to report.

26.6 Link Councillor with Burton Green Neighbourhood Watch

Cllr de Worryingham had no items to report

26.7 Link Councillor with Burton Green Residents' Association

Cllr Taylor had no items to report

26.8 Link Councillor with Kenilworth Greenway Trust

Cllr Hills had no further items to add to updates already given.

26.9 Link Councillor with Burton Green HS2 Action Group

Cllr Taylor reported that he had attended the recent Bilateral meeting and it was the general feeling from the meeting that HS2 had failed to deliver on its promises. All options should have been presented at the meeting, but HS2 only presented their preferred option.

Cllrs Taylor, Hills and Owen would be meeting with Jeremy Wright, MP at 11.00am on 1st March 2013, on behalf of the Parish Council. Cllr Taylor reported there would be a meeting of the Action Group at 4.00pm on the same day.

Cllr Illingworth expressed the view that HS2 had failed to appreciate the engineering problems at the end of the route.

27/13 HS2

It was felt that, as a statutory body, the Parish Council needed to be represented independently at HS2 meetings and it was important that a Councillor(s) be nominated to attend meetings and formally feedback to Councillors. Cllr Taylor highlighted that the Bilateral and Forum meetings had been given a remit which was nearing conclusion ; there would only be one more Bilateral meeting and then no further meetings until the Environmental Statement had been reported on. Councillors did not feel that information was being communicated to the Parish Council, and it was

RESOLVED : that Cllrs Hills and Owen be nominated to represent the Parish Council at meetings connected with HS2, and report back to Parish Council meetings.

28/13 Footpath

Cllr Owen reported that the forms submitted in order to register W165Y on the footpath map, had been returned to him with numerous queries, one of which was the request for a copy of the definitive footpath map for Burton Green ; the Clerk would seek to obtain one. Details of the handover date from Coventry City Council had also been requested. Cllr Hills confirmed that Mary Webb could give an update of the paths that had been being walked and checked to date.

29/13 Finance

29.1 Accounts for payment

Members approved the following accounts for payment :

Mrs Baudet – Clerks salary and allowances	£199.14
HMRC – tax payment re Clerk	£49.79

29.2 Payment to Burton Green Primary School

RESOLVED : that under s137 powers, the Parish Council authorise a payment of £100 to Burton Green Primary School to purchase non fiction books for the school library.

29.3 Local Government Superannuation Scheme

RESOLVED : that the Parish Council agree to administer the Local Government Superannuation Scheme, and give the required 28 day public statutory notice.

30/13 Planning

30.1 Le Van

This had been dealt with earlier in the meeting

30.2 Applications

There were no other applications to consider

30.3 Planning decisions

There were no decisions to report.

31/13 Communications

Members received details of communications (Appendix B) and discussed the following :

Item 3 – Mr Richardson, Warwick District Council had confirmed that the play area could be handed over to the Parish Council. He had provided estimate costs which the Parish Council would need to accept – item for next Agenda. The Clerk expected that the transfer of assets would be confirmed in writing as a legal contract.

Item 11 – Kenilworth Community Forum meeting dates were noted.

Item 14 – Warwick District Council would no longer be sending out hard copies of planning consultations and the Clerk would be receiving digital copies, which she would forward to Councillors. It was agreed that Cllr de Worringham would continue with his role of receiving hard copies of planning applications from the Clerk and liaising with neighbours relevant to the application, feeding back any comments pertinent to the Parish Councils response as a consultee.

Item 17 – Local List of Historic Buildings for Warwick District ; deadline for consideration and comment 25th March 2013. It was agreed this be placed on the next Agenda.

32/13 Councillors reports and items for future Agenda

Members discussed the distribution of hard copy magazines/journals and it was agreed to continue with the current circulation system through the post, rather than at meetings.

Concerns were expressed about the parking of cars on the pavements in Cromwell Lane, Red Lane and Hodgetts Lane making it difficult for pedestrians to use the pavement – the Police were aware but as it is not a criminal offence, the only action possible is to issue ‘polite notices’.

Cllr Hills – a number of pot holes by the sub-station in Hodgetts Lane, just outside the boundary – culvert (Canley Brook) consistently overflows and lifts the tarmac – area by the bridge is also silted up. The Chair would look at these.

The Chair thanked Mr Hay for attending and invited him to attend a future meeting to discuss housing site options with the Parish Council.

33/13 Date of next meeting

The next meeting of the Parish Council would be held on Monday 18th March 2013, 7.30pm at Burton Green Primary School

34/13 Termination of meeting

The meeting closed at 9.20pm

Signed

Date

Burton Green Parish Council

Clerk to the Council : Ms Louise Baudet,
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Mr Paul Eland,
The Planning Inspectorate
Room 3/26b Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Your Ref : APP/T3725/X/12/2190147

12th February 2013

Dear Mr Eland,

Appeal by : Avon Estates

Site at : Le Van, Red Lane, Kenilworth, CV8 1PE

Description : Application for a Certificate of Lawfulness for the proposed use of caravan site for the stationing of twenty caravans (Ref W20121237).

I am writing on behalf of the Burton Green Parish Council with regards to the above appeal submitted to the Secretary of State, following the refusal of an application for a lawful development certificate (Ref W20121237). At its Parish Council meeting on 28th January 2013, the Parish Council resolved to support the decision of Warwick District Council to refuse the Certificate of Lawfulness to Avon Estates, and request that the following information be given due consideration when considering this case.

The Parish Council were surprised that this case has arisen, as there have been no circumstantial changes to the site or its use since the appeal was rejected by Inspector P.N Jarratt on 28th February 2011. His judgement, that the increase from 3 to 8 caravans constituted a complete change of usage, seemed indisputable and certainly the plaintiffs never subsequently challenged the legality of that decision.

The Parish Council believes that any increase above the existing 3 would constitute a complete change of usage for the Le Van site. The Parish Council can report that local residents were 'mystified' that Le Van assumed the visual identity of a caravan site in the immediate months before the planning appeal in 2011. Prior to this, there had never been any activity at the Le Van site to give any semblance of a caravan site operating on a commercial basis, and the Google picture taken and submitted by Mr John Levett, reveals the true nature of the site as what appears to be. In the early months of 2010, there had been very rushed and unusual activity by Avon Estates, which included the erection of an impressive high fence the day before the Appeal and also an expensive sign appeared, signifying that Le Van was a 'caravan park'. For residents, nearby, this came as a complete shock since no-one had realised that a caravan park was in their midst, and the site had not been operating as such prior to the erection of the sign.

At the planning appeal in 2011, the solicitor representing Avon Estates (Le Van) maintained that the case had nothing to do with green belt policy and this argument was accepted as legally valid. However, in some ways, it has everything to do with the green belt. In every way, the creation of a caravan park was, and still is, completely out of character with this area. Burton Green is green; a ribbon development village surrounded by green belt, bordering on the rear of the site is the Greenway (Kenilworth to Berkswell) a linear-style of park, treasured by people near and far.

To give the case some historical context, the only reason that there are caravans at Le Van was due to the housing situation after the Second World War. To escape the bombing, people left Coventry to stay in Burton Green, either temporarily in peoples' homes or, more permanently, in caravans. When the war ended, the Government encouraged residents to allow caravans to meet the post-war housing shortage. Consequently caravans were dotted around and, in particular, a large caravan site with over 100 caravans developed close to Le Van at Seaton Fields in Red Lane. However all these caravans disappeared in time with the exception of Le Van, as coherent planning strategies developed. It is no surprise, therefore, that Le Van was granted permission for 3 mobile homes in the 1960s.

In conclusion, the Parish Council consider that the decision reached by Inspector P.N Jarratt, at the Planning Appeal, should be upheld and that the Certificate of Lawfulness be denied.

The Parish Council would respectfully request to receive an acknowledgement of our submission, and also request notification of the outcome of the case.

Yours sincerely,



Louise Baudet
Clerk

Enclosed : two additional copies.

Communications reporting at February 2013 meeting

	Date		From :	Purpose
1	16.2.13	E	Graham Leach, WD Council	Coventry, Warwickshire & Solihull Green Infrastructure strategy consultation – deadline 22 nd April 2013. Opp to attend two workshops for presentation 27 th Feb (Warwick) and 13 th March (Atherstone). Circulated to Cllrs
2	15.2.13	E	Warwick District Council	Full Council meeting papers 20 th February – circulated to Cllrs
3	15.2.13	E	Simon Richardson, WDC	Response re Red Lane play area and costings for maintenance – circulated to Cllrs
4	15.2.13	E	Simon Cripwell, Trading Stds	New 'scams' being circulated – forwarded to Mary Webb for consideration for Bugle
5	15.2.13	E	Jane Coates, Warwick DC	North Leamington Community Forum on Thursday 28 th – circulated to Cllrs
6	15.2.13	E	Jane Coates, Warwick DC	Chairperson reqd for Warks Healthwatch
7	14.2.13	E	Alison Hodge, WALC	Newsletter 104/7 incl etiquette on emails, future training events, funding opps – circulated to Cllrs
8	13.2.13	E	Cllr Hills	Copy of powerpoint presentation on Neighbourhood Planning from workshop, copied to all Cllrs
9	12.2.13	E	HS2	Ladbroke and Southam Community Forum Agenda for 20 th Feb – circulated to Cllrs
10	7.2.13	E	Alison Hodge, WALC	Change of venue for WALC day 2 nd March 2013
11	7.2.13	E	Jane Coates, Warwick DC	Kenilworth Community Forum meeting dates : <ul style="list-style-type: none"> * 18th March from 7pm at Kenilworth School * 3rd June, venue to be confirmed * 16th September, venue to be confirmed * 9th December, venue to be confirmed Circulated to Cllrs
12	6.2.13	E	Loran Coldicott, Warwick DC	Gypsy & Traveller training event – details circulated to Cllrs

13	30.1.13	E	Alison Hodge, WALC	Briefing notes – circulated to Cllrs ; Legal Topic 84 The Community Right to Challenge, Legal topic 85 Note Community Right to Nominate and Bid for Assets of Community Value, Community Infrastructre Levy, Government consultation with regard to Streamlining the Planning Application Process.
14	30.1.13	E	Sandra Wood, Warwick DC	Paper copies of planning consultations no longer to be issued – will be sent via email. Circulated to Cllrs – query current arrangements
15	30.1.13	E	Jane Coates, Warwick DC	Consultation – Access to GP services – deadline 22 nd Feb – circulated to Cllrs
16	29.1.13	E	Elaine Sale, Warks C Council	Dates of PC meetings requested

ATTACHED LETTER RECEIVED 6.2.13 Re Local List of Historic Buildings for Warwick District