

**To: The Deputy Leader and Members of the Planning and Development Board
Councillors Simpson, Bell, T Clews, Deakin, Dirveiks, Downes, Hayfield, D Humphreys, Jarvis, Lees, Macdonald, Morson, Moss, Parsons, H Phillips.**

For the information of other Members of the Council

For general enquiries please contact the Democratic Services Team on 01827 719221 or via e-mail – democraticservices@northwarks.gov.uk

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

The agenda and reports are available in large print and electronic accessible formats if requested.

PLANNING AND DEVELOPMENT BOARD AGENDA

7 DECEMBER 2020

The Planning and Development Board will meet on Monday 7 December 2020 at 6.30pm via Teams. An email invite will be sent to Board members and the meeting will be live streamed on the Council's YouTube channel, accessible from the home page of the Council's website or at <https://www.youtube.com/user/northwarks>

AGENDA

- 1 Apologies for Absence / Members away on official Council business.**
- 2 Disclosable Pecuniary and Non-Pecuniary Interests.**

REGISTERING TO SPEAK AT THE MEETING

PLEASE BE AWARE THAT THIS MEETING WILL BE TAKING PLACE
REMOTELY

Anyone wishing to speak at the meeting, in respect of a Planning Application, must register their intention to do so by 1pm on the day of the meeting, either by email to democraticservices@northwarks.gov.uk or by telephoning 01827 719221.

Once registered to speak, an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should join the meeting via teams or dial the telephone number (provided on their invitation) when joining the meeting and whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they may need to mute the sound on YouTube when they speak on the phone to prevent feedback). The Chairman of the Board will invite a registered speaker to begin once the application they are registered for is being considered.

- 3 **Minutes of the meeting of the Board held on 5 October 2020 and 2 November 2020** – copies herewith, to be approved and signed by the Chairman.

ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 4 **Budgetary Control Report 2020/21 - Period Ended 31 October 2020** – Report of the Corporate Director - Resources

Summary

The report covers revenue expenditure and income for the period from 1 April 2020 to 31 October 2020. The 2020/2021 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 this Board.

The Contact Officer for this report is Nadeem Afzal (719444)

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

Summary

Town and Country Planning Act 1990 – applications presented for determination.

- 5a **PAP/2020/0561 - Memorial Hall, Long Street, Atherstone, B78 1DS**
Works to trees in Conservation Area, for North Warwickshire Borough Council.
- 5b **PAP/2020/0562 - 2, Owen Street, Atherstone, CV9 1DG**
Works to trees in Conservation Area.
- 5c **CON/2020/0015 - Birmingham Road, Water Orton**
Submission under Schedule 17 (6) of the High Speed Rail (London to West Midlands) Act 2017 for approval of lorry routes to/from the Bromford Tunnel East Portal.
- 5d **PAP/2020/0358 - 79, Friary Road, Atherstone, CV9 3AL**
Erection of outbuilding.
- 5e **PAP/2020/0420 - Land East Of Islington Farm, Tamworth Road, Wood End**
Outline application for residential development of up to 34 no. dwellings and associated works, with access being considered at outline stage.
- 5f **PAP/2018/0349 – Land South and South West of Whitegate Stables, Kingsbury Road, Lea Marston**
Change of use of field from market/car boot sales from 14 days to 28 days annually and to retain vehicle access onto Kingsbury Road.
- 5g **PAP/2020/0340 – 3 Hillside, Kingsbury**
Outbuilding at the bottom of the garden for use as a gym space.
- 5h **PAP/2020/0568 and 2020/0569 - Britannia Works, Coleshill Road, Atherstone, CV9 2AA**
Planning and Listed Building Applications for the demolition of the existing buildings identified as blocks O, P, R, T and U.

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

6 **Planning Enforcement Policy – Head of Development Control**

Summary

The report introduces a review of the Council's Planning Enforcement Policy.

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

7 **Minutes of the Local Development Framework Sub-Committee held on 1 October 2020** - copy herewith, to be approved as a correct record and signed by the Chairman.

8 **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.

9 **Confidential Extract of the Planning and Development Board Minutes held on 2 November 2020** – copy herewith, to be approved as a correct record and signed by the Chairman.

10 **Tree Preservation Order** - Head of Development Control

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

STEVE MAXEY
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

**MINUTES OF THE
PLANNING AND DEVELOPMENT BOARD**

5 October 2020

Present: Councillor Simpson in the Chair.

Councillors Bell, T Clews, Downes, Hayfield, D Humphreys, Jarvis, Lees, Macdonald, Morson, Moss, Parsons and H Phillips.

Apologies for absence were received from Councillors Deakin and Dirveiks.

Councillors Chambers, Farrell, Farrow, M Humphreys, Jenns and Symonds were also in attendance.

With the consent of the Chairman, Councillor Jenns spoke on Minute No 9 – Planning Applications (Application No PAP/2018/686 - Kingsbury Hall, Coventry Road, Kingsbury) and (Application No PAP/2020/0341 – Land Adjacent The Lodge, Tamworth Road, Cliff).

6 Disclosable Pecuniary and Non-Pecuniary Interests

None were no interests declared at the meeting.

7 Minutes

The minutes of the meetings of the Planning and Development Board held on 2 March, 20 July and 19 August 2020, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

8 Budgetary Control Report 2020/21 Period Ended 31 August 2020

The Corporate Director – Resources reported on the revenue expenditure and income for the period from 1 April 2020 to 31 August 2020. The 2020/2021 budget and the actual position for the period, compared with the estimate at that date, were given, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

9 Planning Applications

The Head of Development Control submitted a report for the consideration of the Board.

Resolved:

- a That in respect of Application No CON/2020/0013 (Land between A452 & A446 Chester Road & Stonebridge Road Intersection, A452 Chester Road adjacent Melbicks Garden Centre, & land east of A452/A446 roundabout over M42, including A446 Approach) the Head of the Development Control write to Solihull MBC to inform them that the Council repeats its representations as made earlier in June 2019 together with expressing concern about consequential increased traffic flows through North Warwickshire;
- b That in respect of Application No PAP/2018/0686 (Kingsbury Hall, Coventry Road, Kingsbury) the receipt of the Supplementary Document be noted, and a further site visit be arranged in accordance with current requirements for “gatherings”;
- c That in respect of Application No PAP/2018/0755 (Land to east of Former Tamworth Golf Course, North of Tamworth Road – B5000 and west of M42, Alvecote) the report be noted and a further report be referred to the Board to outline progress on the matters raised prior to determination;
- d That Application PAP/2020/0020 (Land North West of Newton Regis Village Hall, Austrey Lane, Newton Regis) be refused for the following reasons:
 - i) The proposal does not accord with Policy NW12 of the North Warwickshire Core Strategy 2014 as supplemented by Section 12 of the National Planning Policy Framework in that the development does not positively improve the settlement’s character or the appearance and quality of the area. This is because the site is an addition to the built form of the settlement being an isolated cul-de-sac of development that has no connection or linkage to the village, introducing new built development into a wholly open area;
 - ii) The proposed access to the development is directly onto a bend and close to a further junction. It is considered that this is likely to

have an unacceptable impact on highway safety given the traffic generated from the proposal and the retention of existing access points onto that access. The proposal does not therefore accord with Policy NW 10 (6) of North Warwickshire Core Strategy 2014.

[Speakers :Diane Radborne and Will Brearley]

e That Application No PAP/2020/0215 (42 Austrey Road, Warton) be refused for the following reasons:

- i) That the proposal does not accord with Policy NW10 (6) of the North Warwickshire Core Strategy 2014 in that the proposed access and parking arrangements are considered to be unsafe with very limited car parking space; cars parked overhanging the highway footpath, substantially reduced visibility for cars exiting the parking area and there being window opening which would overhang the highway pavement;**
- ii) The proposal does not accord with Policy NW12 of the North Warwickshire Core Strategy 2014 nor Section 12 of the National Planning Policy Framework in that the development does not demonstrate a high quality of sustainable development. This is because the residential amenity of the future occupiers of the property will be poor with no outside amenity space; the property directly adjoining the highway and the lack of safe car parking arrangements;**

f Application No PAP/2020/0245 (Land to the Rear of 50 New Street, Dordon)

Under Standing Order No 9 (9) it was proposed by Councillor Morson and Seconded by Councillor Phillips:

That the application be approved on the grounds that the site is within the development boundary and that any highway impact is immaterial.

On being put to the vote the amendment was declared as lost;

It was then proposed by Councillor D Humphreys and seconded by Councillor Simpsons that:

The application be refused for the reasons set out in the report of the Head of Development Control;

On being put to the vote the motion was carried;

[Speaker : Owen Carvalho]

- g That Application No PAP/2020/0341 (Land Adjacent The Lodge, Tamworth Road, Cliff) be refused for the reasons set out in the report of the Head of Development Control.**
- h That Application Nos PAP/2020/0348 and PAP2020/0346 (1 & 2 Nightingale Cottages, Tamworth Road, Nether Whitacre) be approved on the grounds that the harm caused is considered to be less than substantial given that the proposals are reversible and that they would not affect the existing appearance of the rear elevations such that it is outweighed by the greater community benefit of enabling more spacious accommodation to be provided.**

[Speaker: Helen Lloyd]

10 Planning Consultations

The Chief Executive summarised and provided comments on the recent consultations relating to Planning, including the White Paper “Planning for the Future”

Resolved:

That, in accordance with the recommendation made by the Executive Board at its meeting held on 21 September 2020, the comments from this Board be incorporated into the response to the consultation on the White Paper.

11 Warwickshire Minerals Plan Update – Statement of Common Ground, Examination Hearing Date – Outstanding Issues

The Chief Executive updated and informed Members of the Warwickshire County Council’s Minerals Plan Examination in Public (EiP)

Resolved:

- a That the date for the Examination Hearings into the Minerals Local Plan be noted; and**
- b That the Statement of Common Ground recommendations and responses contained within the report are noted, agreed, signed and Members note the outstanding issues remaining will be dealt with through the written representation process, by the Inspector into the Plan.**

Councillor Simpson
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

**MINUTES OF THE
PLANNING AND DEVELOPMENT BOARD**

2 November 2020

Present: Councillor Simpson in the Chair.

Councillors Bell, T Clews, Downes, Hayfield, D Humphreys, Jarvis, Lees, Macdonald, Moss, Parsons and H Phillips.

Apologies for absence were received from Councillors Deakin and Dirveiks.

Councillors Osborne and M Humphreys were also in attendance.

With the consent of the Chairman, Councillor Osborne spoke on Minute No 14 – Planning Applications (Application No PAP/2020/0190 – 19 Dordon Road, Dordon).

12 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

13 Determination of Planning Applications

The Board were asked to review the use of the temporary revisions to the Scheme of Delegation for determination of planning applications, adopted in light of the national “lockdown”.

Resolved:

That the temporary arrangements to the Scheme of Delegation for the determination of planning applications adopted by the Council in May 2020 not be continued.

14 Planning Applications

The Head of Development Control submitted a report for the consideration of the Board.

Resolved:

- a That in respect of Application No: PAP/2020/0450 (Woodview, Westwood Road, Atherstone) be approved subject to the following conditions;**
 - i) The use of the building hereby approved shall be restricted to uses incidental to the**

residential use of Woodview, Westwood Road, Atherstone and shall specifically not be used for residential use as defined by Class C3 of the Use Classes Order 2020, or for a Commercial, Business or Service use as defined by Class E of the Use Classes Order 2020.

Reason

In the interest of protecting residential amenity.

- ii) No development within Class E of Part One to Schedule Two of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, shall take place without the express written consent of the Local Planning Authority.**

Reason

In the interests of protecting residential amenity.

[Speaker: Tracy Treharne]

- b That in consideration of Application No: PAP/2020/0324 (113 Church, Hartshill) be deferred for a site visit;**

[Speakers: Paul Lyon and Councillor Pearson]

- c That in consideration of Application No: PAP/2020/0190 (19 Dordon Road, Dordon) be deferred for a site visit;**

[Speaker: Ian Ritchie]

- d That in respect of Application No: CON/2020/0014 (Land East of Middle Bickenhill Lane between the A452 Chester Road/A446 Stonebridge Road Intersection and A452/A45 Coventry Road roundabout junction) the Head of the Development Control write to Solihull MBC to inform them that the Council has no objection in principle subject to it requesting significant landscape mitigation as well as pressing the relevant Highways Authorities to reduce opportunities for traffic to avoid this area by drivers diverting journeys along inappropriate rural roads;**

Prior to the consideration of Application No: PAP/2019/0166 (Heart of England Conference and Events Centre, Meriden Road, Fillongley), the Chairman of the Board left the meeting and took no part in the discussion or voting thereon.

Councillor Jarvis took the Chair for this item.

- e i) **That in respect of Application No: PAP/2019/0166 (Heart of England Conference and Events Centre, Meriden Road, Fillongley) be refused for the reasons set out in the report of the Head of Development Control; and**
- ii) **That authority be given to serve a Breach of Conditions Notice in respect of Condition 11 of planning permission PAP/2013/0391 dated 27/1/16 requiring compliance through the removal of the marquee on site.**

[Speakers: Robert Williams and Judith Burrin]

Councillor Simpson returned to Chair the meeting.

15 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – September 2020

The Board were informed of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to September 2020.

Resolved:

That the report be noted.

16 Appeal Update

The Head of Development Control updated Members on recent appeal decisions.

Resolved:

That the report be noted.

17 **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.

18 **Land at Hartshill**

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

Resolved:

- a That general approach to this matter be as set out in recommendations (a), (b), and (c) of the report of the Head of Development Control; and**
- b (d) The compliance period given should be three months for the reasons outlined in this report.**

Councillor Simpson
Chairman

**Planning and Development Board
2 November 2020
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/C	PAP/2020/0190	I Ritchie	Comments	30/10/20
4/E	PAP/2019/0166	Corley Parish Council	Objection	30/10/20
		Local Resident	Objection	1/11/20

Agenda Item No 4

Planning and Development Board

7 December 2020

Report of the Corporate Director - Resources

Budgetary Control Report 2020/21 Period Ended 31 October 2020

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2020 to 31 October 2020. The 2020/2021 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 this Board.

Recommendation to the Board

That the report be noted and that the Board requests any further information it feels would assist it in monitoring the budgets under the Board's control.

2 Introduction

- 2.1 Under the Service Reporting Code of Practice (SeRCOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but, also support costs relating to such areas as finance, office accommodation, telephone costs and IT services. The figures contained within this report are calculated on this basis.

3 Overall Position

- 3.1 The actual expenditure for those services reporting to this Board as at 31 October 2020 is £223,362 compared with a profiled budgetary position of £137,626; an overspend of £85,737 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period.

- 3.1.2 Where possible, the year-to-date budget figures have been calculated with some allowance for seasonal variations, in order to give a better comparison with actual figures. Reasons for the variations are given, where appropriate, in more detail below.

3.2 Planning Control

- 3.2.1 The overspend of £81,346 is mainly due to lower than profiled income from planning fees of £109,927. This has been partly offset by lower than expected expenditure on professional fees of £21,253, and advertising and publicity budgets of £6,625.

3.3 Street Naming and Numbering

3.3.1 The overspend of £3,155 is mainly due to lower than expected income which is dependent upon external developments requiring street names. This is partly offset by lower than expected expenditure on equipment.

3.4 Green Belt Enforcement Project

3.4.1 In October 2019 Members were informed of the Council's successful bid to obtain £50,000 in funding for additional enforcement work in connection with unauthorised developments in Green Belt land. £1,969 of the funding has been spent to date.

4 Performance Indicators

4.1 In addition to the financial information provided to this Board, when the budgets were set in February, performance indicators were included as a means of putting the financial position into context. These are shown at Appendix B.

4.2 The gross and net cost of planning applications is above the budgeted position due to a lower number of applications received.

4.3 The gross cost per Land Charge is higher than expected due to the lower number of searches undertaken. The net cost per Land Charge is lower in comparison to the profiled cost due to a change in the mix of searches between full searches and Official Register searches.

5 Risks to the Budget

5.1 The key risks to the budgetary position of the Council from services under the control of this Board are:

- The need to hold Public Inquiries into Planning Developments. Inquiries can cost the Council around £50,000 each.
- A change in the level of planning applications received. A fall in applications would lead to a reduction in planning income, whilst an increase in applications would increase the pressure on staff to deal with applications in the required timescales
- The Government require all planning applications to be dealt with within 26 weeks. If this is not achieved, the costs of the application must be borne by the authority. Whilst the Planning team deal with almost 100% of current applications within this time, there is always the potential for this to slip, leading to a decline in the Planning income level.
- There are potential additional costs for the Council in carrying out its planning function. If the Council loses a planning appeal, an award of costs can be made against the Council (the appellant's costs for the appeal). If the Council consistently loses appeals it will become a

designated authority, which means that prospective applicants can submit their applications directly to the planning directorate. This would mean the Council would lose the accompanying planning fee.

- 5.2 A risk analysis of the likelihood and impact of the risks identified above are included in Appendix B.

6 **Estimated Out-turn**

- 6.1 Members have requested that Budgetary Control reports provide details on the likely out-turn position for each of the services reporting to this Board. The anticipated out-turn for this Board for 2020/21 is £264,650 the same as the approved budget.

- 6.2 The figures provided above are based on information available at this time of the year. Whilst planning income is currently below budget, it can vary significantly during the year. No change to the out-turn has been assumed at this time but this may change as the financial year progresses. Members will be updated in future reports of any changes to the forecast out turn.

7 **Report Implications**

7.1 **Finance and Value for Money Implications**

- 7.1.1 Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board at future meetings.

7.2 **Environment and Sustainability Implications**

- 7.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nadeem Afzal (719444).

Planning and Development Board

Budgetary Control Report 2020/2021 as at 31 October 2020

Cost Centre	Description	Approved Budget 2020/2021	Profiled Budget to 31 October 2020	Actual to 31 October 2020	Variance	Comments
4009	Planning Control	148,100	92,562	173,908	81,346	Comment 3.2
4010	Building Control Non Fee-earning	52,020	9,812	9,812	-	
4012	Conservation and Built Heritage	56,530	32,997	33,013	16	
4014	Local Land Charges	4,320	109	(641)	(750)	
4018	Street Naming & Numbering	3,680	2,147	5,302	3,155	Comment 3.3
7369	Green Belt Enforcement Project	-	-	1,969	1,969	Comment 3.4
	Total Net Expenditure	264,650	137,626	223,362	85,737	

Performance Indicators for Budgets Reporting to the Planning and Development Board

	Budgeted Performance	Profiled Budgeted Performance	Actual Performance to Date
Planning Control			
Number of Planning Applications	900	525	392
Gross cost per Application	£872.23	£883.99	£1,108.23
Net cost per Application	£164.56	£176.31	£443.64
Caseload per Planning Officer			
All applications	167	97.2	72.6
Local Land Charges			
Number of searches	400	233	201
Gross cost per search	£127.55	£117.21	£130.54
Net cost/(surplus) per search	£10.80	£0.47	-£3.19

Risk Analysis

	Likelihood	Potential impact on Budget
Need for public enquiries into planning developments	Medium	Medium
Decline in planning applications leading to a reduction in Planning Income.	Low	Medium
Applications not dealt with within 26 weeks, resulting in full refund to applicant.	Low	Medium
Implications of losing planning appeals, resulting in appellant costs awarded against the Council or loss of Planning Income	Medium	Medium