

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

22 May 2023

Present: Councillor Simpson in the Chair

Councillors Barnett, Bates, Bell, Chapman, Dirveiks, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jarvis, H Phillips, O Phillips, Ridley and Reilly

Apologies for absence were received from Councillors Parsons (Substitute O Phillips) and Ririe (Substitute Barnett)

The Chairman asked for thanks be passed on to previous Members who were no longer standing Members.

1 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Barnett disclosed a Pecuniary interest in Minute No 6b (Peel House, 79 Witherley Road, Atherstone, CV9 1NA) by reason of being an Atherstone Town Council member and took no part in the discussion and voting thereon.

Councillor Reilly declared a Non-Pecuniary interest in Minute No 6g (164, Long Street, Dordon, Tamworth, B78 1QA) by reason of being Clerk to Dordon Parish Council.

Note: Due to the number of members of the public who had attended in relation to the Applications at Minute No 6 below the Chairman proposed and the Board agreed to consider those items first.

2 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 3 April 2023, copies having previously been circulated, were approved as a correct record, and signed by the Chairman.

3 **Government Consultation – Infrastructure Levy**

The Head of Development Control brought this report for information only and described the Government's proposals for replacement of the Community Infrastructure Levy and the use of Section 106 Agreements, with a mandatory Infrastructure Levy in order to assist in the delivery of new infrastructure related to new development.

Resolved:

That the Report be noted and that further reports are brought to the Board so that the implications of the change can be considered and to detail any further Government announcements.

4 Government Consultation - Environmental Outcomes Report

The Head of Development Control brought this report for information only and described the Government's proposals for replacement of the current way which the Environmental Effects of new developments are to be assessed and monitored.

Resolved:

That the report be welcomed and noted and that further reports are brought to the Board so that the implications of the change can be considered and to detail any further Government announcements.

5 Submission of Nether Whitacre Neighbourhood Plan for Public Consultation

The Chief Executive informed Members of the submission of the Nether Whitacre Neighbourhood Plan and sought approval to go out for a formal consultation in accordance with regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Resolved:

That the Nether Whitacre Neighbourhood Plan be publicised for a six-week public consultation.

6 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/2023/0071 (Land 800 Metres South Of Park House Farm, Meriden Road, Fillongley) Board noted the receipt of this application and agreed that a site visit be arranged prior to its determination;**

[Speakers Diana Wardley and Lee Adams]

- b That Application No PAP/2020/0164 (Peel House, 79 Witherley Road, Atherstone, CV9 1NA) be granted, subject to the conditions set out in the report of the Head of Development Control and to an additional condition requiring the removal of Class E Part One permitted development rights and that condition 3 be amended to also ensure that the building be used for garaging purposes only;**

[Speaker Lawrence King]

- c That in respect of Application No PAP/2023/0108 (Dafferns Wood, St Michaels Close, New Arley, Warwickshire) the Management Plan be agreed subject to a review date in May 2027 and that the Council be notified when those works are to be carried out;**

[Speaker Edward Asbury]

- d That Application No PAP/2023/0133 (Hartshill Hayes Country Park, Oldbury Road, Hartshill) be granted, subject to the conditions set out in the report of the Head of Development Control;**

[Speaker Christopher Lewis]

- e That Application No PAP/2023/0058 (25, Wood Street, Wood End, Tamworth, CV9 2QJ) be deferred for a site visit;**

[Speaker Gordon Richards]

- f That Application No PAP/2022/0544 (Land 550 Metres East of Vauls Farm, Astley Lane, Astley) be deferred to await the outcome of a forthcoming Parish Council meeting; and**

[Speakers Debra Spicer and Ben Parkins]

- g That Application No PAP/2022/0350 (164, Long Street, Dordon, Tamworth, B78 1QA) be deferred for a site visit.**

[Speaker S Glover]

7 Tree Preservation Order Land West of Water Orton

The Head of Development Control informed Members of the action taken in respect of the making of an Emergency Tree Preservation Order, following the receipt of authority to serve under delegated powers, and sought further confirmation of the action taken.

Resolved:

- a That the Board confirms the action taken in the issue of an Emergency Tree Preservation Order for the protection of 15 trees on land to the west side of Water Orton.**
- b That a further report considering confirmation of the Order be brought back to the Planning and Development Board following the passage of the opportunity for receipt of representations.**

8 Tree Preservation Order 81 Austrey Road, Warton

The Head of Development Control sought confirmation of action taken by the Chief Executive in respect of the making of a Tree Preservation Order for a London Plane tree at this address.

Resolved:

That the Board confirmed the making of a Tree Preservation Order in respect of a London Plane tree at 81 Austrey Road, Warton.

9 Proposed New Use Class

The Head of Development Control described a consultation initiated by the Government to introduce a new Use Class for the “Short Term Lets” of residential property.

Resolved:

That the Report be noted and that a further report be brought to the Board in due course once final details governing the new Use Class are known.

10 Appeal Update

The Head of Development Control brought Members up to date on recent appeal decisions.

Resolved:

That the report be noted.

11 Tree Preservation Order Warton Lane, Austrey

The Head of Development Control reported on a Tree Preservation Order that has been placed on two Cedar Trees located on Warton Lane, Austrey. It came into force on 9 December 2022 and lasts six months until the 9 June 2023. This report sought to make the Order permanent.

Resolved:

- a That the Chair of the Board confirmed that by reasons of special circumstances, namely the fact that the Order will cease to protect the trees if this matter is not considered by the Board, this report should be considered as a matter of urgency.**
- b That the Board confirmed the making of a Tree Preservation Order for the protection of 2 Cedar Trees located on Warton Lane, Austrey.**

12 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 paragraphs 5 and 6 of Schedule 12A to the Act.

13 Confidential Extract of the Minutes of the Planning and Development Board held on 3 April 2023

The confidential extract of the minutes of the Planning and Development Board held on 3 April 2023, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

M Simpson
Chairman