

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

4 July 2022

Present: Councillor Simpson in the Chair

Councillors Bell, T Clews, Gosling, Hancocks, Hayfield, D Humphreys, Jarvis, Jordan, McLauchlan, Moss, H Phillips, O Phillips, Reilly and Rose.

Apologies for absence were received from Councillors Dirveiks (Substitute O Phillips) Morson (Substitute McLauchlan) and Parsons.

Also in attendance was Councillor M Humphreys.

15 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

16 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 6 June 2022, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

17 **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/2021/0531 (Land Between Holmfield And Oakdene, Bennetts Road North, Corley) determination be deferred for a site visit;**

[Speaker: Dereck Beverley]

- b A That Application No PAP/2021/0044 be REFUSED for the following reason:**

It is not considered that the proposal accords with policies LP1, LP10, LP14, LP29 (6) and LP30 of the North Warwickshire Local Plan 2021 and Policies DP1 and BE2 of the Mancetter Neighbourhood Plan 2017, as

supplemented by Sections 9 and 12 of the National Planning Policy Framework 2021, in that the site cannot be assimilated into the surroundings and landscape without significant adverse impact and neither has it been shown that it can provide safe and suitable access;

- B That authority be given to the Head of Legal Services to issue an Enforcement Notice under Section 172 (1) of the Town and Country Planning Act 1990 in respect of the unauthorised development described in this report, for the reasons as also identified and with a compliance period of twelve months; and**
- c That Application No PAP/2021/0687 (89-91 Main Road, Austrey, Atherstone, Warwickshire, CV9 3EG) be deferred for a site visit and for officers to continue discussion with the applicant.**

[Speakers: Paul Chadwick and Teresa Hames]

18 Former Daw Mill Colliery

The Head of Development Control brought Members up to date as a consequence of the issue of an Enforcement Notice by the Warwickshire County Council.

Resolved:

That the report be noted.

19 HS2 Sub-Group

The Head of Development Control reported that at the February 2022 meeting of the Planning and Development Board, the Board resolved to establish an HS2 Subgroup and that a group of Members be convened to review HS2 proposals. The report sought to establish the broad terms of reference and operating practices of the HS2 Subgroup, including arrangements for the delegation of HS2 Consents decisions. It further summarised the HS2 consenting regime and the obligations of North Warwickshire Borough Council in determining consents.

Resolved:

- a That the operational arrangements for the HS2 Subgroup set out in the report be agreed; and**
- b That the Planning and Development Board confer delegated authority for HS2 Related Consent Decisions to the Head of Development Control in consultation with the HS2 Subgroup.**

20 **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 by Schedule 12A to the Act.

21 **Enforcement Action**

The Head of Development Control sought authority for enforcement action following a breach of planning control.

Resolved:

- a That the Board authorises the Head of Legal Services to issue an Enforcement Notice in respect of the breach of planning control identified at this address for the reasons given in the report;**
- b That authority is given to the Head of Legal Services to issue a further Enforcement Notice if the development comprising the breach identified in a) above continues, for the reasons set out and that any further Enforcement Notice only be issued following consultation with the Board Chairman and the Opposition Planning Spokesperson; and**
- c That the Head of Legal Services is also authorised to issue prosecution proceedings for any failure to comply with either Enforcement Notice and/or the Temporary Stop Notice previously issued.**

22 **Confidential Minutes of the Planning and Development Board meeting held on 6 June 2022**

That the confidential minutes of the Planning and Development Board meeting held on 6 June 2022 were received and noted.

Councillor Simpson
Chairman