

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

6 June 2022

Present: Councillor Simpson in the Chair

Councillors Bell, T Clews, Dirveiks, Gosling, Hancocks, Hayfield, D Humphreys, Jarvis, Jordan, Moss, Parsons, H Phillips and Reilly.

Apologies for absence were received from Councillors Morson and Rose.

Councillors D Clews and M Humphreys were also in attendance and with the consent of the Chairman Councillor D Clews spoke on Minute No 8b (Application No PAP/2021/0155 - Peel House, 79 Witherley Road, Atherstone CV9 1NA).

#### 6 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Reilly declared a pecuniary interest in Minute No 8e Planning Application No PAP/2022/0161 (Land 100 Metres west of Hams Garden Cottage, Church Lane, Lea Marston) - by virtue of his role as Lea Marston Parish Clerk, left the meeting and took no part in the discussion or voting thereon. Councillor Reilly also declared a pecuniary interest in item 13 (Tree Preservation Orders) – by virtue of his role as Dordon Parish Clerk and took no part in the discussion or voting.

#### 7 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 9 May 2022, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 8 **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/2020/0246 (Land Adjacent 15, Curlew Close, Warton) be refused for the reasons set out in the report of the Head of Development Control;**

**Letter from Mr Hill, [Speakers: Linda Roberts and Matthew Topping]**

- b That Application No PAP/2021/0155 (Peel House, 79 Witherley Road, Atherstone, CV9 1NA) be refused for the following reason:**

**“it is considered that the proposal will lead to an unacceptable loss of amenity to the occupiers of neighbouring property due to overlooking, loss of privacy, additional traffic generation and intensification of development such that the proposal would not accord with Policy LP29 (9) of the North Warwickshire Local Plan 2021”.**

**[Speakers: Leigh Everitt and Ian Ritchie]**

- c That Application No PAP/2021/0695 (Highfield Farm, Farthing Lane, Curdworth, Birmingham, B76 9HE) be granted subject to the conditions set out in the report of the Head of Development Control and a Community Liaison Group be set up between the applicant, local residents and local Ward Member prior to the building being brought into use, in order to respond to concerns;**

**[Speakers: Tashraf Younis and Asim Chaudhry]**

- d That Application No PAP/2021/0698 (Arden View, Tamworth Road, Fillongley, CV7 8DY) be granted subject to the conditions set out in the report of the Head of Development Control;**

- e That Application No PAP/2022/0161 (Land 100 Metres West Of Hams Garden Cottage, Church Lane, Lea Marston, Warwickshire) be granted subject to the conditions set out in the report of the Head of Development Control; and**

- f
- i) That in respect of Application No PAP/2021/0605 (Land 350 metres north-west of Marlwood Bungalow and Land east of Breach Oak Lane, Corley, Smorrall Lane, Astley) that the Council is minded to support the grant of planning permission for the reasons set out in the officer's report, subject to the final wording of an additional condition in respect of limiting any noise impacts, and that the matter be referred to the Secretary of State under the terms of the 2009 Direction for him to consider whether he wishes to call-in the application for his own determination. If not, then officers are authorised to issue the Notice subject to the conditions as set out the report of the Head of Development Control.
  - ii) that in respect of application number, PAP/2021/0651 (Land North off Park Lane Farm, Park Lane, Astley) the Council is minded to support the grant of planning permission for the reasons set out in the officer's report and that the matter be referred to the Secretary of State under the terms of the 2009 Direction for him to consider whether he wishes to call-in the application for his own determination. If not, then officers are authorised to issue the Notice subject to the conditions as set out the report of the Head of Development Control.

**[Speakers: PAP/2021/0605 Paula Ward and Nick Leaney, PAP/2021/0651 Kate Cantwell]**

9 **Appeal Update** - Report of the Head of Development Control

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

**Resolved:**

**That the report be noted.**

10 **Levelling Up and Regeneration Bill** - Report of the Head of Development Control

The Head of Development Control provided an initial summary of the new Planning Bill as set out in the recent Queen's Speech.

**Resolved:**

- i) **That the report be noted and officers update the Board as further detailed information is received and the formal consultation process commences.**

- ii) **A detailed briefing is given to Members before the commencement of the next Planning and Development Board on 4 July 2022.**

**11 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.**

**12 Tree Preservation Order – Report of the Head of Development Control**

The Head of Development Control sought authority for the emergency protection of the tree and others in the vicinity under delegated powers. Notice will then be served on the owner, the tenant and immediate neighbours.

**Resolved:**

**That the Board confirms the action taken in the issue of an Emergency Tree Preservation Order for the protection of Trees.**

**13 Tree Preservation Order – Report of the Head of Development Control**

The Head of Development Control set out an approach to the making and possible confirmation of a large number of Tree Preservation Orders.

**Resolved:**

- a **That Orders be made in respect of the individual trees and groups of trees as shown on the Map contained in Appendix A of the report;**
- b **That consultation then be undertaken and that in the event of an objection being received to any Order, the matter be referred back to the Board, but that if no objections are received the confirmation of making an Order be delegated to Head of Development Control, in consultation with the Chairman, the Opposition Spokesperson and the local Members;**
- c **in the event of receipt of an objection, that a report be brought back to Board for Consideration; and**

**d That the Chairman, Opposition Spokesman, Head of Development Control and Head of Legal Services meet to discuss how to deal with officer reports when a substantial number of background papers are involved.**

**14 Confidential Minutes of the Planning and Development Board meeting held on 9 May 2022**

That the confidential minutes of the Planning and Development Board meeting held on 9 May 2022 were received and noted.

Councillor Simpson  
Chairman

Extra Note - At the end of the private session Councillor Simpson raised the following point;

Councillor Simpson stated that a member of the public raised some concerns that we were not properly considering, on every occasion, the way we address the environmental agenda and the need to be clear of the need to provide for cycle storage, footpaths, bridleways. The Head of Development Control has undertaken to emphasise with Planning Officers the need to thoroughly consider all these issues when determining planning applications. The Chairman advised Members to pay particular attention to these details and asked Head of Development Control to do a brief note to Members advising the of Planning Policies.