

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

7 February 2022

Present: Councillor Simpson in the Chair

Councillors Bell, D Clews, Dirveiks, Hancocks, Hayfield, M Humphreys, Jarvis, Jordan, Morson, Parsons, H Phillips and Rose

Apologies for absence were received from Councillors T Clews (Substitute Councillor D Clews), D Humphreys (Substitute M Humphreys), Lees and Macdonald (Substitute Jordan).

42 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillors D Clews, Dirveiks and Jordon declared a non-pecuniary interest in minute no 46(f) (Application no PAP/1021/0678 - The Arcade, 71-73 Long Street, Atherstone, Warwickshire, CV9 1AZ). Councillor Jordan took no part in the discussion or voting thereon.

43 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 10 January 2022, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

44 **General Fund Fees and Charges 2022/2023**

The Director of Corporate Services and the Chief Executive reported on the fees and charges for 2021/2022 and the proposed fees and charges for 2022/23.

Resolved:

That the schedule of fees and charges for 2020/23, as set out in the report of the Director of Corporate Services and the Chief Executive, be accepted.

45 **General Fund Revenue Estimates 2022/23**

The Corporate Director – Resources detailed the revised budget for 2021/2022 and an estimate of expenditure for 2022/23, together with forward commitments for 2023/24, 2024/2025 and 2025/2026.

- a That the revised budget for 2021/22 be rejected; and

Recommendation to Executive Board:

- b That the Estimates of Expenditure for 2022/23, as submitted in the report of the Corporate Director – Resources, be accepted and included in the budget to be brought before the meeting of the Executive Board on 14 February 2022 subject to the inclusion of addition employment resource for 2022/2023.

46 **Planning Applications**

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

Resolved:

- a That the Board raised no objections to Application Nos CON/2022/0001, CON/2022/0002, CON/2022/0003 and CON/2022/0004 subject to the comments set out in the report of the Head of Development Control;
- b That in respect of Application No PAP/2022/33, PAP/2022/34 and PAP/2022/35 (Land at South Street, the Sheepy Road Car Park and other locations in Atherstone) the works may proceed as proposed in all three applications and that the County Council be requested that the tree numbered 05DF be replaced with a similar tree within the next available planting season. Additionally the Board requested that the County Forester or his representative be asked to attend a future Board meeting so as to explain his work;
- c (A) That Application No CON/2022/0006 (Land at Lindridge Road, Sutton Coldfield) be noted and the City Council be requested to engage with both officers and Members of the Borough Council in respect of the relationship between the SUE site and the land allocated by the Borough to the north, as well as with the opportunities for wider transport connectivity; and

- (B) That a group of Members be convened in order to review the planning application with a view to reporting back to the March Board meeting;**
- d That Application No CON/2022/0005 (Land South of Elmeſthorpe between the Leicester to Hinckley Railway and the M69 Motorway) be noted and that the group of Members agreed for item 46c(B) also reviews this proposal with a view to reporting back to the March meeting of the Board;**
- e (A) That Application No PAP/2020/0259 (South View, Weddington Lane, Caldecote, CV10 0TS) be refused for the reasons set out in the report of the Head of Development Control;**
 - (B) That, subject to the receipt of advice from the County Council's Forestry Officer, the Head of Legal Services be authorised to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 requiring the removal of the replacement garage, gym, snug and playroom to slab level with the removal of all subsequent material from the site, for the reasons for refusal, as set out in the report of the Head of Development Control, and with a compliance period of six months;**
 - (C) That should it be considered necessary, authorisation also be given to initiate prosecution proceedings under Section 179 of the Town and Country Planning Act 1990 should there be evidence to show non-compliance with the Notice authorised under recommendation B above; and**
 - (D) That on a "without prejudice" basis, officers engage with the applicant in order to review alternative proposals.**

[Speakers: Tamsin Cottle and Christopher Welford]

- f That in respect of Application No PAP/2021/0678 (The Arcade, 71-73 Long Street, Atherstone, Warwickshire, CV9 1AZ) Advertisement Consent be granted subject to the standard advertisement conditions and conditions limiting the time of the display of the mural to five years with a review to be undertaken two years from the date of the Consent;**

[Speaker: Gary Chamberlain]

- g (A) That Application No PAP/2021/0627 (Hartshill School, Church Road, Hartshill, Nuneaton, Warwickshire, CV10 0NA) the Council is minded to support the proposal subject to:**
- i) There being no objection from the Warwickshire County Council as Highway Authority that cannot be overcome by condition;**
 - ii) That conditions 9 and 12 in the recommended schedule of conditions be reviewed such that the details required be submitted at the earliest opportunity;**
 - iii) That condition 4 in the recommended schedule of conditions be reviewed such that the details required be submitted at the earliest opportunity; and**
 - iv) That an additional condition be included relating to the need to approve details of the glazing details of the openings in the northern elevation of the new building;**
- (B) That a Resident's Liaison Group be established such that it is fully engaged with the developer and contractor throughout the construction period but that Group is particularly involved in looking at the details submitted under Condition 4 (the Construction Management Plan) and the additional condition (glazing details).**

[Speakers: Simon Lomax and Beverley Wilkins]

- h (A) That Application Nos PAP/2021/0028, PAP/2021/0029 and PAP/2021/0030 be refused for the reasons set out in the report of the Head of Development Control;**
- (B) That it is considered expedient to serve Enforcement Notices under Section 178 of the Town and Country Planning Act 1990 for the reasons given in the report in respect of all the following unauthorised developments. Additionally, and as appropriate, if there is non-compliance with the requirements of an extant Notice prosecution proceedings be commenced;**

- (C) That consideration of the expediency to serve Enforcement Notices under Section 178 of the Town and Country Planning Act 1990 in respect of a second shepherd's hut and the use of the land as an HGV operating centre be deferred; and**
- (D) That both the Environment Agency and Warwickshire County Council be requested to visit the site and investigate whether there have been, or are, any breaches of Environmental Permits and/or waste uses on the site, as well as works to the Highway out of the control of the applicant, without consent.**

47 Consultation - Transport and Works Act Order application for the High Speed Rail (London – West Midlands) Act 2017 (Amendment) (Bromford Tunnel) Order 202[X]

The Head of Development Control report on a HS2 Ltd Transport and Works Act Order application for the High Speed Rail (London – West Midlands) Act 2017 (Amendment) (Bromford Tunnel) Order 202[X] submitted on 20 January 2022. The consultation period was from 20 January to 3 March 2022, and the Council, amongst others, had been consulted for its views.

Resolved:

- a That the report be noted and that the Chief Executive, in consultation with the Chairman, Opposition Spokesperson and Local Ward Members, be given delegated authority to formulate and submit the final consultation response; and**
- b That a group of Members, consisting of the Head of Development Control, Chairman, Opposition Spokesperson and Councillor Rose, be convened to review HS2 proposals.**

48 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.

49 **Land at Kingsbury**

The Head of Development Control brought Members up to date with recent developments at this site.

Resolved:

- a That recommendations (a) and (b), as set out in the report of the Head of Development be approved; and**
- b That a further report be brought to the next meeting of the Board.**

Councillor Simpson
Chairman