

NORTH WARWICKSHIRE BOROUGH COUNCIL

**MINUTES OF THE
PLANNING AND DEVELOPMENT BOARD**

16 July 2012

Present: Councillor Sweet in the Chair.

Councillors Barber, Butcher, L Dirveiks, Lea, May, B Moss,
Phillips, Sherratt, A Stanley, Turley, Watkins, Winter and Wykes

Apologies for absence were received from Councillor Humphreys
(Substitute Councillor Wykes) and Councillor Simpson.

12 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

13 Minutes

The minutes of the meetings of the Board held on 16 March, 16 April, 21 May and 18 June 2012, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

14 Tamworth Local Plan – Pre-submission Consultation and additional documents

The Assistant Chief Executive and Solicitor to the Council reported on the consultation on the Tamworth Local Plan – Pre-submission Consultation and Tamworth Town Centre: Supplementary Planning Document Consultation.

Resolved:

- a That a representation be made on the Tamworth Local Plan for a change on the basis it is not justified and does not follow the duty to co-operate;**
- b That if the above change is made the Borough Council gives support to the Tamworth Local Plan; and**
- c That support be given to the Tamworth Town Centre: Supplementary Planning Document.**

15 Budgetary Control Report 2012/2013 Period Ended 30 June 2012

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2012 to 30 June 2012. The 2012/2013 budget and the actual position for the period, compared

with the estimate at that date were detailed, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

16 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

a That consideration of Application No 2012/0058 (8 Oak Drive, Hartshill) be deferred;

b That Application No 2012/0152 (3 The Edge, Dunns Lane, Dordon, Tamworth, B78 1RY) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speaker Tim Boardman]

c That Application No 2012/0198 (47 Fairfields Hill, Polesworth, Tamworth, Warwickshire, B78 1HG) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speakers Brian Clemons and Marcus Rubensaat]

d That Application No 2012/0219 (Unit 34, Innage Park, Abeles Way, Holly Lane Industrial Estate, Atherstone, CV9 2QZ) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speaker Jim Beeston]

e That Application No 2012/0223 (Annfield, Hoggrills End Lane, Nether Whitacre, Coleshill, Warwickshire, B46 2DE be approved subject to the conditions specified in the report of the Head of Development Control;

[Speaker James Jones]

f That Application No 2012/0243 (30 Margaret Road, Atherstone, CV9 1EF) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speaker Marcus Halsall]

- g That Application No 2012/0283 (19 Edward Road, Water Orton, Warwickshire, B46 1PG be approved subject to the conditions specified in the report of the Head of Development Control;**

- h That in respect of the consultation by Lichfield District Council (Land at Hogs Hill, off Main Road and Syerscote Lane, Haunton, Tamworth)**
 - (1) The Council raises no objection to the proposal, recommending that the application be determined in accordance with Lichfield District Council's Development Plan and with regard to the NPPF and any other material considerations;**

 - (2) The Council draws attention to the potential for two wind farms within 8km of the site, as well as two further turbines at No Mans Heath and junction 10 of the M42, and that regard should be had to the status of these proposals prior to determination in order to properly consider cumulative impacts; and**

 - (3) The Council draws attention to the fact that the routing for construction traffic involves roads under the jurisdiction of Warwickshire County Council, and that they be consulted on the application (if they have not already been).**

- i That in respect of the consultation for outline application for an Urban Extension to the West of Barwell involving 2500 houses; employment provision, sports pitches, new community hub, local health care facility and retail units all for Ainscough Strategic Land Ltd/Barwood Development Securities Ltd/Barwood Strategic Land LLP and Taylor Wimpey Ltd, Hinckley and Bosworth Borough Council be informed that this Council has no objection in principle to the development but requests that the Highway Agency be consulted because of the recognised capacity issue of the A5, and that this issue be again referred to the A5 Strategy Group.**

17 Annual Performance Report 2011/12

The Head of Development Control on the performance of the Development Control service over the year 2011/12 comparing it with previous years.

Resolved:

That the report be noted.

18 Reform of Heritage Legislation

The Head of Development Control reported on the changes being proposed by Government to legislation affecting heritage assets.

Resolved:

That the report be noted.

19 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 in Schedule 12A to the Act.

20 Breaches of Planning Control

The Head of Development Control reported on an alleged breach of planning control and the Board was asked to agree a suggested course of action.

Resolved:

That in respect of the Heart of England Ltd, Meriden Road, Fillongley

- a the Council seeks an Injunction from the Courts under Section 187(B) of the Town and Country Planning Act 1990, in respect of apprehended breaches of planning control at this site, to cover the period until the decisions of the current Enforcement appeal process are known, and then to vary and extend such an Injunction as a consequence of those decisions over the period of future planning appeals; and**
- b the Injunction includes a requirement to fully comply with the requirements of the extant Enforcement Notice dated 28 August 2009, in respect of the forestry building on the site, namely to complete the removal of the first floor.**

The Chairman requested that the unanimous vote in respect of this matter be recorded.

The Chairman and Members of the Board expressed thanks to the Development Control and Legal teams on the work undertaken on this case.

R Sweet
Chairman

**Planning and Development Board
16 July 2012
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
6/3	2012/0198	Mr & Mrs Evans Mr Clemons	Representation Objection	14/7/12 13/7/12
6/6	2012/0243	Environmental Health Officer	Consultation	11/7/12