

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

7 October 2024

Present: Councillor Simpson in the Chair

Councillors Barnett, Bates, Bell, Chapman, Clews, Dirveiks, Fowler, Hayfield, Hobley, Humphreys, Jarvis, Parsons, O Phillips, Ridley and Ririe

Apologies for absence were received from Councillors Gosling (Substitute Councillor O Phillips), H Phillips (Substitute Councillor Barnett) and Reilly (Substitute Councillor Clews)

Also in attendance was Councillor Watson who, with the permission of the Chairman, spoke on Minute No 31e - Application No PAP/2019/0451 (Blackgreaves Farm, Blackgreaves Lane, Lea Marston, Sutton Coldfield, B76 0DA)

28 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

29 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 2 September 2024, copies having previously been circulated, were approved as a correct record, and signed by the Chairman.

30 **Budgetary Control Report 2024/25 Period April - August 2024**

The Interim Corporate Director – Resources (Section 151 Officer) reported on the revenue expenditure and income for the period from 1 April 2024 to 31 August 2024. The 2024/2025 budget and the actual position for the period, compared with the estimate at that date, were given, together with an estimate of the outturn position for services reporting to this Board.

Resolved:

- a That the report be noted; and**
- b That a supplementary estimate of £225,000 be approved for recommendation to Resources Board to fund the costs of appeals in the current year.**

31 **Planning Applications**

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

Resolved:

- a That Application No PAP/2023/0520 (Priory Farm, Robeys Lane, Alvecote, Tamworth, B78 1AR) be granted subject to the completion of a Section 106 Agreement and the conditions set out in the report of the Head of Development Control as amended in the supplementary schedule circulated at the meeting. ;

[Speaker: Louise Hinsley]

- b That in respect of Application No PRE/2024/0125 (Atherstone Sewage Treatment Works, Carlyon Road, Atherstone) the Council does not object to the proposal.;
- c That in respect of Application No MIA/2024/0028 (7, Bray Bank, Furnace End, Coleshill, B46 2LN) the plans received on 30 August 2024 be approved as a non-material amendment to planning permission PAP/2021/0660 dated 11 January 2022;
- d That Application No's PAP/2024/0174 and PAP/2023/0168 (Waterworks House, Station Road, Nether Whitacre, Coleshill, B46 2AJ)
- i Application No PAP/2023/0168 – Planning Permission be granted subject to the conditions set out in the report of the Head of Development Control; and
- ii Application No PAP/2024/0174 – Listed Building Consent be granted subject to the conditions set out in the report of the Head of Development Control

[Speakers: Ashley Kilgas and Peter Halfpenny]

- e That the determination of Application No PAP/2019/0451 (Blackgreaves Farm, Blackgreaves Lane, Lea Marston, Sutton Coldfield, B76 0DA) be deferred in order that the applicant submit further information in respect of his business plan relating to any expected increase in Membership as a consequence of the proposal;

- f That the determination of Application No PAP/2024/0189 (Sunnyview, Dingle Lane, Nether Whitacre, Coleshill, B46 2EG) be deferred to enable the applicant the opportunity to respond to the matters raised by the speaker in respect of the submitted Unilateral Undertaking, and also in order that the Head of Legal Services could provide advice on those same matters;

[Speaker: Jim Thompson]

- g That in respect of Application No PAP/2024/0134 (Cow Lees Nursing Home, Astley Lane, CV12 0NF) the Council is minded to grant planning permission subject to the case being referred to the Secretary of State under the 2024 Direction to see if she wishes to call-in the case for his own determination;
- h That in respect of Application No PAP/2018/0755 (Land to east of former Tamworth Golf Course, north of Tamworth Road - B5000 and west of M42, Alvecote)
- i That delegated authority be given to the Chief Executive in consultation with the Chairman of the Board, Opposition Spokesperson Councillor H Phillips and Councillor Ridley to finalise the terms of the 106 Agreement; and
- ii That the Heads of Terms as set out in the report of the Head of Development Control be noted as guidance.

[Speaker: Mark Bassett]

32 **PAP/2024/0377- Works to Tree(s) in a Conservation Area St Marys and All Saints Church, Coventry Road, Fillongley**

The Head of Development Control referred the decision to the Board in respect of Application No PAP/2024/0377 in order to inform Members of the Local Planning Authority's decision to not object to the works to four trees at St Mary and All Saints Church.

Resolved:

That the decision made be noted.

33 **Tree Preservation Order Hall Farm, Farthing Lane, Curdworth**

The Head of Development Control reported to the Board that an Emergency Tree Preservation Order was served on the owner and adjacent premises at this address on 11 July 2024 following information that the tree was under threat. The Board was asked to consider whether this should be confirmed or not following consideration of representations that had been submitted.

Resolved:

That in respect of the Willow Tree (T1) located at Land at Hall Farm, Farthing Lane, Curdworth, the Tree Preservation Order not be confirmed for the reason set out in the report of the Head of Development Control.

34 Appeal Updates

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

Resolved:

That the report be noted.

35 Exclusion of the Public and Press

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

36 Authorisation to extend existing Injunction/seek new Injunction

The Head of Development Control sought authority to extend an existing Court Order or seek to begin Injunctive proceedings again (if the existing Order could not be extended).

Resolved:

That authorisation be granted to the Head of Development Control to commence proceedings to extend the existing/or seek new Injunction to prevent further unauthorised development of land for the reasons outlined in the Report of the Head of Development Control.

37 Tree Preservation Order

The Head of Development Control sought recommendation for the making of a Tree Preservation Order.

Resolved:

- a That a Tree Preservation Order be made; and**
- b That consultation then be undertaken and that in the event of an objection being received to the Order, the matter be referred back to the Board, but that if no objections were received, confirmation of the Order be delegated to Officers,**

**in consultation with the Chairman and Opposition
Spokesperson of the Board and local Members.**

M Simpson
Chairman