

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

7 September 2022

Present: Councillor Simpson in the Chair

Councillors Bell, T Clews, Dirveiks, Gosling, Jarvis, D Humphreys, Jarvis, Jordan, Morson, H Phillips and Rose.

Apologies for absence were received from Councillors Hancocks, Hayfield (Substitute D Clews), Moss, Parsons and Reilly (Substitute M Humphreys).

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

Councillors D Clews, T Clews, Jarvis and Jordan declared a non-pecuniary interest in minute no 34(c) PAP/2022/0332 (The Old Mortuary, North Street, Atherstone, CV9 1JN) and Councillors D Clews and T Clews also declared a non-pecuniary interest in minute no 34(g) PAP/2022/0401 and 0402 (Britannia Works, Coleshill Road, Atherstone) none of whom took part in any discussion or voting thereon.

#### 33 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 1 August 2022, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 34 **Planning Applications**

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

##### **Resolved:**

- a
  - i) **That the Borough Council draws attention to the matters raised in the report of the Head of Development Control regarding Application No CON/2022/0019 (Land to the West of the A452 and East of the HS2 Station) and any others that the Board may wish to include; and**
  - ii) **That the Head of Development Control be requested to contact Solihull Metropolitan Borough Council seeking a meeting between Members of both Authorities in order to discuss the potential impacts of the proposals on North Warwickshire.**

- b That Application No PAP/2022/0309 (Old Saltleians Rugby Football Club, Coleshill Road, Water Orton) be granted, subject to the conditions set out in the report of the Head of Development Control;**
- c That Application No PAP/2022/0332 (The Old Mortuary, North Street, Atherstone, CV9 1JN) be granted, subject to the conditions set out in the report of the Head of Development Control;**
- d That Application No PAP/2022/0369 (Drayton Court, The Green, Hartshill) be granted, subject to the conditions set out in the report of the Head of Development Control;**
- e That Application No PAP/2022/0113 (Water Orton Cricket Club, Coleshill Road, Water Orton) be granted, subject to the conditions set out in the report of the Head of Development Control;**
- f**
  - i) That Application No PAP/2021/0687 (89-91 Main Road, Austrey, Atherstone) be refused for the following reason:  
  
“The proposal is not considered to accord with Policy LP29 (9) of the North Warwickshire Local Plan 2021, in view of the material increase in vehicular movements caused by the greater amount of vehicles passing directly by neighbouring property, thus causing adverse impacts on the residential amenity of occupiers by virtue of increased levels of disturbance, noise and inconvenience” and**
  - ii) that the Board requests a report to be brought to the next meeting of the Planning and Development Board in order to consider the expediency of enforcement action;**

**[Heather Hadley, Paul Chadwick and Teresa Hames]**

**and**

- g That Application No’s PAP/2022/0401 and 0402 (Britannia Works, Coleshill Road, Atherstone) be granted, subject to no objections being received that cannot be overcome by condition and subject to the conditions set out in the report of the Head of Development Control, together with additional conditions referring to electric charging points, bin storage and secure cycle storage.**

**[Speakers Allan Whyman and Alistair Sheehan]**

35 **Appeal Update**

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

**Resolved:**

**That the report be noted.**

36 **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.**

37 **Tree Preservation Order – Dog Inn, Marsh Lane, Water Orton**

The Head of Development Control sought confirmation of the action taken in the issue of an emergency Tree Preservation Order as set out in his report.

**Resolved by Chairman:**

**That the Chairman of the Board determined that there were special reasons which made the report urgent, namely the likelihood that works could be undertaken to the tree concerned in the very near future; and**

**Resolved by the Board:**

**a That the action taken in the issue of an emergency Tree Preservation Order for the protection of a eucalyptus tree located at Dog Inn, Marsh Lane, Water Orton for the reasons set out in the report of the Head of Development Control be confirmed; and**

**b That the minutes of this part of the meeting are made public once the Order was made and served since legislation required the Order to be available to the public.**

38 **The Chairman of the Board determined that, by reason of special circumstances, namely recent delays and inconsistencies in obtaining responses from certain statutory consultees to Planning Applications, this matter should be considered at the meeting as a matter of urgency. The Board resolved that it was in the public interest that this item should also be considered in the absence of the public since it was necessary to refer to specific applications which have the effect of identifying individuals whose cases were**

impacted and, may also include the provision of legal advice on the issue.

The Chairman reported orally to members that he was concerned that in response to several recent applications, statutory consultees have changed their position in relation to the proposal concerned without clear explanation for doing so, meaning that the Board was presented with differing information and placed in the disagreeable and difficult position of having to determine which response most closely illustrates the likely impact of that proposal. He added that this also affected applicants and objectors and may undermine decisions made by the Board in the event of an appeal against a refusal to grant permission or a condition, or any other challenge.

In response the Head of Development Control explained that he had worked with the Chief Executive to implement ongoing meetings between planning officers and officers employed by the consultees concerned, including regular surgeries to allow timely discussion of ongoing applications, allowing any potential issues to be identified and addressed in order to advise the Board clearly.

The Board noted the Chairman's concerns and expressed their shared concern on the issue and welcomed the approach set out by the Head of Development Control. The Board agreed that this approach should be monitored and a report presented to members to feedback its effectiveness and report any concerns.

Councillor Simpson  
Chairman