

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

10 January 2022

Present: Councillor Simpson in the Chair

Councillors Bell, D Clews, Dirveiks, Hancocks, Jarvis, Jordan, Parsons, H Phillips and Rose

Apologies for absence were received from Councillors T Clews (Substitute Councillor D Clews), Deakin, Hayfield (Substitute Jordan), D Humphreys, Lees, Morson and Moss

Councillor Reilly was also in attendance.

36 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

37 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 6 December 2021, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

38 **Planning Applications**

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

Resolved:

- a **That the withdrawal of Application No PAP/2021/0354 (Land Adjacent 54 Moor Road Hartshill) be noted;**
- b **That the withdrawal of Application No PAP/2021/0355 (Land to the rear of 32 to 52 Chestnut Grove, Coleshill) be noted;**
- c **That Application No PAP/2021/0660 (7 Bray Bank, Furnace End, Coleshill) be approved, subject to the conditions set out in the report of the Head of Development Control;**
- d (i) **That Application No PAP/2020/0473 (Laxes Farm, Nuneaton Road, Furnace End) be refused for the reasons set out in the report of the Head of Development Control;**

- (ii) That 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 cessation of all use of the boilers and flues;
 - (iii) 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 (ii) above;
- e
 - (i) That Application No PAP/2021/0605 (Land at Smorrall Lane, Astley) be deferred for a site visit;
 - (ii) That Application No PAP/2021/0651 (Land at Nuthurst Lane, Astley) be deferred for site visit;
- f That in respect of Application No DOC/2021/0075 (92 Coleshill Road, Hartshill) the details set out in the report of the Head of Development Control be approved in discharge of conditions attached to PAP/2020/0599 dated 23/8/21;
- g That Application Nos PAP/2021/0028, PAP2021/0029 and PAP/2021/0030 (Old Rail Farm, Hurley Common, Hurley) be deferred for a site visit;
- h
 - (a) That in respect of Application No PAP/2021/0473 (Land East and South East of Dunton Hall, Kingsbury Road, Curdworth the Board is minded to support the grant of planning permission, subject to the Secretary of State not calling the application in for his own determination under the terms of the 2009 Direction, and;
 - (i) Details of new bunding to be added to the proposals along the eastern and northern boundaries of the site first having been agreed by the Chairman, the Opposition Planning Spokesperson and the local Ward Members;
 - (ii) The conditions as set out in the recommendation, but with the following changes;
 - a) Consequential changes to the wording of conditions referring to matter (i) above;
 - b) To the removal of Recommended Condition 9 if matter (i) above is agreed;
 - c) To the substitution of Recommended Condition 21 by the following two conditions;

“No development shall commence on site until a Noise Impact Assessment has been submitted to the Local Planning Authority, the scope of which shall first have been agreed in writing by the Authority. The Assessment shall include details of any proposed mitigation measures in order to reduce adverse noise impacts so as to accord with national and local planning policy and national noise guidance. The development shall not proceed until mitigation measures, if any, are approved in writing by the Local Planning Authority.

Reason: In the interests of reducing the potential for adverse noise impacts at neighbouring residential property.”

“The development hereby approved shall only be implemented so as to incorporate the noise mitigation measures, if any, as may be approved under condition??? above. The development shall not be brought into operational use, until such time as the Local Planning Authority has confirmed in writing that any mitigation measures as approved, have been fully implemented on site.

Reason: In the interests of reducing the potential for adverse noise impacts at neighbouring residential property.”;

- (b) That the LDF Group be asked to review Green Belt boundaries in the Borough as part of the work on preparing the review of the 2021 Local Plan, including the potential for extending the area covered by the Green Belt.**
- i That in respect of Application Nos PAP/2021/0261 and PAP/2021/0265 (The Homestead, 82 Main Road, Austrey);**
 - (i) The Board is minded to refuse both applications unless further information is submitted relating to the matters as outlined in the report of the Head of Development Control. In this regard the applicant is requested to engage immediately with the Council’s Heritage Officer and to provide a timetable for the submission of further information. A further report will be prepared for the next Board meeting schedule**

for 7 February 2022 outlining progress in this regard with further updates to be provided to subsequent Planning and Development Boards;

(ii) That a sub-committee consisting of Councillors Simpson, D Clews, Dirveiks, Jarvis, H Phillips, and Rose be appointed to consider whether to take action under section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in relation to 82 Main Road Austrey. For the avoidance of doubt, this will include delegation of all powers in the 1990 Act as may be required to take appropriate action;

j That Application No PAP/2021/0653 (17 Norton Road, Coleshill) be approved subject to the conditions set out in the report of the Head of Development Control; and

k That Application No PAP/2019/0451 (Blackgreaves Farm, Blackgreaves Lane, Lea Marston) be deferred in order that Officers could continue discussions with the applicant.

39 **Appeal Update**

The report brought Members up to date with recent appeal decisions.

Resolved:

That the report be noted.

It was then moved by Councillor Simpson, seconded by Councillor H. Phillips and **RESOLVED:**

40 **That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting to allow further discussion on an appeal decision, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

41 **Appeal Update**

Further discussion took place on an appeal decision and a course of action was suggested.

Resolved:

That officers report back swiftly to the Board should there be no compliance with the Court Order and that the Board be apprised of the options open to it.

Councillor Simpson
Chairman