

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

3 April 2023

Present: Councillor Simpson in the Chair

Councillors Bell, D Clews, Dirveiks, Gosling, Hayfield  
D Humphreys, M Humphreys, Jarvis, Jordan, Parsons, H Phillips  
and Reilly

Apologies for absence were received from Councillors T Clews  
(Substitute D Clews), Hancocks (Substitute M Humphreys), Jarvis,  
Morson, Moss and Rose.

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

Councillor Parsons declared an interest in Minute No (PAP/2021/0238 - Polesworth Working Men's Club, High Street, Polesworth, B78 1DX), as he had been involved in the consultation process but had expressed no opinions during that process.

#### 92 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 6 March 2023, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 93 **Confirmation of Immediate Effect Article 4 Direction**

The Chief Executive sought the Board's confirmation of the Article 4 Direction made on 11 January 2023, following Member approval at Planning and Development Board on 9 January 2023.

**Resolved:**

**That the confirmation of the Article 4 Direction, set out in Appendix B to the report of the Chief Executive, which would be updated to come into effect from 11 July 2023 thus continuing protection indefinitely, be approved.**

#### 94 **Government Consultation Permitted Development Rights**

The Head of Development Control sought the Board's comments on a recent Government consultation on new permitted development rights.

**Resolved:**

**That the Board responds to the Consultation Paper as follows;**

- a The duration of the temporary camping proposal should only extend to the periods already covered by other temporary uses – 14 days; and
- b There is an objection to the extension of all the solar equipment proposals in Conservation Areas. These should all be the subject of planning applications.

95 **Government Consultation Planning Fees**

The Head of Development Control reported on a government consultation for a proposed increase in planning fees, changes to performance measures and to resourcing in Planning Departments.

**Resolved:**

**That the recommended changes to planning fees are welcomed but that the recommended changes to performance measures are not supported for the reasons set out in the report of the Head of Development Control.**

**Recommended:**

**It is recommended to Full Council that the additional funding is ring-fenced for the Planning Service.**

96 **Scheme of Delegation – Enforcement**

The Head of Development Control sought the Board's approval of an Appendix to the Scheme of Delegation for Determination of Planning Applications which was to be recommended to Council following the Board's approval of the new Enforcement Plan.

**Recommended:**

- a **That Council adopts the Appendix to the adopted Scheme of Delegation in respect of the Determination of Planning Applications, referring to planning enforcement actions and the Constitution be amended accordingly; and**
- b **That Council amends the post titles in the existing scheme to match the current Council structure.**

97 **Planning Applications**

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

**Resolved:**

- a **That Application No PAP/2023/0030 (105 Mill Crescent, Kingsbury, Tamworth, Warwickshire, B787 2NW) be granted, subject to the conditions set out in the report of the Head of Development Control;  
[Speaker: Margaret Moss]**
- b **That Application No PAP/2023/0046 (Dafferns Wood, St Michaels Close, New Arley, Warwickshire) be granted, subject to the receipt of an amended plan and schedule together with the conditions set out in the report of the Head of Development Control;**
- c **That in respect of Application No PAP/2022/0544 (Land 550 Metres East of Vauls Farm, Astley Lane, Astley), determination be deferred in order that the applicant could provide further information on the landscaping, noise and wildlife impacts as well as on the need for the proposal vis-à-vis the cumulative impacts when taken together with recent permissions in the area.  
[Speaker: Ben Perkins]**
- d **That in respect of Application No CON/2023/0005 (Land to the East of Amington Hall Farm, B79 0ED) Tamworth Borough Council be informed that the Council lodges a holding objection as it has significant concerns about the visual impact given the scale of the proposal and the potential impact of the proposal on the nature conservation assets at Alvecote, as set out in the report of the Head of Development Control; and**
- e **That in respect of Application No PAP/2021/0238 (Polesworth Working Men’s Club, High Street, Polesworth, B78 1DX) be refused for the following reason:  
  
“The application site is located within the Polesworth Conservation Area and in close proximity to several Listed Buildings. It is not considered that the proposals recognise the importance of this historic environment as they do little to conserve or enhance the character and appearance of the Area or the setting of the Listed Buildings. The proposals therefore do not fully accord with Policy LP15 of the North Warwickshire Local Plan 2021 as supplemented by Section 16 of the National Planning Policy Framework.”  
[Speaker: Karen Stevens]**

## **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 items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

### **99 Failure to Comply with Breach of Conditions Notice**

The Head of Legal Services sought authorisation to begin prosecution proceedings for failing to comply with a breach of condition notice as set out in his report.

**Resolved:**

**That delegated authority be given to the Head of Legal Services to pursue prosecution for failing to comply with a breach of conditions notice as set out in his report.**

### **100 Request for Temporary Stop Notice**

The Head of Legal Services sought authorisation to serve a Temporary Stop Notice for an enforcement investigation, as set out in his report.

**Resolved:**

**That delegated authority be given to the Head of Legal Services to issue a temporary stop notice as set out in his report.**

### **101 Tree Preservation Order Corley Moor**

The Head of Development Control sought authority for the emergency protection of an oak tree as set out in his report.

**Resolved:**

**That a Tree Preservation Order be made for the protection of an Oak Tree, as set out in the report of the Head of Development Control.**

102 **Woodland Preservation Order Atherstone**

The Head of Development Control sought authority to make a Tree Preservation Order on woodland as set out in his report.

**Resolved:**

**That a Tree Preservation Order be made for the protection of a woodland as set out in the report of the Head of Development Control.**

M Simpson  
Chairman