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Date: 30<sup>th</sup> January 2025

Our Ref: MM

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in  
**Council Chamber of the Town Hall, Nuneaton on Tuesday 11<sup>th</sup> February 2025 at  
6.00p.m.**

Public Consultation on planning applications will commence at 6.00pm (see  
Agenda Item No. 6 for clarification).

Yours faithfully,

TOM SHARDLOW

Chief Executive

To: All Members of the Planning  
Applications Committee

Councillor C. Phillips (Chair)  
Councillors L. Cvetkovic, E. Amaechi,  
P. Hickling, N. King, M. Kondakor,  
S. Markham, B. Saru, J. Sheppard,  
R. Smith and K. Wilson.

## AGENDA

### PART I - PUBLIC BUSINESS

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

2. APOLOGIES - To receive apologies for absence from the meeting.

3. MINUTES - To confirm the minutes of the meeting held on 14<sup>th</sup> January 2025, attached (**Page 5**).

4. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 10**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and

nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

**Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.**

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

**Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.**

**Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.**

5. DECLARATIONS OF CONTACT

Members are reminded that contacts about any Planning Applications on this agenda must be declared before the application is considered.

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control, attached (**Page 13**).

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The Chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or Officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the Chair. The Chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the Chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK – the report of the Head of Development Control.
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**14<sup>th</sup> January 2025**

A meeting of the Planning Applications Committee was held in the Town Hall, Nuneaton on Tuesday, 14 January 2025.

**Present**

Councillor C. Phillips (Chair)

Councillors: L. Cvetkovic (Vice-Chair), P. Hickling, N. King, S. Markham, B. Saru, J. Sheppard, R. Smith, K. Wilson and M. Wright (substitute for M. Kondakor).

Apologies: Councillors M. Kondakor and E. Amaechi.

PLA34 **Minutes**

**RESOLVED** that the minutes of the meeting held on the 17<sup>th</sup> December 2024 be approved, and signed by the Chair.

PLA35 **Declarations of Interest**

As Councillor M. Wright was a substitute Councillor for this meeting, their Declarations of Interest are not in the Schedule of Declarations of Interests attached to the agenda for this meeting. They are however available to view on the Council website.

**RESOLVED** that the declarations of interests are as set out in the Schedule attached to these minutes, with the addition of the declarations of interests for Councillor M. Wright who was a substitute Councillor for this meeting.

PLA36 **Declarations of Contact**

None were declared.

**IN PUBLIC SESSION**

PLA37 **Planning Applications**

**(Note: Names of the members of the public who submitted statements or spoke are recorded in the Schedule).**

**RESOLVED** that decisions made on applications for planning permission are as shown in the attached schedule, for the reasons and with the conditions set out in the report and addendum, unless stated otherwise.

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Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND  
RELATED MATTERS REFERRED TO IN MINUTE PLA37 OF THE  
PLANNING APPLICATIONS COMMITTEE ON 14<sup>th</sup> JANUARY 2025

1. 039592 – Site 114B008 – Hall Farm, Church Lane, Exhall

Applicant – Opus Land (Nuneaton) Ltd.

Members were all invited to attend a site visit prior to the Planning Applications Meeting, as agreed at the meeting held on Tuesday, 17 December 2024.

**Public Speakers:** Councillor Damon Brown (Objector)  
Councillor Will Markham (Ward Councillor)  
Councillor Rob Roze (Ward Councillor)  
Mrs Beryl Timms (Objector)  
Mr Keith Fenwick (Agent)

**DECISION** that planning permission be granted, subject to a legal agreement and the conditions as printed in the agenda.

**Councillor S. Markham requested that her vote against the proposal be recorded.**

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**Planning Applications Committee –  
Schedule of Declarations of Interests – 2024/2025**

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	E. Amaechi	<ul style="list-style-type: none"> <li>- Employed NHS Wales Shared Services Partnership (NWSSP)</li> <li>- Ricky Global Consultants Ltd</li> <li>-Purple Dove Events Ltd</li> <li>- Director – Techealth Ltd</li> </ul>	The Labour Party (sponsorship) - Foundation Governor - Our Lady and St. Joseph Academy, Nuneaton.  - Member of: - British Computer Society. - Igbo Community Coventry. - Mbaise Community, Coventry.  Representative on the following Outside Bodies: - Committee of Management of Hartshill and Nuneaton Recreation Ground - EQuIP: Equality and Inclusion Partnership - West Midlands Combined Audit, Risk and Assurance Committee - Pride in Camp Hill (PinCH)	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	Trustee of Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee)  Member on the following Outside Bodies: - Building Control Partnership Steering Group	
	P. Hickling	<ul style="list-style-type: none"> <li>- Employed by Wyggeston and Queen Elizabeth I College (Teacher)</li> <li>- Pearson Education (Snr Examiner)</li> </ul>	The Labour Party (sponsorship) - Member of The Labour Party (CLP and Secretary of Nuneaton West) - Member of National Education Union	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			- Committee Member of Nuneaton Historical Association Representative on the following Outside Bodies: - Friendship Project for Children	
	N. King	Employed by Love Hair and Beauty	Representative on the following Outside Bodies: - Nuneaton Town Deal Board	
	M. Kondakor		- Member of the Green Party - Member of Nuneaton Harriers AC - Chair – Bedworth Symphony Orchestra	
	S. Markham	County Councillor – WCC (Portfolio Holder for Children’s Services)	Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Hammersley, Smith and Orton Charities</li> <li>• Trustee of Abbey Theatre</li> <li>• Bedworth Board</li> <li>• Free Speech Union</li> <li>• Exhall Multicultural Group</li> </ul>	
	C. Phillips	Member of Warwickshire County Council	- Chair of Governors – Stockingford Nursery School - Member of Labour Party - Part-time Carer	
	B. Saru	- Director – Saru Embroidery Ltd - Co-founder and Owner – Fish Tale Ale Beer	- Labour Party (sponsorship) - Chair of the British Gurkha Veterans Association  Representative on the following Outside Bodies: - Armed Forces Covenant	
	J. Sheppard		- Director of Wembrook Community Centre.  _____ - Member of Labour Party. Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Sherbourne Asset Co Shareholder Committee</li> <li>• Warwickshire Direct Partnership</li> <li>• Warwickshire Waste Partnership</li> <li>• Nuneaton Neighbour Watch Committee</li> </ul>	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre.
	R. Smith		- Conservative Party Member - Chair of Trustees - Volunteer Friends, Bulkington; - Trustee of Bulkington Sports and Social Club. - Trustee of Bulkington Volunteers	



	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	K.D. Wilson	Delivery Manager, Nuneaton and Warwick County Courts & West Midlands and Warwickshire Bailiffs, HMCTS, Warwickshire Justice Centre, Nuneaton	<ul style="list-style-type: none"> <li>- Deputy Chairman – Nuneaton Conservative Association</li> <li>- Nuneaton Conservative association (sponsorship)</li> <li>- Board Member of the Conservative Councillors' Association.</li> <li>-Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</li> <li>Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>- LGA People &amp; Places Board (Member)</li> <li>- Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL)</li> <li>- Director of Grayson Place (NBBC) Ltd</li> </ul> </li> </ul>	

**Planning Applications Committee –  
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**Planning Applications Committee**  
**11<sup>th</sup> February 2025**

**Applications for Planning Permission**  
**Agenda Item Index**

**Planning Applications**

<b>Item No.</b>	<b>Reference</b>	<b>Ward</b>	<b>Address</b>	<b>Page No.</b>
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2.	040106	SL	Griff House Restaurant, Coventry Road, Nuneaton, Warwickshire, CV10 7PJ	36

<b>Wards:</b>					
AR	Arbury	EA	Eastboro	SL	Slough
AT	Attleborough	EX	Exhall	SM	St Marys
BE	Bede	GC	Galley Common	SN	St Nicolas
BU	Bulkington	HE	Heath	SE	Stockingford East
CH	Camp Hill	MI	Milby	SW	Stockingford West
CC	Chilvers Coton	PO	Poplar	WE	Weddington
				WH	Whitestone

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## Item No. 1

**REFERENCE No.** 040105

**Site Address:** Griff House Restaurant, Coventry Road, Nuneaton, Warwickshire, CV10 7PJ

**Description of Development:** Application for planning permission to include proposed demolition and rebuild of outbuilding/barn to create new George Eliot Visitor Centre and Museum

**Applicant:** Griff Preservation Trust

**Ward:** SL

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### **RECOMMENDATION:**

Planning Committee is recommended to give the Assistant Director for Planning delegated authority to grant planning permission, subject to the conditions as printed and potentially conditions requested by Mining Remediation (The Coal Authority), subject to no objections being raised by Mining Remediation and no additional issues being raised by additional neighbours following the consultation expiration on 18<sup>th</sup> February 2025.

Should Planning Committee vote to grant planning permission, in accordance with the Town and Country Planning (Consultation) (England) Direction 2021, the Council will be required to consult the Secretary of State. The Secretary of State has 21 days to inform the Council that they wish to call in and determine the application instead of the Council issuing the decision.

### **INTRODUCTION:**

This is a full planning application for the demolition and the existing rebuild of outbuilding/barn and the erection of a new George Eliot Visitor Centre and Museum at Griff House Restaurant, Coventry Road, Nuneaton, Warwickshire, CV10 7PJ.

The proposal is linked to an application for Listed Building Consent, 040106, for the demolition of a heritage centre on the footprint of an existing outbuilding. These outbuildings are not listed in themselves, but their demolition requires consent since they are within the curtilage of the listed building and would therefore affect their setting. Buildings to be demolished are those known as West Range, Range Lean-to and East Range. The proposed heritage centre would replicate the form of the existing building, with a single storey element to the east with a pitched roof and a gable end and a two-storey element of the west, as existing. The proposed heritage centre differs in that it encloses a small courtyard area to the rear/side, making the building wider.



The buildings are situated in the rear courtyard of the Grade 2 Listed Griff House public house/hotel. They adjoin the rear boundary wall between the Griff House site and the adjacent farmstead and are connected to The Cottage building by a small arched piece of brickwork.

The buildings are gabled roofed in style, and comprise a longer single storey section, and lean-to and a two-storey section. They are currently used as a storeroom for the hotel/pub.

The outbuildings are currently in very poor state and appear to be structurally in a poor condition. The two-storey section has some very minor architectural features at roof and eave level, however the rest of this building, and the other connected outbuildings are agricultural in their construction.

### **BACKGROUND:**

The application is being reported to committee due to the amount of objections that were submitted and as advised by the Strategic Director for Place and Economy and the then Assistant Director for Planning to bring the application to the Planning Applications Committee, due to media interest and public interest throughout the planning process.

The buildings are curtilage listed within the grounds of the grade II listed building, curtilage listed is where property, objects and structures are recognised as listed by virtue of falling within the curtilage of the associated listed building. Consequently, curtilage listed structures are afforded the same protection and restrictions imposed upon the associated listed building. The difference being that any development is to be considered against the harm of the significance of the listing as a whole and not the individual buildings, in this case the outbuildings.

This application is linked to the next item 2, reference 040106, which seeks listed building consent for the proposed works application.

### **RELEVANT PLANNING HISTORY:**

- 040106 - Listed Building Consent Application to include proposed demolition and rebuild of outbuilding/barn to create new George Eliot Visitor Centre and Museum. To be determined (item 2)
- 038032- Listed Building Consent for the demolition of existing outbuildings known as West Range, Range Lean-to and the East Range, to allow the rebuilding of the buildings (in connection with construction of George Eliot Heritage Centre).(Following previous expiry of reference 035213).(Buildings within the curtilage of a Listed Building.) Conditional Approval August 2021
- 038033 - Demolition of existing outbuildings known as West Range, Range Lean-to and the East Range, and rebuilding of part of the same to be used as a George Eliot Heritage visitor centre with ancillary café. Conditional Approval August 2021
- 035213 - Listed Building Consent for the demolition of existing outbuildings known as West Range, Range Lean-to and the East Range (In connection with construction of George Eliot heritage centre). Conditional Approval. 30.11.2017.
- 032753 - Listed Building Consent for the demolition of existing outbuildings known as West Range, Range Lean-to and the East Range (In connection with construction of George Eliot heritage centre). Conditional Approval. 14.08.2014.
- 032765 Erection of heritage centre (including the demolition of existing outbuildings, in connection with Listed Building Consent ref:032753). Conditional Approval. 14.08.2014.

### **RELEVANT PLANNING POLICIES:**

- Policies of the Borough Plan 2019:
  - DS1 – Presumption in favour of sustainable development
  - DS2 – Settlement hierarchy and roles
  - DS3 – Development Principles
  - DS7 – Green Belt
  - E1- Nature of Employment Growth
  - BE3 – Sustainable design and construction
  - BE4 – Valuing and conserving our historic environment
  - NE4 – Managing flood risk and water quality
  - Supplementary Planning Guidance / Supplementary Planning Documents.
- Affordable Housing SPD 2020.
- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

### **CONSULTEES NOTIFIED:**

NBBC Planning Policy, NBBC Environmental Health, Historic England, JCNAS, Mining Remediation (Coal Authority), Victorian Society, WCC Highways and WCC Archaeology



## **CONSULTATION RESPONSES:**

Objection from:

Victorian Society, Georgian Society, Society for The Protection of Ancient Buildings

No objection subject to conditions from:

WCC Highways, WCC Archaeology

No objection from:

NBBC Planning Policy,

No Comment from:

NBBC Environmental Health and Historic England

No response from:

Mining Remediation (Coal Authority)

## **NEIGHBOURS NOTIFIED:**

1 Quarry Lane, 30 Ennerdale Crescent, Griff House Hotel, 'Flat 1' Griff House Hotel, Griff House Beefeater and Premier Inn, Griff House Farm, 'The Cottage' Griff House Farm, 'Derwent House', Coventry Road, "The Cottage", Coventry Road, 65 Barne Close and 18 Oxford Close.

Neighbouring properties were sent letters notifying them of the proposed development on 20<sup>th</sup> February 2024 & 28<sup>th</sup> January 2025. A site notice was erected on street furniture on 19<sup>th</sup> March 2024 and the application was advertised in The Nuneaton News on 17<sup>th</sup> April 2024.

## **NEIGHBOUR RESPONSES:**

Between this application and the application for the Listed Building Consent (040106 and Item 2 of this agenda) there have been 26 objections from 26 addresses. The comments are summarised below;

1. Agree with the Victorian Society Objection against the demolition of a building that is important to George Eliot.
2. George Eliot's family home should be retained in its original form as much as possible.

## **APPRAISAL:**

The key issues to assess in the determination of this application are;

1. The Principle of the Development
2. Impact on Heritage and the Listed Building
3. Impact on the Green Belt
4. Impact on Residential Amenity
5. Impact on Visual Amenity
6. Impact on Highway Safety

7. Flooding and drainage
8. Archaeology
9. Trees and Biodiversity
10. Land Stability and Coal
11. Planning Balance and Conclusion

## **1. The Principle of Development**

Policy DS1 states that proposals that accord with the policies in the Borough Plan (2011-2031) will be approved without delay unless material considerations indicate otherwise.

Policy DS2 sets out where development of this kind should be located, however this proposal is located outside the settlement boundary of all settlements in the borough. Therefore, policy DS3 is relevant and states that new unallocated development outside the settlement boundaries, is limited to agriculture, forestry, leisure and other uses that can be demonstrated to require a location outside the settlement boundaries.

The proposal is for a George Eliot Visitor Centre, which is to be in the grounds of George Eliot's childhood home. This is an appropriate location for this type of development, even though it is outside of the settlement boundary. Also, the proposed use as a visitor centre/information centre is classed as leisure and so the proposal is acceptable under policy DS3. In addition, whilst the site is located outside of the settlement boundary, it is adjacent to many other existing premises (Bermuda Estate) and therefore is considered to be within a sustainable location.

Policy E1 states (in part) that proposals that promote appropriately located tourism activities to attract and sustain visitor numbers will be supported. This is a centre designed to attract visitors and tourists to the area and borough and therefore this is considered to carry weight in support of the application.

In terms of Policy BE3 the proposal is to reuse as much of the material as possible and is therefore considered sustainable.

## **2. Impact on Heritage and The Listed Building**

Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission for development that affects a listed building or its setting or whether to grant listed building consent, the local planning authority shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses'.

Policy BE4 of the Borough Plan (2019) states development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas, scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved.

Paragraph 208 of the NPPF (2024) states that *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'*

Paragraph 209 of the NPPF (2024) states that *'Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.'*

Paragraph 210 states that in determining applications local planning authorities should take account of:

*(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.*

*(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*(c) the desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 212 of the NPPF (2024) states that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*

Paragraph 219 of the NPPF (2024) states that *'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.'*

The outbuildings that are in this proposal are curtilage listed which means that the buildings themselves are not individually listed but are associated with the principally listed building. In this case the listed building is Griff House which is a grade II listed building. Therefore, they are considered part of the listed building, unless otherwise excluded in the list entry. These outbuildings are not excluded or mentioned in the list entry and so can be regarded as curtilage listed. The three linked outbuildings have no historical provenance.

The proposal here is to demolish the outbuildings in full and use some of the materials in the redevelopment. This proposal is not to rebuild, repair and reconstruct the outbuildings but to demolish and rebuild. First to consider is the condition of the outbuildings to determine if, on balance, demolition is the correct way to create the visitor centre. A heritage report written by RK Morriss has been submitted to support the application, which sets out the current condition of the buildings. In the report the buildings are described as poor quality with structural issues, such as the wall to the rear elevation bowing quite badly in the middle.

To consider whether this was acceptable, the council commissioned Land Use Consultants (LUC) to independently assess the supporting documents. It was concluded that the Morriss report does give statements on the condition of the outbuildings and associated implications and identifies that Morriss concludes that the buildings are in extremely poor condition, which would be difficult to repair without 'radical reconstruction.' However, LUC feels that this an assertion and opinion and the report does not go far enough to present any evidence on which these assertions are based on. The council has further evidence with its previous approvals and planning history on the site which will help build an evidence base surrounding the condition and the methods proposed to create the visitor centre.

#### Previous Approval 032753

This application was approved, under delegated authority, in 2014 for listed building consent for the demolition of the outbuildings relating to the proposed visitor centre. This was the first application to propose such a scheme, and this approval sets the precedent that demolition is acceptable due to the poor condition of the buildings in question.

#### Previous Approval 032765

This is the planning permission linked to the listed building consent 032765, which again includes the demolition and rebuild as the method for construction and not repair, reconstruct and rebuild. The approval implies and confirms the previous approval that demolition of the outbuildings is acceptable.

#### Previous Approval 035213

This application was approved, under delegated authority, in 2017 for listed building consent for the demolition of the outbuildings relating to the proposed visitor centre. This application also concluded that demolition was the correct way forward and the approval implies that demolition and rebuild are acceptable.

#### Previous Approval 038032 and 038033

This approval, under delegated authority, was in 2021 for planning permission and listed building consent for the George Eliot Visitor Centre. The proposal here was to demolish the outbuildings and this plan of action was agreed to not be substantially harmful, and the building were concluded to be of poor quality that a reconstruction would not have been appropriate.

It is recognised by officers that the LUC report does broadly accept the condition issues with the proposal but states that evidence is needed to back up these statements made. It is felt that the combination of the Morriss report, submitted by the applicant; the LUC response and the previous approvals allow for the council to state that, on balance, the specific buildings are in poor quality and the demolition and rebuild is the correct proposal. The approvals in 2021, 2017 and 2014 show a pattern of approvals and precedence in the proposal that the scheme's programme of demolition is the acceptable form of development and the loss and then rebuild of the outbuildings is acceptable.

The next step is to identify and assess the amount of harm the loss of the outbuildings will have on the heritage asset, whether it is substantial or less than substantial. Griff House is a significant heritage asset within the borough; however, these outbuildings are not individually listed and are curtilage listed buildings. Furthermore, no partial or total loss of the Griff House listed building is proposed. Within the previous applications, the Council's Conservation Officer stated that the loss of the outbuildings would be considered to cause some harm to the heritage interest of the asset as a whole, but the harm would not be substantial in view of the limited intrinsic architectural and historic interest of the structures and that the case for demolition is clear and convincing. As such, it is considered that the proposal would lead to less than substantial harm.

In addition, the outbuildings are curtilage listed and although they are a heritage asset of sorts because of their connection to George Eliot, the loss of them would not impact the listing, significance or 'quality' of Griff House as a Grade II listed building. Secondly, consideration should be given to the desirability of preserving buildings within the curtilage of the building on the grounds of architectural or historic interest. In terms of Architectural Interest, the guidance recommends that the building must be of importance in its design, decoration or craftsmanship. There is little special merit to the outbuildings with regards to architectural design, detailing or craftsmanship. It is fair to comment in this case, that the proposed demolition of the outbuildings, given their size, type, siting and architectural and historical merit would not cause substantial harm to the designated heritage asset of Griff House. Given that they are sited to the rear of the main body of the house, away from what would be considered the public realm and that the buildings lack overt architectural features since they are predominantly agricultural in their construction and poor build quality which may have contributed towards the dilapidated appearance of the buildings today. Furthermore, the current condition of buildings is poor, and the significance of the heritage asset is as strong as it has ever been and still listed and regarded as a Grade II listed building. Finally, the historical and social interest of the buildings must also be considered. It is fact that George Eliot did use Griff House as her childhood home and the link should be preserved. Within the period that she resided at Griff House she would have seen and used the outbuildings. However, it is not clear how strong the connection is and so would result in a low intrinsic heritage value. It is worth noting that the strength of connection is hard to measure but evidence provided by the applicant in response to the consultee objections, implies that these outbuildings were animal housing and not significant in the life of George Eliot.

Policy BE4 of the Borough Plan requires development affecting a designated or non-designated heritage asset and its setting to make a positive contribution to its character, appearance and significance. It is considered a heritage centre of similar materials as the existing outbuildings would enhance the appreciation and significance of the connection between George Eliot and Griff House.

It is worth considering that there has been extensions and changes to Griff House over the years and now, in its current form, as a hotel/restaurant work has been carried out on the property. It is concluded that the demolition of the outbuildings and the introduction of this visitor centre in its place would have less harm on the historic environment and listed building than the work previously carried out. On balance, the harm on the listed building in general is low and the harm on the significance of the listed building can be categorised as 'less than substantial.', therefore paragraph 215 of the NPPF (2024) is relevant. In addition to the NPPF, Policy BE4 also requires that any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the public benefits of the proposal in the following ways:

- Whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset
- Whether the works proposed are the minimum required to secure the long term use of the asset.

Paragraph 215 states that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

As it has been concluded that the proposal would lead to less than substantial harm to the significance of a designated heritage asset, the public benefits and the optimum use of the scheme now need to be assessed. The scheme is for a public visitor centre to showcase the life and works of George Eliot which will be open to the public and tourists from both the borough and wider, with an economic, social and educational benefit on the public at large. The heritage centre would be offering information about the area and George Eliot, in a setting that the author herself would have known. However, the links of the outbuildings and George Eliot are tenuous and weak at best, the authors links to the main house are substantiated though, as mentioned earlier, and it is these links which are worthy of retention not those of the outbuilding. On balance, the public benefits offered by the proposed use outweigh any harm to the integrity and significance of the listed building and its setting.

The second part of paragraph 215 sets out that as part of outlining the public benefits of the proposal, securing its optimum viable use should also be addressed. Currently, as shown on the plans and in the photos in the Morriss report, the buildings are being used as storage for the hotel/restaurant use. Should the application be refused, the buildings will fall more derelict and be neglected further until they eventually collapse, and the

heritage be lost forever. Therefore, the optimum use of these buildings is the visitor centre as it will enhance the outbuildings, bring them back into use and tie their use to the listed building and heritage reasoning.

To protect the heritage, and in line with paragraph 218 of the NPPF (2024) which states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Policy BE4 also requires where harm to any heritage assets can be fully justified, and development would result in the partial or total loss of the asset and/or its setting, the applicant will be required to secure a programme of recording and analysis of that asset, archaeological excavation where relevant, and ensure the publication of that record to an appropriate standard.

Recording conditions will be added to the decision notice, should the outcome be approval, as this will allow the original outbuildings and their context to be remembered in perpetuity. These conditions are not the reason for the approval and the ability of the recorders will be at the applicant and owner determination. Furthermore, a condition tying the proposed demolition to the rebuild will also be added to the decision notice so the outbuildings cannot be demolished separately to the introduction of the visitor centre as so much of the reasoning surrounds the proposed use and the outbuildings cannot be removed without being replaced.

On balance, it is considered that the demolition of the existing curtilage listed outbuildings and rebuild of a similar building with the use of becoming a George Eliot Visitor Centre is acceptable. It is felt that the proposal will have less than substantial harm to the significance of the listed building and the introduction of a visitor centre has high public benefits, positively impact the historic environment and enhances the listed building's link to George Eliot and the reasons why it is listed in the first place. Therefore, the impact on the listed building is acceptable under both NPPF and Borough Plan policies.

### **3. Impact on Green Belt**

The proposed visitor centre is located within the greenbelt, which the impact of, has a high significance within the planning system.

Paragraph 143 of NPPF (2024) states that the Green Belt serves 5 purposes:

- (a) To check the unrestricted sprawl of large built-up areas;
- (b) To prevent neighbouring towns merging into one another;
- (c) To assist in safeguarding the countryside from encroachment;
- (d) To preserve the setting and special character of historic towns; and
- (e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 154 of NPPF (2024) states that Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) Buildings for agriculture and forestry;
- b) The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) Limited infilling in villages
- f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
  - i. Mineral extraction
  - ii. Engineering operations;
  - iii. Local transport infrastructure which can demonstrate a requirement for a Green Belt location.
  - iv. The re-use of buildings provided that the buildings are of permanent and substantial construction;
  - v. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
  - vi. Development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Policy DS7 of the Borough Plan (2019) sets out the council's greenbelt policies and how all development should align with the 5 key purposes of the Green Belt and outlines how the proposal should not result in inappropriate development in the Green Belt.

This proposal is for a change of use of outbuildings to create a visitor centre and it is acceptable under the NPPF as it aligns with 154 (c) as it will replace a building and improve a damaged/derelict land and would replace an already existing structure, with a similar replica design, however with a new use. The proposal will improve and partially redevelop previous developed land. Therefore, it can be concluded and considered that the introduction of the visitor centre is not inappropriate development within the Greenbelt.

The second issue in the Green Belt is to consider how the proposal will impact the openness of the Green Belt. Under the NPPF and Policy DS7, proposals should preserve its openness. The re-use of buildings providing that the buildings are of a permanent and substantial construction is acceptable to preserve the openness. This is applicable to this application as the proposal is to replace the outbuilding with a similar size and dimensions to the outbuilding. The proposal is a permanent structure and will bring the outbuilding(s) into use. It is surrounded by the hotel buildings within the curtilage of the site and the farm



buildings to the south, and so, when all is considered, the proposed development will not impact the openness of the Green Belt.

#### **4. Impact on Residential Amenity**

The nearest residential properties is the residential farmhouse at Griff House Farm, located to the South-West of the application site.

This property is 37m, from the side elevation, which does face this property. However, this elevation will be completely blank and so the distance is acceptable. The only opening on the first floor is a window on the front elevation. This is like for like and there will be no new windows openings at first floor other than those that are in the existing building. This first-floor window to the front, at is between 6 and 9m from the boundary as the boundary is not parallel to the window. The land it is overlooking is not curtilage of the residential farmhouse, but rather commercial land used in the running of the farm. Secondly, the use of the room for which the window will be used is as an office/archive room rather than a public area in the visitor centre and so only the staff and workers will have access to the room. Therefore, it is considered that the proposal, on balance, would not result in significant overlooking of residential properties or public areas. All the windows are at ground floor and do not overlook this neighbouring property.

The next nearest residential property is 'The Cottage' on Coventry Road which is over 80m from the proposal location and so is not impacted by the proposal.

#### **5. Impact on Visual Amenity**

The outbuildings in question are known as the West Range, Range Lean-To and the East Range. These are not readily visible within the surrounding section of public space, either from the Coventry Road side, or from the A444 side of the Public House/Hotel.

They are close to the section of ground the Hotel uses as a staff car park and adjacent to the storage areas for the restaurant and hotel use. In terms of visual amenity, the buildings are in quite a bad state of disrepair. It is therefore considered that their loss would not adversely harm the visual amenities of the area since they provide little in the way of visual aesthetics and are hidden from the public realm by the listed Griff House, the farm buildings to the rear, and screening from the Coventry Road side.

This is the same for the proposed construction of the heritage centre. It would not be overly prominent within the public realms of the site. Therefore, although there is some argument that this could represent a pastiche of the original, overall, the visual amenities of the area would be un-harmed, due to the very poor state of the existing and their current use.

The proposed materials are that the external walls will be reclaimed brickwork where possible and if any new bricks are required then it will closely match the existing. The same with the roof tiles that will be using reclaimed slates where appropriate with the new slates, if required will closely match the existing. The windows and doors are proposed black aluminium or uPVC which are modern materials and will not be inline with the

traditional materials used in outbuildings of this kind. However, this is curtilage listed and is not on the listed building which does, incidentally, has modern windows and openings and so this material choice could be acceptable. A condition controlling the materials will be added to the decision notice so the final materials will not have a detrimental impact on the visual amenity of the area.

## **6. Impact on Highway Safety**

WCC Highways initially objected to the application, however they have since removed their objection following receipt of additional information.

WCC Highways initially requested additional information to determine the impact of the development on the public highway. This was because a lot of questions remained unanswered by the proposal in relation to the parking provision for visitors. WCC Highways considered that it was not clearly defined and it was unclear as to how the proposal would interact with the vehicular movements already associated with the hotel and commercial use.

Following receipt of this information, WCC Highways have removed their objection subject to the following conditions:

1. The centre shall not be open to the public until the direction signs for visitors have been erected.
2. Access to the site shall be in accordance with the approved site plan.
3. The development shall not be open to the public until the planting fronting the public highway is cut back so as not to obstruct lighting on the public highway footway from Lamp Column S001.

The no objection response was because the Highway Authority had concluded that the proposed development would not have a significant impact on the public highway network. Highways did not agree with all the reasoning submitted by the applicant but did agree that the site is small with limited visitor numbers and that the introduction of the development would be helpful for pubs at a time at which visitor numbers are dropping.

They also welcome the promotion of bus travel and alternative transport access, provided by a nearby bus stop and walking facilities from the nearby train station. However, as condition 3 indicated the planting fronting the site along Coventry Road and Griff Lane needs cutting back so that the lighting on the corner of Griff Lane is not obstructed over the public highway.

Paragraph 57 of the NPPF (2024) states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The three conditions proposed are all relevant to the development and planning, as well as necessary, they could be reworded to be more precise and enforceable. Condition 1 will be added to the decision notice as is as it does meet all the requirements under

paragraph 57. Condition 2 will have the plan reference number added to the wording of the condition to make it meet the requirements of paragraph 57. Condition 3 will also be added to the decision notice as it does meet all the requirements under paragraph 57. These will be added to the decision notice, should the application be recommended for approval.

### *Parking Provision*

The Transport Demand Management Matters – Parking Standards SPD outlines the parking provision needed for all new development. The proposal here to create 3 new staff/volunteer parking spaces and use the existing provisions in the large customer car park at the Hotel/Restaurant use at Griff House. The hotel/restaurant car park is a large car park and the facilities of the hotel and restaurant will also be used and so there will be some cross over between customers and users. The introduction of the 3 staff car park spaces is acceptable as it will cover the proposed volunteer staff and prevent these parking in unsuitable areas or impacting safety. This scheme has been approved by the highways authority as acceptable and so officers have no issues with the proposal.

## **7. Flooding and Drainage**

Paragraph 181 (in part) of the NPPF (2024) states that '*When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere*'. The NPPF (2024) also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Policy NE4 of the Borough Plan 2019 also states how development in the borough should manage the flood risk associated with the proposed development.

The site is in Flood Zone 1 and is therefore in an area at the lowest risk of fluvial flooding and is not within an area impacted by a medium, or high risk of surface water flooding, as defined by the Environment Agency's Surface Water Flood Maps.

A Flood Risk Assessment (FRA) has not been submitted with this application, however, as the site area does not exceed 1 hectare, an FRA is not necessary.

## **8. Archaeology**

WCC Archaeology were consulted on the application. They returned a response of no objection to the principle of development, however they do consider that some archaeological work should be required if consent is forthcoming and they recommend a condition surrounding a Written Scheme of Investigation to be undertaken be added to the decision notice.

This is because the proposed development lies within an area of significant archaeological potential. The proposed scheme is likely to destroy, alter or obscure elements of the historic building fabric which are important in understanding the historic environment which these buildings are located within. Elements have been identified within the site, and these have to be protected during the demolition and construction.

## **9. Trees and Biodiversity**

Borough Plan Policy NE3 refers to ensuring biodiversity features are maintained. On previous approvals trees have been identified to be removed as part of the process, however under this application no plan has been submitted to remove any trees and no trees have been identified throughout the process to be removed. Furthermore, no trees have a Tree Preservation Order, and the site is not within a conservation area and so if any works were required to be carried out then consent from the Council would not be required, and the works could go ahead.

On the previous approvals, a condition to include a bat survey prior to commencement of demolition was included. This application has submitted a bat survey, and the recommendations will be summarised below and conditioned to be considered during the building process. No bat activity has been identified within the outbuilding and whilst the data is valid for 12 months and we are over that 12 month stime period it is unlikely that a bat will be found during the site works. The design and lighting should be design with bats, ecology and biodiversity in mind and suitably worded conditions will be added to the decision notice.

## **10. Land Stability and Coal**

The site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically likely historic unrecorded coal workings at shallow depth.

The Coal Authority have not yet responded to this planning application. It is expected that the Council will receive their response by the 14<sup>th</sup> February 2024. Should their response be one of objection and the reason for their objection cannot be overcome, the application will be brought back to Planning Applications Committee. The Coal Authority previously objected to previous application ref 038033 because the application had not been supported by a Coal Mining Risk Assessment. Further information was provided during the assessment process, which concluded that the site is safe and stable from a mining viewpoint. Following receipt of this information the Coal Authority removed their objection, stating that the conclusion that the site is safe and stable is further reinforced when considering the relatively modest nature of the proposed development, the vast majority of which comprises of the building back of listed original structures, which have stood the test of time for many hundreds of years.

## **11. Planning Balance and Conclusion**

In conclusion, this is an emotive application as it is demolishing and rebuilding a curtilage listed outbuilding within the site of Griff House. Griff House is a grade II listed building dating back to the -put in bit about the listing-

The NPPF 2024 promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should

be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

On balance, the impact on residential amenity and visual amenity are similar to previous assessments and no further issues were identified and so the impact is acceptable. The impact on highway safety, after three rounds of consultation reached a point where the proposal was acceptable subject to the conditions they proposed which have been added, with amended wording to the decision notice. The site is out of settlement boundary as it is located in a parcel of land between Nuneaton and Bedworth and is located within the Green Belt. The agenda report outlines why this type of development is acceptable within the Green Belt and outside of the settlement boundary and this will weigh in its favour.

The main issue which will impact the planning balance is the impact on the listed building. This will weigh heavily within the decision and after completing a full assessment, the proposal to demolish the outbuildings and erect a new visitor centre in its place is acceptable. On balance, the proposal to demolish and rebuild a new visitor centre is the preferred way of construction, as repair and reconstruct the original, existing buildings is not appropriate due to the information that has been submitted. It has been concluded that there will be less than significant harm caused due to the poor condition of the buildings, corroborated by the submitted reports, and lack of significance that these buildings have to both the listing and George Eliot. The public benefits outweigh the harm caused, as the economic, educational and social impact a visitor centre of this nature would have would be significantly beneficial to the borough and this should be taken into account. Throughout this application, the objections from the Victorian Society and the other Amenity Society's have been considered, and conditions surrounding the recording and work plan so these outbuildings are not lost in the development. However, even with these conditions the introduction of a George Eliot Visitor Centre, in the grounds of George Eliot's childhood home would also allow the historic nature of the site to be continued.

Should Planning Committee vote to grant planning permission, in accordance with the Town and Country Planning (Consultation) (England) Direction 2021, the Council will be required to consult the Secretary of State. The Secretary of State has 21 days to inform the Council that they wish to call in and determine the application instead of the Council issuing the decision.

### **REASONS FOR APPROVAL:**

Having regard to the pattern of existing development in the area, relevant provisions of the development plan, as summarised above, and the consultation responses received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

### **SCHEDULE OF CONDITIONS:**

2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No.	Date Received
Existing Elevations and Plans	23 105 00	09/02/2024
Proposed Elevations and Plans	23 105 01B	09/02/2024
Proposed Elevations and Plans	23 105 02A	09/02/2024
Location and Block Plan	23 105 04A	29/04/2024

3. No demolition shall take place until a security measure ensuring the rebuilding for the public benefit has been confirmed.

4. No works shall commence until:

- a. a programme of building recording and analysis,
- b. the making of a detailed record,
- c. a watching brief during the works affecting the designated heritage asset

have been undertaken by a person or body approved by the council and in accordance with a written scheme approved by the Local Planning Authority.

5. No development shall take place until a Written Scheme of Investigation (WSI) for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved Written Scheme of Investigation, shall be undertaken in accordance with that document.

6. No development shall commence until full details and samples of materials proposed to be used in the external parts of the proposed building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.

7. No development shall take place other than to the proposed plan of work including the storage and cleaning of materials for reuse. Any new materials used for the external parts must match the recycled materials as closely as possible.

8. No development shall take place on site including site clearance, unless in accordance with the recommendations set out within the Bat Survey prepared by Middlemarch dated September 2023 (Ref: RT-MME-160872).

9. Notwithstanding condition 8, if in commencement of the works any further bats are found, or there is evidence of their occupation, all works must temporarily cease, and the council must be contacted. No work shall recommence until the express consent of council has been obtained and any measures required must to be undertaken in full.

10. The centre shall not be open to the public until the direction signs for visitors have been erected.

11. Access to the site shall be in accordance with the approved site plan, submitted to the council on 29<sup>th</sup> April 2024. The development shall not be open to the public until the planting fronting the public highway is cut back so as not to obstruct lighting on the public highway footway from Lamp Column S001.

Survey Drawing



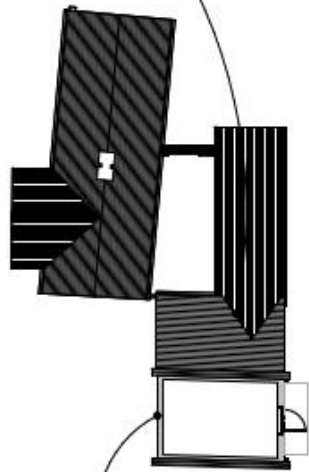
Front Elevation



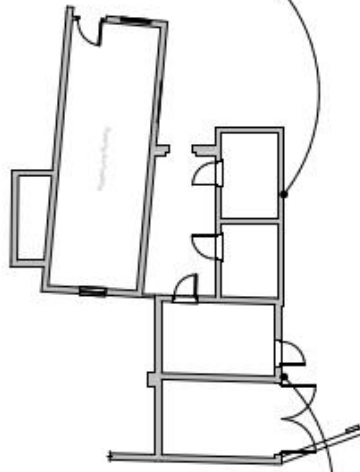
Side Elevation



Rear Elevation



First Floor Plan



Ground Floor Plan



3D View

ALL INTERNAL DIMENSIONS ARE INDICATED DUE TO SHAPING OF ROOF AND ALL UNITS ARE METRIC UNITS ONLY INCLUDING NEIGHBOURING BUILDING

Griff Preservation Trust		<b>hayward</b>	
Proposed Development, The Griff, Bockworth		ARCHITECTS LTD	
P. Stanley		100 Bockworth Road, Bockworth, Leeds LS27 7SR	
Date: 11/05/25	Scale: 1:200	Sheet: A2	Drawn No: 23/105
Author: SS	Client: LSW	Planning Stage: 00	

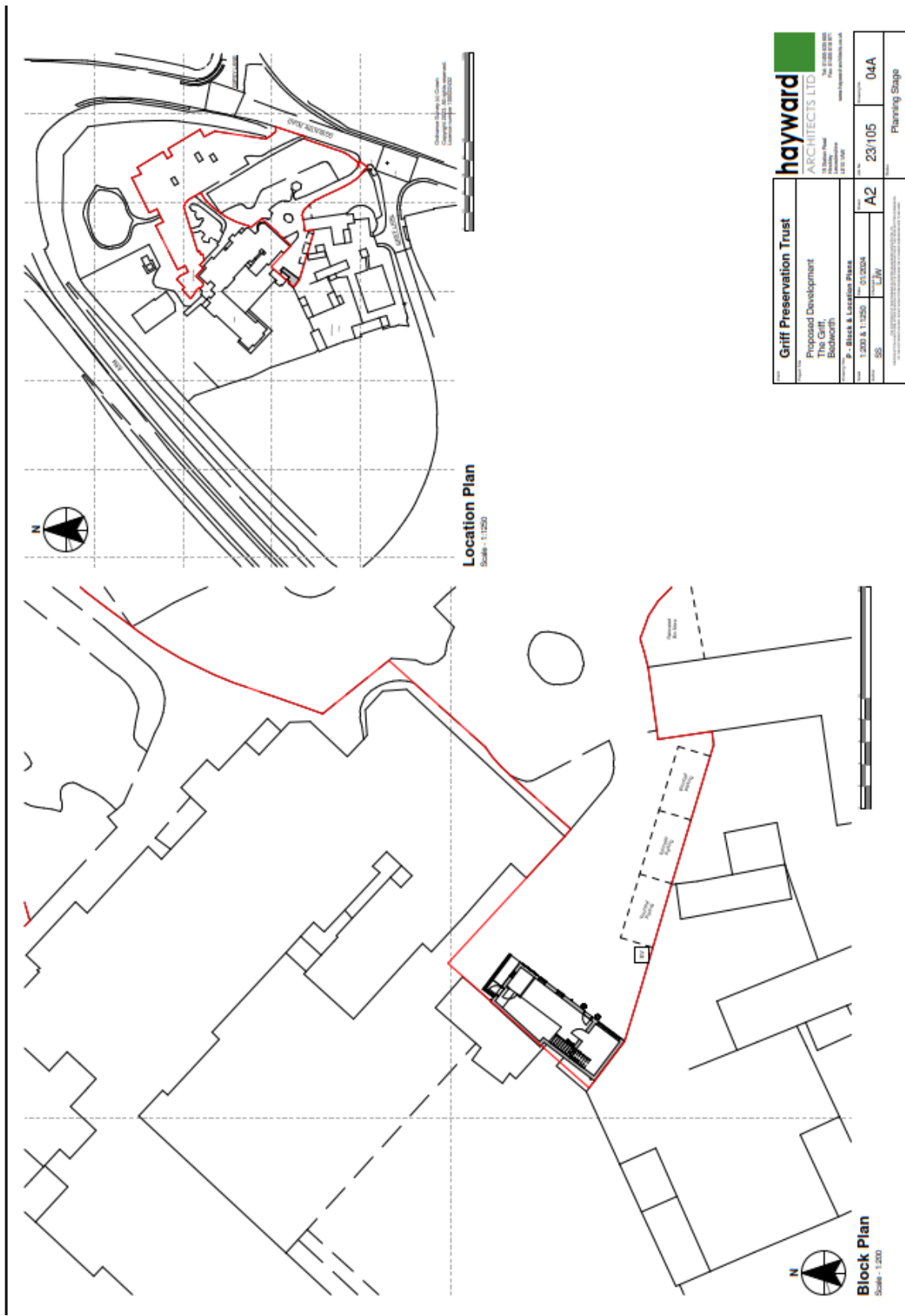




Proposed Scheme



Proposed Scheme with Existing



Block and Location Plans

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## Item No. 2

**REFERENCE No.** 040106

**Site Address:** Griff House Restaurant, Coventry Road, Nuneaton, Warwickshire, CV10 7PJ

**Description of Development:** Listed Building Consent Application to include proposed demolition and rebuild of outbuilding/barn to create new George Eliot Visitor Centre and Museum

**Applicant:** Griff Preservation Trust

**Ward:** SL

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### **RECOMMENDATION:**

Planning Committee is recommended to grant listed building consent, subject to the conditions printed and no additional issues being raised by additional neighbours following the consultation expiration on 18<sup>th</sup> February 2025.

### **INTRODUCTION:**

This application seeks Listed Building Consent Application for the proposed demolition and rebuild of outbuilding/barn to create new George Eliot Visitor Centre and Museum at Griff House Restaurant, Coventry Road, Nuneaton, Warwickshire, CV10 7PJ.

The proposal is linked to an application for Planning Permission, 040105, for the demolition of a heritage centre on the footprint of an existing outbuilding. These outbuildings are not listed in themselves, but their demolition requires consent since they are within the curtilage of the listed building and would therefore affect their setting. Buildings to be demolished are those known as West Range, Range Lean-to and East Range. The proposed heritage centre would replicate the form of the existing building, with a single storey element to the east with a pitched roof and a gable end and a two-storey element of the west, as existing. The proposed heritage centre differs in that it encloses a small courtyard area to the rear/side, making the building wider.



The buildings are situated in the rear courtyard of the Grade 2 Listed Griff House public house/hotel. They adjoin the rear boundary wall between the Griff House site and the adjacent farmstead and are connected to The Cottage building by a small arched piece of brickwork.

### **BACKGROUND:**

The application is being reported to committee, due to the amount of objections that were submitted and as advised by the Strategic Director for Place and Economy and the then Assistant Director for Planning to bring the application to the Planning Applications Committee due to media interest and public interest throughout the planning process.

The buildings are curtilage listed within the grounds of the grade II listed building, curtilage listed is where property, objects and structures are recognised as listed by virtue of falling within the curtilage of the associated listed building. Consequently, curtilage listed structures are afforded the same protection and restrictions imposed upon the associated listed building. The difference being that any development is to be considered against the harm of the significance of the listing as a whole and not the individual buildings, in this case the outbuildings.

This application is linked to the item 1, reference 040105, which seeks planning permission for the proposed development.

### **RELEVANT PLANNING HISTORY:**

- 040105 - Application for planning permission to include proposed demolition and rebuild of outbuilding/barn to create new George Eliot Visitor Centre and Museum – Discussed at Item 1.
- 038032- Listed Building Consent for the demolition of existing outbuildings known as West Range, Range Lean-to and the East Range, to allow the rebuilding of the

buildings (in connection with construction of George Eliot Heritage Centre).(Following previous expiry of reference 035213).(Buildings within the curtilage of a Listed Building.) Conditional Approval August 2021

- 038033 - Demolition of existing outbuildings known as West Range, Range Lean-to and the East Range, and rebuilding of part of the same to be used as a George Eliot Heritage visitor centre with ancillary café. Conditional Approval August 2021
- 035213 - Listed Building Consent for the demolition of existing outbuildings known as West Range, Range Lean-to and the East Range (In connection with construction of George Eliot heritage centre). Conditional Approval. 30.11.2017.
- 032753 - Listed Building Consent for the demolition of existing outbuildings known as West Range, Range Lean-to and the East Range (In connection with construction of George Eliot heritage centre). Conditional Approval. 14.08.2014.
- 032765 Erection of heritage centre (including the demolition of existing outbuildings, in connection with Listed Building Consent ref:032753). Conditional Approval. 14.08.2014.

### **RELEVANT PLANNING POLICIES:**

- Policies of the Borough Plan 2019:
  - DS1 – Presumption in favour of sustainable development
  - BE3 – Sustainable design and construction
  - BE4 - Valuing and conserving our historic environment
  - Supplementary Planning Guidance / Supplementary Planning Documents.
- Affordable Housing SPD 2020.
- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

### **CONSULTEES NOTIFIED:**

NBBC Planning Policy, NBBC Environmental Health, Historic England, JCNAS, Mining Remediation (Coal Authority), Victorian Society, WCC Highways and WCC Archaeology

### **CONSULTATION RESPONSES:**

Objection from:

Victorian Society, Georgian Society, Society for The Protection of Ancient Buildings

No objection subject to conditions from:

WCC Highways, WCC Archaeology

No objection from:

NBBC Planning Policy,

No Comment from:  
NBBC Environmental Health and Historic England

No response from:  
Mining Remediation (Coal Authority)

### **NEIGHBOURS NOTIFIED:**

1 Quarry Lane, 30 Ennerdale Crescent, Griff House Hotel, 'Flat 1' Griff House Hotel, Griff House Beefeater and Premier Inn, Griff House Farm, 'The Cottage' Griff House Farm, 'Derwent House', Coventry Road, "The Cottage", Coventry Road, 65 Barne Close and 18 Oxford Close.

Neighbouring properties were sent letters notifying them of the proposed development on 20<sup>th</sup> February 2024 & 28<sup>th</sup> January 2025. A site notice was erected on street furniture on 19<sup>th</sup> March 2024 and the application was advertised in The Nuneaton News on 17<sup>th</sup> April 2024.

### **NEIGHBOUR RESPONSES:**

Between this application and the application for the Planning Permission (040105 and the previous item of this agenda) there have been 26 objections from 26 addresses. The comments are summarised below;

1. Agree with the Victorian Society Objection against the demolition of a building that is important to George Eliot.
2. George Eliot's family home should be retained in its original form as much as possible.

### **APPRAISAL:**

The key issues to assess in the determination of this application are;

1. Impact on the Listed Building
2. Conclusion

#### **1. Impact on the Listed Building**

Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission for development that affects a listed building or its setting or whether to grant listed building consent, the local planning authority shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses'.

Policy BE4 of the Borough Plan (2019) states development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas, scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved.

Paragraph 208 of the NPPF (2024) states that *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'*

Paragraph 209 of the NPPF (2024) states that *'Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.'*

Paragraph 210 states that in determining applications local planning authorities should take account of:

*(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.*

*(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*(c) the desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 212 of the NPPF (2024) states that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*

Paragraph 219 of the NPPF (2024) states that *'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.'*

The outbuildings that are in this proposal are curtilage listed which means that the buildings themselves are not individually listed but are associated with the principally listed building. In this case the listed building is Griff House which is a grade II listed building. Therefore, they are considered part of the listed building, unless otherwise excluded in the list entry. These outbuildings are not excluded or mentioned in the list entry and so can be regarded as curtilage listed. The three linked outbuildings have no historical provenance.



The proposal here is to demolish the outbuildings in full and use some of the materials in the redevelopment. This proposal is not to rebuild, repair and reconstruct the outbuildings but to demolish and rebuild. First to consider is the condition of the outbuildings to determine if, on balance, demolition is the correct way to create the visitor centre. A heritage report written by RK Morriss has been submitted to support the application, which sets out the current condition of the buildings. In the report the buildings are described as poor quality with structural issues, such as the wall to the rear elevation bowing quite badly in the middle.

To consider whether this was acceptable, the council commissioned Land use Consultants (LUC) to independently assess the supporting documents. It was concluded that the Morriss report does give statements on the condition of the outbuildings and associated implications and identifies that Morriss concludes that the buildings are in extremely poor condition, which would be difficult to repair without 'radical reconstruction.' However, LUC feels that this an assertion and opinion and the report does not go far enough to present any evidence on which these assertions are based on. The council has further evidence with its previous approvals and planning history on the site which will help build an evidence base surrounding the condition and the methods proposed to create the visitor centre.

#### Previous Approval 032753

This application was approved, under delegated authority, in 2014 for listed building consent for the demolition of the outbuildings relating to the proposed visitor centre. This was the first application to propose such a scheme, and this approval sets the precedent that demolition is acceptable due to the poor condition of the buildings in question.

#### Previous Approval 032765

This is the planning permission linked to the listed building consent 032765, which again includes the demolition and rebuild as the method for construction and not repair, reconstruct and rebuild. The approval implies and confirms the previous approval that demolition of the outbuildings is acceptable.

#### Previous Approval 035213

This application was approved, under delegated authority, in 2017 for listed building consent for the demolition of the outbuildings relating to the proposed visitor centre. This application also concluded that demolition was the correct way forward and the approval implies that demolition and rebuild are acceptable.

#### Previous Approval 038032 and 038033

This approval, under delegated authority, was in 2021 for planning permission and listed building consent for the George Eliot Visitor Centre. The proposal here was to demolish the outbuildings and this plan of action was agreed to not be substantially harmful, and the building were concluded to be of poor quality that a reconstruction would not have been appropriate.

It is recognised by officers that the LUC report does broadly accept the condition issues with the proposal but states that evidence is needed to back up these statements made. It is felt that the combination of the Morriss report, submitted by the applicant; the LUC response and the previous approvals allow for the council to state that, on balance, the specific buildings are in poor quality and the demolition and rebuild is the correct proposal. The approvals in 2021, 2017 and 2014 show a pattern of approvals and precedence in the proposal that the scheme's programme of demolition is the acceptable form of development and the loss and then rebuild of the outbuildings is acceptable.

The next step is to identify and assess the amount of harm the loss of the outbuildings will have on the heritage asset, whether it is substantial or less than substantial. Griff House is a significant heritage asset within the borough; however, these outbuildings are not individually listed and are curtilage listed buildings. Furthermore, no partial or total loss of the Griff House listed building is proposed. Within the previous applications, the Council's Conservation Officer stated that the loss of the outbuildings would be considered to cause some harm to the heritage interest of the asset as a whole, but the harm would not be substantial in view of the limited intrinsic architectural and historic interest of the structures and that the case for demolition is clear and convincing. As such, it is considered that the proposal would lead to less than substantial harm.

In addition, the outbuildings are curtilage listed and although they are a heritage asset of sorts because of their connection to George Eliot, the loss of them would not impact the listing, significance or 'quality' of Griff House as a Grade II listed building. Secondly, consideration should be given to the desirability of preserving buildings within the curtilage of the building on the grounds of architectural or historic interest. In terms of Architectural Interest, the guidance recommends that the building must be of importance in its design, decoration or craftsmanship. There is little special merit to the outbuildings with regards to architectural design, detailing or craftsmanship. It is fair to comment in this case, that the proposed demolition of the outbuildings, given their size, type, siting and architectural and historical merit would not cause substantial harm to the designated heritage asset of Griff House. Given that they are sited to the rear of the main body of the house, away from what would be considered the public realm and that the buildings lack overt architectural features since they are predominantly agricultural in their construction and poor build quality which may have contributed towards the dilapidated appearance of the buildings today. Furthermore, the current condition of buildings is poor, and the significance of the heritage asset is as strong as it has ever been and still listed and regarded as a Grade II listed building. Finally, the historical and social interest of the buildings must also be considered. It is fact that George Eliot did use Griff House as her childhood home and the link should be preserved. Within the period that she resided at Griff House she would have seen and used the outbuildings. However, it is not clear how strong the connection is and so would result in a low intrinsic heritage value. It is worth noting that the strength of connection is hard to measure but evidence provided by the applicant in response to the consultee objections, implies that these outbuildings were animal housing and not significant in the life of George Eliot.

Policy BE4 of the Borough Plan requires development affecting a designated or non-designated heritage asset and its setting to make a positive contribution to its character, appearance and significance. It is considered a heritage centre of similar materials as the existing outbuildings would enhance the appreciation and significance of the connection between George Eliot and Griff House.

It is worth considering that there has been extensions and changes to Griff House over the years and now, in its current form, as a hotel/restaurant work has been carried out on the property. It is concluded that the demolition of the outbuildings and the introduction of this visitor centre in its place would have less harm on the historic environment and listed building than the work previously carried out. On balance, the harm on the listed building in general is low and the harm on the significance of the listed building can be categorised as 'less than substantial.', therefore paragraph 215 of the NPPF (2024) is relevant. In addition to the NPPF, Policy BE4 also requires that any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the public benefits of the proposal in the following ways:

- Whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset
- Whether the works proposed are the minimum required to secure the long term use of the asset.

Paragraph 215 states that '*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*'

As it has been concluded that the proposal would lead to less than substantial harm to the significance of a designated heritage asset, the public benefits and the optimum use of the scheme now need to be assessed. The scheme is for a public visitor centre to showcase the life and works of George Eliot which will be open to the public and tourists from both the borough and wider, with an economic, social and educational benefit on the public at large. The heritage centre would be offering information about the area and George Eliot, in a setting that the author herself would have known. However, the links of the outbuildings and George Eliot are tenuous and weak at best, the authors links to the main house are substantiated though, as mentioned earlier, and it is these links which are worthy of retention not those of the outbuilding. On balance, the public benefits offered by the proposed use outweigh any harm to the integrity and significance of the listed building and its setting.

The second part of paragraph 215 sets out that as part of outlining the public benefits of the proposal, securing its optimum viable use should also be addressed. Currently, as shown on the plans and in the photos in the Morriss report, the buildings are being used as storage for the hotel/restaurant use. Should the application be refused, the buildings will fall more derelict and be neglected further until they eventually collapse, and the

heritage be lost forever. Therefore, the optimum use of these buildings is the visitor centre as it will enhance the outbuildings, bring them back into use and tie their use to the listed building and heritage reasoning.

To protect the heritage, and in line with paragraph 218 of the NPPF (2024) which states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Policy BE4 also requires where harm to any heritage assets can be fully justified, and development would result in the partial or total loss of the asset and/or its setting, the applicant will be required to secure a programme of recording and analysis of that asset, archaeological excavation where relevant, and ensure the publication of that record to an appropriate standard.

Recording conditions will be added to the decision notice, should the outcome be approval, as this will allow the original outbuildings and their context to be remembered in perpetuity. These conditions are not the reason for the approval and the ability of the recorders will be at the applicant and owner determination. Furthermore, a condition tying the proposed demolition to the rebuild will also be added to the decision notice so the outbuildings cannot be demolished separately to the introduction of the visitor centre as so much of the reasoning surrounds the proposed use and the outbuildings cannot be removed without being replaced.

As part of their objection, the Victorian Society had requested for a Building Preservation Notice and an Urgent Repairs Notice to save the original buildings. An Urgent Repairs Notice can be issued to secure immediate works to halt the deterioration and demolition of a listed building. This can be issued by the Local Authority with an option to possibly claim costs from the owner. The scope of the works carried out under this notice can extend to making the building safe from structural collapse, prevention of illegal activities and making the building weathertight. This has been deemed that this would not be appropriate for this proposal as we have, as shown in this report, that demolition and rebuild has been approved in the last 4 approvals for this show a precedent that the Planning Authority has approved demolition and not repair means that this notice should not be issued.

A Building Preservation Notice allows for a non-designated building that is at risk of demolition or alteration to be temporarily protected as if it were a listed building. This lasts for 6 months whilst the assessments can take place to see if it meets the criteria for national designation. This notice would give the outbuildings the same designation as the main building and that it currently has under its curtilage listing. The impact that has been assessed under this report would still have been assessed with or without this notice being issued. If this was to be issued the only potential change would be that the impact on the buildings themselves rather than the impact on the significance of the Griff House would have been assessed. As with the previous notice, the fact that this has been given

permission with demolition included several times over the past decade shows that the proposed works are acceptable. Also, in 2012 the Griff Preservation Trust, the applicant in this application, applied to English Heritage for the buildings in this application to be listed alongside Griff House. This was denied after considering the request and after they had completed an assessment. This assessment would have been to see if these buildings should have been listed or not and it was deemed that they should not be. As mentioned, the link to George Eliot for these outbuildings is tenuous and weak at best, as there is no recorded information of the author using, exploring or enjoying her time with these outbuildings. They were more than likely used as a farm office, store or animal enclosure.

Both of these notices are discretionary notices, and the Local Authority has the power to decide if these are issued or not. The demolition aspect of the proposal is the key for understanding if these notices should be issued by Nuneaton and Bedworth. It is felt that due to the previous approvals and the information submitted that the option of demolition and rebuild the visitor centre is the best option for this scheme and so protecting the original buildings would not be appropriate. Also, the future use, does still provide a crucial link to George Eliot which is what the Amenity Society's were trying to preserve. Conditions requiring recording of the buildings throughout the process and tying the demolition to the rebuild so the buildings cannot be demolished and the visitor centre not be built are also being explored and this should help preserve the asset without losing the link that these requests were trying to protect.

There are also potential for costs to be claimed from the owner but the works under the notices would have to be costed by the Local Authority if the notices were the way forward. Should the application be refused, then the Urgent Repairs Notice should be explored as these buildings are curtilage listed and are in a state of disrepair that should not be allowed to continue. Finally, it should be noted that the Victorian Society, or any private citizen or group, as shown by the 2012 request mentioned in the previous paragraph, can request for a building to be listed and as of January 2025 no person or group has requested that these buildings be considered for listing during the application.

On balance, it is considered that the demolition of the existing curtilage listed outbuildings and rebuild of a similar building with the use of becoming a George Eliot Visitor Centre is acceptable. It is felt that the proposal will have less than substantial harm to the significance of the listed building and the introduction of a visitor centre has high public benefits, positively impact the historic environment and enhances the listed building's link to George Eliot and the reasons why it is listed in the first place. Therefore, the impact on the listed building is acceptable under both NPPF and Borough Plan policies.

## **2. Conclusion**

In conclusion the only issue that can be addressed and assessed as part of a listed building consent application is the impact the proposal will have on the listed building. This assessment has outlined how it felt by officer that it would cause less than substantial harm to the significance of the listed building as the outbuildings were only curtilage listed

and so are linked to Griff House and its significance rather than the individual significance of the outbuildings. As it is felt that there would be less than substantial harm and the outbuildings are of a poor standard and quality, and the public benefits of the scheme will outweigh any potential harm then the proposal should be approved, as such is the recommendation.

As part of their objection, the Victorian Society did propose the council issue two discretionary notices, but it has been decided that these should not be issued due to the reasons outlined in the proposal. These are options which can be taken at a later stage if the council believes that the buildings should be saved but under this application it is felt that demolition and total rebuild is the optimum way forward.

Should Planning Committee vote to grant planning permission, in accordance with the Town and Country Planning (Consultation) (England) Direction 2021, the Council will be required to consult the Secretary of State. The Secretary of State has 21 days to inform the Council that they wish to call in and determine the application instead of the Council issuing the decision.

### **REASONS FOR APPROVAL:**

Having regard to the pattern of existing development in the area, relevant provisions of the development plan, as summarised above, and the consultation responses received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

### **SCHEDULE OF CONDITIONS:**

2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No.	Date Received
Existing Elevations and Plans	23 105 00	09/02/2024
Proposed Elevations and Plans	23 105 01B	09/02/2024
Proposed Elevations and Plans	23 105 02A	09/02/2024
Location and Block Plan	23 105 04A	29/04/2024

3. No demolition shall take place until a security measure ensuring the rebuilding for the public benefit has been confirmed.

4. No works shall commence until:

- a. a programme of building recording and analysis,
- b. the making of a detailed record,
- c. a watching brief during the works affecting the designated heritage asset

have been undertaken by a person or body approved by the council and in accordance with a written scheme approved by the Local Planning Authority.

5. No development shall take place until a Written Scheme of Investigation (WSI) for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved Written Scheme of Investigation, shall be undertaken in accordance with that document.

6. No development shall commence until full details and samples of materials proposed to be used in the external parts of the proposed building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.

7. No development shall take place other than to the proposed plan of work including the storage and cleaning of materials for reuse. Any new materials used for the external parts must match the recycled materials as closely as possible.

8. No development shall take place on site including site clearance, unless in accordance with the recommendations set out within the Bat Survey prepared by Middlemarch dated September 2023 (Ref: RT-MME-160872).

9. Notwithstanding condition 8, if in commencement of the works any further bats are found, or there is evidence of their occupation, all works must temporarily cease and the council must be contacted. No work shall recommence until the express consent of council has been obtained and any measures required must to be undertaken in full.

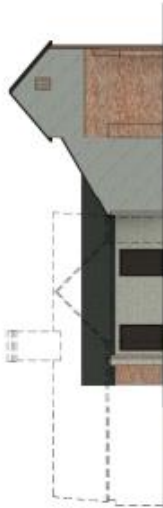
Survey Drawing



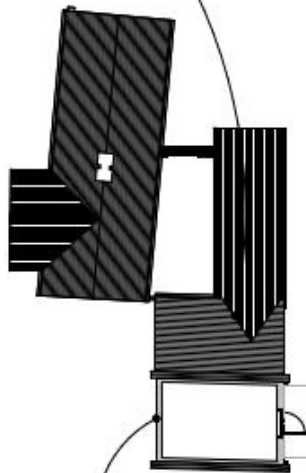
Front Elevation



Side Elevation



Rear Elevation



First Floor Plan



Ground Floor Plan



Side Elevation



3D View

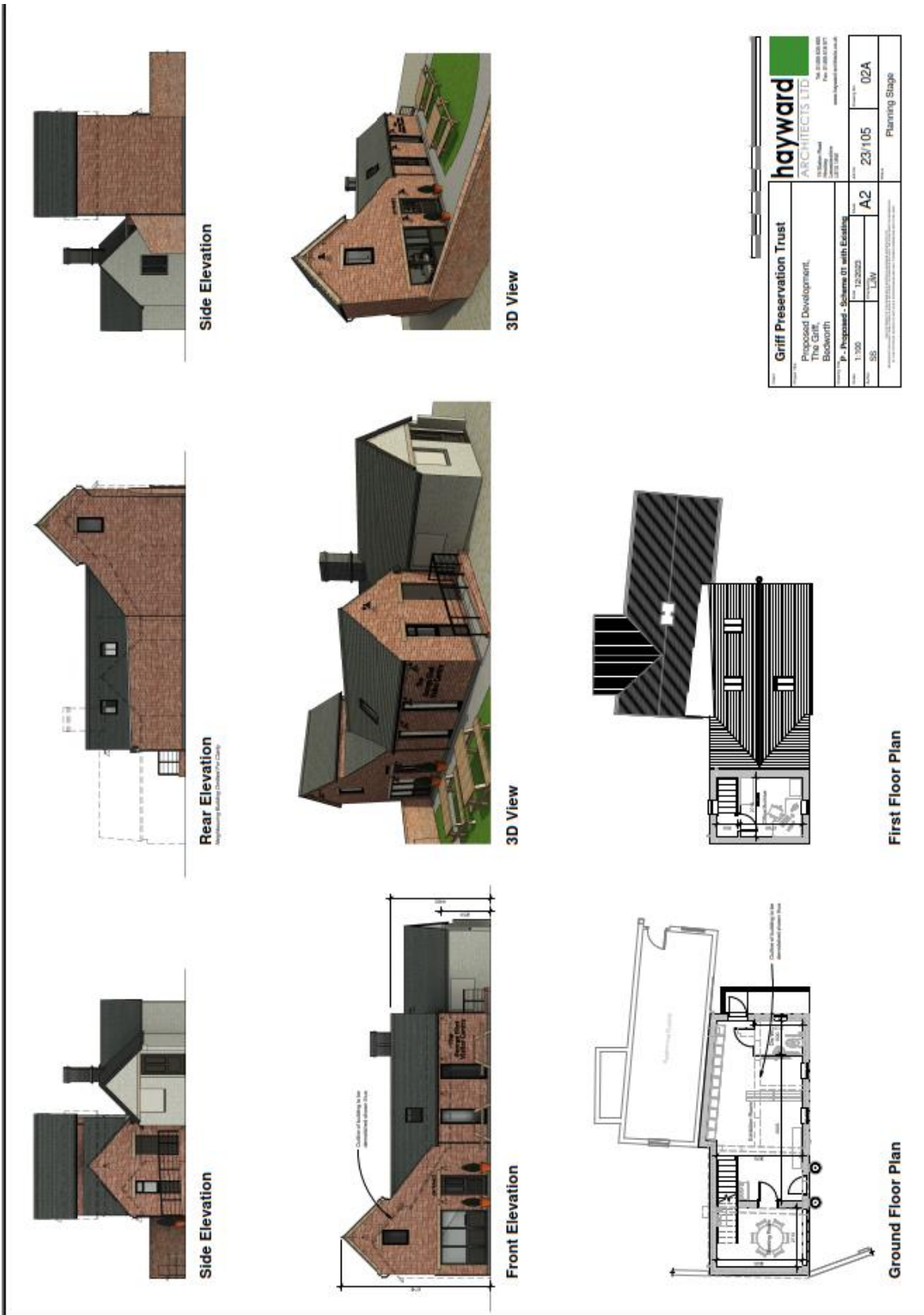
ALL INTERNAL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED  
 DIMENSIONS OF BUILDINGS ARE ASSUMED  
 ONLY INCLUDING NEIGHBOURING BUILDING

Griff Preservation Trust		<b>hayward</b>	
Proposed Development: The Griff, Bosworth		ARCHITECTS LTD	
Project No:	P - Sarney	Date:	12/2023
Scale:	1:100	Sheet:	A2
Author:	LSH	Project No.:	23/105
		Stage:	Planning Stage

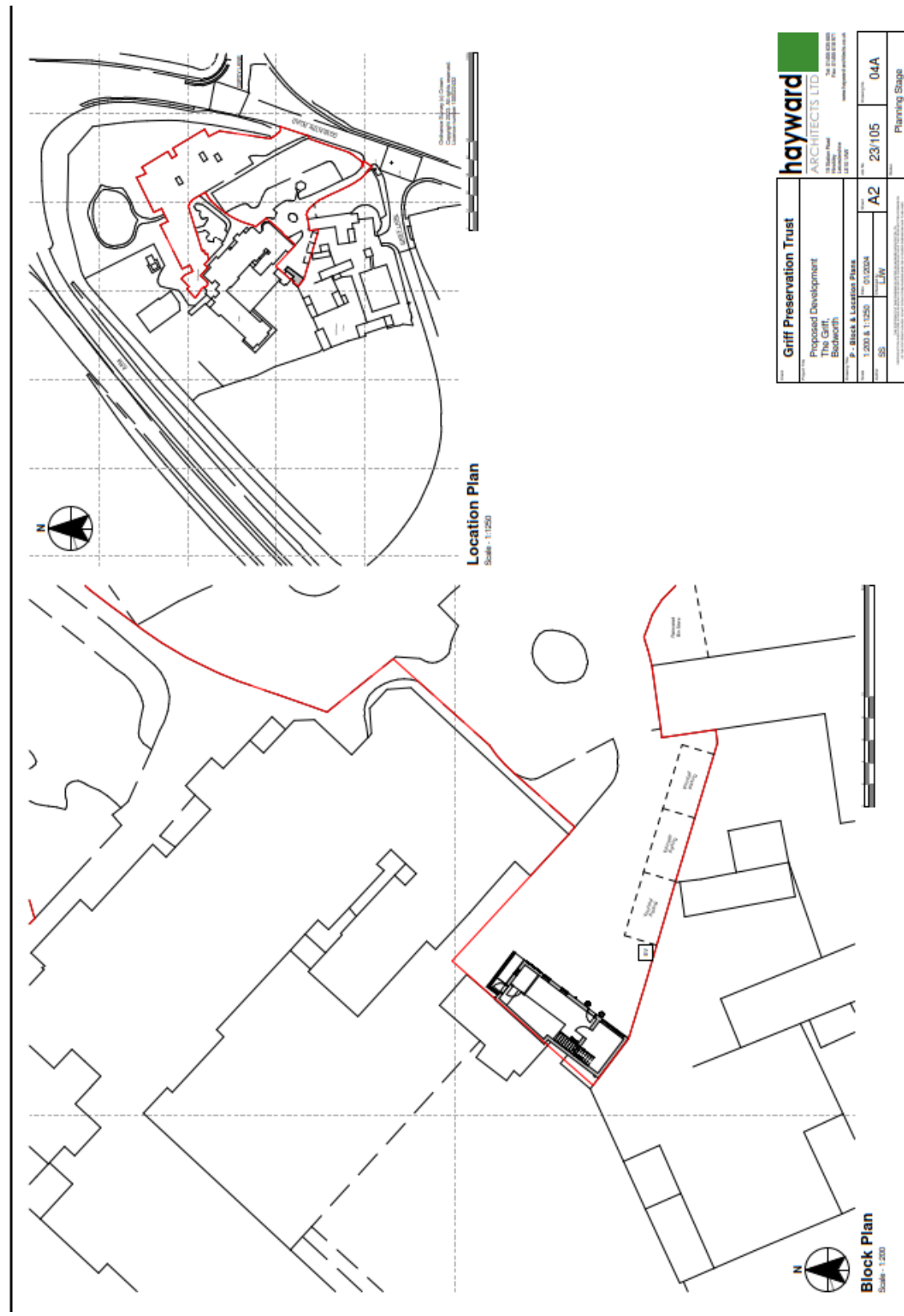




Proposed Scheme



*Proposed Scheme with Existing*



Block and Location Plans

<b>Griff Preservation Trust</b>	<b>hayward</b> ARCHITECTS LTD
Proposed Development The Griff Bathworth	Architects 15000 15000 15000 15000
<b>P - Block &amp; Location Plans</b>	Ref: 23/105/04A
Date: 12/01/2024	Date: 23/10/2023
Author: SS	Author: A2
Checker: JAJ	Checker: A2
Drawing Title: Planning Stage	

## Glossary

Adoption – The final confirmation of a local plan, or planning document, by a local planning authority.

Advertisement consent – A type of consent required for certain kinds of advertisements, such as shop signs and hoardings. Some advertisements are allowed without the need for an application by the Town and Country Planning (Control of Advertisement) (England) Regulation 2007.

Affordable housing – Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Authority monitoring report – A report that allows the Local Authority to assess the extent to which policies and proposals set out in all the local development documents are being achieved.

Appeal – The process by which a planning applicant can challenge a planning decision that has been refused or had conditions imposed.

Area action plan – A document forming part of the local plan containing proposals for a specific defined area.

Article 4 direction – A direction restricting permitted development rights within a specified area. They are often used in conservation areas to provide protection for things like windows, doors, chimneys, etc.

Brownfield – Land which has had a former use.

Conservation area – An area of special architectural or historic interest, the character and appearance of which are preserved and enhanced by local planning policies and guidance.

Conservation area consent – Consent needed for the demolition of unlisted buildings in a conservation area.

Consultation – A communication process with the local community that informs planning decision-making.

Certificate of lawfulness – A certificate that can be obtained from the local planning authority to confirm that existing development is lawful. Change of use – A material change in the use of land or buildings that is of significance for planning purposes e.g. from retail to residential.

Character appraisal – An appraisal, usually of the historic and architectural character of conservation areas.

Community – A group of people that hold something in common. They could share a common place (e.g. individual neighbourhood) a common interest (e.g. interest in the environment) a common identity (e.g. age) or a common need (e.g. a particular service focus).

Community engagement and involvement – Involving the local community in the decisions that are made regarding their area.

Design and access statement – A short report accompanying a planning permission application. Describes design principles of a development such as layout, townscape characteristics, scale, landscape design and appearance.

Design Code - A design code provides detailed design guidance for a site or area they prescribe design requirements (or 'rules') that new development within the specified site or area should follow.

Development – Legal definition is “the carrying out of building, mining, engineering or other operations in, on, under or over land, and the making of any material change in the use of buildings or other land.”

Development management control – The process of administering and making decisions on different kinds of planning application.

Development plan – A document setting out the local planning authority's policies and proposals for the development and use of land in the area.

Duty to co-operate – A requirement introduced by the Localism Act 2011 for local authorities to work together in dealing with cross-boundary issues such as public transport, housing allocations or large retail parks.

Economic development – Improvement of an area's economy through investment, development, job creation, and other measures.

Enforcement – Enforcement of planning control ensures that terms and conditions of planning decisions are carried out.

Enforcement notice – A legal notice served by the local planning authority requiring specified breaches of planning control to be corrected.

Environmental impact assessment – Evaluates the likely environmental impacts of the development, together with an assessment of how these impacts could be reduced.

Flood plain – An area prone to flooding.

Front loading – An approach to community engagement in which communities are consulted at the start of the planning process before any proposals have been produced. General (Permitted Development) Order The Town and Country Planning General (Permitted Development) Order is a statutory document that allows specified minor kinds of development (such as small house extensions) to be undertaken without formal planning permission

Greenbelt – A designated band of land around urban areas, designed to contain urban sprawl (not to be confused with 'greenfield').

Greenfield site – Land where there has been no previous development (not to be confused with Greenbelt).

Green infrastructure – Landscape, biodiversity, trees, allotments, parks, open spaces and other natural assets.

Green space – Those parts of an area which are occupied by natural, designed or agricultural landscape as opposed to built development; open space, parkland, woodland, sports fields, gardens, allotments, and the like.

Green travel plan – A package of actions produced by a workplace or an organization setting out how employees, users or visitors will travel to the place in question using options that are healthy, safe and sustainable, and reduce the use of the private car.

Highway authority – The body with legal responsibility for the management and maintenance of public roads. In the UK the highway authority is usually the county council or the unitary authority for a particular area, which can delegate some functions to the district council.

Historic parks and gardens register – The national register managed by English Heritage which provides a listing and classification system for historic parks and gardens.

Housing associations – Not-for-profit organisations providing homes mainly to those in housing need.

Independent examination – An examination of a proposed neighbourhood plan, carried out by an independent person, set up to consider whether a neighbourhood plan meets the basic conditions required.

Infrastructure – Basic services necessary for development to take place e.g. roads, electricity, water, education and health facilities.

Inquiry – A hearing by a planning inspector into a planning matter such as a local plan or appeal.

Judicial review – Legal challenge of a planning decision, to consider whether it has been made in a proper and lawful manner.

Legislation – The Acts of Parliament, regulations, and statutory instruments which provide the legal framework within which public law is administered.

Listed buildings – Any building or structure which is included in the statutory list of buildings of special architectural or historic interest.

Listed building consent – The formal approval which gives consent to carry out work affecting the special architectural or historic interest of a listed building.

Local authority – The administrative body that governs local services such as education, planning and social services.

Local plan - The name for the collection of documents prepared by a local planning authority for the use and development of land and for changes to the transport system. Can contain documents such as development plans and statements of community involvement.

Local planning authority – Local government body responsible for formulating planning policies and controlling development; a district council, metropolitan council, a county council, a unitary authority or national park authority.

Major Planning application-

- the winning and working of minerals or the use of land for mineral-working deposits
- waste development
- Residential development of 10 or more residential dwellings
- Residential development of on a site of 0.5 hectares or more (where the number of residential units is not yet known i.e. for outline applications)
- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more.
- development carried out on a site having an area of 1 hectare or more

Material considerations – Factors which are relevant in the making of planning decisions, such as sustainability, impact on residential amenity, design and traffic impacts.

Micro-generation – The small-scale generation of renewable energy usually consumed on the site where it is produced.

Mixed use – The development of a single building or site with two or more complementary uses.

National Planning Policy Framework (NPPF) – The government policy document first adopted in 2012 was updated in 2021. The NPPF introduces a presumption in favour of sustainable development. It gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Neighbourhood planning – A community initiated process in which people get together through a local forum or parish or town council and produce a neighbourhood plan or neighbourhood development order.

Non-determination – When a planning application is submitted and the local authority fails to give a decision on it within the defined statutory period.

Operational development – The carrying out of building, engineering, mining or other operations in, on over, or under land; part of the statutory definition of development (the other part being material changes of use of buildings or land).

Permitted development – Certain minor building works that don't need planning permission e.g. a boundary wall below a certain height.

Policy – A concise statement of the principles that a particular kind of development proposal should satisfy in order to obtain planning permission.

Parking standards – The requirements of a local authority in respect of the level of car parking provided for different kinds of development.

Plan-led – A system of planning which is organised around the implementation of an adopted plan, as opposed to an ad hoc approach to planning in which each case is judged on its own merits.

Planning gain – The increase in value of land resulting from the granting of planning permission. This value mainly accrues to the owner of the land, but sometimes the local council negotiates with the developer to secure benefit to the public, either through section 106 planning obligations or the setting of a community infrastructure levy.

Planning inspectorate – The government body established to provide an independent judgement on planning decisions which are taken to appeal.

Planning obligation – Planning obligation under Section 106 of the Town and Country Planning Act 1990, secured by a local planning authority through negotiations with a developer to offset the public cost of permitting a development proposal. Sometimes developers can self-impose obligations to pre-empt objections to planning permission being granted. They cover things like highway improvements or open space provision.

Planning permission – Formal approval granted by a council allowing a proposed development to proceed. Planning Practice Guidance (PPG) The government's PPG can be read alongside the NPPF and is intended as a guidebook for planners. It is not a single document but an online resource which is

kept current through regular updates. Presumption in favour of sustainable development The concept introduced in 2012 by the UK government with the National Planning Policy Framework to be the 'golden thread running through both plan making and decision taking'. The National Planning Policy Framework gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Public inquiry – See Inquiry.

Public open space – Open space to which the public has free access.

Public realm – Areas of space usually in town and city centres where the public can circulate freely, including streets, parks and public squares.

Regeneration - Upgrading an area through social, physical and economic improvements.

Retail – The process of selling single or small numbers of items directly and in person to customers. The use category defined as Class E in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Rural – Areas of land which are generally not urbanised; usually with low population densities and a high proportion of land devoted to agriculture.

Scheduled ancient monument – A nationally important archaeological site, building or structure which is protected against unauthorised change by the Ancient Monuments and Archaeological Areas Act 1979.

Section 106 – see Planning obligation.

Sequential test – A principle for making a planning decision based on developing certain sites or types of land before others, for example, developing brownfield land before greenfield sites, or developing sites within town centres before sites outside town centres.

Setting – The immediate context in which a building is situated, for example, the setting of a listed building could include neighbouring land or development with which it is historically associated, or the surrounding townscape of which it forms a part.

Space standards – Quantified dimensions set down by a local planning authority to determine whether a particular development proposal provides enough space around it so as not to affect the amenity of existing neighbouring developments. Space standards can also apply to garden areas.

Supplementary planning document – Provides detailed thematic or site-specific guidance explaining or supporting the policies in the local plan.

Sustainable development – An approach to development that aims to allow economic growth without damaging the environment or natural resources. Development that "meets the needs of the present without compromising the ability of future generations to meet their own needs".

Town and Country Planning Act 1990 – Currently the main planning legislation for England and Wales is consolidated in the Town and Country Planning Act 1990; this is regarded as the 'principal act'.

Tree preservation order – An order made by a local planning authority to protect a specific tree, a group of trees or woodland. Tree preservation orders (TPOs) prevent the felling, lopping, topping, uprooting or other deliberate damage of trees without the permission of the local planning authority.



Use classes order – The Town and Country Planning (Use Classes) Order 1987 (as amended) is the statutory instrument that defines the 8 categories of use of buildings or land for the purposes of planning legislation. Planning permission must be obtained to change the use of a building or land to another use class.

Urban – Having the characteristics of a town or a city; an area dominated by built development. Urban design – The design of towns and cities, including the physical characteristics of groups of buildings, streets and public spaces, whole neighbourhoods and districts, and even entire cities.

Urban fringe – The area on the edge of towns and cities where the urban form starts to fragment and the density of development reduces significantly.

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take away	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research and development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Hotels, boarding and guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Changes of use within the same class are not development. Use classes prior to 1 September 2020 will remain relevant for certain change of use permitted development rights, until 31 July 2021. The new use classes comprise:

**Class E (Commercial, business and service uses),**

**Class F.1 (Learning and non-residential institutions)**

**Class F.2 (Local community uses)**