

Enquiries to:
Democratic Services

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Date: 28th March 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 8th April 2025 at
5.30p.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, M. Kondakor, S. Markham,
W. 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 11th March 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).

PART 2 - PRIVATE BUSINESS

9. EXCLUSION OF PUBLIC AND PRESS
Under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph 12 of Part I of Schedule 12A to the Act.
10. SITE 50A016 – QUEENS ROAD, NUNEATON – report of the Head of Development Control (to follow).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

11th March 2025

A meeting of the Planning Applications Committee was held in the Town Hall, Nuneaton on Tuesday, 11th March 2025.

Present

Councillor L. Cvetkovic (Chair)

Councillors: E. Amaechi, P. Hickling, M. Kondakor, S. Markham, W. Markham, B. Saru, J. Sheppard, R. Smith and K. Wilson.

Apologies: Councillor C. Phillips.

PLA42 **Minutes**

RESOLVED that the minutes of the meeting held on the 11th February 2025 be approved, and signed by the Chair.

PLA43 **Declarations of Interest**

Councillor B. Saru declared that as he is the Chair of the British Gurkha Veterans Association, he would leave the meeting when application 040724 is being discussed.

RESOLVED that the declarations of interests are as set out in the Schedule attached to these minutes, with the addition of the declaration from Councillor B. Saru.

PLA44 **Declarations of Contact**

There were no declarations of contact.

IN PUBLIC SESSION

PLA45 **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.

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA45 OF THE
PLANNING APPLICATIONS COMMITTEE ON 11th MARCH 2025

1. 040700: Site 51A073 - Ex Co-op buildings and car park Abbey Street
Nuneaton, Warwickshire. CV11 5BU

Applicant – Nuneaton and Bedworth Borough Council and Queensberry Real
Estate

DECISION that planning permission be granted, subject to a Deed of Variation to the legal agreement for application 037658 and the conditions printed.

2. 040724: Gurkha Memorial, Riversley Park, Coton Road, Nuneaton. CV11
5TY

Applicant – Mr Chitra Rana

Councillor B. Saru left the meeting whilst this item was being presented and discussed as referred to in agenda item PLA43.

DECISION that a decision relating to this application be deferred to a future Planning Applications Committee meeting in order to allow Members to

- a) receive guidance from the Parks and Open Spaces Team in relation to the biodiversity concerns; and
- b) receive clarification and an agreed set of wording for a planning condition in relation to Biodiversity Net Gain.

3. 040771: Aldi Food Stores, Weddington Road, Nuneaton, Warwickshire.
CV10 0AH

DECISION that a revocation order be made under s.14(2)(b) of the Planning (Hazardous Substances) Act 1990, i.e. revoking the Hazardous Substances Consent reference 005286 (TP/0432/02) pertaining to Abbey Metal Finishing Co. Weddington Road subject to its confirmation by the Secretary of State under Section 15 of the Act.

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

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|--|---|---|--|
| | 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"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership |
| | E. Amaechi | <ul style="list-style-type: none"> - Employed NHS Wales Shared Services Partnership (NWSSP) - Ricky Global Consultants Ltd -Purple Dove Events Ltd - Director – Techealth Ltd | 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 - EQulP: 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"> - Employed by Wyggeston and Queen Elizabeth I College (Teacher) - Pearson Education (Snr Examiner) | 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 | |
| | 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"> • Hammersley, Smith and Orton Charities • Trustee of Abbey Theatre • Bedworth Board • Free Speech Union • Exhall Multicultural Group | |
| | W. Markham | | Member of the following bodies: <ul style="list-style-type: none"> - Unite Union - Free Speech Union - Exhall Multicultural Group | |
| | 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"> • Sherbourne Asset Co Shareholder Committee • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Nuneaton Neighbour Watch Committee | 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 | |

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|---------------------------|--|--|---------------------|
| | 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"> - Deputy Chairman – Nuneaton Conservative Association - Nuneaton Conservative association (sponsorship) - Board Member of the Conservative Councillors' Association. <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> - LGA People & Places Board (Member) | |

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

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| | | | <p>Granted to all members of the Council in the areas of:</p> <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership |
| E. Amaechi | <ul style="list-style-type: none"> - Employed NHS Wales Shared Services Partnership (NWSSP) - Ricky Global Consultants Ltd -Purple Dove Events Ltd - Director – Techealth Ltd | <p>The Labour Party (sponsorship)</p> <ul style="list-style-type: none"> - Foundation Governor - Our Lady and St. Joseph Academy, Nuneaton. <p>- Member of:</p> <ul style="list-style-type: none"> - British Computer Society. - Igbo Community Coventry. - Mbaise Community, Coventry. <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> - 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 | <p>Trustee of Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee)</p> <p>Member on the following Outside Bodies:</p> <ul style="list-style-type: none"> - Building Control Partnership Steering Group | |
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| | C. Phillips | Member of Warwickshire County Council | <ul style="list-style-type: none"> - Chair of Governors – Stockingford Nursery School - Member of Labour Party - Part-time Carer | |
| | B. Saru | <ul style="list-style-type: none"> - Director – Saru Embroidery Ltd - Co-founder and Owner – Fish Tale Ale Beer | <ul style="list-style-type: none"> - Labour Party (sponsorship) - Chair of the British Gurkha Veterans Association Representative on the following Outside Bodies: <ul style="list-style-type: none"> - Armed Forces Covenant | |
| | J. Sheppard | | <ul style="list-style-type: none"> - Director of Wembrook Community Centre. <hr/> <ul style="list-style-type: none"> - Member of Labour Party. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Sherbourne Asset Co Shareholder Committee • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Nuneaton Neighbour Watch Committee | Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre. |
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Planning Applications Committee
8th April 2025

Applications for Planning Permission
Agenda Item Index

Planning Applications

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| 1. | 039476 | GC | Site - 36c004, 28 - 34 Land to the front of Broome Way | 14 |
| 2. | 039499 | GC | Haunchwood Institute, Valley Road, Nuneaton, Warwickshire, CV10 9NH | 35 |

| Wards: | | | | | |
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| 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 |

Item No.1

REFERENCE No. 039476

Site Address: Site - 36c004 28 - 34 Land to the front of Broome Way

Description of Development: Outline application for the erection of 5 dwellings with all matters reserved except access and layout

Applicant: Mrs E Twigger

Ward: GC

RECOMMENDATION:

Planning Committee is recommended to grant planning permission, subject to the conditions printed.

INTRODUCTION:

This is an outline planning application for the erection of 5 dwellings at the land to the front of 28 to 34 Broome Way in Nuneaton with consideration of access and layout at this stage. The application initially sought approval for 6 dwellings, however due to the presence of a protected tree along the southern boundary, layout changes were required and this has resulted in the loss of one unit.

The site currently consists of an undeveloped parcel of land with Broome Way to the east, Plough Hill Road to the north and east, Galley Common Infant School and a small car park to the east and Chesterton Drive to the south. The site is currently covered in grass with hedges to the west and south.

The site was originally a part of the wider housing site reference 033156 for: *'Residential development of up to 262 dwellings and associated public open space and landscaping, up to 186 square metres of convenience retail floor space (A1 use) and school car park'*. This application was approved almost 10 years ago, on the 17th August 2015. Condition 2 on this approval stated that all reserved matters applications must be made within three years (by 17th August 2018).

Reserved matters application 034543 was submitted in 2016 for *'Erection of 262 dwellings (Approval of reserved matters relating to appearance, landscaping, layout and scale of already approved outline application ref 033156)'*. This application was purely for the residential part of the site, not for the convenience store, and this was approved in 2017.

The land was previously earmarked for a convenience store, however this has not materialised. No reserved matters applications have been received for details of the convenience store and if this was to be built, the application should have been submitted prior to August 2018.

The site is within Flood Zone 1 with low surface water flooding risks. The site is within the Low Coal Risk Zone, outside of the Green Belt and outside of any Conservation

Areas. The site is also not allocated for any form of specific development within the current Borough Plan or within the upcoming Borough Plan Review.

BACKGROUND:

This is an outline planning application and the following matters are to be considered at this stage:

- Access – accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

The following matters are reserved to be considered at a future stage and do not form part of the application:

- Scale – the height, width and length of each building proposed in relation to its surroundings.
- Appearance – The aspects of a building or place which determine the visual impression it makes, including the external built form of the development.
- Landscaping – Treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

RELEVANT PLANNING HISTORY:

- 033156 - Residential development of up to 262 dwellings and associated public open space and landscaping, up to 186 square metres of convenience retail floor space (A1 use) and school car park' – approved 17th August 2015
- 034543 - Erection of 262 dwellings (Approval of reserved matters relating to appearance, landscaping, layout and scale of already approved outline application ref 033156)' – approved 3rd November 2017

RELEVANT PLANNING POLICIES:

- Nuneaton & Bedworth Borough Council Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - DS2 Settlement Hierarchy and Roles.
 - DS3 – Development principles.
 - DS4 – Overall development needs
 - H1 – Range and mix of housing.
 - HS1 – Ensuring the Delivery of Infrastructure.
 - HS2 – Strategic Accessibility and Sustainable Transport.
 - HS5 – Health.
 - HS6 – Sport and Exercise.
 - NE1 – Green Infrastructure.
 - NE2 – Open Space
 - NE3 – Biodiversity and Geodiversity.
 - NE4 – Managing Flood risk.

- NE5 – Landscape Character.
- BE1 – Contamination and land instability.
- BE3 – Sustainable design and construction.
 - Affordable Housing SPD 2020.
 - Air Quality 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:

Cadent Gas, George Eliot Hospital Trust, NBBC Environmental Health, NBBC Housing, WCC Ecology, NBBC Tree Officer, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NHS, Severn Trent Water, Warwickshire Police Western Power Distribution, WCC Archaeology, Warwickshire Fire Safety, WCC Water Officer, WCC Highways, WCC Infrastructure, WCC Rights of Way.

CONSULTATION RESPONSES:

No objection subject to conditions from:

WCC Highways, Warwickshire Fire Safety, WCC Water Officer, NBBC Environmental Health

Comment/Conditions from:

NBBC Tree Officer

No objection from:

Warwickshire Police, WCC Archaeology, WCC Rights of Way, NBBC Refuse,

Comment from:

WCC Ecology, NBBC Planning Policy

No response from:

Cadent Gas, Severn Trent, Western Power

Originally consulted when S106 may potentially have been sought, however no longer applicable/relevant:

NBBC Sports, WCC Infrastructure, NBBC Parks (for POS contributions), NHS, George Eliot Hospital, NBBC Housing

NEIGHBOURS NOTIFIED:

25, 28, 30, 32 & 34 Broome Way; 1 Cabinhill Road; 10, 12, 14, 15 & 17 Chesterton Drive; 16, 17, 18 & 19 Marlowe Close; Galley Common School, Plough Hill Road
Neighbouring properties were sent letters notifying them of the proposed development on 23rd May 2023 and 26th June 2024. Taylor Wimpey were emailed on 9th May 2023.

NEIGHBOUR RESPONSES:

There have been objections from 17 addresses and 5 objections with no address provided. The comments are summarised below;

1. No need for more housing

2. Site should be brought forward as a nursery, commercial premises or community facility
3. Protected trees and hedgerows would be destroyed and impact to trees/hedges
4. Village infrastructure is not sufficient for additional housing and cars (roads, schools, doctors, dentists)
5. Galley Common is a village and not a suburb of Nuneaton
6. Plough Hill Road is in poor condition
7. Development would result in increased traffic
8. Every dwelling on Ribbonfields estate should have been consulted
9. Impact to privacy and overlooking
10. Loss of enjoyment of property
11. Loss of light and residential amenity
12. Increase in air pollution
13. Loss of views
14. Impact on parking and increase in on-street parking
15. Public right of way access would be removed
16. Children use the land to play on
17. It will cause further confusion as Broome Way is joined with Middlefield Lane which already creates issues with deliveries
18. The land is not being maintained and grass isn't cut
19. Difficulty selling property if these dwellings are built
20. Impact to wildlife, badgers, habitats, owls, birds, newts and bats
21. There has already been lots of residential development in the area and more planned for in the future
22. Proposal obstructs what is currently an emergency through road
23. Developers of wider estate informed residents that this would remain as open space
24. Field is susceptible to flooding
25. The applicant has not tried to market the land for commercial use
26. Not sufficient turning areas for larger vehicles and refuse vehicles
27. Residents have offered to purchase the land
28. Overlooking into school playground
29. Developers are not local
30. Impact of noise and traffic management during construction
31. Construction works have only just finished in the area and so residents would be disturbed again

APPRAISAL:

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

1. The Principle of the Development
2. Housing Mix
3. Impact on Residential Amenity
4. Impact on Visual Amenity
5. Contamination, Air Quality and Land Stability
6. Heritage and Archaeology
7. Impact on Ecology, Biodiversity and Trees
8. Impact on Highway Safety & Accessibility
9. Flooding and Drainage
10. Conclusion

1. The Principle of Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key constituents which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

Policy TC3 of the Borough Plan states that any new residential development should be within:

1. 1,200 m walking distance of a district or local centre (existing centre's threshold can be outside the borough's administrative boundaries); and
2. 8 minutes motor vehicle drive time to a district centre

Policy DS2 states that Nuneaton has the primary role for housing and the site is within Nuneaton. However, the site is outside of the current Borough Plans defined settlement boundary. Policy DS3 states that development outside of the settlement boundary should be limited to agriculture, leisure and other uses that can be demonstrated to require a location outside of the settlement boundary and therefore, the scheme is in contrary to this policy.

However, the site is now mostly surrounded by a residential housing estate. The Council is currently in the process of adopting the Borough Plan Review (BPR); the BPR has taken this into account and has revised the settlement boundary to include the land.

In addition to this, the site is considered to be within a very sustainable location. Two bus stops and Galley Common Primary School are located on Plough Hill Road/School Lane directly adjacent to/opposite the site. A public house (The Plough Inn) can be reached on foot in 10/15 minutes. Whilst it is not an identified local or district centre, there are a few 'E' use premises on the corner of Valley Road and Hickman Road. There is a pharmacy, a convenience store, a post office, a café and a flower shop. This serves a similar purpose as a local/district centre in that it provides day to day services to local residents. This centre was identified as 'neighbourhood shops' within the Council's Local and District Centres Study 2012. Galley Common Medical Centre is also located adjacent to the neighbourhood shops and all of these services can be reached, on foot, in less than 15 minutes. Additional services are also available on Coleshill Road (takeaway, convenience stores and liberal club) within a 20 minute walk.

Due to the above, the site is within a sustainable and therefore it is considered that it would be unreasonable to refuse this case purely based upon it being outside of the settlement boundary. Whilst it is not compliant on paper under the current Borough Plan, there are clear site circumstances which demonstrate this is a suitable location for development. The Borough Plan has also included the site within the revised settlement boundary.

The previous permission on the wider site had also incorporated this parcel of land within the application boundary and this was indicatively shown to be earmarked for

a convenience store. The car park that has been built is currently used for the primary school and in accordance with the S106 agreement for 033156, should be transferred to Warwickshire County Council. However, if the convenience store had been brought forward, this would have been served by a shared car park for the store and the school. The land owners have explained that for a shop to come forward, and be viable, they would need the approval of WCC to the proposals on the shared use of the car park, planning permission for a larger shop unit of circa 4000 sq ft, and an end user keen to buy the site.

This application site overlaps with the site boundary for permission 033156. In *Hillside Parks Ltd v Snowdonia National Park Authority*, the Supreme Court confirmed that if the implementation of the 'new' permission would make it physically impossible to comply with the original permission – the latter is not to be construed as authorising further development i.e., any further development pursuant to the original permission would be unlawful. Therefore, if this application is approved and implemented, no further development under previous application 033156 would be lawful.

Outline permission 033156 was approved in 2015 and gave 3 years for the reserved matters application/s to be submitted. Reserved matters application 034643 was submitted in 2016 and approved in 2017 and the site has been completed. As such, no further development under application 033156 is required and it would be too late for a convenience store to be brought forward under application 033156 – the length of time for the submission of a second reserved matters application has expired. As such, it is not considered to hinder this permission by approving this planning application.

Legal advice has been sought, and this explains that if there is an actual intended use of the land as a store, then this can form part of a fall-back position and would be a material consideration. For the Council to consider the 'loss' of a store, it needs to be satisfied that it is genuinely the new development that is causing the loss. If these elements would not have come forward in any event – it is not a loss. In order to actually bring a store forward, a fresh planning application would be required. Whilst the principle of approving a convenience store in this location was assessed and approved under application 033156, a new assessment would need to be made and the previous permission could not be used to bring the store forward through a reserved matters submission. Due to this, it is considered that it is not reasonable to use the store as a fall back position and it is not this application's fault that the store had not been previously implemented.

Policy DS8 of the 2019 Borough Plan states the Council will monitor the delivery of housing and publish progress against the trajectory. In accordance with the policy requirements of Policy DS8, the Council acknowledges there is a shortfall in the overall quantum of development proposed to be delivered within the plan period in accordance with the latest publishing housing trajectory (January 2024) compared to the plan requirement set out in Policy DS3. Therefore, Policy DS8 is currently engaged and needs to be taken into consideration when assessing this application. This application would provide 5 dwellings, which given the timeframe before adoption of the Borough Plan Review, would help to address the short-term shortfall.

Such an approach would meet the policy requirements which state, where the delivery rate of housing is falling short the Council will bring forward sites where it can be demonstrated that such sites will assist with delivery to address short-term needs.

The latest five year housing land position for Nuneaton and Bedworth Borough Council is contained within addendum to the Five Year Housing Land Supply Position Statement (January 2025). This sets out that in accordance with the latest Local Housing Need figure, based on the published trajectory, the Council have a current housing supply position of 4.9 years.

Under the transitional arrangements in the updated NPPF, the Borough Plan Review will establish a 5 year position for the authority upon adoption, with the Inspectors Post Hearing Note stating at Paragraph 10:

‘Notwithstanding our concerns about delivery timescales for the listed sites, we consider that there will be a five year supply of housing sites on the adoption of the Plan.’

The Council anticipate that the Borough Plan Review will be adopted between April – June 2025, at which point the authority will be able to demonstrate a 5 year supply.

Therefore, whilst the authority cannot demonstrate a five year supply position, this needs to be considered in context, given that the position is constantly evolving as applications within the Borough continue to come forward and progress, and the Borough Plan Review is continuing through the examination process towards adoption.

Policy DS8 states that where additional housing sites need to be brought forward, initial priority will be given to sustainable sites, including town centre redevelopment opportunities in Nuneaton and edge of settlement sites, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The site is currently edge of settlement and considered to be sustainable. This is considered to carry significant weight in support of the application. Solihull Metropolitan Borough Council do not currently have a 5 year housing land supply and recent Inspectors decisions at appeal have stated that the ‘provision of housing to meet the identified need attracts *substantial* weight in favour of the appeal’ (Appeal Ref: APP/Q4625/W/24/3351230 date 27.2.25 & Appeal Ref: APP/Q4625/W/24/3353109 date 21.2.25).

In conclusion, the principle of residential development on the site is considered to be acceptable. The site is considered to be in a sustainable location and the loss of a store is not considered to be a material consideration or a fall back option in this instance for the reasons discussed above.

2. Housing Mix

Policy H2 states that 2 affordable units should be provided where residential development proposals consist of between 11 – 14 dwellings and 25% of dwellings should be affordable on schemes above 15 dwellings. The proposal would provide 5 dwellings and is therefore under the threshold for affordable housing provision.

In terms of general market housing, Policy H1 of the Borough Plan states that development is required to provide a mix of housing types, sizes and tenures based on the need and demand identified in the most up to date Strategic Housing Market Assessment (SHMA), as well as the characteristics of the surrounding area.

The table below shows the SHMA requirements:

| Market | | Affordable | |
|---------|----------|------------|----------|
| Bedroom | SHMA (%) | Bedroom | SHMA (%) |
| 1 | 5-10 | 1 | 5-10 |
| 2 | 35-40 | 2 | 35-40 |
| 3 | 45-50 | 3 | 45-50 |
| 4+ | 10-15 | 4+ | 10-15 |

The Council published a HEDNA report in 2022 which provides the most up-to-date housing market information. The following table summarises the requirements stated in the HEDNA report for Nuneaton and Bedworth (2022):

| | Market Housing (%) |
|-----------|--------------------|
| 1-bedroom | 10 |
| 2-bedroom | 35 |
| 3-bedroom | 45 |
| 4-bedroom | 10 |

This application is outline and therefore we do not know the exact scale or design of the proposed properties. An indicative mix is shown on the site layout plan which shows 2 no. 3 bed properties, 2 no. 4 bed properties and 1 no. 5 bed property. Whilst there is a slight overprovision of larger units, the scheme is broadly compliant with the HEDNA. In addition, objective 4 of the Borough Plan states that aspirational housing will attract residents who can make a significant investment in the development of businesses in the area. Paragraph 8.7 states that aspirational housing will be considered favourable, provided that the mix is within the ranges indicated in the SHMA. It is considered the proposal is broadly compliant with this, especially given the relatively small scale of the application.

As previously discussed, the site was originally part of a wider housing application and this application provided S106 planning obligations based on the number of dwellings provided (262). Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

This scheme would provide an additional 5 units and therefore it was questioned whether this would also be liable to provide contributions and affordable housing on the additional 5 dwellings. However, planning obligations are not usually sought on minor applications (9 dwellings or less). The previous site has been completed and this is considered to be a separate application. Legal advice has been sought which explains that the authority should only be seeking contributions in line with their policies as there is no policy basis for seeking more than had been advertised in the policies, as being required. Paragraph 4.7 of the Affordable Housing SPD states 'The council will be alert to artificial or contrived subdivision of land to circumvent the affordable housing thresholds. If there is a suspicion that proposals are not using land efficiently, or proposals are being developed in piecemeal way to achieve this, the council will scrutinise site ownership boundaries, densities, unit mix and adjacent land proposals. Where there is a clear case that applicants are trying to circumvent affordable housing thresholds, the proposals will either be recommended for refusal or asked to be withdrawn and resubmitted with a revised scheme. Where adjacent and related residential proposals result in combined numbers meeting or exceeding the policy threshold for affordable housing, the council will request that they are

included as part of a comprehensive development proposal. In those instances, the council will seek the appropriate amount of affordable housing based on the total number of dwellings or floor space area achievable for the combined parcels of land.'

In this instance, whilst the land is adjacent to the existing new-build site, it is not considered that this is a purposeful subdivision of land to avoid providing contributions. The previous site has been completed by Taylor Wimpey, this is a different applicant and the previous application was approved almost 10 years ago. It is considered that this is not too dissimilar to one of the residents on the new estate purchasing a property and applying for planning permission to sub-divide the unit into multiple flats or demolishing a property and applying to build two, as examples.

3. Impact on Residential Amenity

Policy DS3 of the Borough Plan states that there should not be a negative impact to the amenity of the surrounding environment or residents. Policy BE3 – Sustainable Design and Construction refers to development having to comply with the Council's Sustainable Design and Construction SPD in order to protect residential amenity of adjacent properties.

Policy BE3 of the Borough Plan 2019 states that development should:

"Development proposals must be:

1. Designed to a high standard.
2. Able to accommodate the changing needs of occupants.
3. Adaptable to and minimise the impact of climate change.

Urban character

All development proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area, respecting the sensitivity to change of the generic character types within each urban character area. Key characteristics to review include:

1. Current use of buildings
2. Ownership/tenure
3. Street layout
4. Patterns of development
5. Residential amenity
6. Plot size and arrangement
7. Built form

Paragraph 135 of the NPPF is also relevant and sets out the need for planning to deliver a high standard of amenity for all existing and future occupants of buildings.

Scale and design are not considerations at this stage and therefore it is not known what storey the dwellings would be or where windows would be located. A full assessment of this would be made at reserved matters stage, however layout is a matter to be considered and therefore it needs to be ensured that the currently proposed layout is achievable without compromising existing surrounding properties. Assuming that windows serving habitable rooms would be provided to the front and rear of the proposed dwellings, the current layout would be acceptable and the minimum distance standards within the Sustainable Design and Construction SPD (SDC) could be met.

10 Chesterton Drive is located to the south of the site and would be adjacent to plot 3. This property does feature side facing windows, however these cannot be protected as they are unoriginal and form part of a previous extension ref TP/0157/90 (para 11.3 of the SDC) The exact scale and design of plot 3 is not known, however

any first floor windows could be positioned so that they are least 7 metres from no.10 Chesterton Drive's rear garden. The proposed dwelling would be set back from 10 Chesterton Drive's garden and therefore the impact is considered to be acceptable. As such, there would be no unacceptable loss of privacy or harmful impact to this property.

28-34 Broome Way are located to the east of the site and these dwellings would be opposite the rear elevations of plots 3-5. Presuming the proposed dwellings are to be two storey and feature windows on this elevation, a minimum of 20m separation distance would be required in accordance with paragraph 11.4 of the SDC. This is exceeded, at 29-32 metres and therefore considered to be acceptable.

25 Broome Way is located to the north-east of the site. The property would be offset with plot 1 and so even if windows are proposed to the eastern elevation of plot 1, these would not be directly opposite 25 Broome Way. The western elevation of 25 Broome Way would slightly face towards the rear elevation of plot 1, however due to their sitings, there would be limited window-to-window views and therefore the impact to privacy is considered to be acceptable. It is also important to ensure that the physical siting of the building does not result in an oppressive sense of enclosure. Assuming the property is to be two storey, a minimum of 14 metres is required under section 11.8 of the SPD; this has been met and therefore the impact to this property is considered to be acceptable. The side elevation of plot 5 may feature windows and therefore the minimum window to window distance should be 20m. The separation is 16m and therefore short of the 20m guidance. However, the windows would be at a slight angle to one another and in addition, paragraph 11.5 states that this requirement can be relaxed when the distance spans over a publicly accessible area, such as roads and front drives. This dwellings are separated by the internal access road and therefore the 20m requirement can be relaxed in this instance.

It is also important to ensure that there would be a suitable level of amenity for future owners and occupiers.

This application is outline and therefore we do not know the exact scale or design of the proposed properties. An indicative mix is shown on the site layout plan which shows 2 no. 3 bed properties, 2 no. 4 bed properties and 1 no. 5 bed property. It will be ensured at reserved matters stage that all dwellings meet or exceed the minimum internal space standards as required within Policy BE3 of the Borough Plan.

The layout plan shows that all dwellings feature their own gardens and this is considered to provide sufficient space for the drying of clothes and outdoor recreation. A condition will be applied to require at least one EV charger per dwelling.

With regard to noise, the surrounding area is predominantly residential, however there is a road and car park adject to the site. As such, Environmental Health have requested further details and a noise attenuation scheme via condition. Subject to this, they have no objection.

In conclusion, the scheme is considered to provide a good level or amenity for future occupiers whilst not compromising the amenity of existing residential properties. A further detailed assessment would be made at reserved matters stage.

4. Impact on Visual Amenity

The proposal would permanently change the landscape of the site through the development of residential houses. However, the site is adjacent and opposite to

development and therefore this form of development is not considered to be incongruous to the immediate landscape and the wider area. As such, the change that this development would bring is considered to be acceptable. Furthermore, with the proposed landscaping the impacts of the development, particularly in the longer term as it becomes established, will be lessened. Therefore, the impact of the development on the landscape is acceptable. In addition, the benefits associated with the proposed development must be taken into consideration.

With regard to the design of the proposed dwellings, paragraph 135 of the NPPF states that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

Scale and design are not considerations at this stage and therefore it is not known what height the dwellings would be or where windows would be located. A full assessment of this would be made at reserved matters stage, however layout is a matter to be considered and therefore it needs to be ensured that the currently proposed layout is achievable and acceptable.

The site is adjacent to two-storey dwellings with predominantly red brick and gable roofs and therefore this scale and design would most appropriate. New build dwellings are currently present on Broome Way and slightly older properties on Chesterton Drive. As such, the implementation of additional new builds would not be visually out of keeping with the area. At reserved matters stage, house types to be in keeping with the surrounding area would be encouraged.

The design of the dwellings is not known at this stage, however the proposed layout would be able to provide active frontages towards Broome Way (side elevations of plot 1 and 5) and towards Plough Hill Road (side elevations of plots 1 and 2 and front elevations of plots 3, 4 & 5) The site would also provide good natural surveillance towards both of these roads and also the existing school car park. Warwickshire Police have advised that there would be good levels of surveillance.

The details of the materials to be used on the external parts of the buildings would be requested via condition and it would be ensured that the materials used are suitable for the location. Details of boundary treatments would also be requested via condition.

In conclusion, the impact to visual amenity is considered to be acceptable.

5. Contamination, Air Quality and Land Stability

The NPPF set out that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination and to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraph 196 & 198). Policy BE1 of the Borough Plan also requires that development proposals located on or adjacent to land which may have been subject to contamination and/or land instability will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination and instability on public health, environmental quality, the built environment and general amenity and that the development site is or will be made suitable for the proposed final use.

The site is not within an Air Quality Management Area (AQMA) and Environmental Health have not raised any objection with regard to air quality impacts of the proposal. One EV charger will be provided per dwelling and the implementation of new NOx boilers can also be secured via condition. The site is also not within the Coal Authorities Development High Risk Area.

Environmental Health have no objection or concerns with regard to contaminated land.

In conclusion, the impacts of contamination, air quality and land stability are considered to be acceptable.

6. Heritage and Archaeology

WCC Archaeology were consulted with as part of the application. The Archaeology team state that the proposal is unlikely to have a significant archaeological impact and have no objections to the application. There are no locally or nationally listed buildings within the vicinity and the site is not within, or adjacent to, any Conservation Areas. Therefore the impact to heritage and archaeology is considered to be acceptable.

7. Impact on Ecology, Biodiversity and Trees

The NPPF and Policies NE1, NE2 and NE3 of the Borough Plan refers to the protection and enhancement of ecology. This is mirrored in the Council's adopted Open Space SPD. WCC Ecology have been consulted with and they had requested a biodiversity metric to measure the baseline biodiversity values in order to provide biodiversity net gain. However, due to the date in which this application was submitted, the proposal is not required to provide the mandatory 10% gain in biodiversity. The application is also a minor application type and therefore is not subject to Borough Plan biodiversity net gain policies and therefore this is not considered to be necessary.

Landscaping is not a consideration at this stage, however a detailed assessment and consideration of planting proposals would be made at reserved matters stage. Assurances that the approved planting is provided would also be controlled via condition.

The majority of the site consists of open grassland, however there are trees and hedges present along the western and southern boundaries. Two significant trees are located adjacent to the south of the site along the boundary with 10 Chesterton Drive; one of which is protected by a Tree Preservation Order. This scheme

originally sought consent for 6 dwellings, however one of the plots would have significantly infringed within the protected tree's root protection area (RPA). In order to overcome this, the layout has been altered and one unit removed. On the revised layout plan, Plot 3 would be the closest dwelling to these trees, however the Tree Report demonstrates that only a very small part of plot 3 would be located within the tree's RPA. The report concludes that the proposed development would not cause harm to these trees, subject to the implementation of temporary protection measures. Some development within RPAs are acceptable, providing that temporary protections are put in place during construction. It would be ensured via condition that a tree protection plan is submitted and implemented in full prior to any construction commencing on site to ensure that there is no harm to the trees. Details of proposed tree planting would come forward at reserved matters stage.

It is also important to ensure that habitats and species are not harmed as a result of the development and also protected the construction process. As such, it is recommended to request a Construction Environmental Management Plan, Landscape Environmental Management Plan and lighting plan via condition. Subject to these conditions, it is considered that the impact to ecology, trees and biodiversity is acceptable.

8. Impact on Highway Safety & Accessibility

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 115). Access is proposed directly from Broome Way by extending the existing cul-de-sac. Within the site itself, a hammerhead would be provided to provide turning facilities for larger vehicles to enter and exit the site in a forward gear. WCC Highways have no objection to the design and layout of the access and internal road network.

With regard to parking provision, the Transport Demand Management Matters SPD 2022 (TDMM) requires 2 spaces per 3-bed dwelling and 1 unallocated space for every 5 dwellings. For a scheme of 5no. dwellings, this equates to 10 allocated spaces and 1 unallocated space. The scheme would provide 10 allocated spaces and 1 unallocated spaces which meets the TDMM requirements and is therefore considered to be acceptable. WCC Highways have no objection to the size or siting of the spaces.

Motorcycle parking has not been addressed, however would be private hard surfacing suitable for the parking of motorbikes, should the demand arise. This is considered to be reasonable, as typically it is preferable to store motorbikes within the curtilage of a property for safety and security reasons.

Similarly, to with motorbike storage, bicycle storage has not been specifically addressed within the layout plan. However, for residential properties it would be preferable to store bicycles within the curtilage of the property for safety reasons and therefore specific bicycle storage is not considered to be necessary. All units feature their own gardens and small garden sheds could be erected should future owners/occupiers require additional storage space. A condition requesting further details of bike/garden sheds has been included.

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. WCC have considered the typical number of movements associated with 5 dwellings and as this is a relatively minor application, the movements are not considered to

have a 'severe' impact on highway capacity. As such, they have no objection with regard to the impact on the wider network.

The NPPF outlines the need for planning to promote walking, cycling and public transport and to make the fullest possible use of these (paragraph 109). It also states that growth should be focused on locations which are or can be made sustainable (Paragraph 110). With regard to public transport services, the site has good public transport links and is located adjacent to two bus stops.

The site is also located within a walkable distance to essential day-to-day services, such as a pharmacy, a convenience store, a post office, a café and a flower shop on the corner of Valley Road and Hickman Road. Galley Common Medical Centre is also located adjacent to these shops and all of the above services can be reached, on foot, in less than 15 minutes. In addition, Galley Common Infant School is adjacent to the site. As such, it is considered that the site is well-connected to a good range of local facilities and services within a walking/cycling distance.

The existing car park currently serves as an emergency vehicle route to the wider housing estate. Emergency vehicles would currently be required to drive through the car park and over the grass to join Broome Way. The proposed site layout provides a new route through the site, past the front of plot 1, onto the new road and then into Broome Way. This could be considered as somewhat of a betterment, as the full route would be hard surfaced. Warwickshire Fire and Rescue have reviewed the proposed route and have no objection. Whilst separate to Planning, the scheme would also be required to meet Building Regulations Approved Document B: Volume 1: B5 Access and Facilities for the Fire Service to ensure that it is safe and suitable for residential development.

NBBC Waste & Refuse also have no objection, stating that bins could be presented kerbside and the turning hammerhead and access arrangements means that NBBC vehicles can enter and exit the site in a forward gear. The NBBC refuse fleet is being upgraded and may include larger vehicles. As such, WCC Highways advise that a bin collection point (BCP) might be required instead. The site is relatively small and therefore a BCP is considered to be an acceptable option, should larger refuse vehicles be used. Further details of the BCP have been requested via condition and WCC Highways have no objection to this.

9. Flooding and Drainage

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraph 167). This mirrors Policy NE4 of the Borough Plan.

Paragraph 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraphs 173 and 174 of the NPPF explain that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding and the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

The site is wholly within Flood Zone 1 and the site has the lowest risk category for surface water flooding. As such, the scheme is considered to comply with Policy NE4 and the NPPF.

With regard to foul waste, it should be recognised that developers have an 'absolute right' to connect to the public sewer and section 94 of the Water Industry Act 1991 imposes a duty upon water undertakers to (a) "provide, improve or extend...a system of public sewers.." and (b) "to make provision for the emptying of those sewers and such further provision...for effectively dealing, by means of sewage disposal works or otherwise, with the consents of those sewers." Severn Trent have not responded to the consultation request and it is therefore assumed that they have no objection. Nevertheless, further details of surface and foul drainage methods have been requested via condition to ensure that the drainage details are acceptable.

10. Conclusion

In conclusion, the NPPF 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. The site is within the defined settlement boundary and is considered to be within a sustainable location for residential development.

Paragraph 39 of the NPPF states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available... and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

The potential impacts of the proposed development in relation to the use of the land, residential amenity, visual amenity, highway safety, flood risk and drainage, contamination, ecology and heritage and archaeology have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, where potential adverse impacts are identified, it would be possible to mitigate against this through the use of planning conditions. The Council can not currently demonstrate a 5 year housing land supply and this is considered to carry significant weight in favour of the application.

Policy DS8 states that where additional housing sites need to be brought forward, initial priority will be given to sustainable sites, including town centre redevelopment opportunities in Nuneaton and edge of settlement sites, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that there are no key issues which significantly weigh against this application and that the site is location within a sustainable location.

Taking into account the above assessment, it is consequently considered that the proposed development would be in accordance with the current development plan and other policies within the NPPF. It is therefore considered that the proposed development would achieve sustainable development which should consequently be approved subject to conditions.

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:

1. No development shall take place within any phase of the development unless and until full details of the following (hereinafter called ‘the reserved matters’) have been submitted to and approved in writing by the Local Planning Authority for that phase:
 - a) Scale;
 - b) Appearance; and
 - c) Landscaping.
2. In the case of the reserved matters specified above, application for approval accompanied by all detailed drawings and particulars, must be made to the Council not later than the expiration of three years from the date of this permission.
3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of all reserved matters.
4. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

| <u>Description</u> | <u>Reference number</u> |
|--------------------|-------------------------|
| Site Location Plan | 22/55/02 |
| Site Layout Plan | 22/55/01E |

5. No development shall commence until a Tree Protection plan (with Root Protection Areas shown), giving details of all existing trees and hedgerows on and/or adjacent to the site including details of any to be retained and where appropriate, the measures for their protection during the course of development has been submitted to the Council. No tree or hedgerow other than so agreed shall be removed, and no construction works shall commence unless the approved measures for the protection of those to be retained have been provided and are maintained during the course of the development
6. The details required by condition 1(c) shall be carried out within 12 months of the commencement of the development and subsequently maintained in the following manner:

Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.
7. The development hereby permitted, including site clearance, shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition, the LPA expects to see details concerning appropriate working practices and safeguards

for nesting birds, badgers, hedgehogs, reptiles and badgers that are to be employed whilst works are taking place on site. The CEMP should also include pollution and lighting control measures. The agreed Construction and Environmental Management Plan shall thereafter be fully implemented during the development of the site.

8. The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting, details of habitat and biodiversity enhancement/creation measures and management, such as native species planting, tree planting, the provision of bat and bird bricks/boxes integrated into new buildings and hedgehog gaps in new fences. Such approved measures shall thereafter be implemented in full. Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.

9. No development above slab level shall commence until a scheme for the lighting of the site and associated access roads and parking areas within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall outline how the lighting scheme prevents lightspill affecting ecological habitats as evidenced by a suitably qualified and experienced ecologist and on lighting contour diagrams that include 5, 1, 0.5 and 0.3 lux contours. The scheme shall also be carried out in accordance with the guidance of the Bats and Artificial Lighting at Night ILP Guidance note (2023), 2018 Bat Conservation Trust and Institute of Lighting Professionals Joint Guidance publication. The development shall not be carried out other than in accordance with the approved details.

10. No development shall commence, including any site clearance, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to through the construction period. The approved plan shall provide for:

- a. The routing and parking of vehicles of HGVs, site operatives and visitors;
- b. Hours of work;
- c. Loading and unloading of plant/materials.
- d. Storage of plant and materials used in constructing the development.
- e. The erection and maintenance of security hoarding.
- f. Wheel washing facilities to prevent mud and debris being passed onto the highway.
- g. A scheme for recycling/disposing of waste resulting from construction works.
- h. Emergency contact details that can be used by the Local Planning Authority, Warwickshire County Council and public during the construction period.
- i. Arrangements for liaison with the Council's Environmental Protection Team
- j. Dust Management Plan detailing measures for the control and reduction of dust associated with demolition, earthworks, construction and arrangements for monitoring air quality during construction.
- k. Measures to minimise air quality effects arising from increased emissions
- l. Noise and Vibration Management Plan
- m. Measures to minimise the visual effects of temporary lighting during the construction period

11. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

12. No development shall commence until full details of the site levels and finished floor levels have been submitted to and approved in writing by the Council. No construction work shall be carried out other than in accordance with the approved details.

13. No development shall commence until full details of the surfacing, drainage and levels of the access, car parking and manoeuvring areas as shown on the approved plan have been submitted to and approved in writing by the Council. The units shall not be occupied until the areas have been laid out in accordance with the approved details and such areas shall be permanently retained for the parking and manoeuvring of vehicles.

14. No development shall commence until full details of the bin collection points have been submitted to and approved in writing by the Council. The approved details shall be implemented in full prior to first occupation.

15. No development shall commence above slab level until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

16. No development above ground floor slab shall commence until details of a noise assessment and noise attenuation scheme, including glazing and ventilation details, to meet the standard for internal and external noise levels as defined in table 4 and paragraph 7.7.3.2 of BS8233:2014 (including consideration of maximum sound levels in line with the World Health Organisation's Guidelines for Community Noise) has first been submitted to and approved in writing by the Council. The dwelling shall not be occupied other than in accordance with the approved details.

17. No development above ground floor slab shall commence until full details of the boundary treatments, including new walls, fences and bollards, and outbuildings/sheds have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the boundary treatments and outbuildings/sheds to that plot have been carried out in accordance with the approved details.

18. The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes at the site, has been submitted to and approved in writing by the local Planning Authority. The approved scheme shall be implemented in full prior to occupation of any development to the satisfaction of the Local Planning Authority

19. Access to the site for vehicles from the public highway shall not be made other than at the positions identified on the approved drawing 22/55 01 Rev F, and shall not be used until a public highway footway/verge crossing has been laid out and constructed.

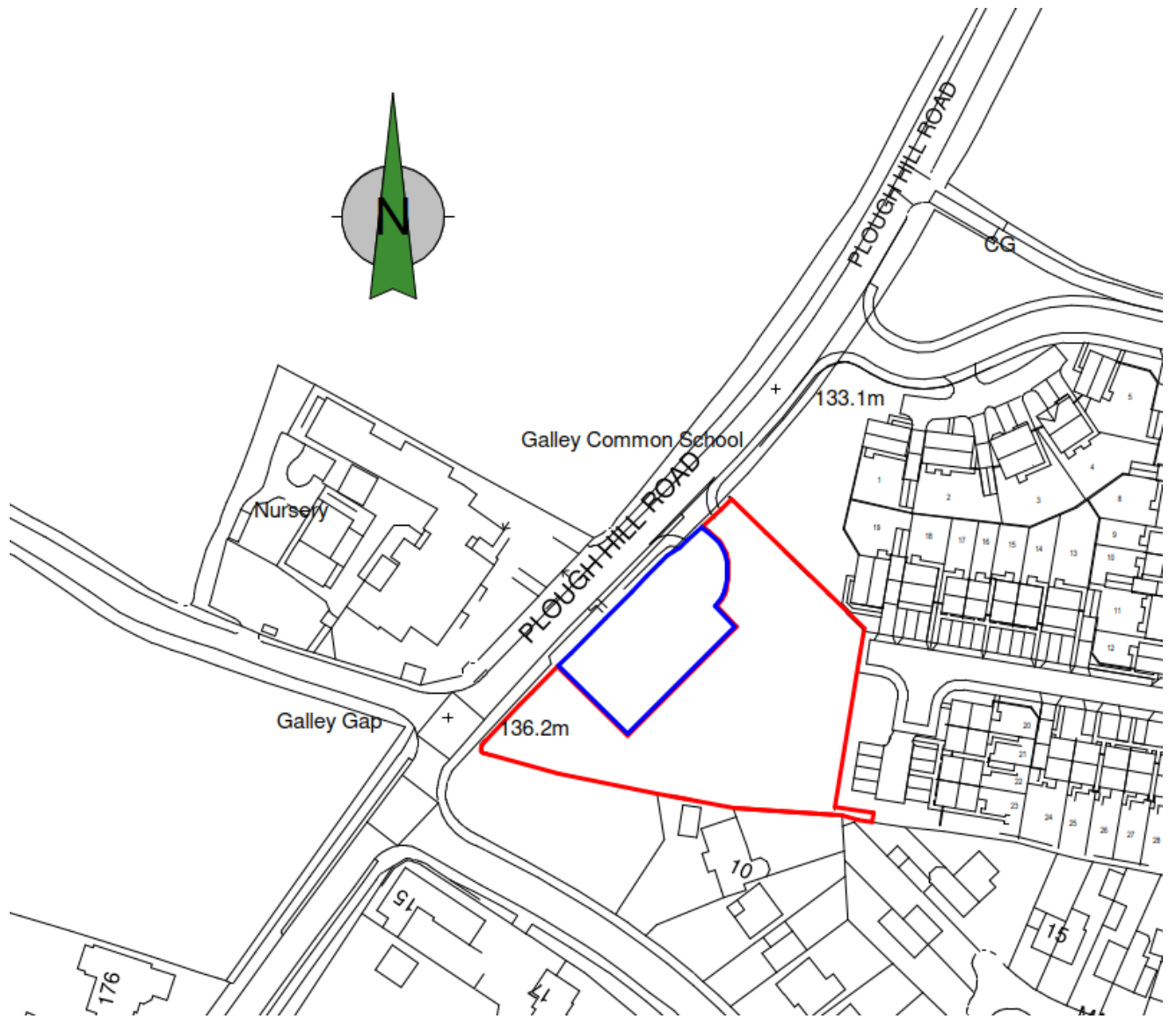
20. No gates, barriers or means of enclosure shall be erected across a vehicular access within 6 metres of the highway boundary. All such features erected beyond that distance should be hung to open inward away from the highway.

21. The development shall not be occupied until pedestrian visibility splays of at least 2.4 meters x 2.4 meters have been provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. These splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6 meters in height above the level of the public highway footway

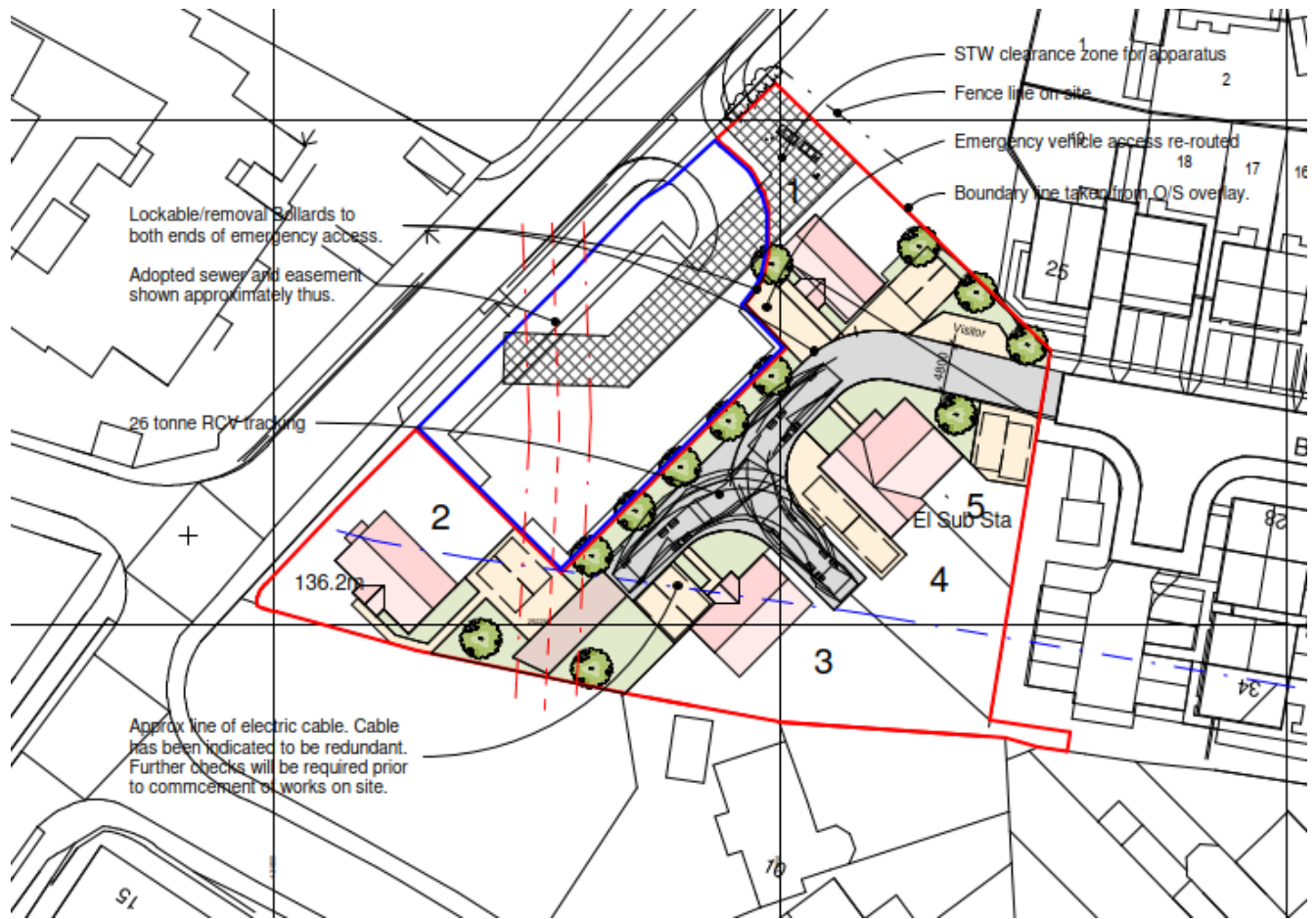
22. There shall be no occupation of any dwelling until an Electric Vehicle (EV) charging point at a rate of; one charging point per dwelling with dedicated has been provided to that dwelling.

23. For domestic heating provision, all gas-fired boiler installations should be low NOx emission type that meet a minimum standard of less than 40 mg NOx/kWh.

24. The development hereby permitted shall not be occupied until the rainwater harvesting system has been installed to that plot.



Location plan



Proposed layout plan

Item No. 2

REFERENCE No. 039499

Site Address: Haunchwood Institute, Valley Road, Nuneaton, Warwickshire, CV10 9NH

Description of Development: Erection of 9 dwellings, access road, car parking and associated infrastructure together with vehicular entrance

Applicant: Mr C Brown

Ward: GC

RECOMMENDATION:

Planning Committee is recommended to grant planning permission, subject to the conditions printed.

INTRODUCTION:

This is a full planning application for the erection of 9 dwellings, access road, car parking and associated infrastructure together with a vehicular entrance at the Haunchwood Institute/Social Club. The site is located to the west of the Haunchwood Social Club on Valley Road in Nuneaton. The application initially sought approval for 10 dwellings, however due to the presence of trees along the western boundary and flood zones, layout changes were required and this has resulted in the loss of one unit.

The site was previously used as a bowling green; however it is understood that this green has not been used for approximately 8 years. As such, most of the site consists of overgrown grass. There are trees and hedges present along the northern, western and southern boundaries. The site itself is relatively flat, however there is a slope towards the south and the properties on the opposite side of Valley Road, to the north, are on slightly higher ground.

The very rear of the site was previously within Flood Zones 2 and 3, however the Environment Agency recently updated their flood mapping information in March 2025 and the site is now wholly within flood zone 1. The site is within the Low Coal Risk Zone, outside of the Green Belt and outside of any Conservation Areas.

RELEVANT PLANNING HISTORY:

- TP/0603/02 – Use of land to site as bowling green – approved in 2002.

RELEVANT PLANNING POLICIES:

- Nuneaton & Bedworth Borough Council Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - DS2 Settlement Hierarchy and Roles.
 - DS3 – Development principles.
 - DS4 – Overall development needs

- H1 – Range and mix of housing.
- HS1 – Ensuring the Delivery of Infrastructure.
- HS2 – Strategic Accessibility and Sustainable Transport.
- HS5 – Health.
- HS6 – Sport and Exercise.
- NE1 – Green Infrastructure.
- NE2 – Open Space
- NE3 – Biodiversity and Geodiversity.
- NE4 – Managing Flood risk.
- NE5 – Landscape Character.
- BE1 – Contamination and land instability.
- BE3 – Sustainable design and construction.
 - Affordable Housing SPD 2020.
 - Air Quality 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:

Cadent Gas, Coal Authority, Environment Agency, George Eliot Hospital Trust, Natural England, NBBC Environmental Health, NBBC Housing, NBBC Parks, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NBBC Tree Officer, NHS, North Warwickshire Borough Council, Severn Trent Water, Sport England, Warwickshire Police (Design Out Crime Officer), Western Power Distribution, WCC Health, WCC Archaeology, WCC Fire Safety, WCC Flood Risk Management, WCC Highways, WCC Infrastructure, WCC Rights of Way.

CONSULTATION RESPONSES:

Objection from:
NBBC Parks

No objection subject to conditions from:
NBBC Environmental Health, WCC Highways, Severn Trent Water

No objection from:
Coal Authority, WCC Archaeology, NBBC Housing, North Warwickshire Borough Council, Warwickshire Police (Design Out Crime Officer), WCC PRoW

Comment from:
Environment Agency (refer to standing advice), WCC Fire Safety (refer to standing advice), NBBC Planning Policy, Sport England, NBBC Refuse, NBBC Tree Officer

Originally consulted when proposal was a 'major' application, however no longer a statutory and/or relevant consultee now this is a 'minor' application:
George Eliot Hospital, NBBC Sports Development, WCC FRM, NHS

No response from:
Cadent Gas, Natural England, WCC Health, Western Power Distribution

NEIGHBOURS NOTIFIED:

12-48 (even inc), 65 & 67, Galley Common Medical Centre, Haunchwood Sports & Social Club and Flat 1 at Haunchwood Sports and Social Club, Valley Road; 1-15

(inc) Mayfair Drive; Units 1, 2 & 3 Colbeck Court, 'S M Wholesalers' Colbeck Court & 'Scott Group Ltd', Haunchwood Park Drive.

Neighbouring properties were sent letters notifying them of the proposed development on 22nd March 2023 and 14th February 2025. A site notice was erected on street furniture on 10th May 2023 and the application was advertised in The Nuneaton News on 29th March 2023.

NEIGHBOUR RESPONSES:

There have been 16 objections from 15 addresses, along with one objection from an unknown address and a letter of comment from a previous Councillor who was appointed during the consultation period but is no longer a serving Councillor. The comments are summarised below;

32. Valley Road is already congested
33. Increase in traffic and pollution
34. Galley Common is losing its village feel and environment
35. Removal of green space
36. Infrastructure cannot cope with additional housing
37. Existing play areas have not been improved with S106 money from previous developments
38. Impact on highway safety and increase in road traffic accidents
39. Land was open grassland prior to becoming a bowling green
40. Surrounding roads are of a poor condition to cope with additional housing
41. Properties would not be affordable for local people
42. Impact of construction on local residents

APPRAISAL:

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

1. The Principle of the Development
2. Loss of Community/Sports Facilities
3. Housing Mix
4. Impact on Residential Amenity
5. Impact on Visual Amenity
6. Contamination, Air Quality and Land Stability
7. Heritage and Archaeology
8. Impact on Ecology, Biodiversity, Trees and Open Space
9. Impact on Highway Safety & Accessibility
10. Flooding and Drainage
11. Conclusion

1. The Principle of Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key constituents which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

Policy TC3 of the Borough Plan states that any new residential development should be within:

1. 1,200 m walking distance of a district or local centre (existing centre's threshold can be outside the borough's administrative boundaries); and
2. 8 minutes motor vehicle drive time to a district centre.

Whilst it is not an identified local or district centre, there are a few 'E' use premises on the corner of Valley Road and Hickman Road. There is a pharmacy, a convenience store, a post office, a café and a flower shop. This serves a similar purpose as a local/district centre in that it provides day to day services to local residents. This centre was identified as 'neighbourhood shops' within the Council's Local and District Centres Study 2012. Galley Common Medical Centre is also located adjacent to the neighbourhood shops and all of the above services can be reached, on foot, in less than 5 minutes (approx. 200 metres). The Camp Hill District Centre can be reached in 7 minutes (motor vehicle drive) and therefore the scheme is considered to be broadly compliant with Policy TC3. In addition, Park Lane Primary School and Nursery and Galley Common Infant Schools are both approximately 0.5 miles from the site (10-15 minute walk or 2-3 minute drive). As such, it is considered that the site is well-connected to a good range of local facilities and services.

The site has good public transport links and is located circa 60 metres away from two bus stops that are served by the 18, 18A and 19 bus service. The N18 and N19 provide direct access to Nuneaton town centre. Nuneaton Railway Station is located within the town centre and provides services along the West Coast Main Line, Birmingham to Peterborough Line and Coventry to Nuneaton Line. As such, the site is considered to be in a highly sustainable location and within the defined settlement boundary. This is considered to meet policy DS3, subject to there being a positive impact on amenity, the surrounding environment and local infrastructure. In addition, Policy DS2 of the Borough Plan states that Nuneaton will have the primary role for housing. The proposal is within Nuneaton and hence compliant with this policy.

The land is not designated for any specific land use in the adopted Borough Plan, nor within the Borough Plan Review, meaning that there is no specific restriction on this land preventing a residential use. Sites not allocated within a plan, but which come forward within the plan period, are referred to as windfall sites.

Policy DS8 of the 2019 Borough Plan states that the Council will monitor the delivery of housing and publish progress against the trajectory. In accordance with the policy requirements of Policy DS8, the Council acknowledge there is shortfall in the overall quantum of development proposed to be delivered within the plan period in accordance with the latest publishing housing trajectory (January 2024) compared to the plan requirement set out in Policy DS3. Therefore, Policy DS8 is currently engaged and needs to be taken into consideration when assessing this application.

This application would provide 9 dwellings, which given the timeframe before adoption of the Borough Plan Review, would help to address the short-term shortfall. Such an approach would meet the policy requirements which state, where the delivery rate of housing is falling short the Council will bring forward sites where it can be demonstrated that such sites will assist with delivery to address short-term needs. This is considered to carry significant weight in support of the application.

The latest five year housing land position for Nuneaton and Bedworth Borough Council is contained within addendum to the Five Year Housing Land Supply Position Statement (January 2025). This sets out that in accordance with the latest Local Housing Need figure, based on the published trajectory, the Council have a current housing supply position of 4.9 years.

Under the transitional arrangements in the updated NPPF, the Borough Plan Review will establish a 5 year position for the authority upon adoption, with the Inspectors Post Hearing Note stating at Paragraph 10:

‘Notwithstanding our concerns about delivery timescales for the listed sites, we consider that there will be a five year supply of housing sites on the adoption of the Plan.’

The Council anticipate that the Borough Plan Review will be adopted between April – June 2025, at which point the authority will be able to demonstrate a 5 year supply. Therefore, whilst the authority cannot demonstrate a five year supply position, this needs to be considered in context, given that the position is constantly evolving as applications within the Borough continue to come forward and progress, and the Borough Plan Review is continuing through the examination process towards adoption.

Policy DS8 states that where additional housing sites need to be brought forward, initial priority will be given to sustainable sites, including town centre redevelopment opportunities in Nuneaton and edge of settlement sites, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The site is currently within the settlement boundary (which is a betterment to edge of settlement) and considered to be sustainable. This is considered to carry significant weight in support of the application. Solihull Metropolitan Borough Council do not currently have a 5 year housing land supply and recent Inspectors decisions at appeal have stated that the ‘provision of housing to meet the identified need attracts *substantial* weight in favour of the appeal’ (Appeal Ref: APP/Q4625/W/24/3351230 date 27.2.25 & Appeal Ref: APP/Q4625/W/24/3353109 date 21.2.25).

Paragraph 125 of the NPPF aims to promote the efficient use of brownfield land. It places emphasis on making as much use as possible of previously developed or ‘brownfield land’. This is especially so where ‘brownfield land’ is located within the existing urban settlement area. However, this does not preclude greenfield land in the urban area being developed. The site would constitute as a form of redevelopment and in addition, the site is within close proximity to existing built development, rather than breaking up an existing field or wider area of open space.

In conclusion, the principle of residential development on the site is considered to be acceptable.

2. Loss of Community/Sports Facilities

Policy HS4 highlights the importance of community facilities and sporting fields. A bowling green would be considered as a form of a community facility. Policy HS4 states that development proposals leading to the loss of a community facility will only be permitted where:

- adequate alternative facilities and services are available locally; or
- access to locally alternative facilities is enhanced; or
- replacement facilities are proposed nearby; or
- it can be demonstrated that there is no longer a demand for the use, the use is no longer viable/appropriate, and that there is a greater benefit to the area resulting from the proposed use.

This is also closely linked to paragraph 104 of the NPPF which states that ‘Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.'

The 2016 Playing Pitch Strategy (PPS) referred to there only being one green at the Club, however the 2023 PPS refers to there being two bowls greens. There are currently two bowling greens at the site and the one bowling green which forms part of the application has not been used for approximately 8 years. This was also evident at the time of the site visit, as the grass has not been maintained and was overgrown.

Whilst the 2016 PPS referred to there being one green at the club, it was stated that current supply is adequate to service demand and the majority of bowling greens were considered to have spare capacity at the time. The Chairman of the Haunchwood Club had also advised that their bowls memberships have declined over the last 6 years and that this has been a common trend across the majority of clubs in Nuneaton.

The updated PPS states that all clubs have capacity to take on additional members and that there is spare capacity for bowls within the Borough. As such, it is considered that the proposal accords with paragraph 104(a) of the NPPF.

The other green at the club would be retained and therefore it is considered that adequate alternative facilities are available locally. In addition, given that the green has not been in use for 8 years, it is considered that this demonstrates that there is no longer the demand to use both greens at the Haunchwood Club. As such, it is considered that the scheme complies with Policy HS4 of the Borough Plan.

Sport England were consulted with as part of the application's assessment process, however as the green has not been used in approximately 8 years, they have not provided a site specific response, nor have they raised an objection to the proposal.

3. Housing Mix

Policy H2 states that 2 affordable units should be provided where residential development proposals consist of between 11 – 14 dwellings and 25% of dwellings should be affordable on schemes above 15 dwellings. The proposal would provide 9 dwellings and is therefore under the threshold for affordable housing provision.

In terms of general market housing, Policy H1 of the Borough Plan states that development is required to provide a mix of housing types, sizes and tenures based on the need and demand identified in the most up to date Strategic Housing Market Assessment (SHMA), as well as the characteristics of the surrounding area.

The table below shows the SHMA requirements:

| Market | | Affordable | |
|---------|----------|------------|----------|
| Bedroom | SHMA (%) | Bedroom | SHMA (%) |
| 1 | 5-10 | 1 | 5-10 |
| 2 | 35-40 | 2 | 35-40 |
| 3 | 45-50 | 3 | 45-50 |
| 4 | 10-15 | 4 | 10-15 |

The Council published a HEDNA report in 2022 which provides the most up-to-date housing market information. The following table summarises the requirements stated in the HEDNA report for Nuneaton and Bedworth (2022):

| | Social/Affordable Rented Housing (%) | Affordable Home Ownership (%) | Market Housing (%) |
|-----------|--------------------------------------|-------------------------------|--------------------|
| 1-bedroom | 25 | 20 | 10 |
| 2-bedroom | 35 | 40 | 35 |
| 3-bedroom | 30 | 30 | 45 |
| 4-bedroom | 10 | 10 | 10 |

The scheme would provide 9no. 3-bed properties and, as demonstrated within the 2022 HEDNA, this is the most required form of market housing. In addition, the existing properties directly to the north of the site on Valley Road consist of three bed semi-detached dwellings. As such, the development of three bed semi-detached properties, and one detached 3-bed dwelling, is considered to be in keeping with the characteristics of the surrounding area and therefore the scheme is considered to comply with Policy H2.

4. Impact on Residential Amenity

Policy DS3 of the Borough Plan states that there should not be a negative impact to the amenity of the surrounding environment or residents. Policy BE3 – Sustainable Design and Construction refers to development having to comply with the Council’s Sustainable Design and Construction SPD in order to protect residential amenity of adjacent properties.

Policy BE3 of the Borough Plan 2019 states that development should be:

1. Designed to a high standard.
2. Able to accommodate the changing needs of occupants.
3. Adaptable to and minimise the impact of climate change.

All development proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area, respecting the sensitivity to change of the generic character types within each urban character area. Key characteristics to review include:

1. Current use of buildings
2. Ownership/tenure
3. Street layout
4. Patterns of development
5. Residential amenity
6. Plot size and arrangement
7. Built form

Paragraph 135 of the NPPF is also relevant and sets out the need for planning to deliver a high standard of amenity for all existing and future occupants of buildings.

The closest residential properties are located to the north on Valley Road and there is also a flat within the Haunchwood Club to the east.

The side elevation of plot 1 would face the side elevation of the Haunchwood Club with a separation distance of approximately 19m. The Club features multiple ground floor windows on this elevation and whilst it is presumed that these serve the club rather than the flat, for the avoidance of doubt, these windows will be assessed. The side elevation of plot 1 is to be blank (no unobscured habitable room windows) and therefore the minimum separation distance should be 14m to accord with paragraph 11.8 of the Sustainable Design and Construction SPD. This distance is exceeded and therefore it is considered that there would be no unacceptable harm caused by loss of light or amenity.

Properties to the north of the site feature multiple windows serving habitable rooms on their principal elevations and these would directly face the front elevations of the proposed dwellings. In order to prevent a loss of privacy and amenity, the SPD recommends a minimum separation distance of 20m. This distance is greatly exceeded, ranging from approximately 45m to 55m, as the properties on Valley Road are stepped.

It is also important to ensure that there would be a suitable level of amenity for future owners and occupiers.

All dwellings exceed the minimum internal space standards as required within Policy BE3 of the Borough Plan and all habitable rooms feature at least 1 window. All properties are to be two storey with three bedrooms. The minimum internal space for this type of dwelling is 84m² and the dwellings are approximately 92m². In addition, all dwellings feature their own gardens and this is considered to provide sufficient space for the drying of clothes and outdoor recreation. All units would feature solar panels and a condition will be applied to require at least one EV charger per dwelling.

With regard to noise, the surrounding area is predominantly residential. However, the site is adjacent to the Haunchwood Sports and Social Club. NBBC Environmental Health have no objection to application and are satisfied that noise impacts could be acceptable, subject to the imposition of a condition requesting a noise assessment and attenuation scheme outlining details of glazing and ventilation.

In conclusion, the scheme is considered to provide a good level of amenity for future occupiers whilst not compromising the amenity of existing residential properties.

5. Impact on Visual Amenity

The proposal would permanently change the landscape of the site through the development of residential houses. However, the site is adjacent and opposite to development and therefore this form of development is not considered to be incongruous to the immediate landscape and the wider area. As such, the change that this development would bring is considered to be acceptable. Furthermore, with the proposed landscaping the impacts of the development, particularly in the longer term as it becomes established, will be lessened. Therefore, the impact of the development on the landscape is acceptable. In addition, the benefits associated with the proposed development must be taken into consideration.

With regard to the design of the proposed dwellings, paragraph 135 of the NPPF states that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

With regard to the layout of the site, the properties are linearly sited and face Valley Road. NBBC Parks object to the application because their view is that the properties should not back on to the area of open space to the rear of the site. However, whilst the land to the rear is Council land and technically open space, the part to the rear of the site is largely covered with dense vegetation and is not as accessible as other types of open space, such as designated play parks or open fields for example. As such, it is considered more important for the properties to feature an active frontage towards Valley Road, rather than the properties facing towards the rear of the site. The side elevation of plot 9 would be visible from the open space to the west of the site, however two windows would be present to the side elevation to add visual interest. The Warwickshire Police Design Out Crime Officer has no objections to the proposal, however they have advised that the perimeter fencing should be 1.8m high close boarded fencing topped with 0.2m trellis. Details of this, along with other boundary treatments, will be requested via condition.

The properties are all similar in design, with four pairs of identical semi-detached properties and one detached dwelling of a very similar design. Whilst it is often encouraged to provide a mix of housing types and designs, the dwellings opposite on Valley Road are all relatively uniform and therefore the proposed dwellings would be in keeping with the surrounding areas. The dwellings are all two-storey with gable roofs and feature decorative headers and cills and a small storm porch canopy. Chimneys have also been incorporated to be in keeping with the nature of the area and the dwellings would also feature solar panels to the rear elevation, which is positive. The details of the materials to be used on the external parts of the buildings would be requested via condition and it would be ensured that the materials used are suitable for the location. In conclusion, the impact to visual amenity is considered to be acceptable.

6. Contamination, Air Quality and Land Stability

The NPPF set out that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination and to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraph 196 & 198). Policy BE1 of the Borough Plan also requires that development proposals located on or adjacent to land which may have been subject to contamination and/or land instability will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination and instability on public health, environmental quality, the built environment and general amenity and that the development site is or will be made suitable for the proposed final use.

The site is not within an Air Quality Management Area (AQMA) and Environmental Health have not raised any objection with regard to air quality impacts of the proposal. One EV charger will be provided per dwelling and the implementation of new NOx boilers can also be secured via condition.

The site is also not within the Coal Authorities Development High Risk Area and therefore the Coal Authority have advised that they do not require consultation.

The site is also located on land in the vicinity of the former Haunchwood Colliery. Following the demolition of the colliery and the associated miners cottages where the proposal site is, there is the potential for made ground to be present on the site. As such, NBBC Environmental Health have requested the standard contaminated land conditions and have no objection subject to these conditions. As such, the impact of contamination, air quality and land stability is considered to be acceptable.

7. Heritage and Archaeology

WCC Archaeology were consulted with as part of the application. The Archaeology team state that the proposal is unlikely to have a significant archaeological impact and have no objections to the application. There are no locally or nationally listed buildings within the vicinity and the site is not within, or adjacent to, any Conservation Areas. The Haunchwood Club building is being assessed and may potentially be included within the revised local list, however the proposal would not cause harm to this building and therefore the impact to heritage and archaeology is considered to be acceptable.

8. Impact on Ecology, Biodiversity, Trees and Open Space

The NPPF and Policies NE1, NE2 and NE3 of the Borough Plan refers to the protection and enhancement of ecology. This is mirrored in the Council's adopted Open Space SPD.

The site was historically open space, however permission was granted in 2002 for the use of the land as a bowling green. The bowling green was developed and it is considered that the site is no longer public open space. To the side and rear of the site is publicly assessable open space and the site itself is fenced off from these areas. There is a clear definition present here between what is open accessible space and what is private land.

Policy NE1 also discusses blue infrastructure and states that where development proposals include a watercourse within their site boundary, providing an easement between the development edge and the watercourse can help contribute to the delivery of green corridors. A watercourse is present towards the rear of the site, not within the site boundary and the proposed dwellings are over 25 metres from the watercourse. Policy NE1 requires a minimum set back of 8 metres and therefore this greatly exceeds the requirement.

Policy NE3 states that development proposals affecting the ecological network will be accompanied by a preliminary ecological assessment. Where the assessment indicates an adverse impact, the assessment must set out a mitigation strategy to halt and reverse the loss of biodiversity, and how it will create biodiversity net gains or, where relevant, how it will reduce its geological impact.

Due to the date in which this application was submitted, the proposal is not required to provide the mandatory 10% gain in biodiversity. Nevertheless, a biodiversity metric has been submitted to support the application as this was originally a major

application. NBBC Parks initially objected to the proposal and one of the reasons for this being that there were errors within the BNG metric. A revised metric has been provided and this shows a net gain in biodiversity (1.65% habitat units and 33.13% hedgerow units). A detailed landscaping scheme has been requested via condition and it will be ensured that the detailed scheme provides the biodiversity net gains as shown within the BNG Assessment and metric. This is considered to carry minor weight in support of the application.

In addition, the application has also been supported by the submission of surveys for water voles, otters and bats. Following survey of the nearby stream, water vole are not a considered a constraint to the development due to the lack of suitable habitat. An otter slide and potential otter holt were found 33m and 51m from the site respectively and, with appropriate buffering of 30m from the otter holt, this is not seen as a constraint to the development. The entire site lies within 30m from the holt.

The line of trees immediately to the south and west of the site measures 88.4 meters in length. The tree line is close to a tree-lined stream, which provides a dark corridor through a predominantly residential and industrialised area. This tree line does not serve as a significant connecting habitat to the broader area, as it terminates before reaching the northern part of the site and does not lead to additional foraging habitats. Lighting mitigation measures will be implemented in accordance with the Bats and Artificial Lighting at Night ILP Guidance note (2023) and this will be secured via condition. The proposed development design has back gardens adjacent to this tree line, further reducing potential light spill from street lighting and other sources. The conclusions of the surveys are that there would be no unacceptable harm to ecology as a result of the development. In order to ensure this during the construction process, Parks recommend the submission of a Construction Environmental Management Plan and Landscape Environmental Management Plan to be requested via condition.

The western part of the aforementioned tree line would have been adjacent to plot 10 on the original layout plan for 10 dwellings. NBBC's Open Space and Green Infrastructure Supplementary Planning Document recommends buffers for trees and other existing habitat to reduce ecological impacts and/or reduction in ecological condition. The Council's Tree Officer advised that whilst the proposed impacts would be low, the issue could be avoided by creating a larger buffer between the properties and trees. In order to resolve this, plot 10 was removed and the proposal was amended now seek consent for 9 dwellings rather than 10. The layout changes now provide a large setback to the trees and the space would form a part of plot 9s rear garden. The site plan shows that new native trees would be planted, however further details of their specimen and standard will be requested via condition.

9. Impact on Highway Safety & Accessibility

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 115). Access is proposed directly from Valley Road via a bellmouth junction and WCC Highways have no objection to the design and layout of the access and internal road network. A Road Safety Audit has also been provided this has been reviewed and considered to be acceptable by the Highway Authority. Recommendations from the RSA include relocating a gully, trimming hedges adjacent to the access to ensure visibility splays are attainable and the removal of bollards. These findings have been agreed and accepted by the applicant and WCC and would be implemented as part of the proposal. There have been no recorded accidents within the latest 5-year period (at submission) within the

vicinity of the proposed development. Therefore, there is no indication of any highway safety issues within the vicinity of the site.

Within the site itself, 2 metre footways and two crossings would be provided. An extension of the internal access road is also provided to act as a turning head for larger vehicles (such as refuse lorries or fire engines) to enter and exit the site in a forward gear.

With regard to parking provision, the Transport Demand Management Matters SPD 2022 (TDMM) requires 2 spaces per 3-bed dwelling and 1 unallocated space for every 5 dwellings. For a scheme of 9no. 3-bed dwellings, this equates to 18 allocated spaces and 1 unallocated space. The scheme would provide 18 allocated spaces and 3 unallocated spaces. This exceeds the TDMM requirements and is therefore considered to be acceptable. WCC Highways have no objection to the size or siting of the spaces. Whilst all parking spaces are to the front of the dwellings, every two spaces would be broken up with landscaping and front of plot parking is common within the area. As such, this is considered to be acceptable.

Motorcycle parking has not been addressed, however would be private hard surfacing suitable for the parking of motorbikes, should the demand arise. This is considered to be reasonable, as typically it is preferable to store motorbikes within the curtilage of a property for safety and security reasons.

Similarly, to with motorbike storage, bicycle storage has not been specifically addressed within the layout plan. However, for residential premises it would be preferable to store bicycles within the curtilage of the property for safety reasons and therefore specific bicycle storage is not considered to be necessary. All units feature their own gardens and small garden sheds could be erected should future owners/occupiers require additional storage space. A condition requesting further details of bike sheds has been included.

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In order to determine the likely impact of the proposed development on the adjacent highway network, a trip rate assessment has been undertaken using the industry standard TRICS database. The Transport Assessment was submitted when the proposal initially sought consent for 10 dwellings – this has since reduced to 9 dwellings. Based on 10 dwellings, the Transport Assessment and this showed an average of 5 to-way movements in the AM and PM peak network hours. WCC Highways have reviewed the assessment and they consider this to be acceptable. As such, they have no objection with regard to the impact on the wider network.

The NPPF outlines the need for planning to promote walking, cycling and public transport and to make the fullest possible use of these (paragraph 109). It also states that growth should be focused on locations which are or can be made sustainable (Paragraph 110). With regard to public transport services, the site has good public transport links and is located circa 60 metres away from two bus stops that are served by the 18 and 19 bus services (one is directly to the front of the Haunchwood Club). The N18 and N19 provide direct access to Nuneaton town centre. Nuneaton Railway Station is located within the town centre and provides services along the West Coast Main Line, Birmingham to Peterborough Line and Coventry to Nuneaton Line.

The site is also located within a walkable distance to essential day-to-day services, such as a pharmacy, a convenience store, a post office, a café and a flower shop on the corner of Valley Road and Hickman Road. Galley Common Medical Centre is also located adjacent to these shops and all of the above services can be reached, on foot, in less than 5 minutes (approx. 200 metres). In addition, Park Lane Primary School and Nursery and Galley Common Infant Schools are both approximately 0.5 miles from the site (10-15 minute walk). As such, it is considered that the site is well-connected to a good range of local facilities and services within a walking/cycling distance.

10. Flooding and Drainage

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraph 167). This mirrors Policy NE4 of the Borough Plan.

Paragraph 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraphs 173 and 174 of the NPPF explain that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding and the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

The very rear of the site was previously within Flood Zones 2 and 3, however the Environment Agency recently updated their flood mapping information in March 2025 and the site is now wholly within flood zone 1.

Prior to the change in the Environment Agency, the applicant had appointed a flooding consultant to provide a site specific flood risk assessment (SSFRA) which also includes a detailed 1D-2D hydraulic modelling study of the watercourse to the south of the site. Their argument was that whilst the Environment Agency's (EA) Flood Map for Planning (FMfP) indicated that the site was within Flood Zone 3, the FMfP was derived from broad-scale JFlow modelling in 2005-2007, which used outdated LiDAR data, hydrological methods, and low-resolution outputs. When compared with modern LiDAR, it is evident that the EA FMfP does not accurately reflect the topography, resulting in unrealistic flow routes through the bowling green. To address these inaccuracies, the consultant conducted a detailed modelling study using modern hydrological methods, the most recently available 2021 National Plan LiDAR, and open data sources. The results of their study confirmed that the site would be within flood zone 1 and this has now been confirmed by the updated Environment Agency mapping information. As the site is within flood zone 1 and the lowest risk for surface water and reservoir flooding, this is considered to be a sequentially preferable site for residential development and therefore compliant with the Borough Plan and the NPPF.

With regard to foul waste, it should be recognised that developers have an 'absolute right' to connect to the public sewer and section 94 of the Water Industry Act 1991 imposes a duty upon water undertakers to (a) "provide, improve or extend...a system of public sewers.." and (b) "to make provision for the emptying of those sewers and such further provision...for effectively dealing, by means of sewage disposal works or

otherwise, with the consents of those sewers." Severn Trent have no objection subject to conditions.

11. Conclusion

In conclusion, the NPPF 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. The site is within the defined settlement boundary and is considered to be within a sustainable location for residential development.

Paragraph 39 of the NPPF states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available... and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

The potential impacts of the proposed development in relation to the use of the land, residential amenity, visual amenity, highway safety, flood risk and drainage, contamination, ecology and heritage and archaeology have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, where potential adverse impacts are identified, it would be possible to mitigate against this through the use of planning conditions. The proposal is considered to comply with paragraph 104(a) of the NPPF as the bowling green is surplus to requirements, based on the most up to date PPG. The Council can not currently demonstrate a 5 year housing land supply and this is considered to carry significant weight in favour of the application.

Policy DS8 states that where additional housing sites need to be brought forward, initial priority will be given to sustainable sites, including town centre redevelopment opportunities in Nuneaton and edge of settlement sites, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that there are no key issues which significantly weigh against this application and that the site is location within a sustainable location.

Taking into account the above assessment, it is consequently considered that the proposed development would be in accordance with the current development plan and other policies within the NPPF. It is therefore considered that the proposed development would achieve sustainable development which should consequently be approved subject to conditions.

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:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

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

| <u>Description</u> | <u>Reference number</u> |
|-------------------------------------|-------------------------|
| Site Location Plan | 22329/P07 |
| Proposed Layout Plan | 22329/P03C (S6) |
| Semi-detached Plots Elevation Plans | 22329/P02A |
| Semi-detached Plots Floor Plans | 22329/P01A |
| Detached Plot Floor Plans | 22329/P09 |
| Detached Plot Elevation Plans | 22329/P10 |
| Street Scene and Section Plan | 22329/P05B |

3. The development hereby permitted, including site clearance, shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition, the LPA expects to see details concerning appropriate working practices and safeguards for nesting birds, badgers, hedgehogs, reptiles and badgers that are to be employed whilst works are taking place on site. The CEMP should also include tree protection measures and pollution and lighting control measures. The agreed Construction and Environmental Management Plan shall thereafter be fully implemented during the development of the site.

4. The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting, details of habitat and biodiversity enhancement/creation measures and management, such as native species planting, tree planting, the provision of bat and bird bricks/boxes integrated into new buildings and hedgehog gaps in new fences. Such approved measures shall thereafter be implemented in full. Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.

5. No development shall commence until:

- a. A contaminated land assessment and associated remedial strategy has been submitted to, and agreed in writing by the Council;
- b. The approved remediation works shall be completed on site, in accordance with a quality assurance scheme, agreed as part of the contaminated land assessment;
- c. If during implementation of this development, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the local planning authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved; and
- d. On completion of the agreed remediation works, a closure report and certificate of compliance, endorsed by the interested party/parties shall be submitted to and agreed in writing by the Council

6. The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting should be used to avoid the blue-white wavelengths;
- Lighting should be directed away from vegetated areas;
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.

7. No development shall commence, including any site clearance, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to through the construction period. The approved plan shall provide for:

- a. The routing and parking of vehicles of HGVs, site operatives and visitors;
- b. Hours of work;
- c. Loading and unloading of plant/materials.
- d. Storage of plant and materials used in constructing the development.
- e. The erection and maintenance of security hoarding.
- f. Wheel washing facilities to prevent mud and debris being passed onto the highway.
- g. A scheme for recycling/disposing of waste resulting from construction works.
- h. Emergency contact details that can be used by the Local Planning Authority, Warwickshire County Council and public during the construction period.
- i. Arrangements for liaison with the Council's Environmental Protection Team
- j. Dust Management Plan detailing measures for the control and reduction of dust associated with demolition, earthworks, construction and arrangements for monitoring air quality during construction.
- k. Measures to minimise air quality effects arising from increased emissions
- l. Noise and Vibration Management Plan
- m. Measures to minimise the visual effects of temporary lighting during the construction period

8. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

9. No development shall commence until full details of the site levels and finished floor levels have been submitted to and approved in writing by the Council. No construction work shall be carried out other than in accordance with the approved details.

10. No development shall commence until full details of the surfacing, drainage and levels of the access, car parking and manoeuvring areas as shown on the approved

plan have been submitted to and approved in writing by the Council. The dwellings shall not be occupied until the areas have been laid out in accordance with the approved details and such areas shall be permanently retained for the parking and manoeuvring of vehicles.

11. No development shall commence above slab level until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

12. No development above ground floor slab shall commence until details of a noise assessment and noise attenuation scheme, including glazing and ventilation details, to meet the standard for internal and external noise levels as defined in table 4 and paragraph 7.7.3.2 of BS8233:2014 (including consideration of maximum sound levels in line with the World Health Organisation's Guidelines for Community Noise) has first been submitted to and approved in writing by the Council. The dwelling shall not be occupied other than in accordance with the approved details.

12. No development above ground floor slab shall commence until full details of the boundary treatments, including new walls and fences, and outbuildings/sheds have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the boundary treatments and outbuildings/sheds to that plot have been carried out in accordance with the approved details.

13. Access to the site for vehicles from the public highway shall not be made other than at the positions identified on the approved drawing 210811-01, and shall not be used until bellmouth access been laid out and constructed.

14. No gates, barriers or means of enclosure shall be erected across a vehicular access within 6 metres of the highway boundary. All such features erected beyond that distance should be hung to open inward away from the highway.

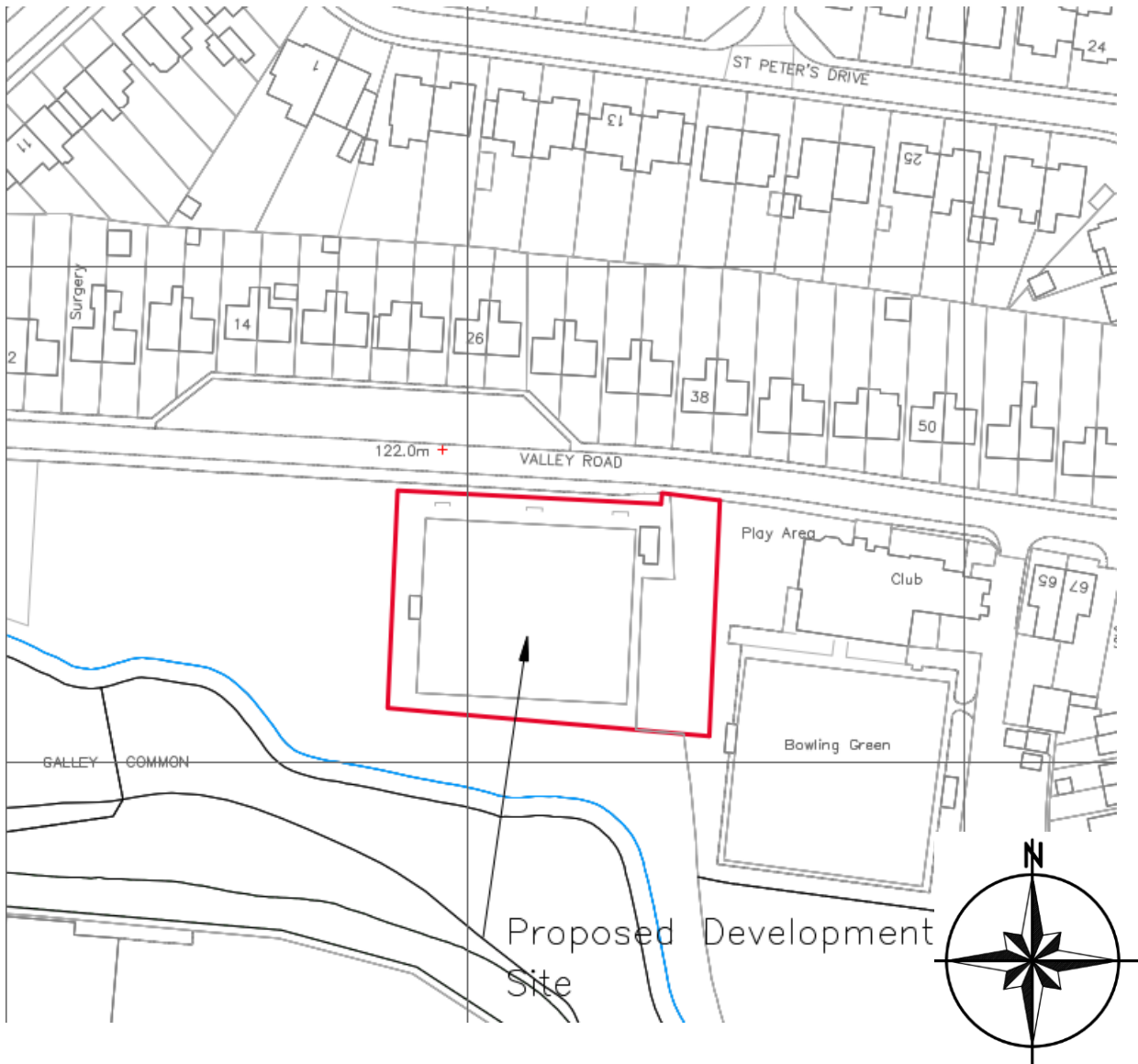
15. The proposed new access to the site for vehicles shall not be used in connection with the development hereby permitted until it has been surfaced with a bound material for a minimum distance of 7.5 metres as measured from the near edge of the public highway carriageway.

16. The development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 43 metres measured to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

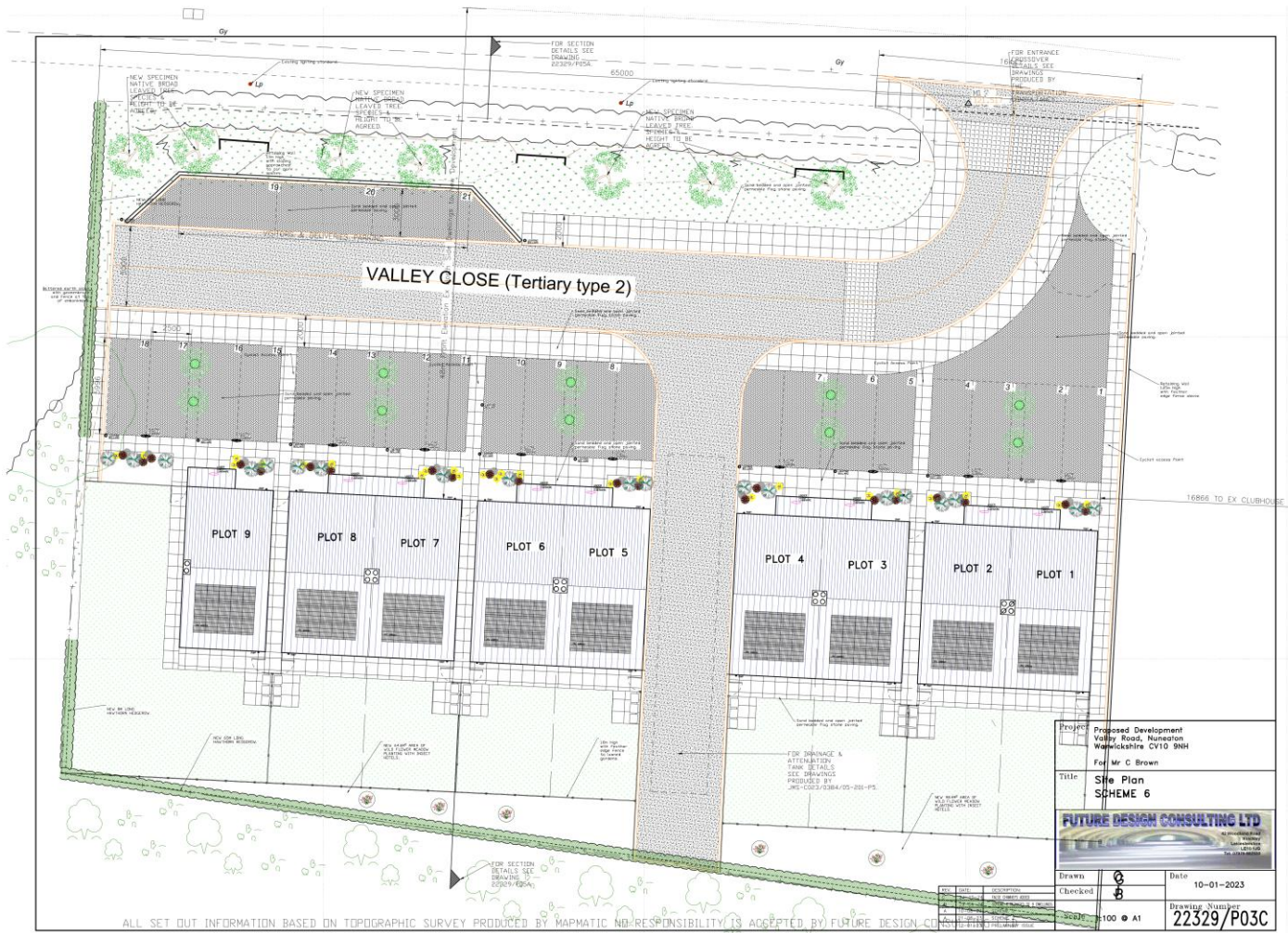
17. There shall be no occupation of any dwelling until an Electric Vehicle (EV) charging point at a rate of; one charging point per dwelling with dedicated has been provided to that dwelling.

18. For domestic heating provision, all gas-fired boiler installations should be low NOx emission type that meet a minimum standard of less than 40 mg NOx/kWh.

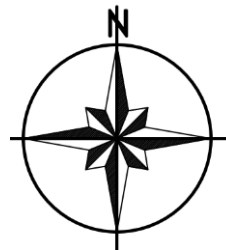
19. The development hereby permitted shall not be occupied until the rainwater harvesting system has been installed to that plot.



Site Location Plan

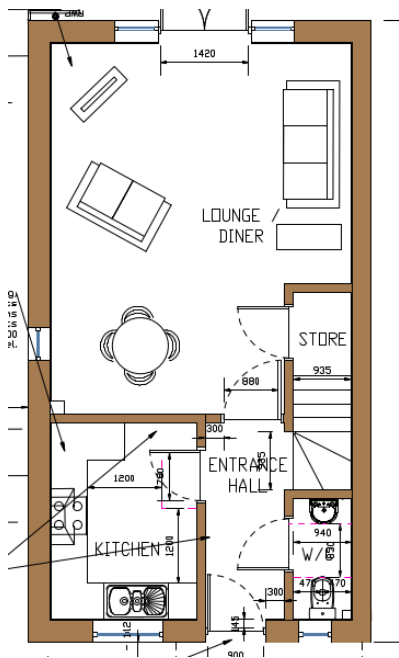


Proposed site layout plan

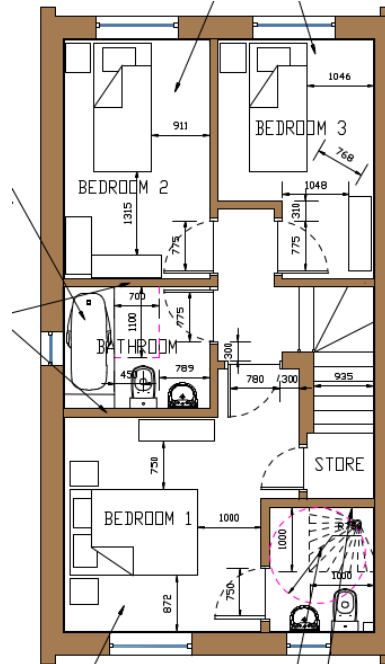




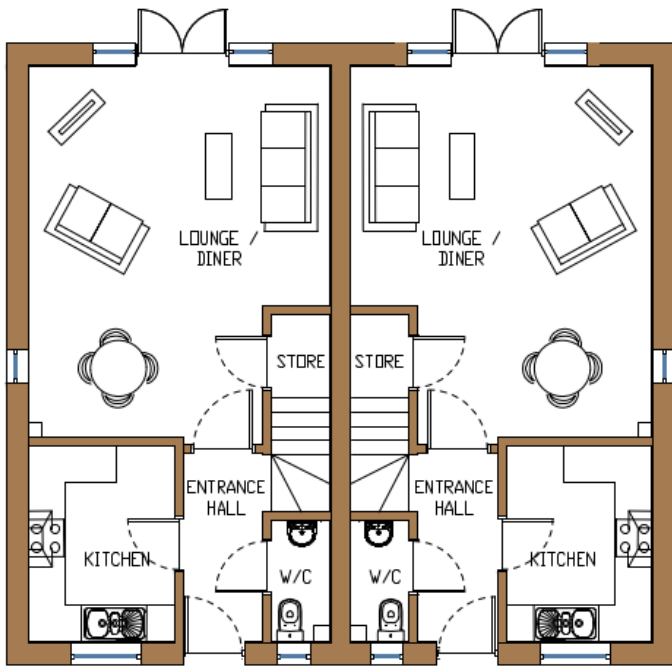
Proposed street scenes and cross section



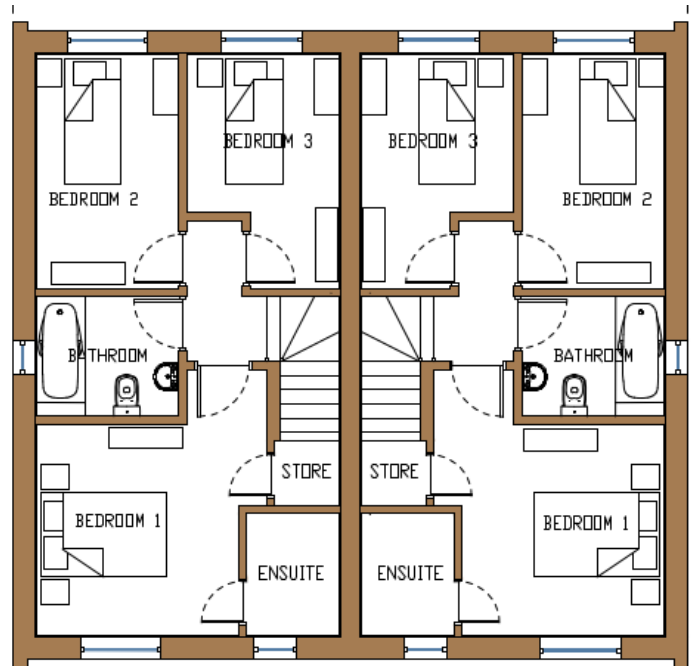
Ground floor plot 9



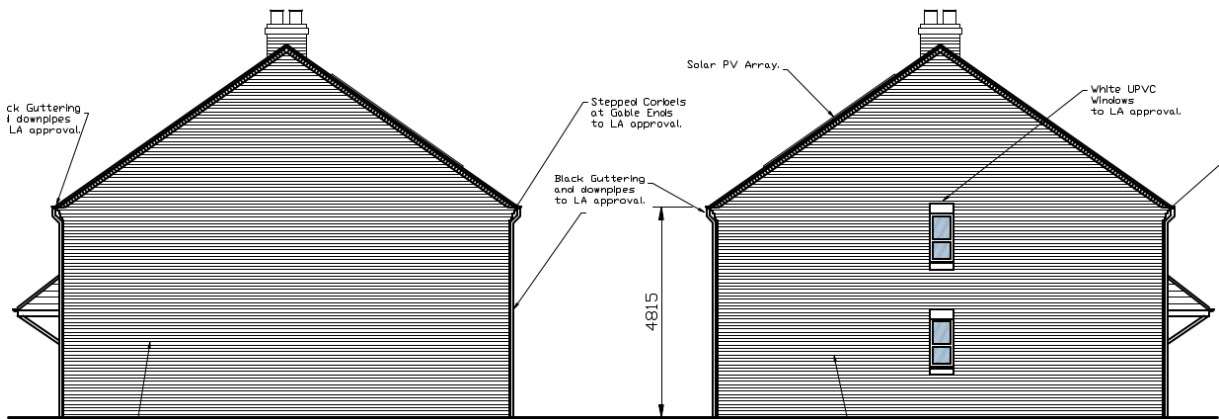
First Floor plot 9



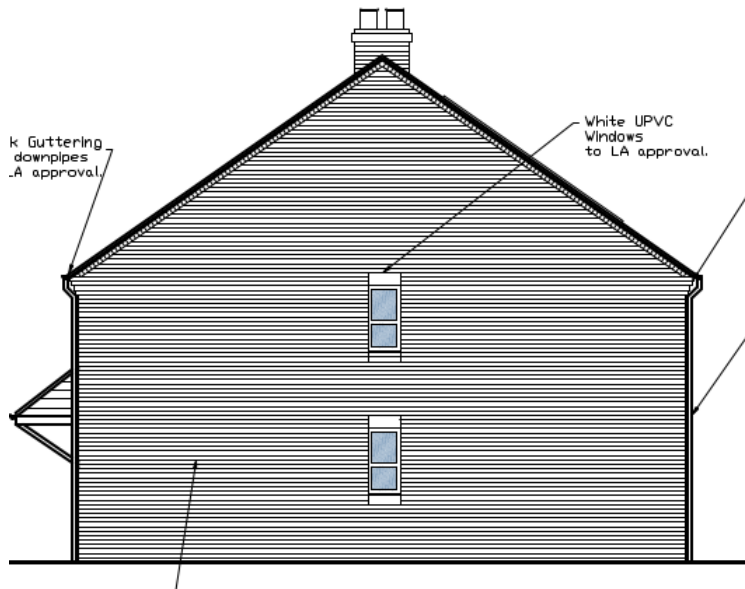
Semi detached ground floor plans



Semi detached first floor plans



Plot 9 Detached dwelling elevations



Semi-detached (plots 1-8) elevations

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)