

Enquiries to:
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Direct Email:
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Date: 19th October 2022

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in
**Council Chamber of the Town Hall, Nuneaton on Tuesday, 1st November 2022 at
6.00p.m.**

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

Please note that meetings may be recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: All Members of the Planning
Applications Committee

Councillors L. Cvetkovic (Chair),
C. Cape, M. Green, B.
Hammersley, J. Hartshorn, S.
Markham, B. Pandher, J.
Sheppard (Vice-Chair), E. Shiers,
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.

The meeting will be live streamed to YouTube and will be available to view via the NBBC website.

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

3. MINUTES - To confirm the minutes of the meeting held on 11th October 2022, 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 11**). 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 14)**

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, attached (**Page 14**)
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

11th October 2022

A meeting of the Planning Applications Committee was held on Tuesday, 11th October 2022, in the Council Chamber and was livestreamed and recorded.

Present

Councillor L. Cvetkovic (Chair)

Councillors: C. Cape, M. Green, J. Gutteridge (substitute for Councillor K. Wilson), B. Hammersley, S. Harbison, J. Hartshorn, S. Markham, B. Pandher, J. Sheppard, E. Shiers, and R. Smith.

Apologies: Councillor K. Wilson.

PLA22 **Minutes**

RESOLVED that the minutes of the meeting held on the 29th September 2022 be confirmed and signed by the Chair. Additionally, the amended minutes of the 30th August were approved and signed by the Chair.

PLA23 **Declarations of Interest**

Councillor Hartshorn noted that he has submitted his updated Declarations of Interest to Committee Services and have asked that these be retrospectively added to the Declarations included in this meeting.

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes, with the amendments as set out above.

PLA24 **Declarations of Contact**

Councillor J. Sheppard declared that she and all Members of the Committee had received correspondence from Councillor Evans in relation to Planning Application 038365 prior to the meeting.

IN PUBLIC SESSION

PLA25 **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 PLA25 OF THE
PLANNING APPLICATIONS COMMITTEE ON 11TH OCTOBER 2022

038365: Site 83d003 – Nuneaton Road, Bedworth, Warwickshire
Applicant: Mohamed

Public Statements: Councillor K. Evans
Mr Edward Bennett

DECISION

Planning permission be refused, for the reasons as printed in the agenda.

Planning Applications Committee - Schedule of Declarations of Interests – 2022/2023

	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
	C. Cape	Director of Capability Coaching and Consultancy Ltd.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Armed Forces Covenant Meeting 	
	L. Cvetkovic (Chair)	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group 	
	M. Green	Employed by Horiba Mira – Calibration Technician	Chair of Education Standards Committee – St Thomas More School Executive Member – Nuneaton Conservatives. Secretary – St Vincent De Paul Society at Our Lady of the Angels Church. Our Lady of the Angels Church. Member of the George Eliot Fellowship Nuneaton Education Strategy Board Member on the following Outside Bodies: <ul style="list-style-type: none"> • Friendship Project for Children. 	
	B. Hammersley	County Councillor –	Member on the following	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		W.C.C.	Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	J. Hartshorn	Employed by ASDA Nuneaton	Member of Nuneaton Conservatives	
	S. Markham	County Councillor – W.C.C.	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee 	
	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group Member of the following Outside Bodies: <ul style="list-style-type: none"> • Foleshill Charity Trustee – Proffitt's Charity 	
	J. Sheppard (Vice-Chair)		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of the Management Committee at the Mental Health Drop in.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	E. Shiers	Employed by and Director of Cannon Enterprise Ltd. Director of The Fresh Dessert Company	The Labour Party Coventry East Credit Union Member of the Pride in Camp Hill Board. Member of the governing board for Camp Hill Primary School. Member of the Board of	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Trustees of Camp Hill Community Association. Volunteer for Coventry and Warwickshire District RSPCA.	
	R. Smith		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Member of the following Outside Bodies: <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum • West Midlands Combined Authority and Land Delivery Board 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	

Planning Applications Committee - Schedule of Declarations of Interests – 2022/2023

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	C. Cape	Director of Capability Coaching and Consultancy Ltd.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Armed Forces Covenant Meeting 	
	L. Cvetkovic (Chair)	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group 	
	M. Green	Employed by Horiba Mira – Calibration Technician	Chair of Education Standards Committee – St Thomas More School Executive Member – Nuneaton Conservatives. Secretary – St Vincent De Paul Society at Our Lady of the Angels Church. Our Lady of the Angels Church. Member of the George Eliot Fellowship Nuneaton Education Strategy Board Member on the following Outside Bodies: <ul style="list-style-type: none"> • Friendship Project for Children. 	
	B. Hammersley	County Councillor –	Member on the following	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		W.C.C.	Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	J. Hartshorn	Employed by ASDA Nuneaton	Member of Nuneaton Conservatives	
	S. Markham	County Councillor – W.C.C.	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee 	
	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group Member of the following Outside Bodies: <ul style="list-style-type: none"> • Foleshill Charity Trustee – Proffitt's Charity 	
	J. Sheppard (Vice-Chair)		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of the Management Committee at the Mental Health Drop in.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	E. Shiers	Employed by and Director of Cannon Enterprise Ltd. Director of The Fresh Dessert Company	The Labour Party Coventry East Credit Union Member of the Pride in Camp Hill Board. Member of the governing board for Camp Hill Primary School. Member of the Board of	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<p>Trustees of Camp Hill Community Association.</p> <p>Volunteer for Coventry and Warwickshire District RSPCA.</p>	
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington;</p> <p>Trustee of Bulkington Sports and Social Club;</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum • West Midlands Combined Authority and Land Delivery Board 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>Deputy Chairman – Nuneaton Conservative Association</p> <p>Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	

Applications for Planning Permission etc.
Agenda Item Index

Planning Applications

Item No.	Reference	Address	Page No.
1.	039007	Site 109a007, School Road, Bulkington, Bedworth	15
2.	039137	17 Newlyn Close, Nuneaton, Warwickshire, CV11 6GG	23

Wards:					
AB	Abbey	AR	Arbury	AT	Attleborough
BA	Barpool	BE	Bede	BU	Bulkington
CH	Camp Hill	EX	Exhall	GC	Galley Common
HE	Heath	KI	Kingswood	PO	Poplar
SL	Slough	SN	St Nicolas	WB	Wembrook
WE	Weddington	WH	Whitestone		

REFERENCE No. 039007

Site Address: Site 109a007, School Road, Bulkington, Bedworth

Description of Development: Installation of two cricket nets, astro turf surface and associated metal net frame and nylon nets 30m x 8m running in line and adjacent to the existing tennis courts

Applicant: Mr Matthew Sheffield

Ward: BU

RECOMMENDATION:

Planning Committee is recommended to give the Head of Development Control delegated authority to grant planning permission, subject to the conditions as printed, after the expiration of the consultation period on the 9th November 2022, subject to no new issues being raised.

INTRODUCTION:

This proposal is for the installation of 2no. cricket nets, Astroturf surfacing and a frame to the nets on previously open space within the recreation ground. The proposal is for a 30.0m by 7.7m by 4.0m structure that will home 2no. cricket nets with the associated equipment and astroturf surfacing and flooring for the nets. The proposed location is next to the current sports courts that are in the corner closest to Barbridge Road and Barbridge Close.

The site is the Bulkington Recreation Ground, which is an area land located with an entrance off School Road. The site features playing fields for outdoor sports, notably cricket, and a children's playground. There is a cricket pavilion on the edge of the boundary of the site, with an associated car park and driving path. There are no significant level changes within the site or between the site and the neighbouring residential properties. The full recreation ground borders and leads on the residential roads of Barbridge Road, Barbridge Close and Hemsworth Drive.

RELEVANT PLANNING HISTORY:

The planning history below is for the recreation ground as a whole.

- 029655 Retention of additional portacabin for use as Boxing Club changing room. Received: July 2009 and Approval: September 2009
- 012648 Temporary building for use as changing room. Received: July 2008 and Approval: September 2008
- 012119 Installation of 8-metre-high floodlight to multi-use games area. Received: November 2007 and Withdrawn: March 2008
- 011612 Installation of 8-metre-high floodlight to multi-use games area. Received: May 2007 and Withdrawn: July 2007
- 000518 Extensions to Sports Pavilion. Received: January 1998 and Approved at Committee: April 1998
- 008090 Erection of new toilet and retention of existing portacabin and store. Received: November 1995 and Approved: January 1996

- 007633 Extensions to sports pavilion. Received: November 1994 and Approved by Committee: January 1995
- 004940 4 Floodlights for bowling green. Received: July 1994 and Approved by Committee: October 1994
- 018579 Garage. Approval: December 1977

RELEVANT PLANNING POLICIES:

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

CONSULTEES NOTIFIED:

NBBC Parks and NBBC Land and Property

CONSULTATION RESPONSES:

No response from:

NBBC Parks and NBBC Land and Property

No objection subject to informative note on the decision notice:
Cadent

NEIGHBOURS NOTIFIED:

7 & 9 The Croft, The Olde Vicarage School Road, 23-77 (all odd numbered properties) Barbridge Road, 3-29 (all odd numbered properties) Hemsworth Drive and 7-13 (odd & even) Barbridge Close.

Neighbouring properties were sent letters notifying them of the proposed development on the 14th July 2022, with additional letters sent to certain addresses on the 18th October 2022.

NEIGHBOUR RESPONSES:

There has been 1 objection from 1 address. The comments are summarised below;

1. Close proximity to residential properties
2. Potential harm to greenhouses, outbuildings and fences
3. Noise from cricketers
4. Size and potential space taken up by proposed structure
5. No space at the park for residents of the local area as the cricket club already take up space and so its not really a recreation area but a private cricket facility
6. Historical damage to residential properties and no acknowledgement or apology from the cricket team
7. Potential increase in vandalism

Additionally, there has been a petition objecting to the application, with 26 signatures. The comments are summarised below;

1. A permanent fixture would reduce property values of properties near the cricket nets
2. Health and safety impact with cricket balls arriving in rear gardens, more cricket would result in more potential injuries
3. Cricket is not a winter sport and so permanent structure is not required
4. Potential increase in vandalism when not used.
5. Where are the side screens going to be stored?
6. What is the planned usage of cricket nets?
7. No thought has been given to the positioning of these nets
8. No floodlights in this application but cannot use the nets without lights so how can they use them at night
9. Amount and quantity of use not specified
10. Size is not needed

APPRAISAL:

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

1. Impact on Residential Amenity
2. Impact on Visual Amenity
3. Conclusion

1. Impact on Residential Amenity

The proposed location of the cricket nets is located close to the boundary with residential properties on Barbridge Road, all of which were consulted as a part of this application. The rear boundaries of 41-53 (odd) back onto the recreation ground and these properties would be directly opposite the proposed nets. As such, the impact to these dwellings should be assessed.

41 – 43 Barbridge Road

The rear elevations of 41 and 43 would directly face the proposed cricket nets. The cricket nets are maximum 4m in height and hence would be classed a single storey building. As such, the minimum distance between the nets and the rear elevations of 41 and 43 should be 12m, as set out in section 11 of the Sustainable Design and Construction SPD 2020.

Numbers 41 and 43 both show evidence of single storey rear extensions, which means that these openings cannot be protected. Regardless of this, the distance between the buildings exceeds 12m at approximately 30-32m. Therefore, it can be concluded that the residential amenity of 41 and 43 Barbridge Road are not negatively impacted by the proposal.

45 & 47 Barbridge Road

45 and 47 Barbridge Road directly face the location of the proposed cricket nets at an angle.

Number 45 shows evidence of a ground floor rear extension and is 32m from the nearest elevation of the proposed cricket nets. Number 47 does not feature any rear extensions, but it is also approximately 32m away from the proposed development.

These distances are acceptable under the SPD as they are over the 12 metre minimum and therefore it is considered that the development would not have a negative impact on the residential amenity of numbers 45 and 47 Barbridge Road.

49-53 Barbridge Road

Numbers 49, 51, and 53 Barbridge Road are located past the side elevation of the proposed cricket nets and all feature extensions to the rear. As such, the ground floor rear windows cannot be considered as per the SPD. Nevertheless, the distance between the rear elevation of these properties and the proposal is over 30m and this exceeds the minimum requirement of the SPD.

Therefore, it is considered that the proposed cricket nets would not have a negative impact on the residential amenity of numbers 49, 51 and 53 Barbridge Road.

Impact on Other Buildings

The two nearest structures to the proposed location are the tennis courts and the Cricket Pavilion, both of which are not residential properties and so have no residential amenity to protect.

Noise

Noise has been raised as a concern within objections. However, it is considered that the level of noise would not significantly exceed what is currently present on site with the existing pitches and courts. In addition, no floodlights or associated lighting system is proposed as part of this application, and this suggests that the use of the training facilities would only be during daylight hours.

Safety

The potential damage to residential properties has also been raised as a concern by residents. However, the structure is shown to be enclosed and this should keep all cricket balls within the cage. As such, there are no concerns with regard to safety.

2. Impact on Visual Amenity

This application is proposing to erect a cricket enclosure approximately 8m in width, 30m in length and 4m in height, located next to the existing sports courts near the rear boundaries of the residential properties on Barbridge Road.

The proposed cricket nets would be located adjacent to the edge of the large open space (Bulkington Recreation Ground) and so it can be concluded that it will be not located in a prominent position. Also, the proposal would be located next to a similar structure of similar use in the sports courts. Furthermore, the structure would be used for cricket training in a location that regularly hosts cricket related events and matches. As such, it is considered that the proposed structure would not be out of keeping or incongruent with the surrounding area. As such it is considered that the cricket nets would not have a negative impact on the visual amenity of the surrounding area, as it is in keeping with the existing sports use.

The proposal displays green AstroTurf flooring, grey/silver metal gates and cream/white nylon nets. This is considered to be in keeping with the adjacent netball/tennis courts and cricket pitch and therefore acceptable.

In general, given the proposed siting and setting, it is considered that the impact on visual amenity is of an acceptable level.

3. 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 key issues for this application was the impact on residential amenity and the impact on visual amenity.

The proposed development meets all the distance requirements to the neighbouring residential properties and so it is considered that it will not have a detrimental impact on the light and amenity of neighbouring dwellings. Furthermore, the proposal is to be located in an area where sports, including cricket are played and so the proposal will not look out of place and will be in harmony with the existing uses. This means that the visual amenity of the area will not be negatively impacted.

Overall, it can be concluded that the proposal is acceptable in its current form and the committee is recommended to approve the application subject to the conditions printed.

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.

The period of consultation from the weekly list and neighbour consultation letters expires on Wednesday 9th November 2022. Therefore the recommendation is tofor the Head of Planning to be given delegated authority to grant planning permission subject to the conditions as printed and subject to no new issues being raised by the end of the consultation period.

SCHEDULE OF CONDITIONS:

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

Plan Description	Date Received
Location Plan	12/07/2022
Proposed nets location	02/09/2022
Proposed nets design	02/09/2022

3. The development shall not be carried out other than in accordance with the net design plan received by the Council on the 2nd September 2022 unless otherwise agreed in writing by the Council.



Location Plan



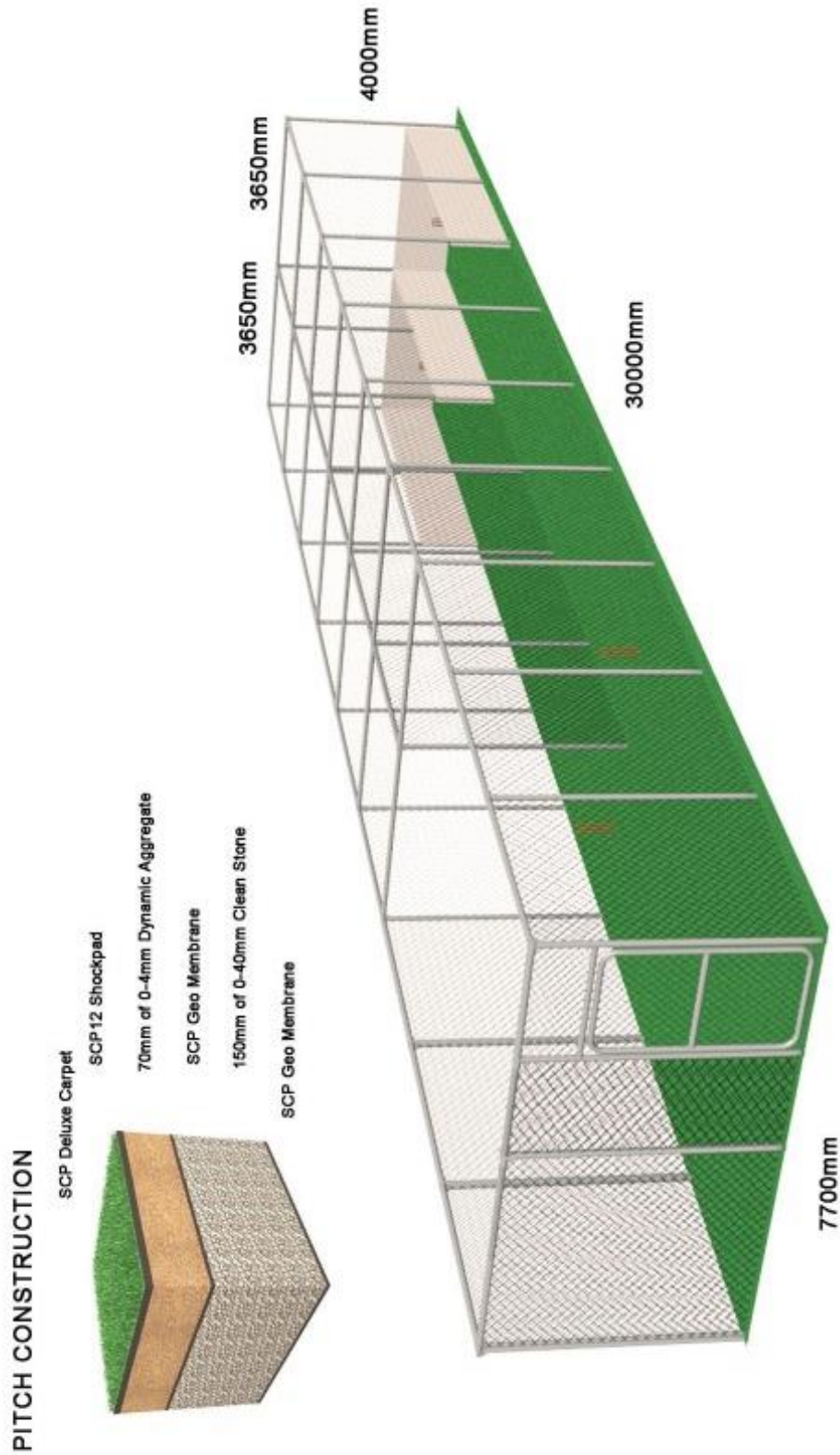
N



Proposed location plan



Drawing



Proposed Dimensions

 STUART CANVAS Stuart Canvas Products Unit 6 Herwick Grange Woodston Warrington Cheshire WA1 0RF	TITLE BULKINGTON CC 2 LANE 6 BAY ENCLOSED SYSTEM		SCALE	DRAWING No. 1
			DATE	ISSUE No.

REFERENCE No. 039137

Site Address: 17 Newlyn Close, Nuneaton, Warwickshire, CV11 6GG

Description of Development: First floor rear extension and raising of lower ridge height to match existing main ridge height

Applicant: Mr and Mrs Turner

Ward: SN

RECOMMENDATION:

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

INTRODUCTION:

This application is for a first floor extension to the rear and the raising of lower ridge height to match existing main ridge height at 17 Newlyn Close in Nuneaton.

The applicant property is a two-storey detached dwelling located on Newlyn Close. The dwelling features a small front gravel garden and a drive which is approximately 8.0 metres in depth, extending to 9.4 metres in width. The dwelling features a gabled roof with concrete interlocking tiles, facing brickwork, white upvc windows and a black upvc front door. The front of the property features a ground floor bay window and an integral garage, which a canopy roof runs across. There are similar property designs and scales within the vicinity of the area.

The rear of the property features a single storey rear extension, which was completed in 2018 under permitted development. The rear garden is relatively flat and rectangular and features an outbuilding. The rear and side boundaries feature 1.5/2 metre fencing.

The proposed first floor rear extension is to be located at the rear of the property. It shall extend off the rear wall by 2.94 metres and from the side wall by of 2.785. The lower ridge on the first floor at the front of the property, shall also be increased to match the main ridge of the dwelling. All external materials are to match those seen on the existing property.

BACKGROUND:

Notwithstanding the level of objection received, this application is being reported to Committee at the request of Councillor Robert Tromans.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction

- Supplementary Planning Guidance / Supplementary Planning Documents.
- Sustainable Design and Construction SPD 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

NEIGHBOURS NOTIFIED:

The neighbouring properties that were notified are 16,18 & 21 Newlyn Close & 21 & 23 Wadebridge Drive. Neighbouring properties were sent letters notifying them of the proposed development on 1st September 2022.

Neighbouring properties 19 Wadebridge Drive and 20 Newlyn Close were also notified during re-consultation, after letters were sent notifying them of the proposed development on the 30th of September 2022.

NEIGHBOUR RESPONSES:

There have been 8 objections from 4 addresses. The comments are summarised below;

1. Proposal is contrary to the Nuneaton and Bedworth Borough Council (NBBC) Borough Plan (2019) and Sustainable Design and Construction SPD (2020).
2. The dormer design is intrusive, prominent and incongruous; not in harmony with the other houses in the area which are mainly two-story houses or bungalows. (note – the application no longer includes a dormer)
3. The roof line raised by 1m, does not respect the form and size of the original building.
4. The design fails to have regard to or respect the urban characteristics of the locality. It would not be in sympathy with the locality, and it would detract from rather than add to the distinctiveness of the area.
5. Have an adverse effect on privacy to habitable rooms and gardens.
6. Affect lighting.
7. Separation distance from the loft extension windows would be significantly less (ie. 7m and 8m less) than the 30m separation distance required in the SPD. (note – the application no longer includes a dormer)
8. Concern by the timescale and disruption of construction.

APPRAISAL:

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

1. Impact on Residential Amenity
2. Impact on Visual Amenity
3. Conclusion

1. Impact on Residential Amenity

The way buildings relate to each other, their orientation and separation distance must provide and protect acceptable levels of amenity for both existing and future residents. These standards can be used flexibly, depending on house layout and on-site circumstance. The only potential impact of this proposal is on the neighbouring properties; 16,18,20 & 21 Newlyn Close & 19, 21 & 23 Wadebridge Drive.

16 Newlyn Close

No.16 Newlyn Close is the unattached neighbour to the west. The first-floor rear extension shall be completely sheltered by No.17's existing rear and side elevation, with the extension not being visible to this property. Moreover, the raising of the lower ridge height to match the existing main ridge height shall also not be visible to this property, sheltered by No.17's existing front and side elevation. The loft conversion and raising of the main dwelling's ridge height was omitted as it was considered there would be a detrimental impact. It is therefore considered that there will be no detrimental impact on this property.

18 Newlyn Close

No.18 Newlyn Close is the unattached neighbour to the east. The first-floor rear extension shall feature no side facing windows towards this property. This property features one first floor side facing window towards the extensions. However, it cannot be protected as it does not serve a habitable room. The first-floor rear extension shall not infringe upon the 60-degree line from the centre of the closest rear facing openings and this is compliant with the SPD. Moreover, the raising of the lower ridge height to match the existing main ridge height shall not have a detrimental impact on this property for the above reasons. The loft conversion and raising of the main dwelling's ridge height was omitted as it was considered there would be a detrimental impact. It is therefore considered that there will be no detrimental impact on this property.

20 & 21 Newlyn Close

Number 20 and 21 Newlyn Close are the the unattached neighbours to the south. The front elevation of these properties face the front elevation of the application site. The raising of the lower ridge height to match the existing main ridge height shall have no effect on these properties, as it is located approximately 26 metres away across a road. The first-floor rear extension would not be visible from numbers 20 and 21 and therefore it is considered to have a minimal impact. It is therefore considered that there will be no detrimental impact to these properties.

19 Wadebridge Drive

No.19 Wadebridge Drive is the unattached neighbour to the north. This property shall be unaffected from the proposed developments as all habitable windows directly face the rear properties of No.20 & 22 St Ives Way. It is therefore considered that there will be no detrimental impact on this property.

21 Wadebridge Drive

No.21 Wadebridge Drive is the unattached neighbour to the north. The rear elevation of this property faces the rear elevation of the applicant property, although they are slightly offset and at an angle to one another.

The first-floor rear extension shall feature one rear facing window which faces towards this property. Habitable room windows above ground floor which overlook neighbouring private amenity space shall be at least 7 metres from the boundary. The extension complies with this at approximately 9.9 metres.

No.21 Wadebridge features habitable ground and first floor windows. In the interests of protecting privacy, a minimum 20 metres separation distance is required between the existing ground and first floor habitable room windows and proposed ground and first floor habitable room windows. The extension complies with this at approximately 23 metres. Moreover, the raising of the lower ridge height to match the existing main

ridge height shall be completely sheltered by No.17's proposed rear extension, with the extension not being visible to this property. The loft conversion and raising of the main dwelling's ridge height was omitted as it was considered there would be a detrimental impact. It is therefore considered that there will be no detrimental impact on this property.

23 Wadebridge Drive

No.23 Wadebridge Drive is the unattached neighbour to the north. The rear elevation of this property faces the rear elevation of the applicant property, although they are slightly offset and at an angle to one another.

Habitable room windows above ground floor which overlook neighbouring private amenity space shall be at least 7 metres from the boundary. The extension complies with this at approximately 8.7 metres.

No.23 Wadebridge features habitable ground and first floor windows. In the interests of protecting privacy, a minimum 20 metres separation distance is required between the existing ground and first floor habitable room windows and proposed ground and first floor habitable room windows. The extension complies with this at approximately 23.2 metres.

Moreover, the raising of the lower ridge height to match the existing main ridge height shall be completely sheltered by No.17's proposed rear extension, with the extension not being visible to this property. The loft conversion and raising of the main dwelling's ridge height was omitted as it was considered there would be a detrimental impact. It is therefore considered that there will be no detrimental impact on this property.

2. Impact on Visual Amenity

The extensions have been designed to be in keeping with the original dwelling with matching brickwork, gable roofing, white upvc double glazed windows and matching roof tiles. This is considered acceptable within section 13.9 of the Sustainable Design and Construction Supplementary Planning Document 2020.

It is considered that the proposed extensions would respect the original building, as it would not extend past the existing principal ground rear wall and the dwellings main ridge height. Therefore, this will not detract the character from the area, appear intrusive or dominate the existing property and is therefore acceptable under paragraph 13 of the Sustainable Design and Construction Supplementary Planning Document 2020. Moreover, there have been numerous similar developments seen within the vicinity of the area.

The loft conversion and raising of the main dwelling's ridge height was omitted, as it was considered there would be a detrimental impact. Therefore, the development is considered to be acceptable in terms of visual amenity.

3. 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 proposal and development, in regards of residential and visual amenity, is in accordance with the policies set within the Sustainable Design and Construction SPD and this should carry significant weight within the determination process.

Although, there have been a number of objections to this application, many of the objectors referred to the loft conversion and main ridge raise to have a detrimental impact; which has not been omitted, overcoming many issues presented from the nearby neighbours.

The first-floor rear extension and raising of the lower ridge height to match the existing main ridge height is compliant with the SPD and is considered that little harm would be created by the development.

REASONS FOR APPROVAL:

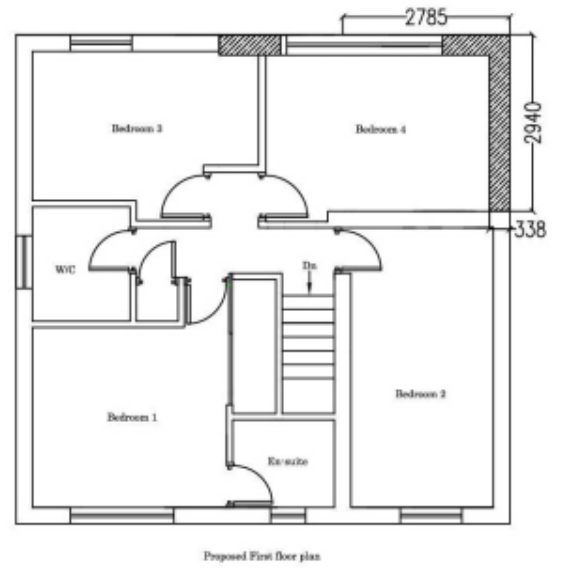
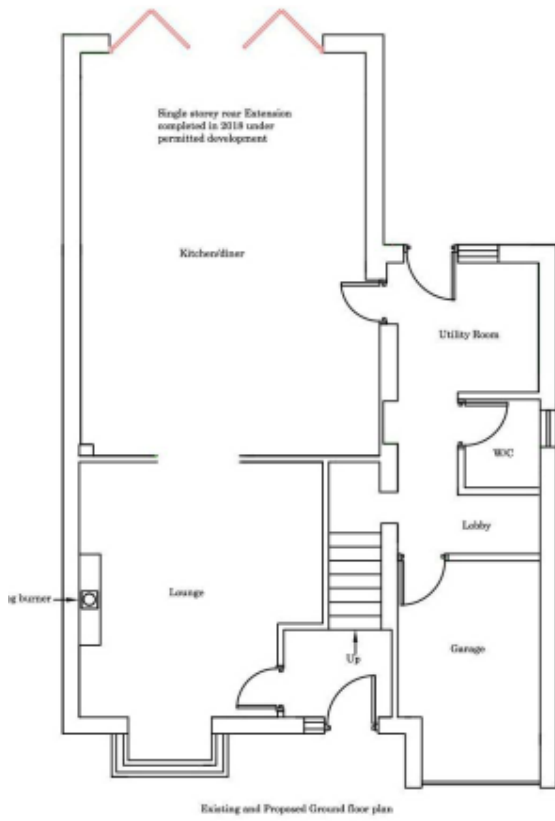
Having regard to the pattern of existing development in the area, relevant provisions of the development plan, as summarised above, and the consultation responses received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in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

SCHEDULE OF CONDITIONS:

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

Plan Description	Plan No.	Date Received
Floor plans	PL-01719-1 Rev B	29th September 2022
Elevation plans	PL-01719-3 Rev B	29th September 2022
Elevation plans	PL-01719-4 Rev B	29th September 2022
Site & Location plans	PL-01719-5 Rev A	29th September 2022

3. No external materials shall be used in the extensions other than of the same type, texture and colour as those used in the existing building, unless otherwise agreed in writing by the Council.



Existing and Proposed Floor Plans



Existing front Elevation



Proposed front Elevation



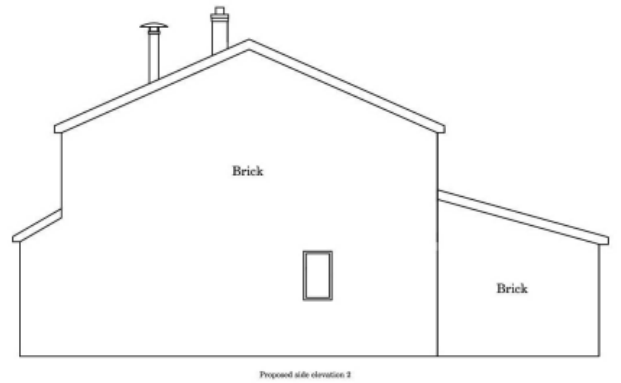
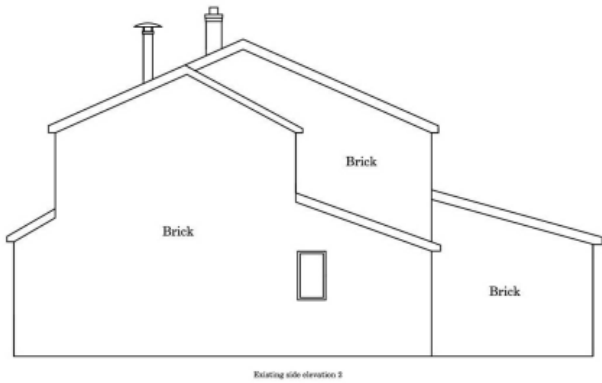
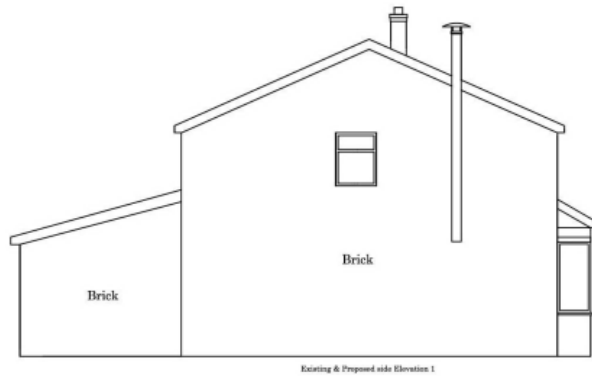
Existing Rear Elevation

Single storey rear Extension completed in 2018 under permitted development

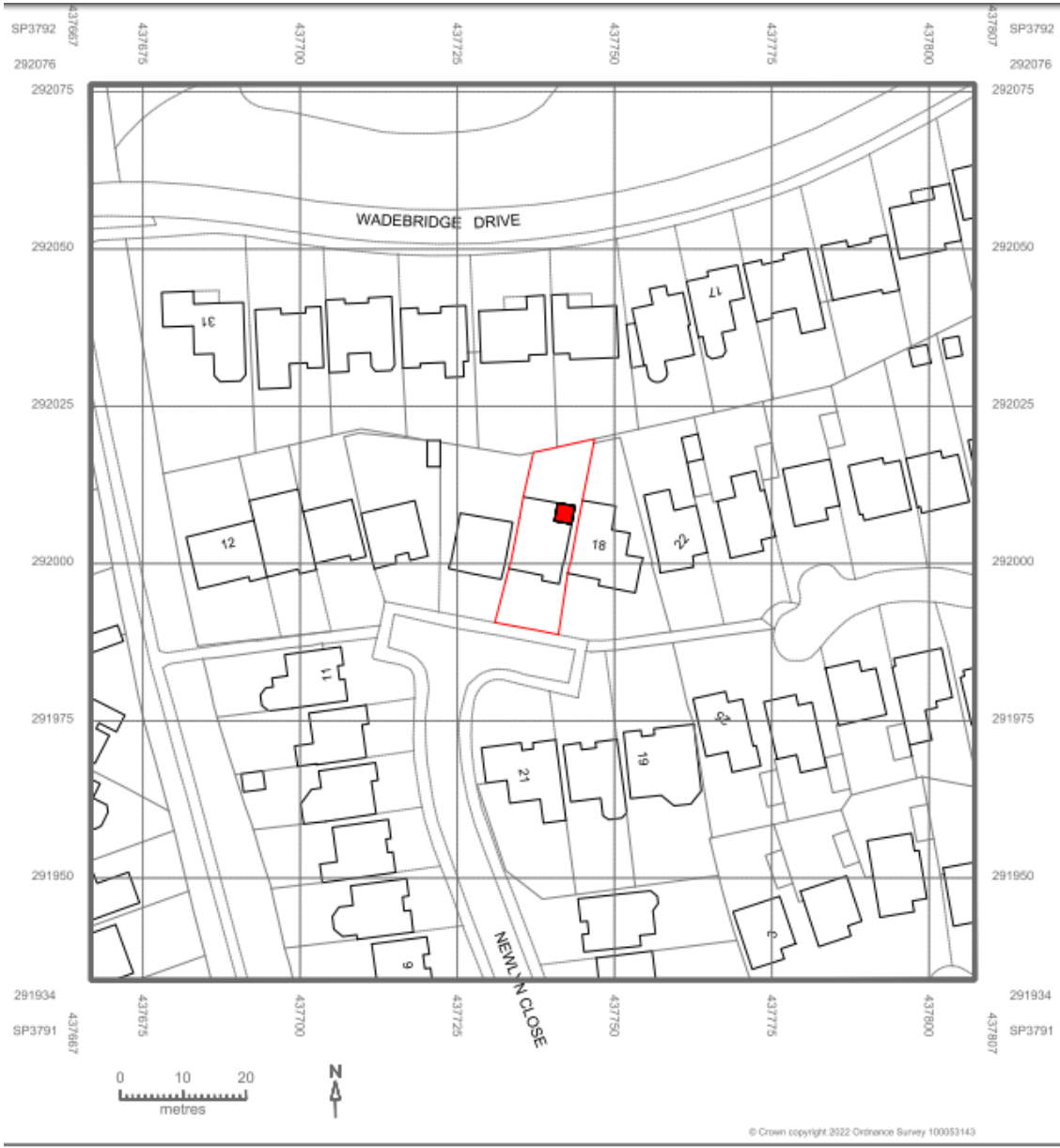


Proposed Rear Elevation

Existing and Proposed Front & Rear Elevation plans



Existing and Proposed Side Elevation Plans



Location plan

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.

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)