

Enquiries to:
Victoria McGuffog

Telephone Committee Services: 024 7637 6220

Direct Email:
committee@nuneatonandbedworth.gov.uk

Date: 24th August 2021

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in **Council Chamber of the Town Hall, Nuneaton on Tuesday 7th September 2021 at 6.00p.m.**

A Site Visit will take place prior to the meeting at 5.00pm as detailed overleaf.

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

Please note that meetings may be recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Executive Director - Operations

To: All Members of the Planning
Applications Committee

Councillor L. Cvetkovic (Chair)
Councillors S. Croft, K. Evans, B.
Hammersley, K. Kondakor, S. Markham, B.
Pandher, M. Rudkin, J. Sheppard (Vice-
Chair), R. Smith, and K. Wilson.

Committee Site Visits

Members are reminded that a site visit will take place in relation to application 037776 - 153 Lutterworth Road, Nuneaton, CV11 6PY.

Members are asked to meet at the site at 5pm.

If any Members require a lift from the Bedworth Civic Hall could they please contact the Planning Department prior to the afternoon of Committee. Alternatively, if Members require a lift from the Town Hall, please inform the Planning Department and arrange to meet in reception at 16:40. Please note it is requested that if car sharing is required that a face mask is worn during the journey and car windows are kept open.

The standard site visit protocol is set out overleaf for your information. However, extra protocols are considered appropriate at this current time, these are as follows:

- Officers should undertake a pre-screening assessment ahead of attending site, specifically contacting the agent/applicant to check that access is available and there is no need to be accompanied. Clarification should also be sought by the Applicant/Agent that access can be carried out without going through the house.
- Officers or Members should not enter inside property unless absolutely necessary, and if they do enter the property this should be post any screening assessment and appropriate social distancing rules be maintained and only if it is safe to do so.
- PPE is to be worn by all attendees, namely masks at all times on site. Hand gel will also be made available by Planning Officers in attendance.
- If Members or Officers are displaying COVID-19 symptoms they should not undertake the site visit.
- Social distancing should be maintained throughout the visit.
- The application cannot be discussed by the Applicant/Agent or objectors with the attending Members or Officers as this could mean that social distance standards are not adhered to.
- In the event that anybody at the property is isolating or has tested positive prior to the site visit, they have been requested to contact the Council in order to reassess whether a site visit can be safely carried out or will need to be deferred.

Committee Site – Protocol

The purpose of a site visit to an application site is to clarify and gather information on planning issues relating to the site. It is not to provide a forum for debate and discussion on the merits of the application. Therefore, Committee Site Visits will be conducted subject to the following criteria:

- a) A site visit is for the purpose of viewing the site and ascertaining facts. They will take place only if authorised by the Committee where the Committee considers it is unable to determine an application on the basis on the officers' report to the Committee alone.
- b) Authorised attendance at a site visit shall be limited to members of the Planning Applications Committee and appropriate Officers.
- c) There shall be no discussion of the merits of any application during the site visit. Such discussion will only take place at a meeting of the Committee.
- d) Applicants or their representative shall not be permitted to make representations to members of the Committee during a site visit. They may, however, give any purely factual information which is requested by members through the representative of the Development Control Department and which cannot be ascertained by viewing alone.
- e) At the start of the site visit the Chairman of the Planning Applications Committee or the representative of the Development Control Department will explain and make clear to all those attending the Code's requirements for the conduct of site visits.

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 the Virgin Money building (formally the Yorkshire 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.

Chair to advise the meeting if all or part of the meeting will be recorded for future broadcast.

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

3. MINUTES - To confirm the minutes of the meeting held on 27th July 2021 (attached). **(Page 7)**

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 13)**. 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)**

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)**
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

27th July 2021

A meeting of the Planning Applications Committee was held on Tuesday, 27th July, 2021, in the Council Chamber.

Present

Councillor L. Cvetkovic (Chair)

Councillors: S. Croft, K. Evans, B. Hammersley, K. Kondakor, S. Markham, B. Pandher, J. Sheppard (Vice-Chair), R. Smith, and K. Wilson.

Apologies: Councillor Rudkin

PLA14 **Minutes**

RESOLVED that the minutes of the meeting held on the 15th June 2021 be confirmed and signed by the Chair.

PLA15 **Declarations of Interest**

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

PLA16 **Declarations of Contact**

None declared.

PLA17 **Exclusion of Public and Press**

RESOLVED that 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 the Schedule 12A to the Act.

PART 2: PRIVATE SESSION

PLA18 **037923 – 42 Tewkesbury Drive, Bedworth, Warwickshire, CV12 9ST**

RESOLVED that the decision made in the confidential session on 15th July 2021 be rescinded and authority be given to the Director – Democracy, Planning and Public Protection to issue a Certificate of Lawfulness of Proposed

Change Of Use of the dwelling house known as 42 Tewkesbury Drive which is currently Class C3(a) to a Residential Care (Class C2) for one child subject to the following conditions:

- a) No more than two staff on duty between the hours of 22:00 and 07:30 and no more than three staff on duty at any other time;
- b) No staff shift changes nor associated staff vehicle movement after 22:00 and before 07:30 the following day, unless for emergency purposes;
- c) No business meetings of any kind to take place at the premises;
- d) Any office at the premises shall be used for purposes incidental to the operation of the premises only and for no other purpose;
- e) No more than three vehicles parked on the premises at any one time.

IN PUBLIC SESSION

PLA19 **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 PLA19 OF THE
PLANNING APPLICATIONS COMMITTEE ON 27TH JULY 2021

037972 – Site 26C008 – Land rear of 148 – 160 Camp Hill Road, Nuneaton

Applicant: Mr Steve Hadley

Public Statements: None

DECISION

The application be refused for the reasons as printed on the agenda and the addendum.

037776 – 153 Lutterworth Road, Nuneaton

Applicant: Mr Jasdev Thind

Public Statements: Mrs C Wood and Mr A Wood.

DECISION

That the application be deferred for Members of the Committee to carry out a site visit to check measurements on site, particularly in relation to 155 Lutterworth Road, site levels and to assess the impact on overlooking of 155 Lutterworth Road and impact on residential amenity.

Planning Applications Committee - Schedule of Declarations of Interests – 2021/2022

	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
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children and Adults) • Local Government Superannuation Scheme Consultative Board • West Midlands Employers 	
	L. Cvetkovic	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 	
	K. Evans	Employed by UK Parliament	Sponsorship: Election Expenses – North Warwickshire Conservative Association Membership of Other Bodies: <ul style="list-style-type: none"> • Sherbourne Asset Co Shareholder Committee; • Nuneaton and Bedworth Sports Forum; 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Warwickshire Direct Partnership; • Warwickshire Waste Partnership; West Midlands Combined Authority Audit Committee. Executive Officer – North Warwickshire Conservative Association; Member of the Conservative and Unionist Party; Member of the Governing Body – Race Leys Infant School	
	B. Hammersley	County Councillor – W.C.C.		
	K.A. Kondakor	Electronic Design Engineer (self-employed semi-retired); Statistical data analyst and expert witness (self employed)	Unpaid director of 100PERCENTRENEWABLEUK LTD Spouse: Leafleting for your Call Magazine one day every 6 weeks	
	S. Markham	County Councillor – W.C.C.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch 	
	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 	
	M. Rudkin	Employee of Coventry City Council	Unite the Union	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of the Management Committee at the Mental Health Drop in.	
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington; 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 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>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:</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 • Deputy Chairman – Nuneaton Conservative Association • District Council Network • Local Government Association 	

Planning Applications Committee - Schedule of Declarations of Interests – 2021/2022

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	L. Cvetkovic	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 	
	K. Evans	Employed by UK Parliament	Sponsorship: Election Expenses – North Warwickshire Conservative Association Membership of Other Bodies: <ul style="list-style-type: none"> • Sherbourne Asset Co Shareholder Committee; • Nuneaton and Bedworth Sports Forum; 	

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	B. Hammersley	County Councillor – W.C.C.		
	K.A. Kondakor	Electronic Design Engineer (self-employed semi-retired); Statistical data analyst and expert witness (self employed)	Unpaid director of 100PERCENTRENEWABLEUK LTD Spouse: Leafleting for your Call Magazine one day every 6 weeks	
	S. Markham	County Councillor – W.C.C.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch 	
	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 	
	M. Rudkin	Employee of Coventry City Council	Unite the Union	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of the Management Committee at the Mental Health Drop in.	
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington; 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 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>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:</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 • Deputy Chairman – Nuneaton Conservative Association • District Council Network • Local Government Association 	

Applications for Planning Permission etc.
Agenda Item Index

Site Visit

Item No.	Reference	Address	Page No.
1.	037776/WH	153 Lutterworth Road, Nuneaton. CV11 6PY.	

Planning Applications

Item No.	Reference	Address	Page No.
2.	037021/EX	Site 127a002 - Land south east of Wilsons Lane and off Longford Road, Exhall.	
3.	038025/BU	143 Weston Lane, Bulkington.CV12 9RX.	
4.	037705/SL	Site 95A002 Marston Lane Bedworth.	
5.	037894/WH	11 Sunningdale Close, Nuneaton CV11 6NB.	

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		

SITE VISIT

Item No. 1

REFERENCE No. 037776

Site Address: 153 Lutterworth Road, Nuneaton CV11 6PY.

Description of Development: Convert existing hipped roof of garage to gabled roof to include new enclosed external staircase to southern elevation and dormer roof/windows to front.

Applicant: Mr Jasdev Thind.

Ward: WH

RECOMMENDATION:

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

REASON FOR SITE VISIT

Deferred by Members to allow the measurements to be checked on site particularly in relation to no. 155 Lutterworth Road. A site visit was requested by Members to assess site levels and to assess the impact on overlooking to no. 155 Lutterworth Road and impact on residential amenity.

Members also requested details of the original conditions for the replacement dwelling - application reference 032927 to be added to the agenda.

INTRODUCTION:

The proposal is to convert the existing hipped roof of the garage to a gabled roof to include a new enclosed external staircase to the southern elevation and a dormer roof/windows to the front. The change from hip to gable will increase the length of the roof from 4.3 metres to 11.2 metres, the overall height will remain the same at 5.1 metres. The intention is that the resulting additional roof space will be used as a home gym. This is an amendment to the original scheme which showed an open external staircase to the northern elevation. This was not considered acceptable because of the potential overlooking of the rear garden of No 151 Lutterworth Road.

The application property is a large, newly constructed detached house on Lutterworth Road. It is an infill development built after the original property was demolished following the grant of planning permission for the replacement in 2014. To the north, east and west are more traditional dwellings of varying type and design, while to the south is Pauls Land a Council owned area of open space.

BACKGROUND:

This application is being reported to Committee at the request of Councillors Sargeant and Payne and former Councillor Tandy.

RELEVANT PLANNING HISTORY:

- 036766: Application for variation of condition following grant of approval reference 032927. Variation is to condition 5 to allow the existing dropped kerb to remain: Refused 27th November 2019.
- 036461: Application for variation of condition following grant of approval reference 032927. Variation is to condition 5 to allow the existing dropped kerb to remain: Refused 10th July 2019.
- 032927: Erection of one detached dwelling, new vehicular access and detached garage within rear garden (existing dwelling to be demolished): Approved 9th December 2014.

The conditions for 032927 were as follows;

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:

Plan Description	Plan No.	Date Received
Location Plan	3826-01a	16/10/2014
Proposed Block Plan and Proposed Garage Floor and Elevation Plans	3826-02d	9/12/2014
Proposed Floor and Elevation Plans	3826-03c	20/08/2014
Proposed Streetscene Plan	3826-03	29/10/2014

3. Notwithstanding the submitted plans, no development shall commence until full details of the access, driveway and parking areas, including construction, alignment, levels, drainage, footpaths, and verges have been submitted to and approved in writing by the Local Planning Authority. These details shall show the access being not less than 3 metres in width for a distance of 7.50 metres, as measured from the near edge of the public highway carriageway, and surfaced with a bound material for a distance of 7.50 metres as measured from the near edge of the public highway. The details shall also show visibility splays provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.40 metres and 'y' distances of 43 metres to the near edge of the public highway carriageway. The dwelling hereby approved shall not be occupied until the access has been constructed in accordance with the approved details.

4. The dwelling hereby approved shall not be occupied until visibility splays have been provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.40 metres and 'y' distances of 43 metres 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 0.60 metres above the level of the public highway carriageway.

5. Prior to the occupation of the dwelling hereby approved, the existing vehicular access onto the adjoining highway shall be permanently closed. Details of the means of closure and reinstatement of the existing access, kerb, footway and verge shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

6. No external materials shall be used in the proposed dwelling other than Ibstock Hardwicke Welbeck Autumn Antique 2426 bricks and Gemini Forticrete Slate Grey roof tiles, unless otherwise agreed in writing by the Local Planning Authority.

7. The detached garage shall not be used at any time other than for the purposes ancillary to the residential use of the dwelling house as such.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Policies of the Borough Plan 2019:
 - o DS1 – Presumption in favour of sustainable development
 - o BE3 – Sustainable design and construction
- Sustainable Design and Construction Supplementary Planning Document 2020.

CONSULTEES NOTIFIED:

None

CONSULTATION RESPONSES:

None

NEIGHBOURS NOTIFIED:

151 & 155 Lutterworth Road; 45 Magyar Crescent.

Neighbouring properties were sent letters notifying them of the proposed development on 22nd February 2021. As a result of objections received Nos 151 & 155 Lutterworth Road were emailed details of the amended scheme.

NEIGHBOUR RESPONSES:

There have been 2 objections from 2 addresses to the original plans submitted. The comments are summarised below;

- 1) When originally built garage height was restricted to prevent it being used as a dwelling.
- 2) Does its use as a gym require floor to be strengthened to take heavy gym equipment?
- 3) Existing building has three windows facing property; existing scheme shows only two.

- 4) New windows will be angled towards our property resulting in even less privacy to garden, kitchen, dining area and bedrooms.

There have been 2 objections from 2 addresses to the amended plans submitted. The comments are summarised below;

- 1) As there is already an internal staircase why is an external one required.
- 2) All original objections still stand.

APPRAISAL:

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

- 1)The impact on Visual Amenity
- 2)The impact on Residential Amenity

1. The impact on Visual Amenity

The Sustainable Design and Construction Supplementary Planning Document 2020 contains guidance within section 13 which aims at guiding the design and aesthetics of residential development within the Borough.

The garage is to the rear of the property and therefore the changes will not be visible from Lutterworth Road itself. This being the case, the building will not detract from the character of 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.

2. The impact on Residential Amenity

Section 11 of the Sustainable Design and Construction Supplementary Planning Document 2020 contains guidance which aims to protect the residential amenity of proposed residential properties and extensions, and the residential amenity of existing dwellings. As this proposal is to the rear only the neighbouring properties either side, Nos 151 & 155 Lutterworth Road are likely to be impacted upon.

Impact on No 151 Lutterworth Road

No 151 Lutterworth Road is the detached neighbour to the west, was built in 1962 and has a single storey rear extension that was added in 1972. As a result, there will be no effect on original rear facing ground floor windows to habitable rooms.

The rear wall and roof of the garage are adjacent to part of the side of this property's rear garden. There is a separation distance between the northern elevation of the garage and the rear of No 151 of 11.7 metres and there is no view directly onto the building from any of its ground floor windows.

The dormer roof/windows are on the roof plane that faces away from No 151 meaning the windows will not overlook the rear garden. Therefore, despite the fact the building is above the fence line, it is not considered that the changes will result in an oppressive or overbearing sense of enclosure to either the house or garden of No 151.

As the proposed staircase is enclosed it would not lead to overlooking of this property. It is therefore considered that there is no detrimental impact on this property.

Impact on No 155 Lutterworth Road

No 155 Lutterworth Road is the detached neighbour to the east and is on the opposite boundary to that of the garage. There is a minimum distance between the closest corner of No 155 to the closest corner of the garage of distance 21 metres. As a result of this and the relationship between the two buildings it is considered that there will be no effect on original ground floor windows to habitable rooms.

The dormer roof/windows are on the roof plane that faces towards No 155 meaning the windows will overlook the rear garden. The measurement stated on the last agenda was that there was a minimum separation distance of 9.5 metres between the windows and the boundary. This has subsequently been measured on site and it is now confirmed that the minimum separation distance between the windows and the boundary is 7.87 metres at the northern corner increasing to 8.33 metres at the southern corner. This complies with paragraph 11.6 of the Sustainable Design and Construction Supplementary Planning Document 2020 which in this situation requires a minimum of 7 metres.

Therefore, it is not considered that the changes will result in an oppressive or overbearing sense of enclosure to either the house or garden of No 155. It is therefore considered that there is no detrimental impact on this property.

It is therefore considered that the proposal is acceptable under paragraph 11 of the Sustainable Design and Construction Supplementary Planning Document 2020.

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.

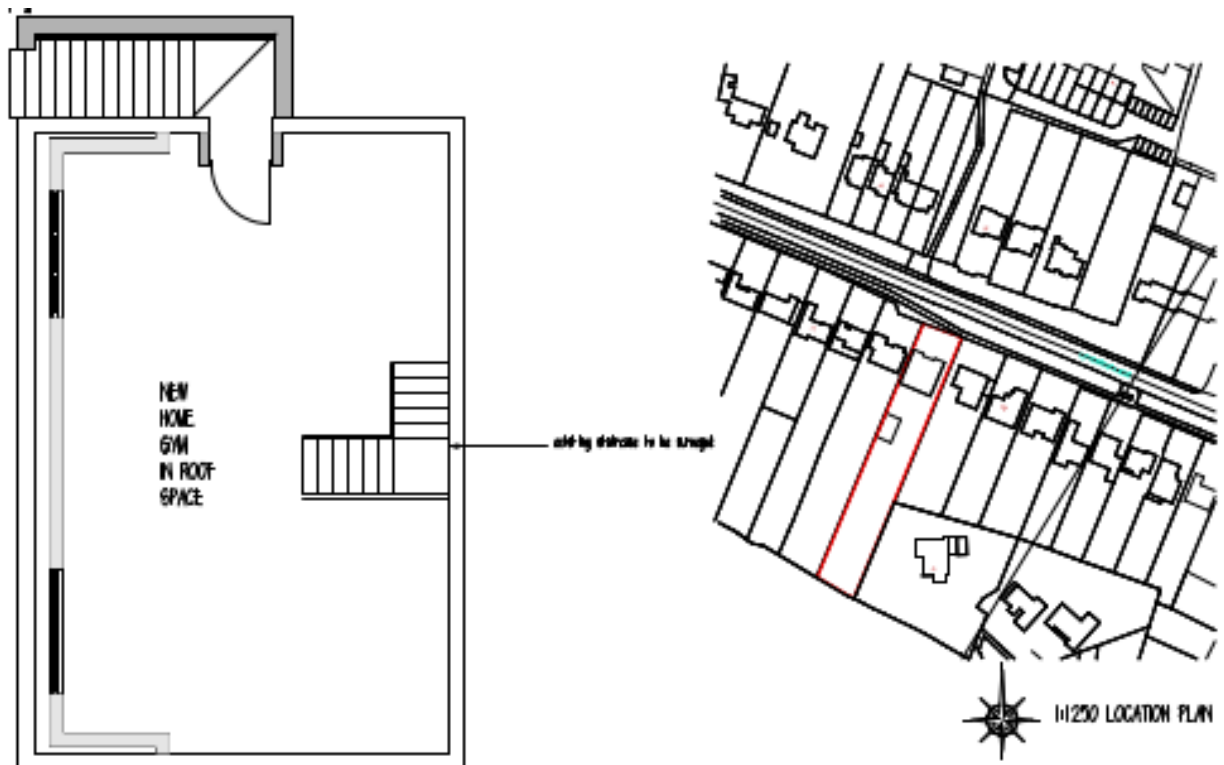
SCHEDULE OF CONDITIONS:

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

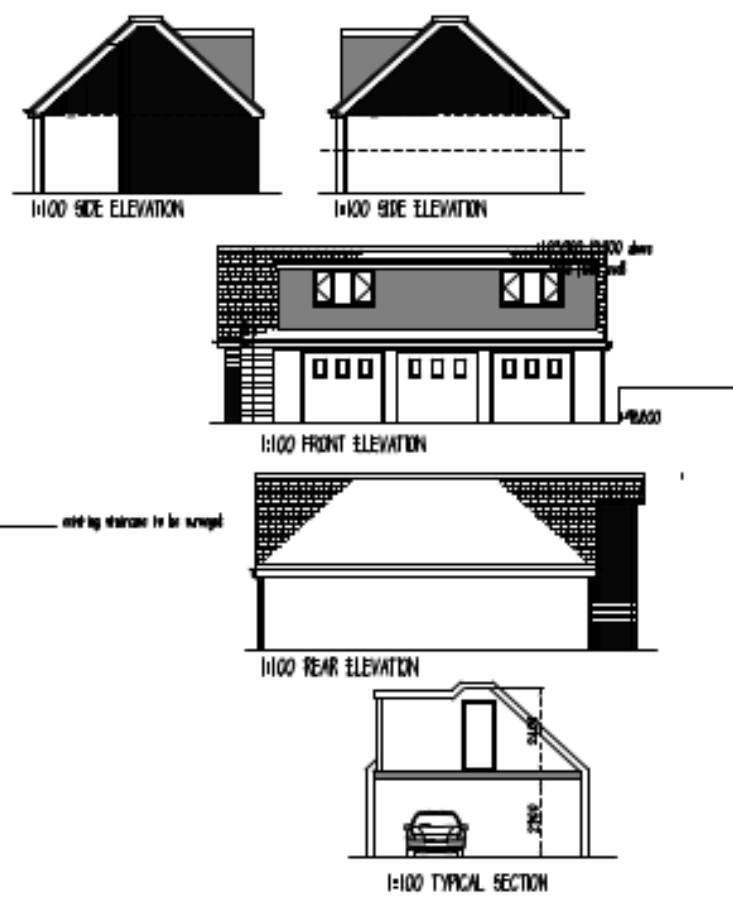
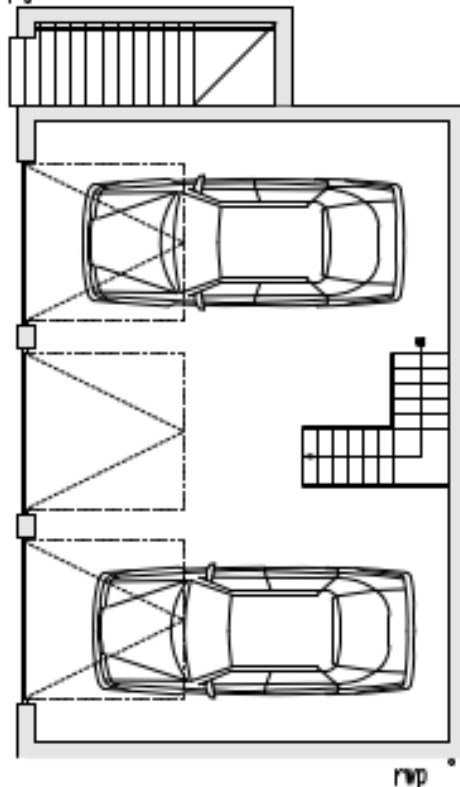
Plan Description	Plan No.	Date Received
New room over garage- Site Plan, Floor Plans & Elevations	183-02b	8 th July 2021

3) No external materials shall be used in the extension other than of the same type, texture and colour as those used in the existing building.

4) The garage as altered shall not be used other than for any purpose incidental to the enjoyment of the dwelling house as such.



1:100 GROUND FLOOR PLAN
rwp



Site Plan, Floor Plans & Elevations

PLANNING APPLICATIONS

Item No. 2

REFERENCE No. 037021

Site Address: Site 127a002 - Land south east of Wilsons Lane and off Longford Road, Exhall.

Description of Development: Proposed employment development of 6,953 sq.m of B1 (light industry) (now falls under Class E), B2 (general industry) and B8 (storage and distribution) uses with associated parking, access and landscaping (resubmission following previous withdrawal of 036752)

Applicant: JSL Wolverhampton Ltd

Ward: EX

RECOMMENDATION:

Planning Committee is recommended to grant planning permission, subject to a legal agreement and the conditions printed.

INTRODUCTION:

The application is for the proposed employment development of 6,953 sq.m of B1 (light industry) (now falls under Class E), B2 (general industry) and B8 (storage and distribution) uses with associated parking, access and landscaping (resubmission following previous withdrawal of 036752) at Site 127a002 - Land south east of Wilsons Lane and off Longford Road, Exhall.

The site is a roughly triangular piece of land bounded by Longford Road to the east, Wilsons Lane (and the strategic housing allocation) to the north-west and the M6 and a strip of 'service land' next to it to the south-west. The site is constrained by the electricity power lines which run across the site in a roughly south-east to north-westerly direction.

The land is currently a green open field with hedges, grass and self-set plants and trees and a small pond on the eastern edge. There is a large hedge bounding the site to the south east fronting on to Longford Road.

To the south of the site is a green infrastructure strip which is associated with the M6 which is set slightly higher than the site.

BACKGROUND:

This application is being reported to Committee at the request of Councillor Damon Brown.

RELEVANT PLANNING HISTORY:

- 036752 - Proposed employment development of 6,953 sq.m of B1 (light industry) (now falls under Class E), B2 (general industry) and B8 (storage and

distribution) uses with associated parking, access and landscaping – Withdrawn – December 2019.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - DS2 – Settlement Hierarchy
 - DS3 – Development Principles
 - DS4 – Overall Development Needs
 - DS6 – Employment Allocations
 - DS7 – Greenbelt
 - SA1 – Development Principles on Strategic Sites
 - HSG6 and EMP6 – School Lane/Longford Road Employment Allocation
 - E1 – Nature of Employment Growth
 - HS1 – Ensuring the Delivery of Infrastructure
 - HS2 – Strategic Accessibility and Sustainable Transport
 - HS3 – Telecommunications
 - HS5 – Health
 - NE1 – Green Infrastructure
 - NE3 – Biodiversity and Geodiversity
 - NE5 – Landscape Character
 - BE3 – Sustainable design and construction
 - Sustainable Design and Construction SPD 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

Central Networks, Coventry City Council, Environment Agency, Highways England, National Grid, Natural England, NBBC Environmental Health, NBBC Parks, NBBC Planning Policy, Severn Trent Water, Warwickshire Wildlife Trust, Western Power Distribution, WCC Archaeology, WCC Flood Risk Management, WCC Highways, WCC Infrastructure.

CONSULTATION RESPONSES:

Objection:
NBBC Parks.

No objection subject to conditions from:
Highways England, WCC Archaeology, WCC Flood Risk Team, WCC Highways.

No objection from:
Coal Authority, Coventry City Council, Central Networks/National Grid, NBBC Environmental Health, NBBC Policy, WCC Infrastructure, Western Power.

No comment from:
Natural England, Severn Trent Water, Warwickshire Wildlife Trust .

No response from:
Environment Agency.

NEIGHBOURS NOTIFIED:

1 Blackhorse Road, Exhall; 32 Bayton Road, Exhall; Martin Rumble, Unit 2a, Pedley's Storage, JP's Kitchen 44, Coventry Road, Exhall; Unit A, B, C1, D, E, F, H1, H2

Grovelands Industrial Estate, 213 Longford Road, Exhall; 116 Wilson Lane, Longford, Coventry.

Neighbouring properties were sent letters notifying them of the proposed development on 9th March 2020, 18th March 2021 and again on 31st March 2021. A site notice was erected on street furniture on 6th March 2020 and the application was advertised in The Nuneaton News on 18th March 2020.

NEIGHBOUR RESPONSES:

There have been 4 objections from 3 address. The comments are summarised below;

- 1) Impact on biodiversity and ecology.
- 2) Pond will be cut off from other green infrastructure.
- 3) Increase in traffic levels.
- 4) Impact on highway safety as a result.
- 5) Further development of the area is unsustainable.
- 6) Impact on the strategic road network (SRN).
- 7) No Road Safety Audit submitted.
- 8) Increase in air pollution.
- 9) There are significant capacity issues on strategic/local roads.

Additionally, 2 objections from Coventry City Council Councillors J Bigham and G Duggins have also been received raising the following additional points:

- 1) There is no air quality assessment with the application.
- 2) There are many health problems in Longford.
- 3) The HIA offers no proof of a lack of health impacts.
- 4) Congestion is common in the area.
- 5) The foul and surface water infrastructure is in Coventry.
- 6) Flooding issues.
- 7) There will be an impact on health.

APPRAISAL:

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

1. The Principle of the Development
2. Compliance with Concept Plan
3. Employment Growth
4. Impact on Greenbelt
5. Impact on Residential Amenity
6. Impact on Visual Amenity
7. Impact on Biodiversity and Open Space
8. Air Quality
9. Impact on Highway Safety
10. Flooding and Drainage
11. Impact on Heritage and Archaeology
12. Planning Obligations
13. 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 in to three key constituents which are; economic, social and environmental dimensions (paragraphs 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 DS2 of the Borough Plan sets out the hierarchy and roles for each settlement in the borough with Nuneaton having the primary role for employment, housing, town centre, leisure and service provision. The site was previously in the Green Belt and has been removed, along with other strategic sites, under Policy DS7 of the Borough Plan. Policy DS6 of the Borough Plan refers to a number of sites that will be allocated for employment development and associated infrastructure and this site at Wilsons Lane is one of these sites. Policy EMP6 sets out that this strategic employment site will be developed for employment uses comprising use classes B1 (now falls under Class E), B2 and B8 on just over 2 hectares of employment land.

In regard to the principle, the land is allocated within adopted policy EMP6 in the Borough Plan, and this is felt to carry significant weight in favour of the proposal. EMP6 in Borough Plan sets out several key development principles for this employment site.

EMP6

The strategic employment site shall deliver the following infrastructure and facilities:

23. Transport improvements / new junction onto Longford Road and associated upgrades.
24. Financial contributions towards borough-wide strategic highway infrastructure works within the Bedworth area.
25. Financial contribution towards Sustrans cycle route along Longford Road / Coventry Road.
26. Appropriate financial contribution towards proposed informal open space for management and maintenance arrangements.
27. Suitable sewage connection to the existing foul drainage network.

The earlier Key Development Principles (KDPs) listed in the policy are shared with HSG6 and as such only 23-27 are relevant to this employment allocation. They require transport improvements, a financial contribution to the strategic highway, contribution to 'sustrans' cycle routes, any appropriate payment for informal open space and its management, and suitable sewage connections. These will be dealt with later in this report.

In the Inspectors Comments in the Final Report on the Borough Plan in 2019 in relation to the removal of this site from the Green Belt for employment purposes they stated that:

In terms of altering the Green Belt here the proposed allocation would utilise clear, readily recognisable and permanent boundaries. As an enclosed parcel of land between the M6 and built development, the allocation would not result in harmful encroachment into countryside. Development would, in combination with site HSG6, result in a continuous built-up frontage along the western part of Coventry Road but the reality is that there is already a strong blurring of Bedworth and Coventry due to the continuous built-up frontage to the east of the B4113 opposite this site. The brief gap provided by the site is weakened by

the dominance of the elevated M6, the pylons and enclosure from adjoining development. EMP6 would not result in the sort of harmful merging of neighbouring towns which national policy in the NPPF seeks to avoid.

Overall it is considered that the principle of the employment development here would be encouraged by the Borough Plan allocation and is more than acceptable.

2. Compliance with Concept Plan

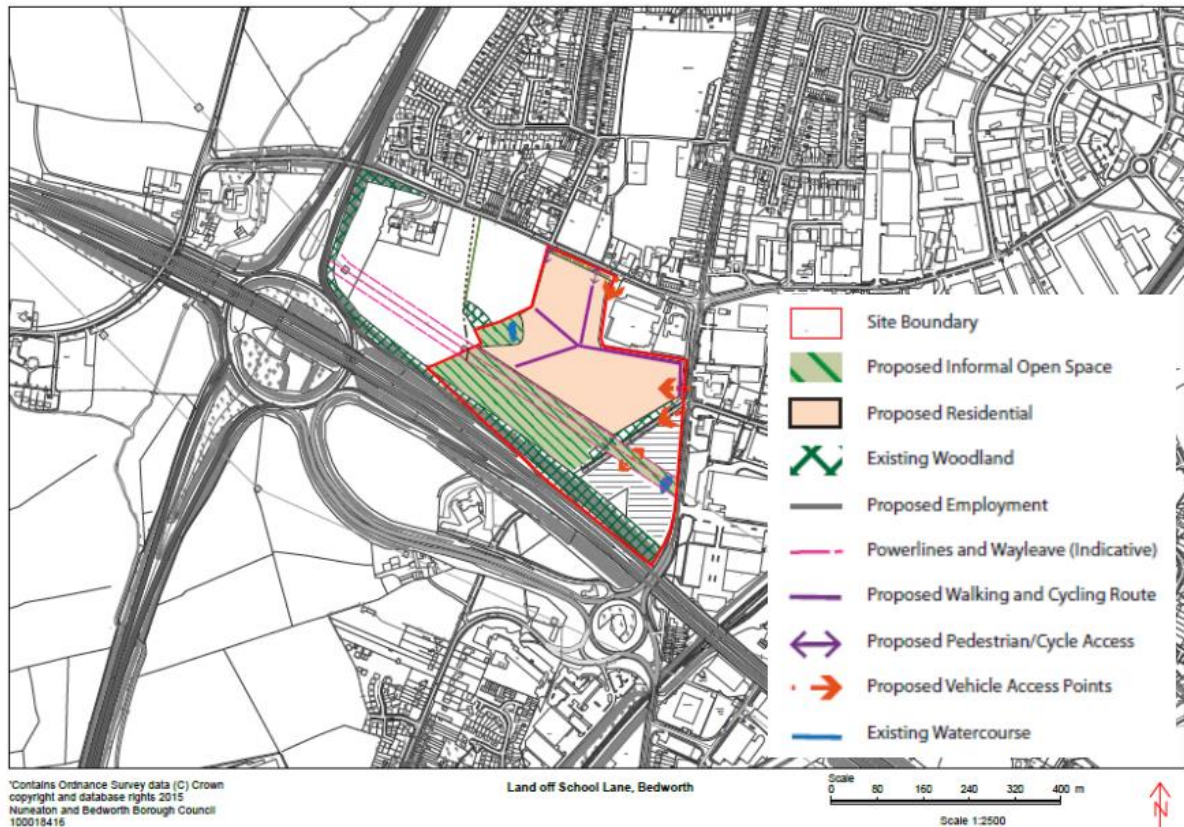


Figure 7: HSG6 and EMP6 Site concept

The concept plan shows the entire of the EMP6 site being developed for employment uses, which is the case with the detailed application. The exception to this on the concept plan is the corridor underneath the power lines which run over the site which is to be informal open space.

In the detailed plan some of the land under the power line is to be open space, however it was deemed necessary to use some of this space for manoeuvring and car parking areas. None of the built form will be under the powerlines though.

The proposal is considered to be in relatively close compliance with the concept plan. There is some small deviation, but this has been through a gradual evolution of the scheme over time and has been necessary to facilitate the employment use on the site. The concept plan states that existing roadside hedges on the northern and eastern boundaries are to be retained and enhanced. A landscape buffer, consisting of retained and new planting, is to be provided adjacent to the M6 embankment on the southern boundary but the proposal for this boundary also includes a new pond. The concept plan states that the existing pond is to be retained if possible but given the significant constraints of the site the applicant has included justification for draining the existing pond and the provision of a new pond.

The proposal is considered to be in accordance with the guidance of the HSG6/EMP6 Concept Plan 2020.

3. Employment Growth

Policy E1 in the Borough Plan 2019 states that applications for economic uses, focusing particularly on use classes B1(b) (now falls under Class E), B2 and B8, on the strategic employment sites and the portfolio of existing employment sites will be approved subject to them satisfactorily meeting the policies in the plan. Applications which can demonstrate the following will be considered favourably:

1. Inward investment development, providing high quality and high-density employment opportunities.
2. Employment sectors in line with those prioritised in the Economic Development Strategy, which include:
 - a. Advanced manufacturing
 - b. Professional services
 - c. Research and development
3. The generation of permanent jobs that will help diversify the local economy.
4. Employment and training schemes to maximise local employment opportunities and help address skill deficits in the local population.

The proposal being considered here is for a mixture of B1, (now falls under Class E), B2 and B8 uses, which with the proposed subdivisions would provide 10 units split over 4 buildings. The proposal has not identified future occupants of the units but as they would be for B1 (now falls under Class E), B2 and B8 uses then the proposal is acceptable in principle and should adequately meet with the expectations for economic growth set out in the Borough Plan 2019.

This is considered to weigh in favour of the proposal.

4. Impact on Greenbelt

A very small triangle to the south west of the site remains within the West Midlands Greenbelt even though the rest of the site was removed from Greenbelt though the Local Plan process.

The small triangle is intended to remain open and be used for biodiversity improvements. The NPPF sets out that that inappropriate development in the Greenbelt is by definition harmful, however the use of this portion of the Greenbelt for planting, landscaping, and the pond, etc. would not be inappropriate since it does not result in any structure, buildings or other built form, and is purely for habitat creation.

The impact on the openness of the Greenbelt is considered to be minimal given the pond, hedge and other 'green infrastructure' which is to be accommodated on this land, and the use of the land for habitat creation will help to maintain the permanently open character of the Greenbelt.

In regard to the impact on the Green Belt therefore it is considered this would be minimal.

5. Impact on Residential Amenity

There are no residential units currently nearby, although it is acknowledged that the site to the north is allocated for houses and an existing outline and reserved matters permissions exist on that site. Environmental Health have been consulted and have no concerns over noise.

The development to the north would be separated from the development by Wilsons Lane, some green infrastructure and a good distance.

It is considered that there would be no unacceptable harm to any nearby residential properties. Nor will the proposal impact on any future dwellings significantly. Additionally, NBBC Environmental Health have no objections or concerns over the scheme.

This is in accordance with the Sustainable Design and Construction SPD 2020.

6. Impact on Visual Amenity

The NPPF encourages good design and states that planning decisions should respond to local character and reflect the identity of local surroundings and materials while not preventing or discouraging appropriate innovation (paragraph 130).

The appearance of the new employment units, which are to be sited to the west of the existing employment uses of Groveland's Industrial Estate, are to be fairly utilitarian in design. This is to be expected on an industrial estate where function is usually promoted over 'form'. Although the structures being applied for are large, there should be no significant adverse impact upon the visual amenity of the area.

The standard utilitarian design is replicated elsewhere within the estate to the east and would not appear out of place here. The roller shutter doors which are to be included are acceptable, and again are necessary for function. There are good design elements like curved canopies and 'porches' over openings, as well as gabled roofs and some modern cladding and glazing in both horizontal and vertical alignments. This will all help to add interest to the large industrial units.

There are 4 main buildings being applied for, although these are to be subdivided into separate units. These are considered acceptable and will not create significant harm to the visual amenities of the area. The views from Longford Road and from Coventry Road will be of the large units. They will be quite close to Longford Road but are stepped to allow for a small green buffer.

Additionally, the easement for the overhead power lines gives a sense of openness that is not normally present on industrial estates, and this is considered to be an advantage to this site.

Overall, the proposal should not cause any significant harm to the visual amenity of the area.

7. Impact on Biodiversity and Open Space

The NPPF outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraph 174 and 179). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

An Ecology Impact Assessment (EIA) has been submitted with the application. This has been assessed by NBBC Parks Team and they have requested some conditions to be applied to the scheme. These are considered acceptable and are included on the agenda.

Included in the EIA was some Biodiversity Impact Calculations. These are necessary to demonstrate that there is to be a net gain of habitat on site, and if there is not, then what obligations are required in order to provide off site biodiversity offsetting. This is required by policy NE3 of the Borough Plan 2019.

A mixture of hard and soft landscaping will be included on the final layout. The most notable improvement will be the pond to the southern edge. This is a replacement of the existing pond on site and will feature various aquatic and marginal aquatic plant species which will encourage wildlife. The pond feature will adjoin the land owned by Highways England (HE) which is managed by HE but is largely un-manicured grass with self-set plants and trees, and is an informal habitat and commuting route for various species of wildlife.

The southwest corner of the of the site will feature some marsh and wetland habitat creation. While other parts of the site will feature more aesthetic landscaping which to soften the industrial appearance of the units.

NBBC Parks have assessed the Biodiversity Impact Calculations and these calculations have demonstrated that there is to be a requirement for biodiversity habitat to be provided off site in order to demonstrate a net gain.

The total would be £70,609.10 comprising of reedbed enhancement works (£16,294.41) and wildflower meadow creation parallel to the A444 (£54,314.69).

NBBC Parks did go on to say that they cannot support the scheme if the above contributions are not made. This is discussed later in the report.

8. Air Quality

The site is not within an Air Quality Management Area (AQMA).

Some objections reference the proximity to an AQMA within Coventry's area; however, this is over 230m away and importantly is separated from the site by the M6 motorway, the Coventry-Nuneaton railway line and other built highway infrastructure.

The Applicant has contended that no Air Quality Assessment (AQA) is required because of this, and Officers agree that no AQA is required. This has been clarified by the response from NBBC Environmental Health who have requested conditions and advised specifically that an AQA is not needed.

The scheme is considered to be in accordance with the guidance set out in the Council's Air Quality SPD 2020.

9. Impact on Highway Safety

The main access will be off Longford Road, and in compliance with the KDPs of Policy EMP6 and will comprise of a single point of access but with significant junction improvements, and improvements to the wider area.

The NPPF states that growth should be focused on locations which are or can be made sustainable (Paragraph 105), and as the Inspector in the Final Report on the Borough Plan in 2019 pointed out:

The site is well connected to the M6 via the B4113 Longford Road and notwithstanding local survey work, EMP6 has been appropriately modelled in the STA without adverse impacts. It is within walking and cycling distance of large parts of Bedworth and directly adjacent the bus corridor, including existing

bus stops, on the B4113. It is a sustainably located site for which there is no credible evidence of harm to highway safety.

A Transport Assessment, and Road Safety Audit (stage 1), has been submitted with the application with detailed modelling of the site access being undertaken. WCC Highways have been consulted and consider that the proposed access arrangements are acceptable subject to some conditions and a financial obligation (dealt with later in this report).

WCC Highways stated in their response that:

Longford Road fronting the site will need widening to accommodate the needs of sites within the Borough Plan. The widening works include the funded cycleway on the eastern side of Longford Road, dualling of the Southbound lanes, a ghost right turn lane into the site, and single carriageway lane for Northbound traffic with a new widened footway on the western side of Longford Road.

The widening and site access scheme will require land currently in the ownership of the applicant. The applicant has agreed to this and the area is shown on Drawing No. 2245 P400 Rev Y. The access arrangement will need constructing as shown probably before the widening scheme is able to commence. Further financial contributions will be required from other Borough Plan developments in the area to enable the widening scheme to be delivered.

Once funds have been amassed alterations to the access and corridor will commence, and be constructed in general accordance with Drawing No. 2245 P407 Rev K.

The proposed access arrangements have been shown to work within capacity. A Stage 1 Road Safety Audit was carried out. The problems raised in the Audit were reviewed by the Highway Authority and agreed with the Designer's Responses to each problem. The problems will be resolved when technical approval for the highway works is submitted and the Stage 2 Road Safety Audit is carried out.

Highways England have also commented that the development traffic can be accommodated on the strategic highway network and have responded with a requested condition regarding hedgerows near to land in their ownership.

Overall, therefore it is considered that the proposal will have no significant detrimental impact on highway safety.

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 162). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Further guidance is provided on flooding and flood risk in the National Planning Practice Guidance. Borough Plan Policy NE4 also deals with Managing Flood Risk. The site is not within the floodplain (in Flood Zone 1) and therefore has a low level of fluvial flood risk.

A Flood Risk Assessment prepared by PRP Environmental Ltd was submitted with the scheme. WCC Flood Risk Management have no objections subject to conditions. The

Environment Agency were consulted but did not respond. It is considered that with the conditions proposed, any potential impact on flood risk would be adequately mitigated, and this complies with Policy NE4 of the adopted Borough Plan 2019.

11. Impact on Heritage and Archaeology

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

An Archaeological Evaluation Report prepared by Allen Archaeology was submitted with the scheme. This was then assessed by Warwickshire Archaeology who have no objection to the scheme subject to a condition.

12. Planning Obligations

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 57 of the NPPF 2021 notes that these obligations should only be sought where they meet all of the following tests:

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

Paragraph 93 of the NPPF also outlines the need for planning to take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Section 122 (2) of the CIL Regulations reiterates that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is compliant with these three tests. It is therefore necessary to have regard to these three tests when considering the acceptability of planning obligations.

Organisation	Request For	Contribution	Notes
WCC Highways	Longford Road improvement scheme	£727,715.74	
NBBC Parks	Biodiversity Offsetting	£ £70,609.10	(reedbed enhancement works (£16,294.41) and wildflower meadow creation parallel to the A444 (£54,314.69)).

The requests for planning obligations were made, as detailed above. The NPPF at paragraph 58 states that where a plan is up to date a good justification would be necessary not to require the contributions set out in that Plan.

Although the Borough Plan 2019 is an up-to-date document and sets out that *some* contribution should be made to infrastructure on this allocated employment site, the Plan does not specify monetary amounts.

The applicant has undertaken a viability exercise which has been independently scrutinised and verified by the District Valuer. This viability statement and the Valuers assessment showed that the scheme would not be viable with all the contributions asked for. Some contributions can be paid up to £50,000 and these are to be included in a Section 106 legal agreement. This viability statement is considered to be a good justification for not contributing more financially to the planning obligations requested, and as such carries significant weight in the assessment of the application.

The applicant owns some land which has been highlighted as strategically important for the Highways Authority's plans for improvements to Longford Road. The applicant has offered this land in lieu of the £50,000. This may be of benefit to the Highways Authority, and at the time of writing it is unsure which the County would prefer.

It is therefore intended to continue on-going liaisons with the County Council, after any resolution to approve by Planning Committee, and work out with NBBC, the applicant and the County which is preferable to them and then include that in the legal agreement. The applicant is happy with this approach as are Officers.

Whilst it is regrettable that more cannot be sought financially national guidance and case law does allow for schemes which are demonstrated to be non-viable with full contributions to reduce these either partially or completely.

13. Conclusion

In conclusion the scheme sets out a small but important employment allocation in the Borough Plan 2019.

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 will give a good deal of new employment land in the Borough, and will attract jobs and investment to the area. The site is well connected and is close to the M6.

It is a shame that more obligations cannot be sought, and that both Highways and Biodiversity funding will fall short as a result.

On balance while there are some small considerations which weigh against the proposal, those in favour of it clearly outweigh the any small amount of harm created. The proposal is therefore recommended for approval subject to conditions and a legal agreement.

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
Proposed Site Plan	2245 P400Z	4th May 2021
Boundary Treatments	2245 P403X	4th May 2021
Surface Treatment	2245 P404T	4th May 2021
Bollards and Cycle Hoops	2245 P405T	4th May 2021
Constraints Plan	2245 P406T	4th May 2021
Landscape Master Plan	R-2287-1D	7th April 2021
Site Section	2245 P300A	18th March 2021
Existing Site Plan	2245 P401C	18th March 2021
Site Location Plan	2245 P402D	18th March 2021
Unit 1 Building	2245 P101E	16th March 2021
Unit 2 Building	2245 P102E	16th March 2021
Unit 3 Building	2245 P103D	16th March 2021
Unit 4 Building	2245 P104D	16th March 2021
Ecology Sketch	2245 PSK01N	16th March 2021

3. No development shall commence 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 Council. The development shall not be carried out other than in accordance with the approved details.
4. No development shall commence until full details of the boundary treatments, including new walls and fences, have been submitted to and approved in writing by the Council. No unit shall be occupied until the boundary treatments have been provided in accordance with the approved details.
5. No development shall commence, including any site clearance and/or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Council. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- Schedule of HGV delivery times and phasing and a HGV routing Plan;
 - Hours of work;
 - Loading and unloading of plant and materials;
 - Storage of plant and materials used in constructing the development;
 - The erection and maintenance of security hoarding including any displays, if appropriate;
 - Details to prevent mud, debris and obstructions on the highway,;
 - A Dust Management Plan which details measures to control the emission of dust and dirt during construction;
 - A construction phasing plan;
 - Contractor parking arrangements and
 - A scheme for recycling/disposing of waste resulting from construction works.
- Only the agreed details shall be implemented on site and shall be adhered to throughout the duration of construction.
6. No development shall take place until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The approved CEMP shall be adhered to throughout the construction period and should contain details of:
- Timing, method, forms of and extent of vegetation clearance
 - Protective fencing for trees and retained habitat features

- c) Any temporary lighting
- d) Timetable for presence of ecologist for key operations as applicable such as vegetation clearance / pond drain down / protective fencing installation etc and commitment to submit written report to NBBC within two weeks of any such visit with dated photographic record of operation.
- e) Commitment to at least two unannounced monitoring visits by a qualified ecologist to check compliance with protective fencing provision and working practices and commitment to submit written report to NBBC within two weeks of any such visit with dated photographic record.

The CEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

7. No development shall take place until a Biodiversity Enhancement and Management Plan has been submitted to and approved in writing by the Council. The approved BEMP will set out a programme of management for the newly created ecological habitats in perpetuity. The content of the management plan shall include the:
 - a) Traditional hedge laying and gapping up with wide range of native shrub species
 - b) Details of provision of bird and bat boxes
 - c) Marginal and Emergent pond planting methods / timings and grassland creation methods / timings
 - d) Future management plan to sustain created habitat in perpetuity
 - e) Timetable for ecologist monitoring visits to check habitat creation, establishment and ongoing management and maintenance to ensure BIA targeted habitat conditions and time to targeted conditions are met and sustained

The works shall be carried out in strict accordance with the approved details and shall be retained in that manner thereafter.
8. Access for vehicles to the site from the public highway (Longford Road) shall not be made other than at the position identified on the approved drawing number 2245 P400 Rev Z, unless the Longford Road widening scheme has come forward before the site is developed, in which case the access for vehicles to the site from the public highway shall be positioned in general accordance with drawing number 2245 P407 Rev M.
9. No unit shall be occupied until a bellmouth access to the site for vehicles has been laid out and constructed within the public highway in accordance with the specification of the Highway Authority, with a gradient of 1:50 for the first 15 metres, as measured from the near edge of the public highway carriageway, and no greater than 1:20 thereafter, and all necessary alterations to the carriageway and footway links to the site including dropped kerbed pedestrian crossing points have been constructed.
10. No development shall commence until full details of the provision of the accesses, car parking, manoeuvring and service areas, including surfacing, drainage and levels have been submitted to and approved in writing by the Council. No building shall be occupied until the areas have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.
11. The development shall not be commenced until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.4 metres and 'y' distances of 65.0 metres 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.

12. The development shall not be occupied until visibility splays have been provided to the vehicular accesses to the site, passing through the limits of the site fronting the public highway, with 'x' distances of 2.4 metres and 'y' distances of 25.0 metres to the near edge of the 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 carriageway.
13. Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) incorporating a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The Plan should include details on the following:
- a) Construction site layout showing clearly designated areas for the parking of vehicles for site operatives and visitors; areas for the loading and unloading of plant and materials (i.e. deliveries/waste); storage of plant and materials used in constructing the development; areas for managing waste, and wheel washing facilities;
 - b) the hours of construction work and deliveries;
 - c) Construction phasing
 - d) An HGV routing plan to include likely origin/destination information, potential construction vehicle numbers, construction traffic arrival and departure times, and construction delivery times (to avoid peak hours)
 - e) Clear and detailed measures to prevent debris, mud and detritus being distributed onto the Local highway and SRN.
 - f) mitigation measures in respect of noise and disturbance during the construction phase including vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
 - g) a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
 - h) waste management;
 - i) protection measures for trees, hedgerows and grasslands.
 - j) Details of the responsible person (e.g. site manager/office) who could be contacted in the event of complaint;

Thereafter, all construction activity in respect of the development shall be undertaken wholly within the red line boundary of the site and in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with Highways England.

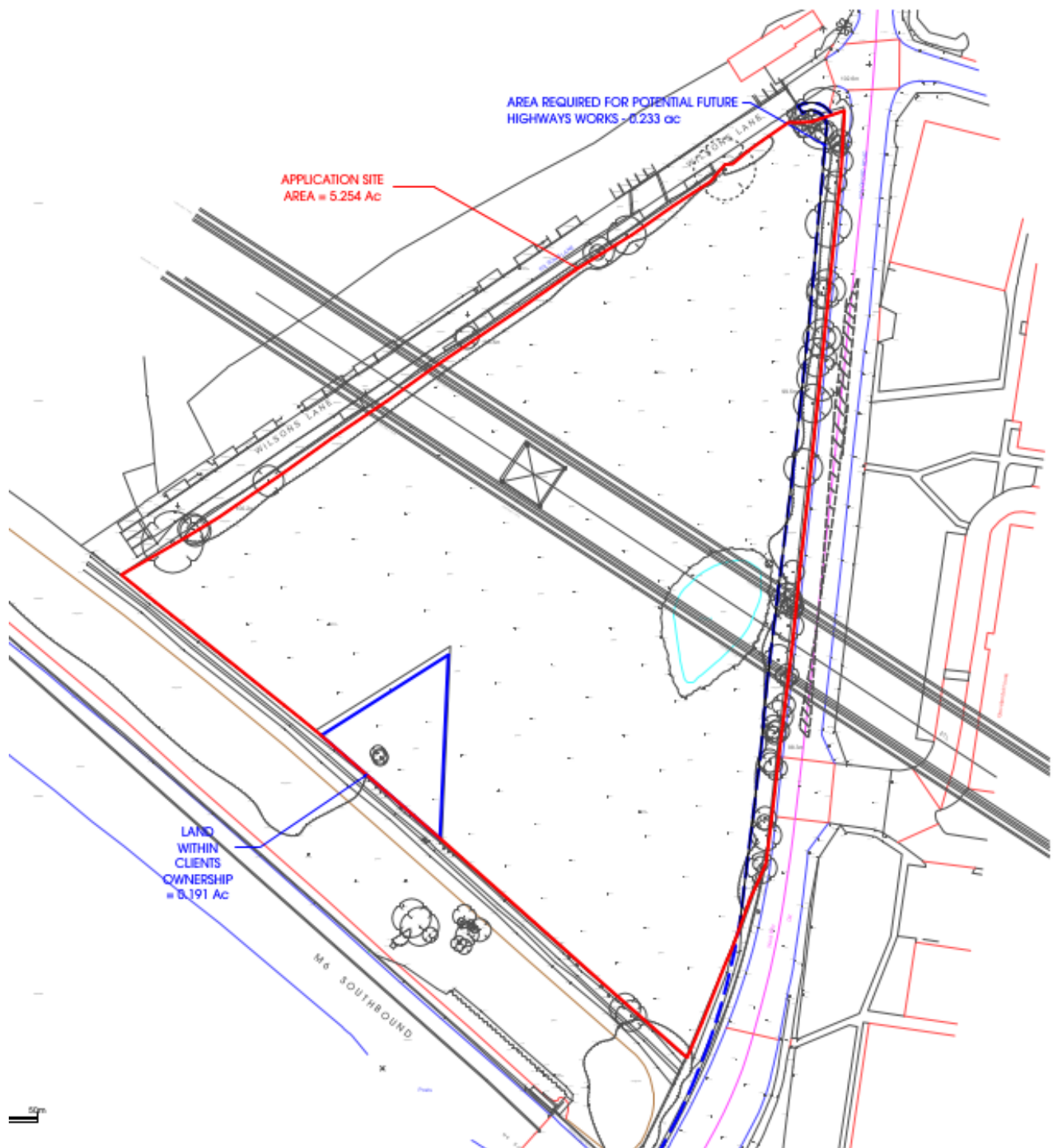
14. No development shall take place until full details of all permanent and temporary external lighting of the site have been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England as Highway Authority for the M6.
15. No development shall commence until a site maintenance and management plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England as Highway Authority for the M6. The plan will include details of hedge/tree/shrub maintenance responsibilities and activities to ensure that any planting will be adequately maintained and kept within the red line boundary of the site without encroachment onto Highways England land or detriment to Highways England's boundary fence. Any planting must take place wholly within the red line boundary without encroachment onto Highways England land.

16. Prior to the commencement of the use of any unit the developer should provide electric vehicle (EV) charging points at a rate of; *Commercial/Retail*: 10% of parking spaces (32 amp) which may be phased with 5% initial provision and the remainder at an agreed trigger level. At least 1 charging unit should be provided for every 10 disabled parking spaces.
17. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted and approved in writing by the Local Planning Authority (LPA) in consultation with Warwickshire County Council (WCC). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:
 - a) Undertake infiltration testing, in strict accordance with BRE Digest 365 Soakaway Design guidance, and results submitted to demonstrate suitability (or otherwise) of the use of infiltration Sustainable Drainage Systems (SuDS).
 - b) Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753 The SuDS Manual through submission of plans and cross sections of SuDS features.
 - c) Evidence that the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rainstorm has been limited to 10l/s for all return periods.
 - d) Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the drainage system for a range of return periods and storms durations inclusive of the 1 in 2 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
 - e) If discharging to a drainage system maintained/operated by other authorities (Environment Agency, internal drainage board, highway authority, sewerage undertaker, or Canals and River Trust), evidence of consultation and the acceptability of any discharge to their system should be presented for consideration.
 - f) Demonstrate the proposed allowance for exceedance flow and associated overland flow routing.
18. No occupation and subsequent use of the development shall take place until a detailed maintenance plan, written in accordance with CIRIA C753, is implemented and provided to the LPA giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible, including contact name and details, shall be provided to the LPA and LLFA within the maintenance plan.
19. No development shall take place until:
 - a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.
 - b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved documents, shall be undertaken in accordance with those documents.

20. No development above ground level shall commence 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 Council. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Council.



Site Location Plan

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DO NOT SCALE!
ALL DIMENSIONS SHOULD BE CHECKED ON SITE BEFORE WORK COMMENCES

BOUNDARY OVERLAP - WEST/888

SUBJECT TO REVIEW OF LEVELS AND FALLS

TOPOGRAPHICAL SURVEY INTERLOCK SURVEYS DRAWING 9027

ACCESS DESIGN - ACC-DRAWING - 481-810 WITH Ground Cycle Improvement

NO ON INFORMATION SUBJECT TO CONFIDENTIALITY - SITE VISITATION SERVICES CONSULTANT



EXTENT OF PROPOSED HIGHWAYS UPGRADE WORKS BASED ON ADL DRAWING 4831-1D - Proposed RIL with IHW 2245 FSK05A Search Site Plan

1	01/01/17	VARIOUS AMENDMENTS AS CLIENT EMAIL	AJ
2	01/01/17	CYCLE HOODS AMENDED TO 1M SPACING	AJ
3	01/01/17	POND AMENDED	AJ
4	01/01/17	AMENDED FOLLOWING CLIENT EMAIL	AJ
5	01/01/17	AMENDED FOLLOWING CLIENT MEETING	AJ
6	01/01/17	POND RELOCATED	AJ
7	01/01/17	BOUNDARY AMENDMENTS	AJ
8	01/01/17	BOUNDARY AMENDMENTS	AJ
9	01/01/17	UPDATES IN LINE WITH CLIENTS INFORMATION	AJ
10	21/01/21	UPDATES WITH LATEST HIGHWAYS INFORMATION	AJ
11	01/01/21	USE OF COFFERED AMENDED PLANE WITH ECOLOGICAL STRIPES TO BEAD FOOTING AND 10' YARD	DW
12	21/01/21	AMENDED TO BEAD FOOTING AND 10' YARD	AJ

htaarchitects
York Place Studio
8 Belgrave Street
Leeds
LS1 2JZ
T: (0113) 244 3457
W: www.htaarchitects.co.uk
E: info@htaarchitects.co.uk

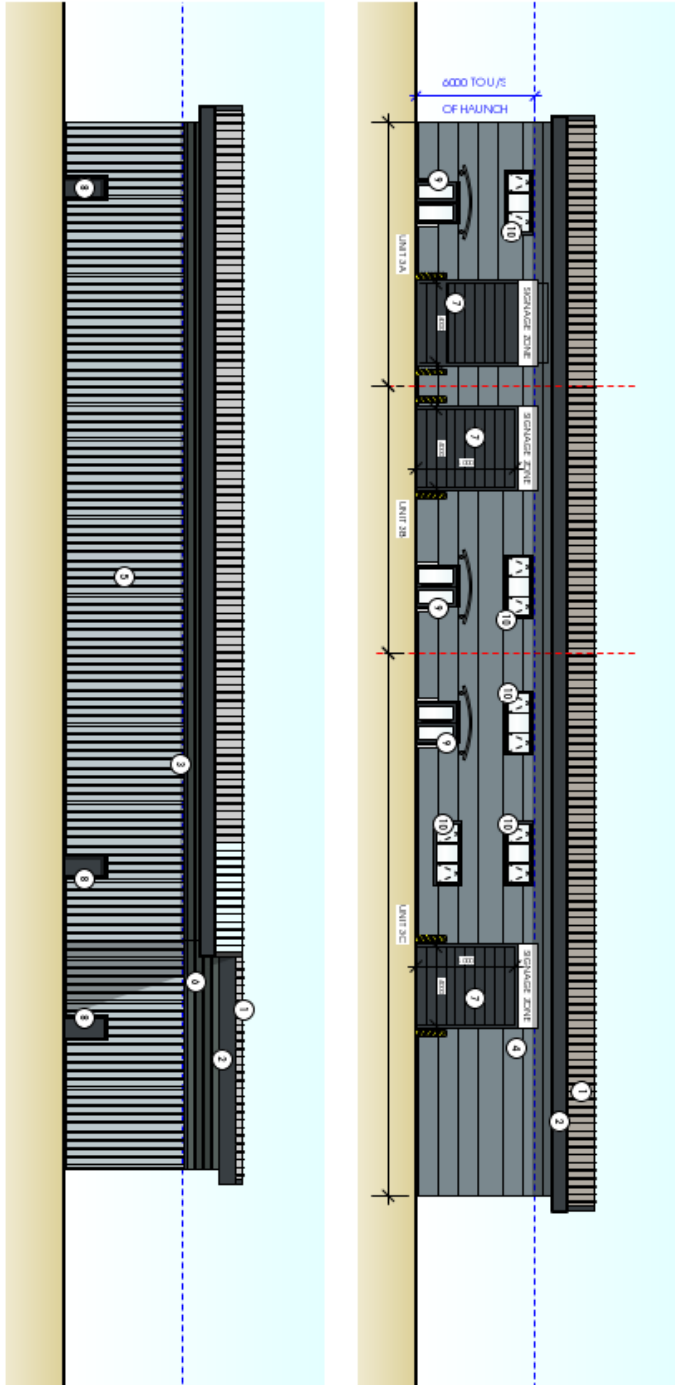
Client: **JSL (Wolverhampton) Limited**

Project: **Exhall**

Drawing title: **Proposed Site Plan**

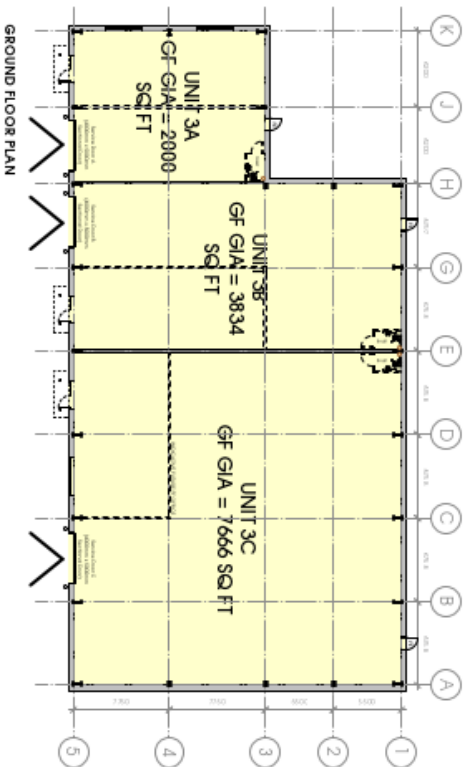
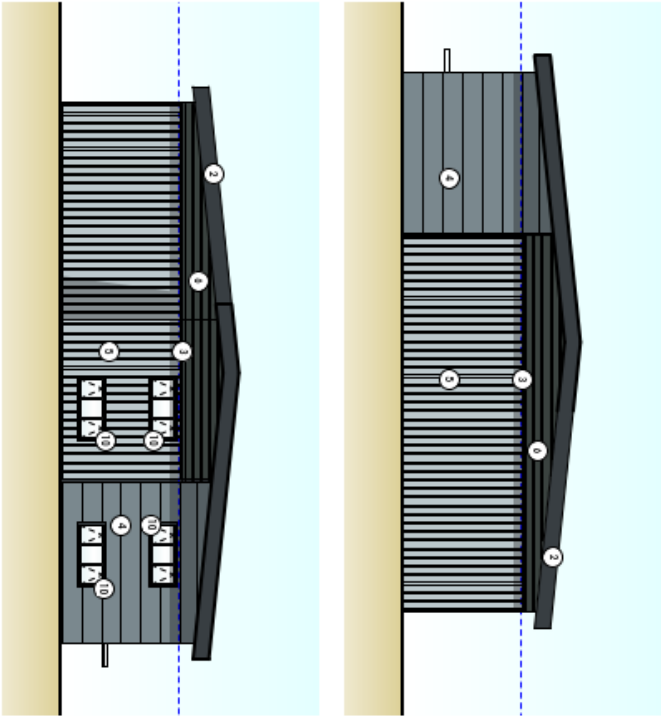
date: **September 2019**
status: **Planning Issue**
scale: **1:250 @ A0**
drawn: **AB** checked: **DW**
job no. **2245** dwg no. **P400** rev. **Z**

Site Layout Plan

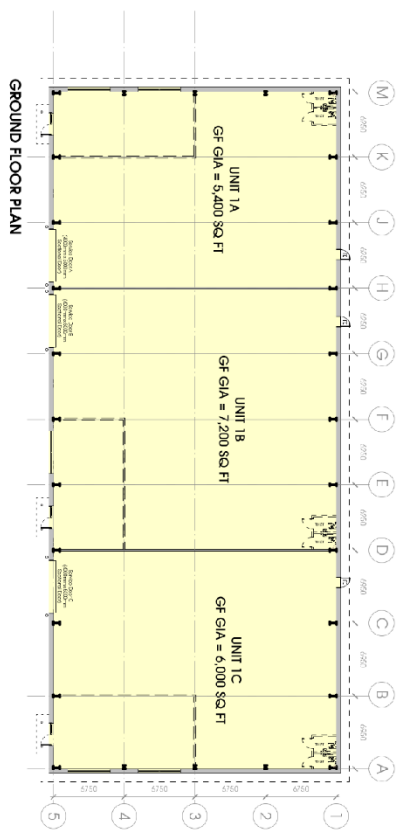
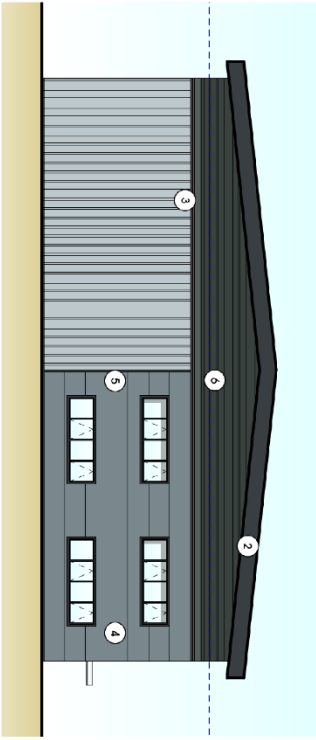
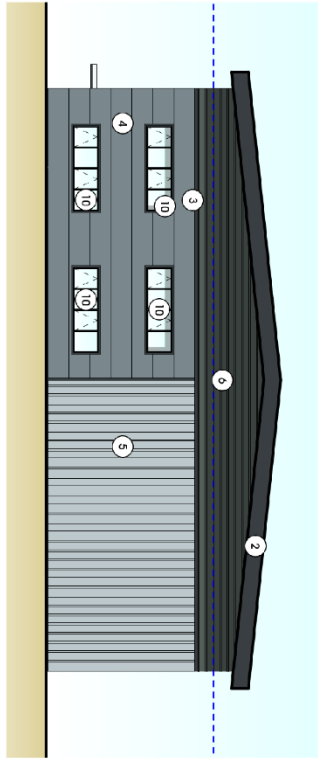
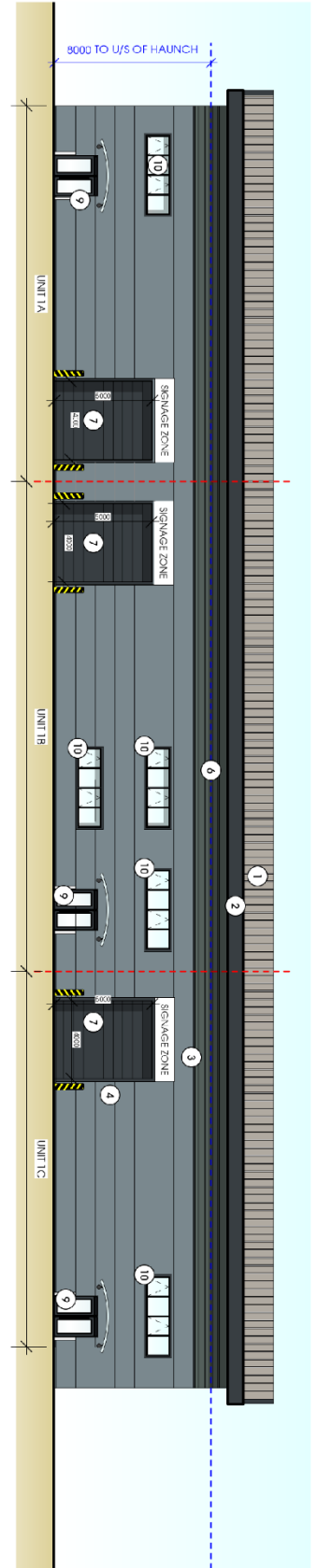


MATERIALS NOTES

- 1 ROOF TO BE CONSTRUCTED USING BUILT UP STEEL CLAD THICK TO BE 4" COLOUR - SMOKEING GREY (RAL 7039)
- 2 EAVEZ / ANTRAKS DOORS DAMAGE SYSTEM SPECIALIST FASCIA TO BE FOUNDI COLOUR - ANTRAKS GREY (RAL 7019)
- 3 WALL FLASHING FINDER COATED METAL FLASHING COLOUR - ANTRAKS GREY (RAL 7019)
- 4 WALLS FULL HEIGHT CLADDING TO PERIMETER OF BUILDING.
- 5 HORIZONTAL BUILT UP COMPOSITE CLADDING COLOUR - ALASKA GREY (RAL 7000)
- 6 VERTICAL BUILT UP COMPOSITE CLADDING COLOUR - ALASKA GREY (RAL 7000)
- 7 HORIZONTAL BUILT UP COMPOSITE CLADDING COLOUR - MEDIUM GREY (RAL 80 40 00)
- 8 SERVICE DOORS 4M X 3M SECTIONAL SERVICE DOORS COLOUR - ANTRAKS GREY (RAL 7019)
- 9 FIRE EXIT DOOR GALVANIZED STEEL DOORS AND FRAMES COLOUR - ANTRAKS GREY (RAL 7019)
- 10 MAIN ENTRANCE DOORS DOUBLE GLAZED POWDER COATED ALUMINIUM FRAMED FRAME COLOUR - ANTRAKS GREY (RAL 7019)
- 11 SPECIAL WINDOWS DOUBLE GLAZED POWDER COATED ALUMINIUM FRAMED FRAME COLOUR - ANTRAKS GREY (RAL 7019)



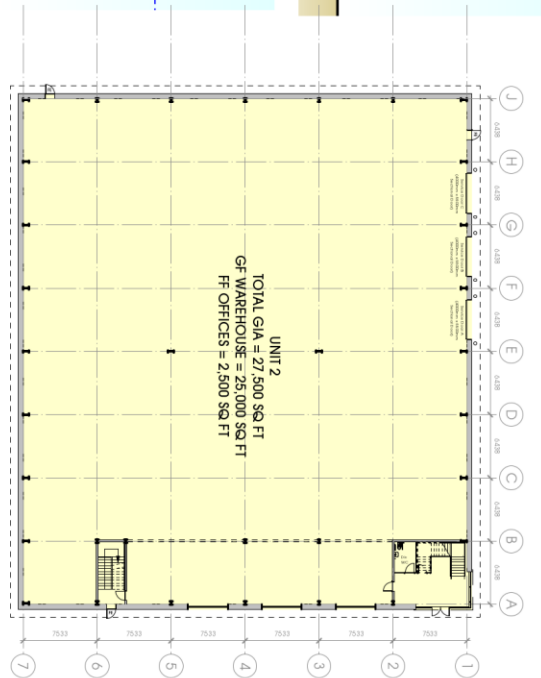
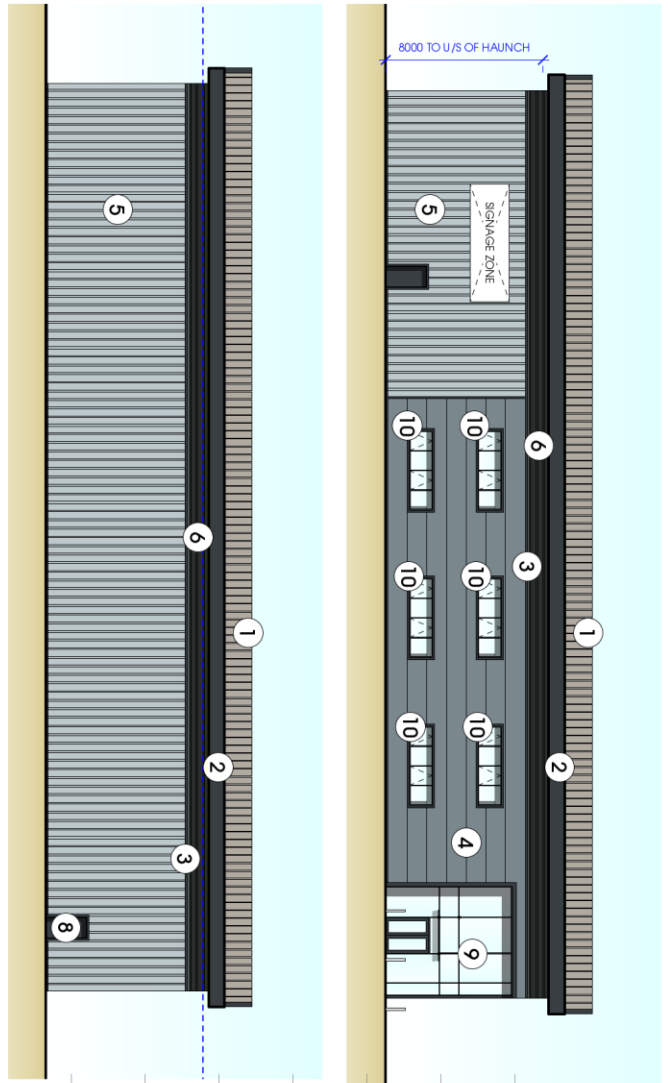
Unit 3



MATERIALS NOTES

- 1 ROOF TO BE CONSTRUCTED USING BUILT UP STEEL CLADDING.
PITCH TO BE 2°
COLOUR - GOOSEWING GREY (RAL 7028)
- 2 EAVES / RAINWATER GOODS DRAINAGE SYSTEM BY SPECIALIST FASCIA TO BE POWDER COATED ALUMINIUM.
COLOUR - ANTHRACITE GREY (RAL 7016)
- 3 WALL FLASHINGS
POWDER COATED METAL FLASHING.
COLOUR - ANTHRACITE GREY (RAL 7016)
- 4 WALLS
HORIZONTAL BUILT UP/COMPOSITE CLADDING.
COLOUR - ALASKA GREY (RAL 7000)
- 5 SERVICE DOORS
4m x 5m SECTIONAL SERVICE DOORS.
COLOUR - ANTHRACITE GREY (RAL 7016)
- 6 FIRE EXIT DOORS
GALVANISED STEEL DOORS AND FRAMES
COLOUR - ANTHRACITE GREY (RAL 7016)
- 7 MAIN ENTRANCE DOORS
DOUBLE GLAZED POWDER COATED ALUMINIUM FRAMED MANUAL ACCE:
WITH FRAME CANOPY AND BOLARDS
FRAME COLOUR - ANTHRACITE GREY (RAL 7016)
- 8 OFFICE WINDOWS
DOUBLE GLAZED POWDER COATED ALUMINIUM FRAMED WINDOWS.
FRAME COLOUR - ANTHRACITE GREY (RAL 7016)
- 9 SIGNAGE ZONE
COLOUR - ALASKA GREY (RAL 7000)
- 10 SIGNAGE ZONE
COLOUR - ALASKA GREY (RAL 7000)

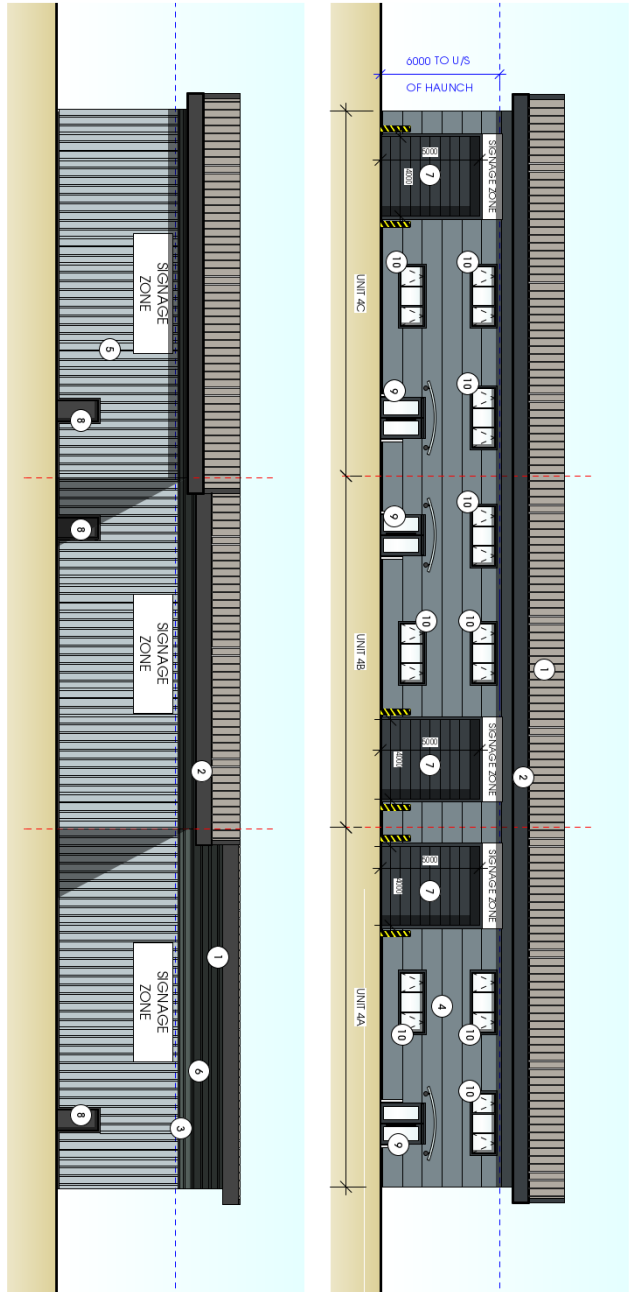
Unit 1



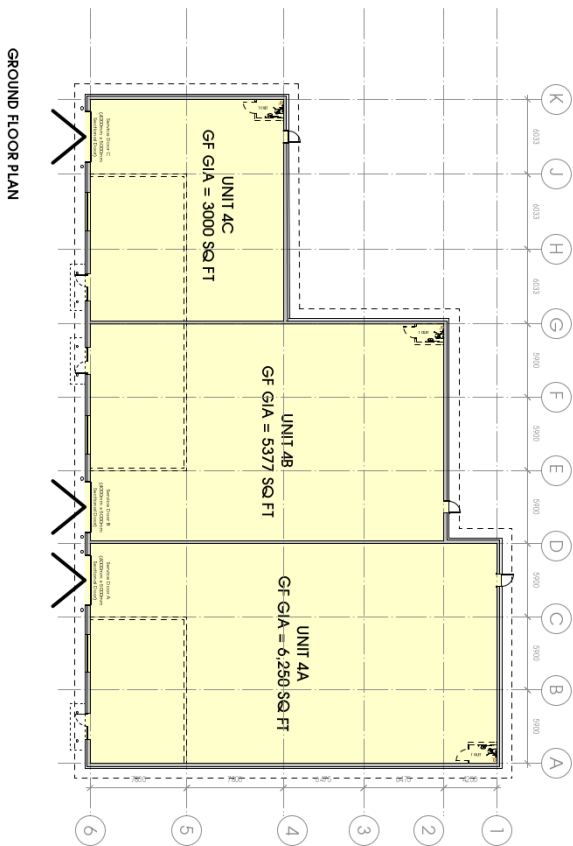
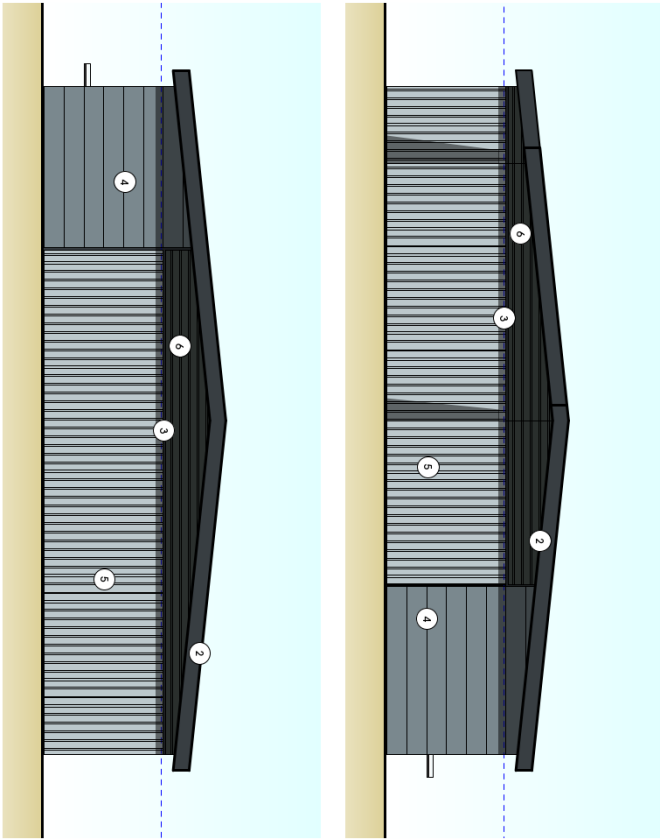
MATERIALS NOTES

- 1 ROOF TO BE CONSTRUCTED USING BUILT UP STEEL CLADDING.
- 1 PITCH TO BE 6°
- 2 COLOUR - GOOSEWING GREY (RAL 7038)
- 2 EAVES / RAINWATER GOODS
- 2 DRAINAGE SYSTEM BY SPECIALIST FASCIA TO BE POWDER COATED ALUMINIUM.
- 2 COLOUR - ANTHRACITE GREY (RAL 7016)
- 3 WALL FLASHINGS
- 3 POWDER COATED METAL FLASHING.
- 3 COLOUR - ANTHRACITE GREY (RAL 7016)
- 3 WALLS
- 3 FULL HEIGHT CLADDING TO PERIMETER OF BUILDING.
- 4 HORIZONTAL BUILT UP/COMPOSITE CLADDING
- 4 COLOUR - ALASKA GREY (RAL 7055)
- 5 VERTICAL BUILT UP/COMPOSITE CLADDING
- 5 COLOUR - ALABROS (RAL 240 80 05)
- 6 HORIZONTAL BUILT UP/COMPOSITE CLADDING
- 6 COLOUR - MERLIN GREY (RAL 180 40 05)
- 7 SERVICE DOORS
- 7 4M X 3.5M SECTIONAL SERVICE DOORS.
- 7 COLOUR - ANTHRACITE GREY (RAL 7016)
- 8 FIRE EXIT DOORS
- 8 GALVANISED STEEL DOORS AND FRAMES
- 8 COLOUR - ANTHRACITE GREY (RAL 7016)
- 9 MAIN ENTRANCE DOORS
- 9 DOUBLE GLAZED POWDER COATED ALUMINIUM FRAMED MANUAL ACCESS DOORS
- 9 WITH FEATURE CANOPY AND BOLLARDS
- 9 FRAME COLOUR - ANTHRACITE GREY (RAL 7016)
- 10 OFFICE WINDOWS
- 10 DOUBLE GLAZED POWDER COATED ALUMINIUM FRAMED WINDOWS
- 10 FRAME COLOUR - ANTHRACITE GREY (RAL 7016)

Unit 2



- MATERIALS NOTES**
- 1 ROOF TO BE CONSTRUCTED USING BUILT UP STEEL CLAD PITCH TO BE 4°
 - 2 EAVES / RAINWATER GOODS DRAINAGE SYSTEM BY SPECIALIST FASCIA TO BE POWDER COLOUR - ANTHRACITE GREY (RAL 7010)
 - 3 WALL FLASHINGS POWDER COATED METAL FLASHING, COLOUR - ANTHRACITE GREY (RAL 7010)
 - 4 WALLS FULL HEIGHT CLADDING TO PERIMETER OF BUILDING
 - 5 HORIZONTAL BUILT UP / COMPOSITE CLADDING COLOUR - ALASKA GREY (RAL 7010)
 - 6 VERTICAL BUILT UP / COMPOSITE CLADDING COLOUR - ALBATROS (RAL 240 80 05)
 - 7 HORIZONTAL BUILT UP / COMPOSITE CLADDING COLOUR - MINKIN GREY (RAL 180 40 05)
 - 8 SERVICE DOORS 4m x 5m RECTIONAL SERVICE DOORS COLOUR - ANTHRACITE GREY (RAL 7010)
 - 9 FIRE EXIT DOORS GALVANISED STEEL DOORS AND FRAMES COLOUR - ANTHRACITE GREY (RAL 7010)
 - 10 MAIN ENTRANCE DOOR DOUBLE SEALED POWDER COATED ALUMINIUM FRAME WITH FEATURE CANOPY AND BOLLARDS FRAME COLOUR - ANTHRACITE GREY (RAL 7010)
 - 11 SERVICE WINDOWS DOUBLE SEALED POWDER COATED ALUMINIUM FRAME COLOUR - ANTHRACITE GREY (RAL 7010)



Unit 4

REFERENCE No. 038025

Site Address: 143 Weston Lane, Bulkington, CV12 9RX.

Description of Development: Dormer roof/windows to front, convert hip roof to gable roof, single storey extension to side/rear, dormer roof/windows to rear in connection with a room in the roof space.

Applicant: Mr A Hewit.

Ward: BU.

RECOMMENDATION:

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

INTRODUCTION:

The proposal is for a dormer roof/windows to the front, the conversion of the hipped roof to a gable roof, a single storey extension to side/rear and dormer roof/windows to the rear in connection with a room in the roof space. The applicant has confirmed that, where indicated, the render is to be white.

The application property is a detached house with pitched roofs which was built between 1928 and 1939. It is a typical design of that era and occupies a long regular shaped plot on Weston Lane in Bulkington. To the east and west are dwellings of varying type and design that were built at the same time. To the rear is The Paddocks, a more modern group of houses that were built in the 1990s. Directly opposite are open fields that are in the Green Belt.

BACKGROUND:

This application is being reported to Committee because 5 objections have been received from 4 properties. Comments have also been received from 1 property.

RELEVANT PLANNING HISTORY:

- 780304. Lounge extension, new covered way with new bathroom and bedroom extension over, new Georgian windows to front elevation. Approved 7th June 1978.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Policies of the Borough Plan 2019:
 - o DS1 – Presumption in favour of sustainable development
 - o BE3 – Sustainable design and construction
- Sustainable Design and Construction Supplementary Planning Document 2020.

CONSULTEES NOTIFIED:

None

CONSULTATION RESPONSES:

None

NEIGHBOURS NOTIFIED:

141 & 147 Weston Lane CV12 9RX.
1, 1A, 2 & 3 The Paddocks.

Nos 141 & 147 Weston Lane and Nos 1, 1A & 2 The Paddocks were sent letters notifying them of the proposed development on 11th May 2021. Following a request from the occupier a letter was sent to No 3 The Paddocks on 20th May 2021.

NEIGHBOUR RESPONSES:

There have been 5 objections from 4 addresses. The objections are summarised below;

- 1) Drastic reduction of privacy to several properties in The Paddocks.
- 2) Development will allow views into gardens, living rooms, kitchens and bedrooms including children's rooms.
- 3) Proposal does not fit in with the aesthetics of either The Paddocks or Weston Lane.
- 4) Concern that this proposal will set a precedent for future applications.
- 5) Addition of a third storey will make property look like an apartment block.

Comments have been received from one property. The comments are summarised below;

- 1) Single storey extension may affect side facing window and reduce light to narrow corridor between properties.
- 2) The dormer may affect solar array during early hours.
- 3) Proposal does not reflect minor taper on boundary between existing property and garage.
- 4) Nearest dormer window to No 141 should be obscure glazed to reduce overlooking of garden.
- 5) Do not want foundations to affect No 141.

APPRAISAL:

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

- 1) The impact on Visual Amenity
- 2) The impact on Residential Amenity

1. The impact on Visual Amenity

The Sustainable Design and Construction Supplementary Planning Document 2020 contains guidance within section 13 which aims at guiding the design and aesthetics of residential development within the Borough.

The only parts of the proposal that will be visible from Weston Lane will be the hip to gable conversion and the dormer roof/windows. Both hips are being converted so the symmetry of the property will be retained. The dormer has a dual pitch roof and will be located centrally and, because the property is detached, will once again preserve symmetry. This being the case, the building will not detract from the character of 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.

2. The impact on Residential Amenity

Section 11 of the Sustainable Design and Construction Supplementary Planning Document 2020 contains guidance which aims to protect the residential amenity of proposed residential properties and extensions, and the residential amenity of existing dwellings. Only the neighbouring properties either side, Nos. 141 & 127 Weston Lane and the properties to the rear Nos. 1A, 1 & 2 The Paddocks are likely to be impacted upon.

Impact on No. 141 Weston Lane

No. 141 Weston Lane is the detached neighbour to the west and is on the same boundary as that of the proposed single storey extension to the side/rear. It has two windows in the side elevation facing No. 143, one at first floor and one at ground floor. The one at first floor serves the landing and so cannot be protected. The one at ground floor serves the kitchen and is original meaning that it can be protected. It will be affected by both the single storey extension and the dormer to the rear. However, this impact is mitigated by the fact that two storey rear extension was added to No. 141 in 1979, the ground floor being an extension to the kitchen that contains a rear facing window overlooking the rear garden.

The extension projects along the boundary beyond the rear elevation of No. 141 by 4.3 metres. This is 300mm over that recommended in the Sustainable Design and Construction Supplementary Planning Document 2020. However, this is mitigated by the fact that there is a separation distance between No. 141 and the boundary between the two properties of 2.4 metres.

With regard to the rear garden, it is accepted that there will be some effect on the area near to the extension. However, the garden is 38 metres long and 7.2 metres wide meaning only a small portion of it will be affected. In view of the above it is considered it would be unreasonable to refuse the application for the impact on this property.

Impact on No. 147 Weston Lane

No. 147 Weston Lane is the detached neighbour to the east and is on the opposite boundary to that of the proposed single storey extension to the side/rear. As a result of this relationship the extension does not affect any original rear facing windows to habitable rooms.

Because No. 147 is only set back from No. 143 by 600mm none of the other proposed additions affect any original windows to habitable rooms.

The curtilage of this property contains a residential annexe which was created in 2014 as a result of an existing garage being extended. The annexe is set 16 metres away from the original rear elevation of No. 143 and does not directly face it. In any event as the windows contained within the annexe are part of an extension they cannot be protected.

It is therefore considered that there is no detrimental impact on this property.

Impact on No. 1A The Paddocks

No. 1A The Paddocks is to the rear and at 90 degrees to No. 143 and is set away from the boundary between the two properties by a minimum distance of 5 metres. The northern boundary is also 22 metres away from the original rear elevation of No.143. As a result of this relationship there will be no direct view over the rear garden or into any original windows to habitable rooms. It is therefore considered that there is no detrimental impact on this property.

Impact on Nos. 1 & 2 The Paddocks

These two properties are directly to the rear of No. 143. There is a separation distance between the rear elevation of No. 143 and the boundary with two properties of 37 metres. As a result of this relationship, it is considered that there is no detrimental impact on either property.

It is therefore considered that the proposal is acceptable under paragraph 11 of the Sustainable Design and Construction Supplementary Planning Document 2020.

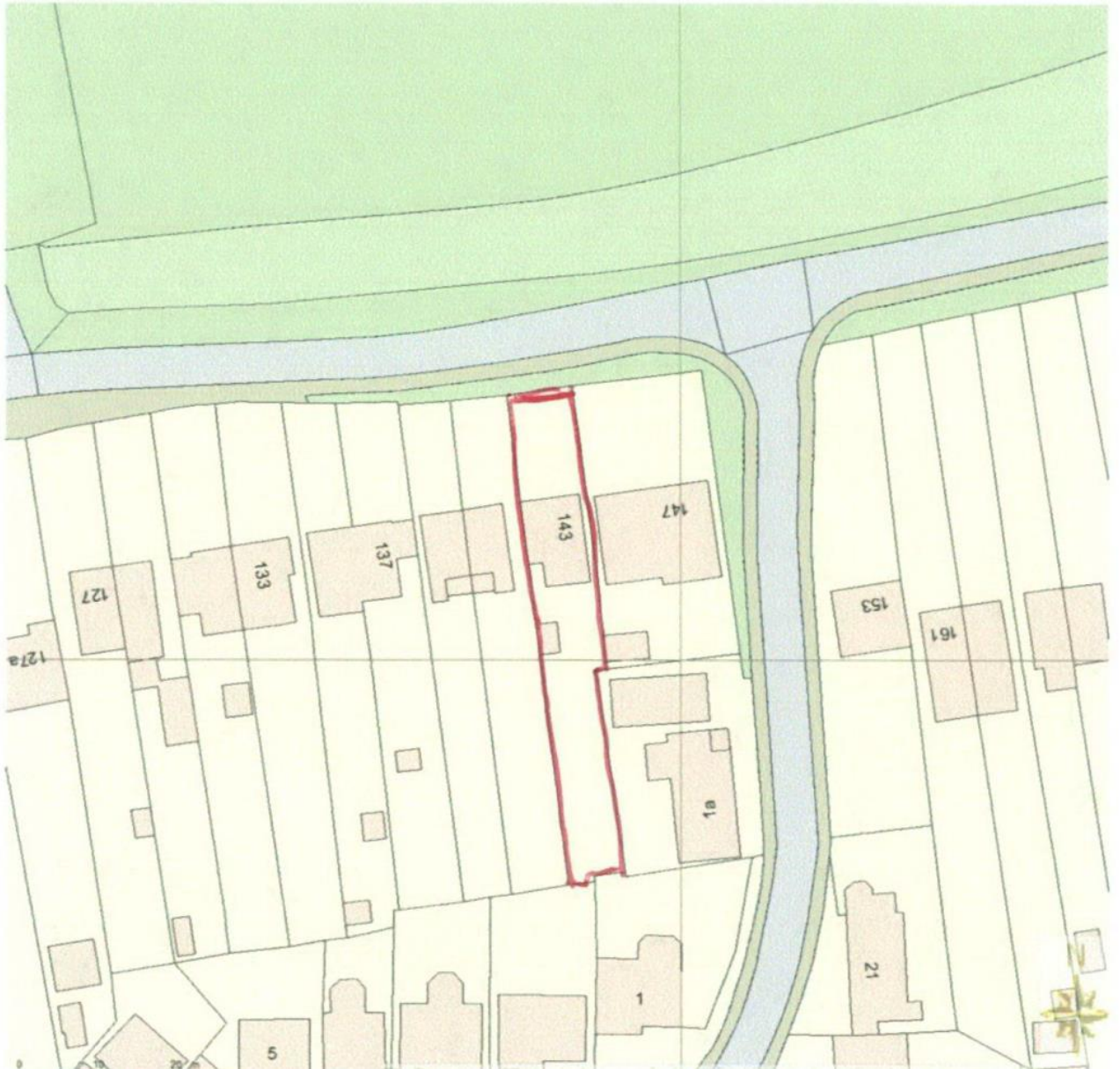
REASONS FOR APPROVAL:

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.

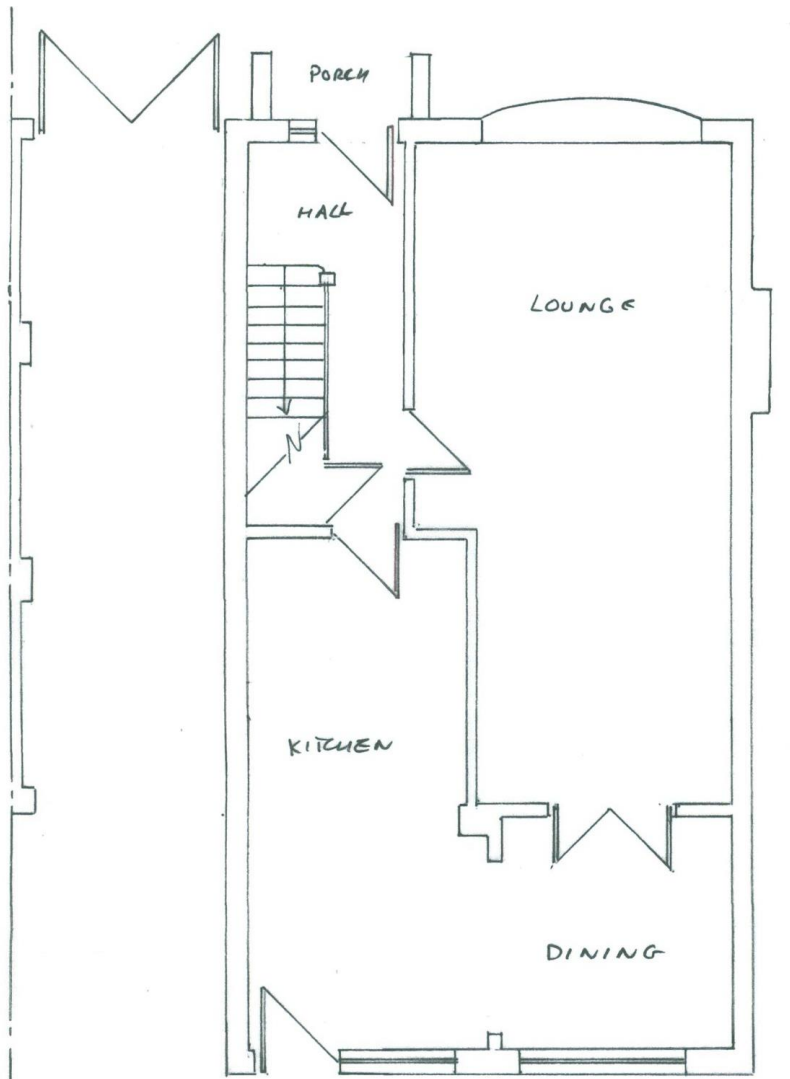
SCHEDULE OF CONDITIONS:

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

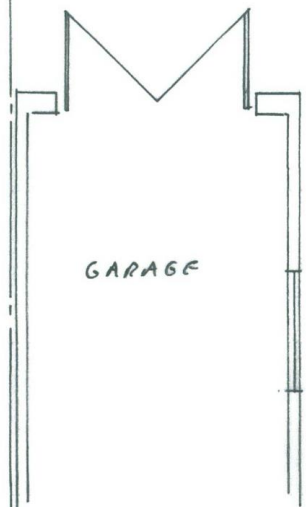
Plan Description	Plan No.	Date Received
Proposed front/rear elevations	Drawing No 6	4 th May 2012
Proposed side elevation	Drawing No 7	4 th May 2021
Proposed side elevation	Drawing No 8	4 th May 2021
Proposed ground floor	Drawing No 9	4 th May 2021
Proposed first floor	Drawing No 10	4 th May 2021
Proposed second floor	Drawing No 11	4 th May 2021



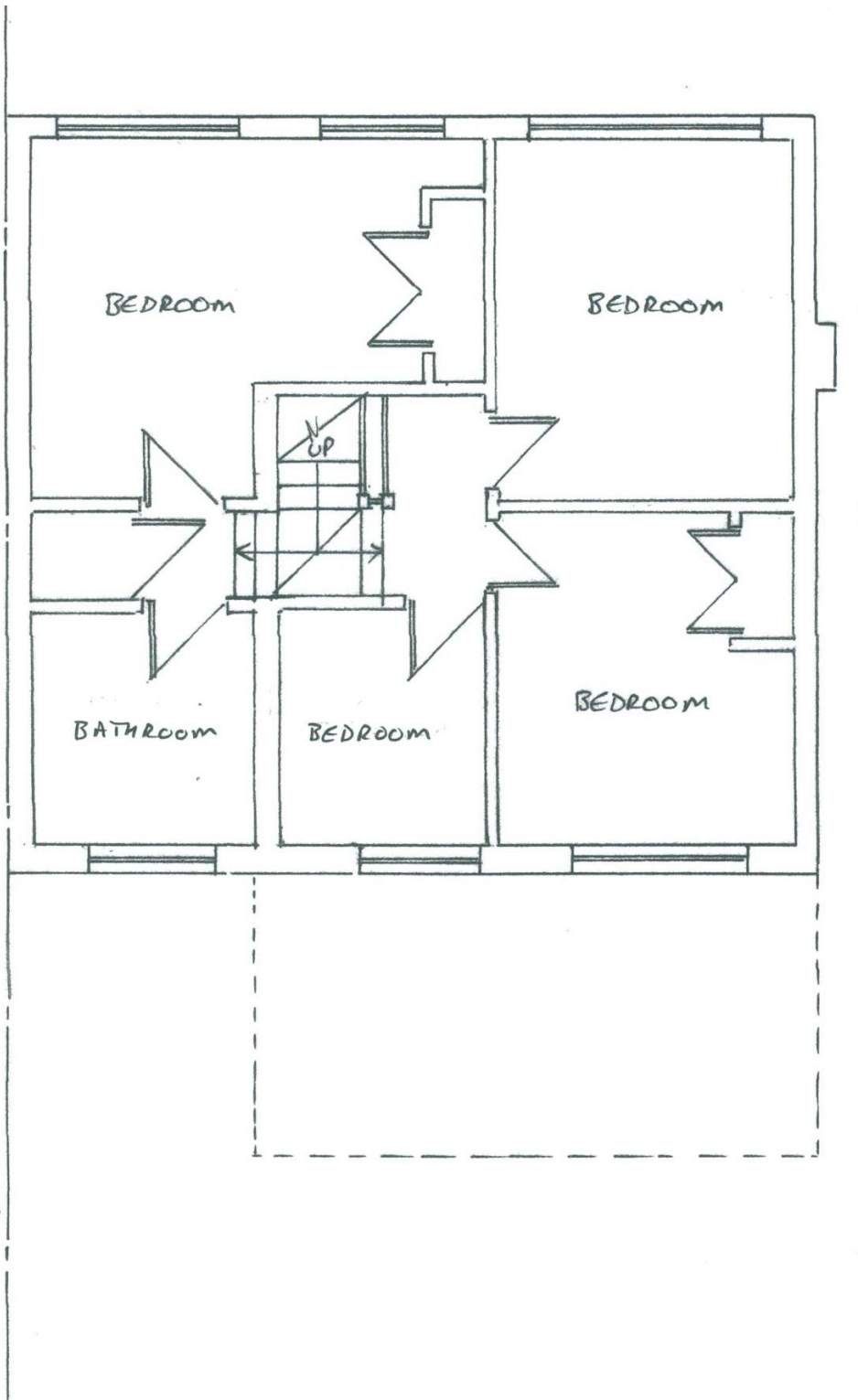
Location Plan



EXISTING GROUND FLOOR 1:50



Existing Ground Floor Plan



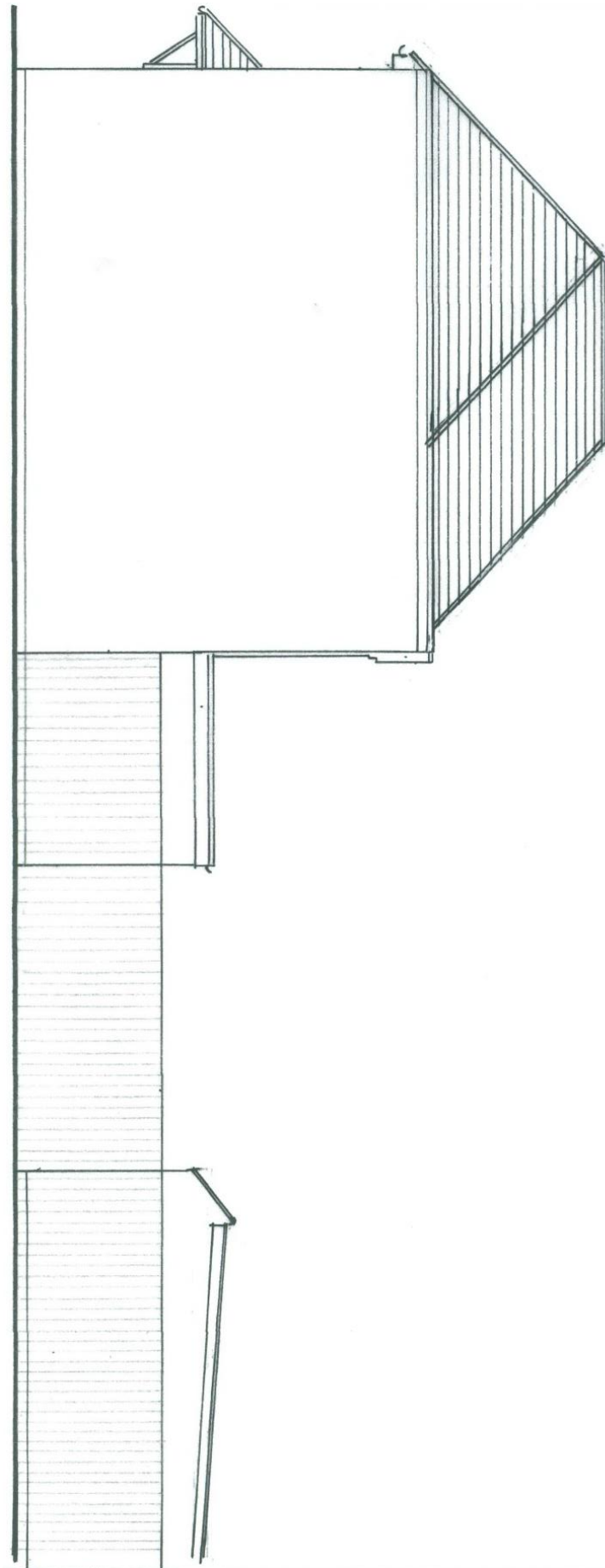
Existing First Floor Plan



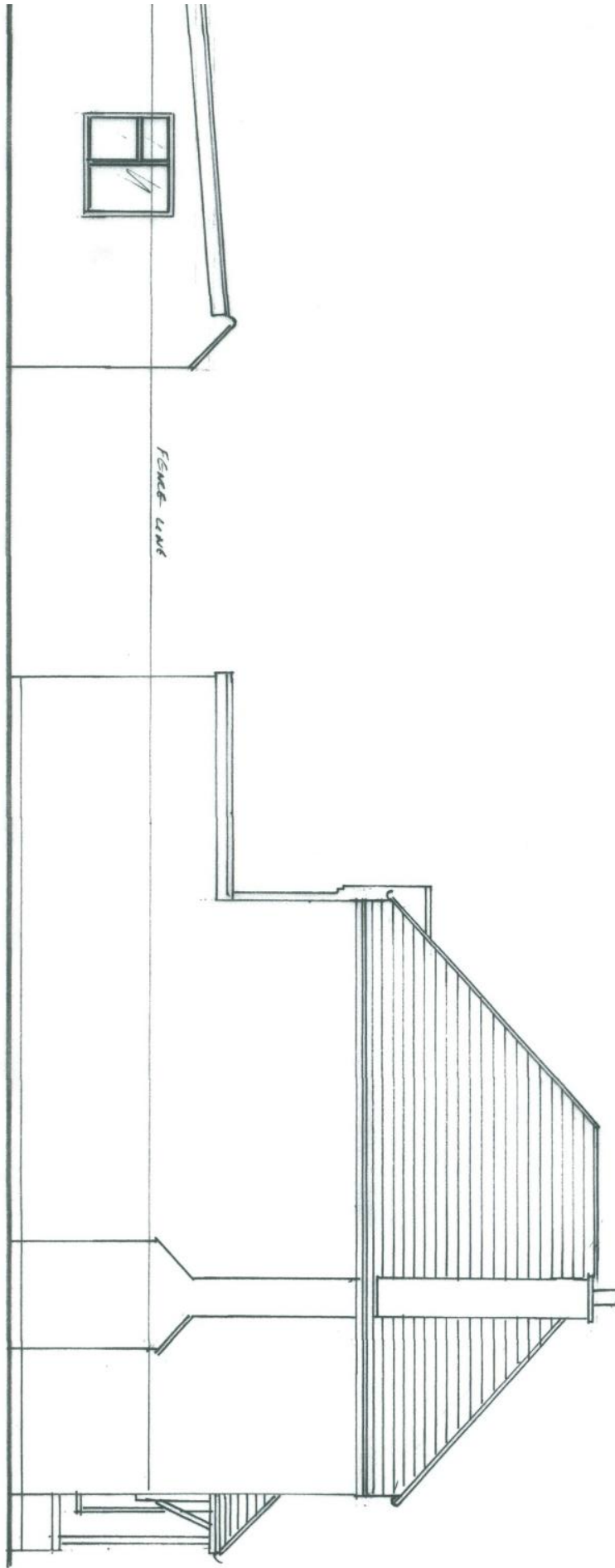
Existing Front Elevation



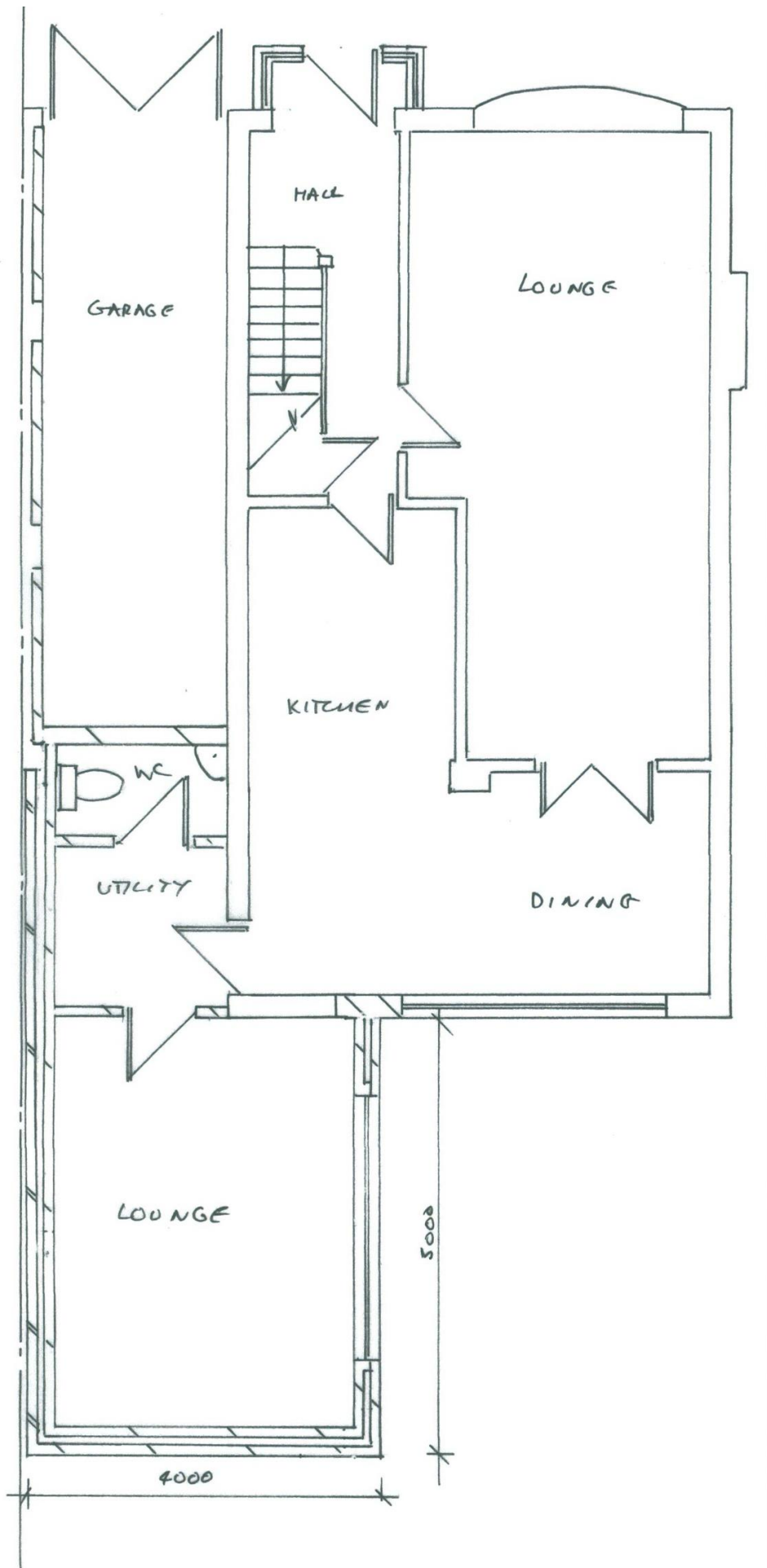
Existing Rear Elevation.



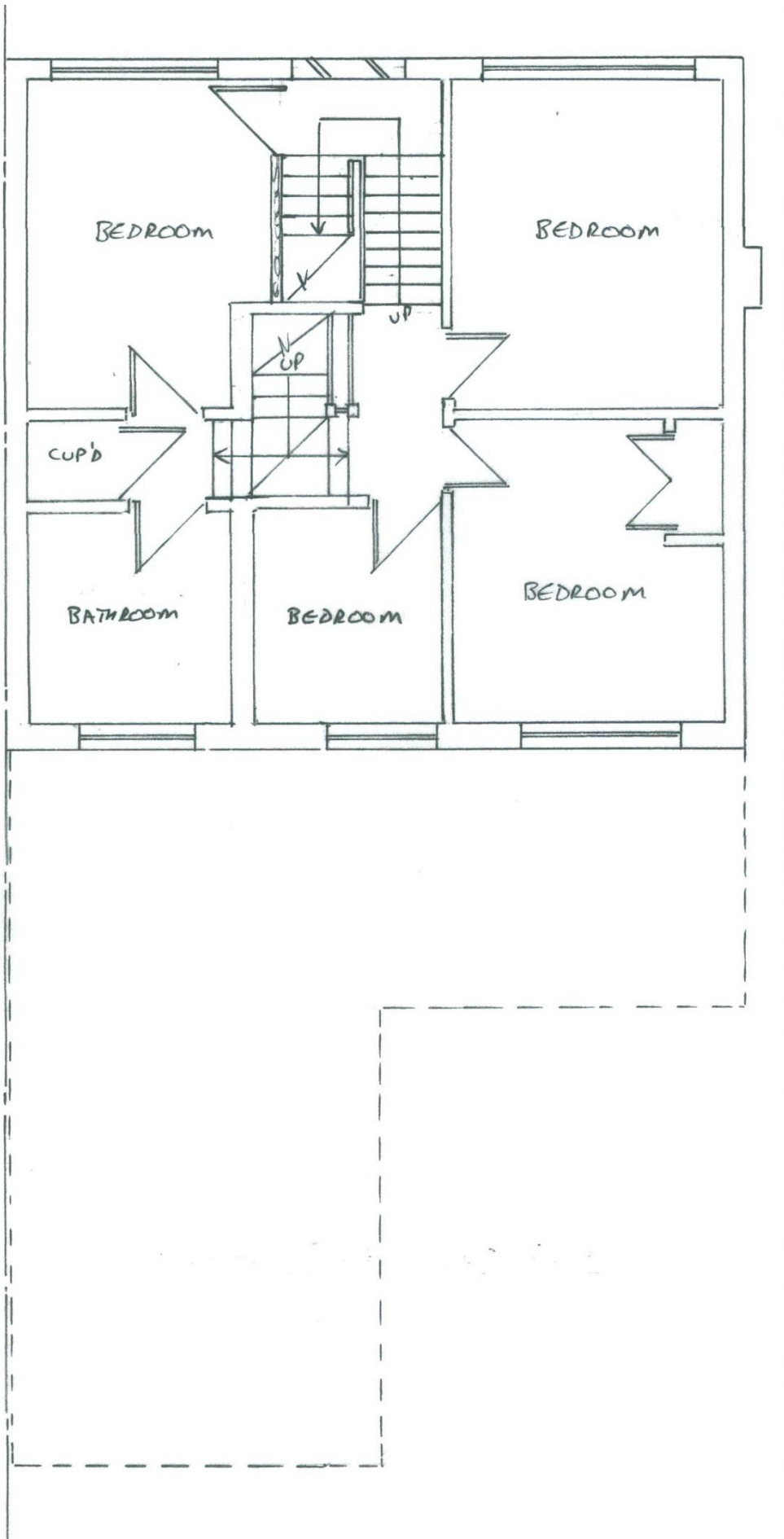
Existing Side Elevation.



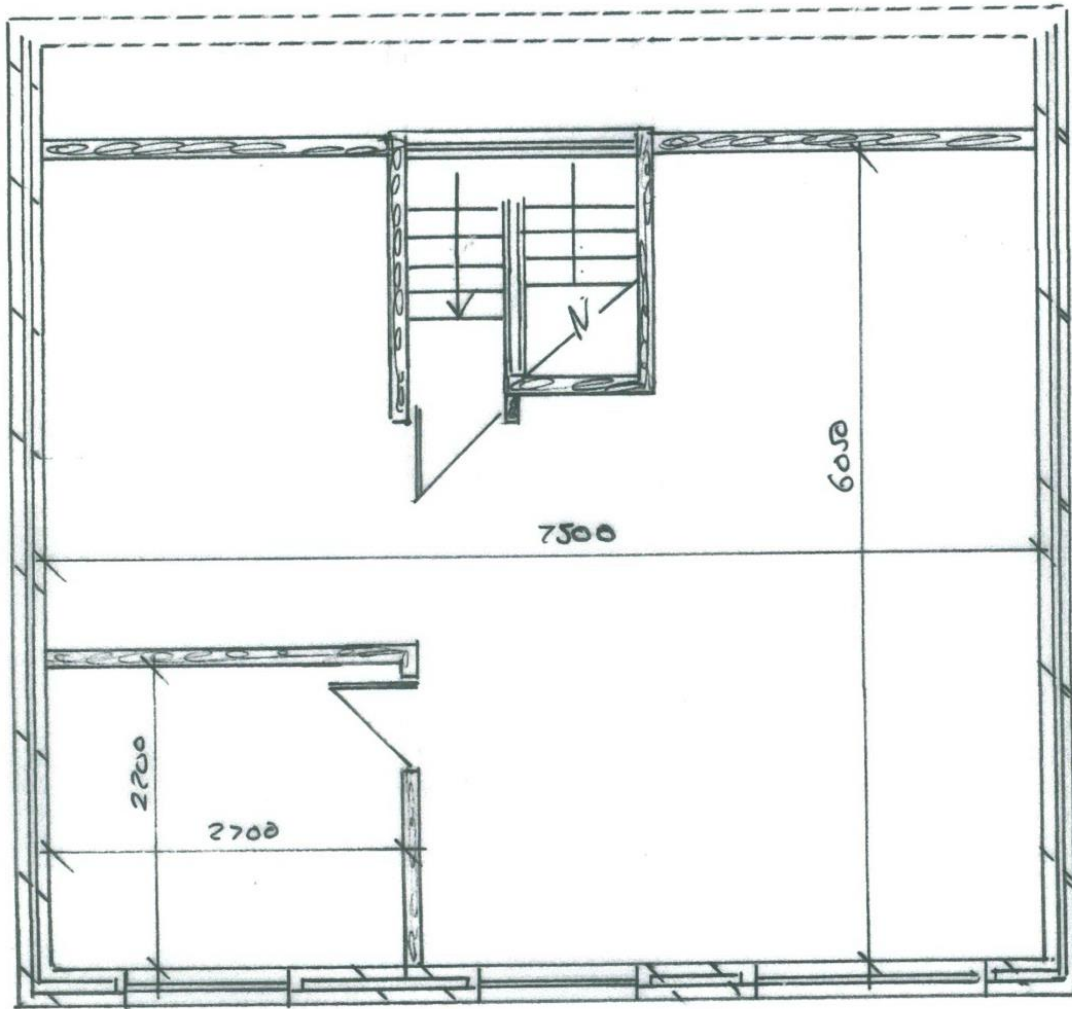
Existing Side Elevation.



Proposed Ground Floor Plan



Proposed First Floor Plan



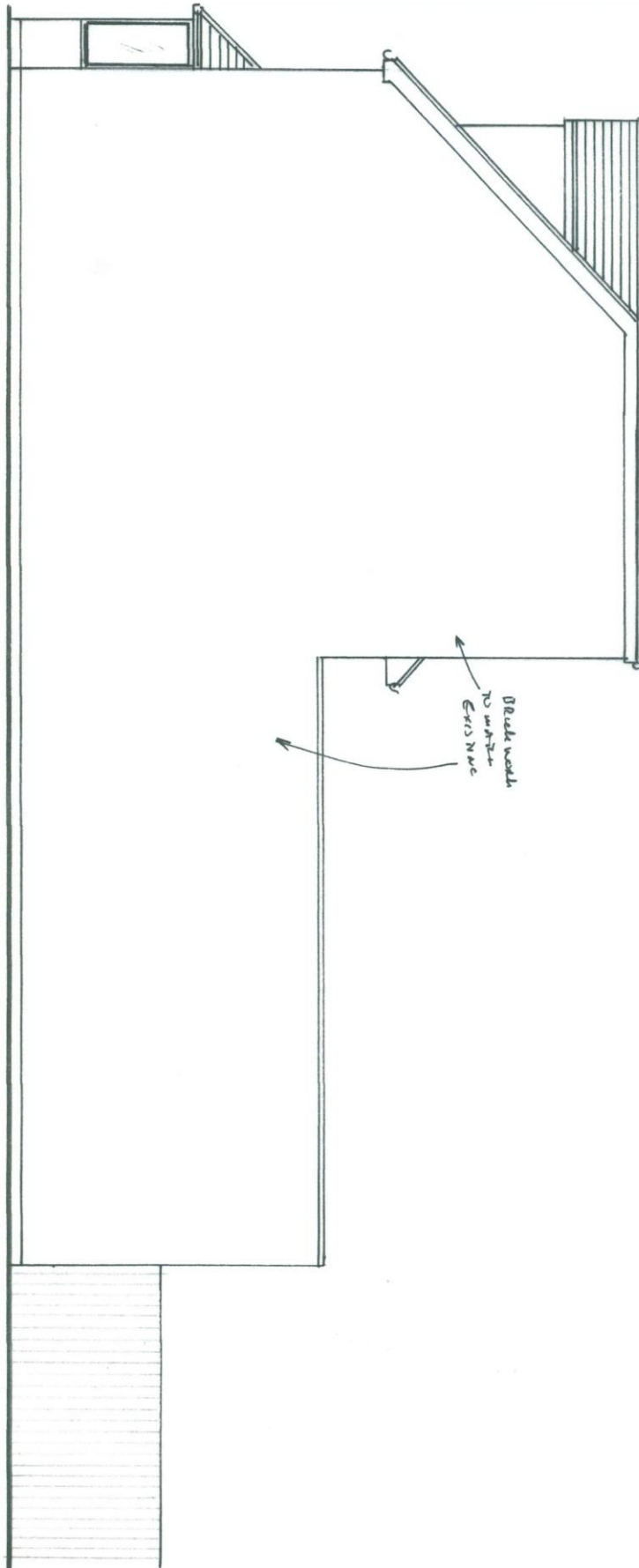
Proposed Second Floor Plan



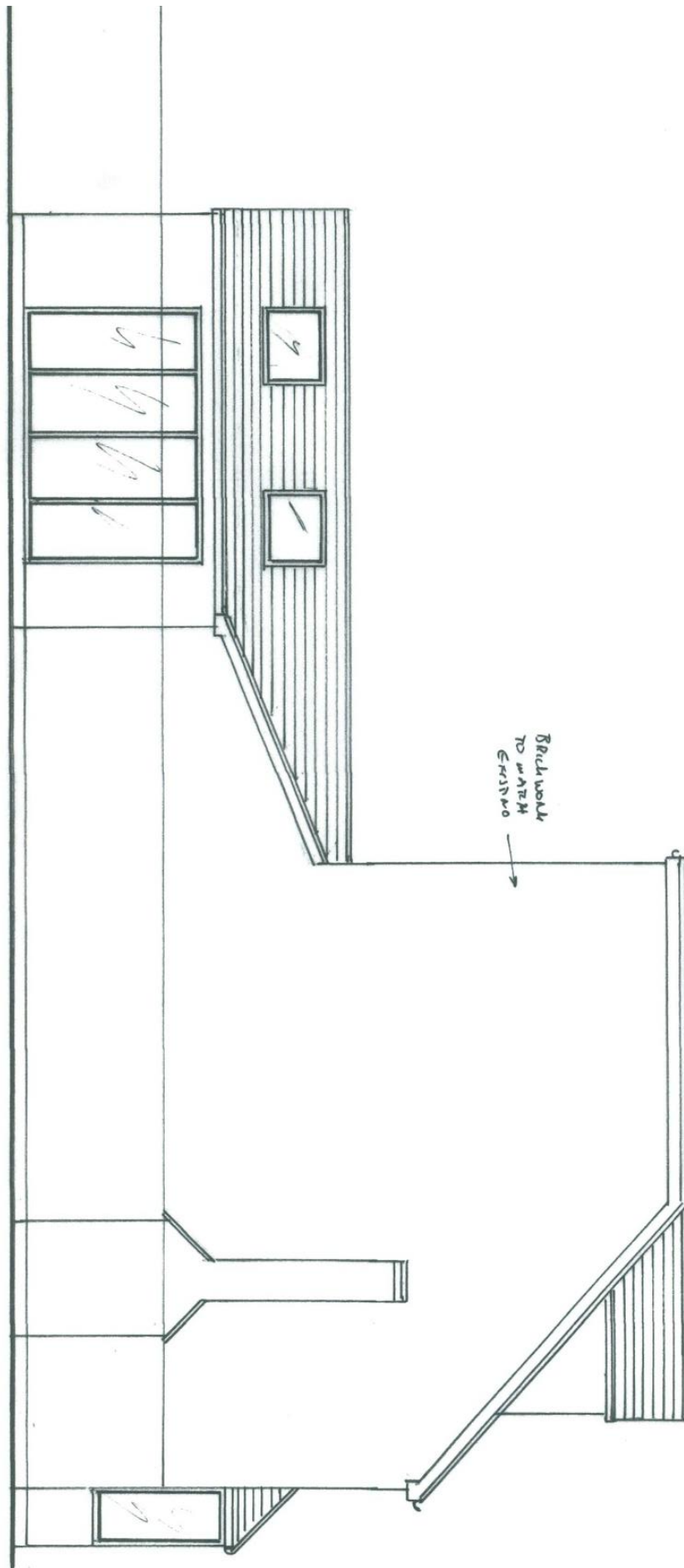
Proposed Front Elevation



Proposed Rear Elevation.



Proposed Side Elevation.



Proposed Side Elevation.

REFERENCE No. 037705

Site Address: Site 95A002 Marston Lane Bedworth.

Description of Development: Retention of hardcore access track to provide access to equitation grazing land to Easterly pasture (land rear of 162/180 Marston Lane).

Applicant: Mrs Lorraine Tasker.

Ward: SL.

RECOMMENDATION:

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

INTRODUCTION:

This is for the retention of a hardcore access track to provide access to equitation grazing land to the easterly pasture and is to the rear of 162/180 Marston Lane). The application has come about following an enforcement complaint about the access.

The land is designated as Green Belt.

The access track leads down to a field which the Agent states is grazing land for the Applicants horses, and that the track has been put in as the existing track from the stables gets wet and churned up and makes it difficult for the tractor to get to the grazing land. A wooden fence has been erected on one side and on the opposite side of the access road is a new bullock fence neither of which need consent.

RELEVANT PLANNING HISTORY:

- 004753 (TP/0388/02) Erection of one dwelling (Outline). Refused. 31.07.2002.

Applications within the blue line:

- 030430 Retention of stable block and associated buildings (rear of 122-162 Marston Lane). (Different Applicant at time). Approved. 05.11.2010.

Application immediately adjacent to site but outside current application red and blue line:

- 036903 Erection of stable block. 5 stables plus tack room and barn. 28.07.2020. Approved.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS7 – Green Belt
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

WCC Highways.

CONSULTATION RESPONSES:

No objection from:
WCC Highways.

NEIGHBOURS NOTIFIED:

160 – 166 (even), 170 – 180 (even), 180A, 192 and 194 Marston Lane. 109 Coventry Road Bulkington, 9 Blake Close Nuneaton, Diocese of Coventry 1 Hill Top Coventry and Countrywide Property Management 161 New Union Street Coventry.

Neighbouring properties were sent letters notifying them of the proposed development on the 27th July 2021 and a further four letters to potential adjacent owners were sent on the 11th August 2021. A site notice was erected on street furniture on the 1st February 2021 and the application was advertised in The Nuneaton News on the 17th February 2021.

NEIGHBOUR RESPONSES:

There have been 7 objections from 2 addresses as well as 1 objection with no address provided. The comments are summarised below;

- 1) Application is inaccurate, the land is not owned by the Applicant and the submitted supporting document states the access has been used for over 10 years which is not the case and can be proven by Google Earth. Private legal proceedings have begun. Planning law states it is an offence to provide false information, legislation states that
- 2) The application incorrectly states the land was previously churned up but this has never been the case.
- 3) Trees and shrubs have been removed.
- 4) The stable is used commercially not for private use and is occasionally used for dog breeding.
- 5) The area has been used as a dumping ground and used to be beautiful.
- 6) Application is a trojan horse and will allow other commercial vehicles to use it and which will be right next to residential properties.
- 7) If approved, it will be double standards.
- 8) Conditions for the previous approvals were not adhered to.
- 9) Council have not informed local community.
- 10) Contravention must be independently investigated.
- 11) No need for further access as there is already one from owner's drive.

There has been a petition of 7 signatories objecting on the following grounds:

- 1) Severe impact on the residents and is unnecessary. If approved heavy vehicles will be driving next to properties without any gap and against the Highways Agency requirement of 1.5m.

APPRAISAL:

As required by Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development shall be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

The Development Plan for the area relevant to this application is the Nuneaton and Bedworth Borough Plan 2019. The relevant policies of the Borough Plan are DS7

Green Belt and BE3 together with the Sustainable Design and Construction SPD 2020. The National Planning Policy Framework February 2021 and National Planning Practice Guidance are also material considerations in the determination of this application.

Key Issues

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

1. The Impact to the openness and permanence of the Green Belt.
2. Appropriate development for the Green Belt.
3. Supporting a prosperous rural economy.
4. Highway safety.
5. Conclusion.

1. Impact to the openness and permanence of the Green Belt

There is previous case law that refers to the visual aspect of development in Green Belts (South Hams 25/8/92 DCS No. 100-027-333 - considered that whilst there were concerns about visual exposure of development to public land, where the site was only seen from private land (including grazing land) it would not materially harm the landscape). Paragraph 149 considers that certain types of development in the Green Belt is considered appropriate as long as the proposal preserves the openness of the Green Belt.

The access terminates onto an existing track at the back of the houses. In the next adjacent field, there are buildings for almost the entire length of the access road and therefore views from the east of the track are limited. To the south the existing houses shield any view from Marston Lane. In terms of views from the north from the grazing field there are no rights of way immediately to the rear and there is a hedgerow separating it from other fields.

It is considered that the proposal does not directly affect the openness of the Green Belt.

2. Appropriate development for the Green Belt

Paragraph 147 and 148 of the NPPF states that special circumstances will not exist unless the potential harm is outweighed and then only in very special circumstances.

The Agent states that the road is required to provide access to the grazing land used for equitation use behind the residential properties. Outdoors sports and recreation is considered an appropriate use in paragraph 149 of the NPPF and equitation is considered to be within this definition and therefore deemed an appropriate use within the Green Belt.

Similarly, Policy DS7 – Green Belt of the Borough Plan states in part:

“Opportunities to enhance the beneficial use of the Green Belt will be approved, including opportunities to provide access, provide outdoor sport and recreation, retain and enhance landscapes, provide visual amenity and biodiversity, or to improve damaged or derelict land.”

It is considered that the proposal is consistent to this part of the Borough Plan Policy.

Paragraph 150 of the NPPF states that engineering operations may not be inappropriate provided they preserve the openness and do not conflict with the purposes of Green Belt land. The NPPF similarly to Policy DS7 of the Borough Plan refers to preserving the openness. The specification on the application has been

clarified as a crushed stone sub-base finished with planings and does not have a membrane so that grass will ultimately grow through it. This is consistent with the specification for livestock and machinery for - 'hardcore tracks in the countryside stewardship' on the government web site.

3. Supporting a prosperous rural economy

Paragraph 84 of the NPPF refers to the need to promote development and diversification of agriculture and other land based rural business. The access track would make the equitation use easier to manage.

The Supporting documentation states the Applicant has used the informal access track for ten years and the surfacing is required as it can get muddy. These facts have been disputed by residents objecting to the application, but the application is purely for the retention of the track as it stands today; rather than how long an access has been used or whether the land gets muddy or not.

4 Highway safety

The access from Marston Lane and the existing track at the back serving the houses, existing stables and proposed barn and stables is already in place and is not part of this application. Nevertheless, it is included within the red line as the red line has to terminate at an adopted road, which in this case is Marston Lane. The new access track spurs off the existing access at the back of the houses; this part of the existing track is under another person's ownership.

Some of the local residents' objections/concerns are that the new track will be used for HGV's. In terms of what is to be considered under the current application, the track is only being considered for vehicles related to the existing equitation use of the fields to the rear and this can be conditioned. This is considered relevant as only equitation and no other commercial uses would likely be acceptable due to the Green Belt status. County Highways were originally not consulted on the application, as there was no new access to an adopted road. However, following residents' concerns, WCC Highways were subsequently consulted.

WCC Highways responded to advise that whilst the existing track was not considered suitable for intensified use; that they considered that as the new track was just providing an all-weather track to an existing use, then it was unlikely that there would be an increase in vehicular movements to the site and concluded with no objection. Therefore, refusal on highways grounds would be difficult to defend at Appeal.

5. Conclusion

It is the Council's opinion that the use is appropriate for the Green Belt and would not affect the openness of the Green Belt subject to conditions that the layout and materials remain as per the submitted plans and the track is limited to just equitation use. WCC Highways have been consulted and have no objection.

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:

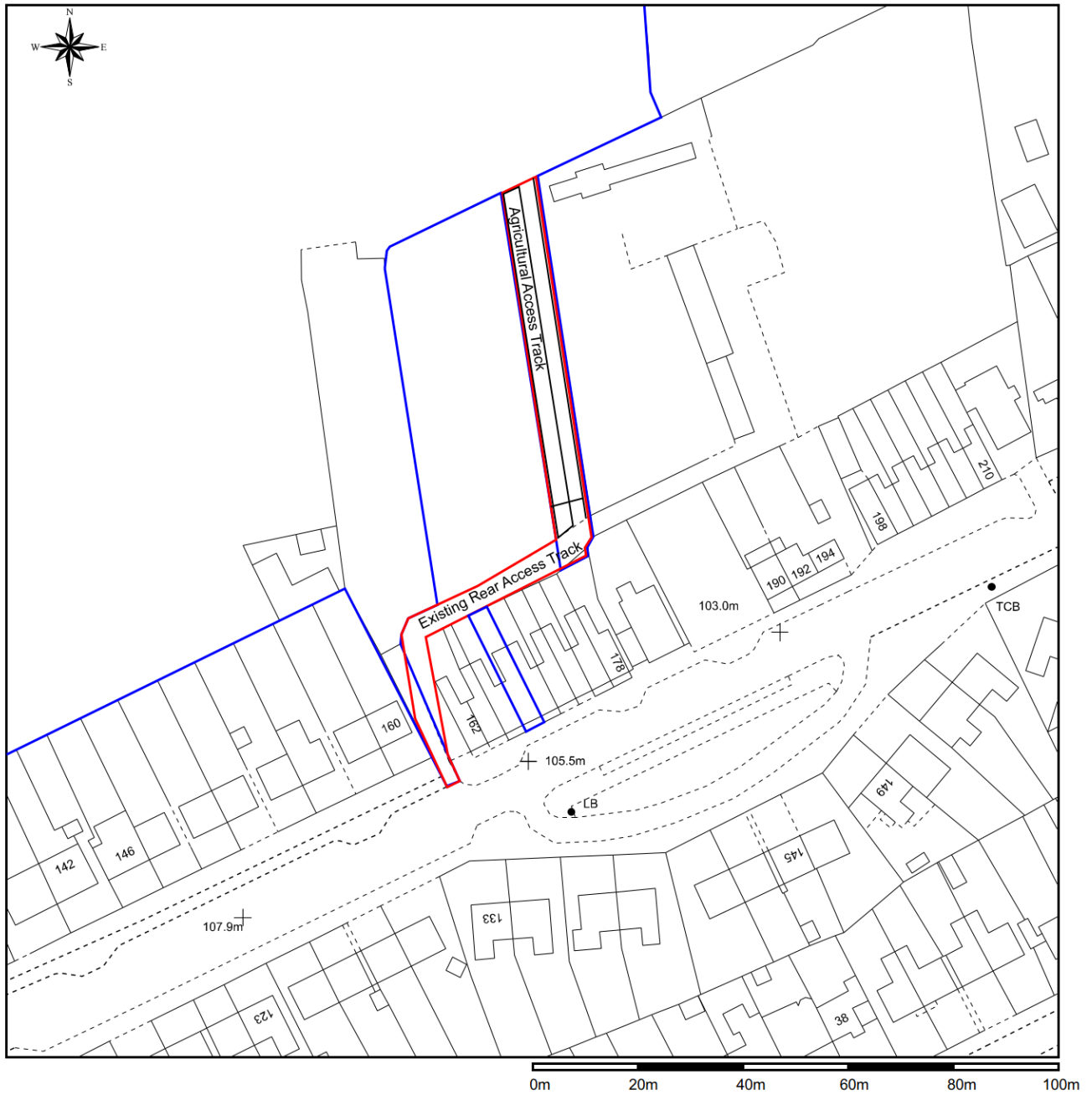
1. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No.	Date Received
Location Plan 26.01.2021	MLT100A	29th January 2021
Site Plan 15.01.2021	MLT101	17th January 2021
Planning Statement		17th January 2021

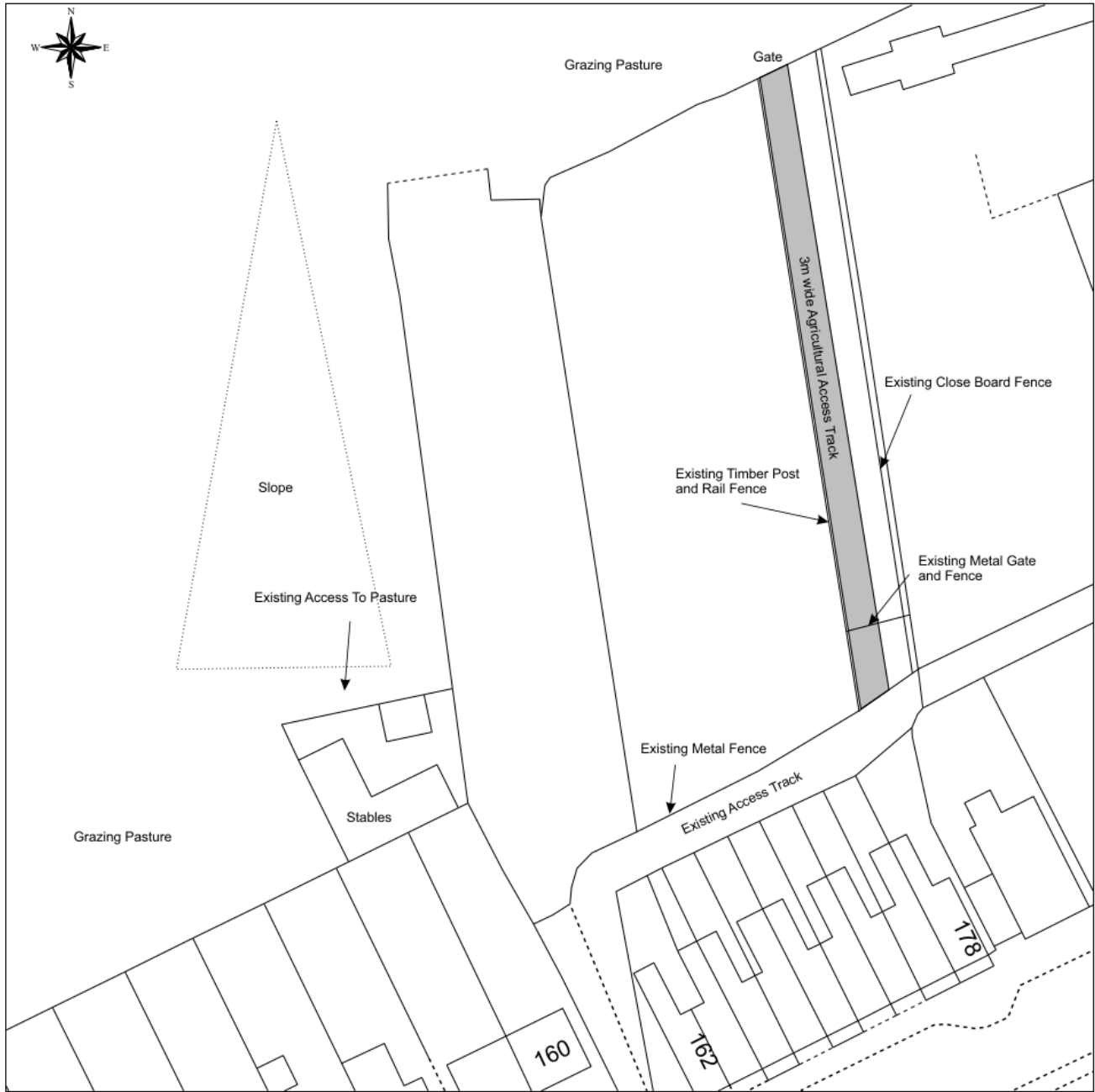
2. The access track is to remain for the lifetime of the track as per the specification in the approved plan 'MLT101 Site Plan' and is to remain as 300mm compacted hardcore finished in 50mm of 18mm dust fine planings and is not to be surface topped with any other bound materials.

3. The access track as approved shall be used solely for equitation use and no other purposes.

4. In the event the access track is no longer required, the materials are to be removed and the land restored back to its original grassland state.



Location Plan



Site Plan

REFERENCE No. 037894

Site Address: 11 Sunningdale Close, Nuneaton CV11 6NB.

Description of Development: Retention of already built dormer to front and canopy roof to side. (Amendment to approval 036967 for dormer roof/window extension to front, dormer roof/windows to rear, new first floor window to side).

Applicant: Ms A Karczmarczuk.

Ward: WH.

RECOMMENDATION:

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

INTRODUCTION:

The proposal is to retain an already built dormer to the front and a canopy roof to the side. The original scheme was approved under 036967. The current application was submitted as a result of an enforcement complaint. Following a site visit the Enforcement Officer liaised with one of the Principal Planning Officers and the view was taken that the changes are acceptable in planning terms. This report will concentrate on the amendments to the original approval.

The amendments are:

- 1) Larger dormer to front. It is 200mm higher and 350mm wider than that approved under 036967.
- 2) Canopy roof to side This is a continuation of the existing canopy roof to the front and extends over the front of the carport. This was not shown on the original application.

The application property is a semi-detached dormer bungalow which was originally built in the 1960's and is located in the Whitestone area of Nuneaton. To the north, south, east and west are dwellings of varying type and design.

BACKGROUND:

This application is being reported to Committee because 6 objections have been received from 4 properties.

RELEVANT PLANNING HISTORY:

- 036967: Dormer roof/window extension to front, dormer roof/windows to rear, new first floor window to side: Approved 12th March 2020.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Policies of the Borough Plan 2019:

- o DS1 – Presumption in favour of sustainable development
- o BE3 – Sustainable design and construction
- Sustainable Design and Construction Supplementary Planning Document 2020.

CONSULTEES NOTIFIED:

None

CONSULTATION RESPONSES:

None

NEIGHBOURS NOTIFIED:

10, 12, 31 and 32 Sunningdale Close, CV11 6NB.

Neighbouring properties were sent letters notifying them of the application on 24th March 2021.

NEIGHBOUR RESPONSES:

There have been 6 objections from 4 addresses. The comments are summarised below;

- 1) The look of the property is now unprecedented and no longer in keeping with other properties in the area.
- 2) Property now has larger windows than the others in the area.
- 3) The property is now finished in render as opposed to brickwork.
- 4) Property has been converted from a dormer bungalow to a house and much wider than the original design.
- 5) Too many bright lights under the eaves
- 6) Has Party Wall Legislation been complied with?
- 7) No objection to original scheme

APPRAISAL:

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

- 1)The impact on Visual Amenity
- 2)The impact on Residential Amenity

1. The impact on Visual Amenity

The Sustainable Design and Construction Supplementary Planning Document 2020 contains guidance within section 13 which aims at guiding the design and aesthetics of residential development within the Borough.

Both elements are visible from the street however the overall increase in the size of the dormer from that originally approved is comparatively small and the canopy roof is an extension of the original to the front. The dormer is set below the ridge line of the roof by 1.5 metres and the property as a whole is set back from the footpath by 13 metres. The canopy roof is a continuation of the original taking it over the drive and is located between ground and first floor levels. In view of the above it is considered that it would be unreasonable to refuse the application on visual amenity grounds.

2. The impact on Residential Amenity

Section 11 of the Sustainable Design and Construction Supplementary Planning Document 2020 contains guidance which aims to protect the residential amenity of proposed residential properties and extensions, and the residential amenity of existing

dwellings. As the dormer and canopy roof are to the front only the neighbouring properties either side, Nos 10 & 12 Sunningdale Close are likely to be impacted upon.

Neither element infringes either the 45-degree line or the 60-degree line from the centre of any original front facing windows to habitable rooms. This being the case it is considered that there is no detrimental effect on either property.

It is therefore considered that the proposal is acceptable under paragraph 11 of the Sustainable Design and Construction Supplementary Planning Document 2020.

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 shall not be maintained out other than in accordance with the approved plan contained in the following schedule:

Plan Description	Plan No.	Date Received
Front elevation as built	Drawing No 1	11 th March 2021



Location Plan



As previously approved under reference 036967



Front Elevation as built.

Guide to the Use Classes Order in England (from 1 August 2021)

Following the coming into force of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, and further amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015, our updated two page guide to the Use Classes Order in England brings together all of the 2020 and 2021 changes.

This is intended as an initial reference guide only. Reference must be made to the Use Classes Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for limitations (e.g. floorspace maxima), restrictions, conditions and details of any requirements for any application for determination as to whether the prior approval of the local planning authority will be required (which may include the prior approval of building operations). There have been numerous amendments to these Orders and reference to consolidated versions is recommended.

Use Class (see Comparison with use classes prior to 1 September 2020 overleaf)	Permitted permanent change (Class of Schedule 2, Part 3)
Class B2 General industry Industrial process other than one falling within the uses described in Class E, sub-paragraph (g)	To B8 (PD Class I)
Class B8 Storage and distribution	To C3, subject to prior approval (PD Class P)
Class C1 Hotels Hotels, boarding and guest houses (where no significant element of care is provided)	To a state-funded school falling within Class F.1(a) (PD Class T) (and back to previous lawful use (PD Class U))
Class C2 Residential institutions Residential accommodation and care to people in need of care, residential schools, colleges or training centres, hospitals, nursing homes	To a state-funded school falling within Class F.1(a) (PD Class T) (and back to previous lawful use (PD Class U))
Class C2a Secure residential institutions Prisons, young offenders' institutions, detention centres, secure training centres etc.	To a state-funded school falling within Class F.1(a) (PD Class T) (and back to previous lawful use (PD Class U))
Class C3 Dwelling-houses Uses as a dwellinghouse (whether or not as main residence) by: (a) a single person or single household; (b) a single household of not more than 6 residents where care is provided; or (c) a single household of not more than 6 residents where no care is (other than a use within class C4)	To C4 (PD Class L)
Class C4 Houses in Multiple Occupation	To C3 (PD Class L)

Use Class (see Comparison with use classes prior to 1 September 2020 overleaf)	Permitted permanent change (Class of Schedule 2, Part 3)
Class E Commercial, Business and Service Use, or part use, for all or any of the following purposes: a) Shop other than for the sale of hot food b) Food and drink which is mostly consumed on the premises c) the following kinds of services principally to visiting members of the public i. financial services ii. professional services (other than medical services) iii. any other services which it is appropriate to provide in a commercial, business or service locality d) Indoor sport and recreation (not swimming pools, ice rinks or motorised vehicles or firearms) e) Medical services not attached to the residence of the practitioner f) Non-residential creche, day centre or nursery g) i) office ii) the research and development of products or processes or any industrial process, (which can be carried out in any residential area without causing detriment to the amenity of the area)	To C3, subject to prior approval (PD Class MA) To a mixed use for any purpose within Class E and as up to 2 flats, subject to prior approval (PD Class G) To a mixed use for any purpose within Class E and as up to 2 flats to a use for any purpose Class E (PD Class H) To a state-funded school falling within Class F.1(a) (PD Class T) (and back to previous lawful use (PD Class U))
Class F1 Learning and non-residential institutions Any use not including residential use – a) For the provision of education b) For the display of artwork (not for sale or hire) c) As a museum d) As a public library or public reading room e) As a public hall or exhibition hall f) For, or in connection with, public worship or religious instruction g) As a law court	Temporary changes of use only, see below
Class F2 Local Community Uses a) A shop of not more than 280 square metres, mostly selling essential goods, including food, where there is no other such facility within 1000 metre radius of the shop's location b) Community halls and meeting places c) Outdoor sport or recreation (not involving motorised vehicles or firearms) d) Swimming pool or ice skating rink	No permitted change

Guide to the Use Classes Order in England (from 1 August 2021)

Use Class (see adjacent Comparison with use classes prior to 1 September 2020)	Permitted permanent change (Class of Schedule 2, Part 3)
<p>Sui generis</p> <p>Uses which do not fall within the specified use classes above, including those specifically identified in Article 3(6) of The Town and Country Planning (Use Classes) Order 1987:</p> <p>(a) theatre, (b) amusement arcade or centre, or a funfair, (c) launderette, (d) petrol filling station, (e) sale or display for sale of motor vehicles, (f) taxi business or business for the hire of motor vehicles, (g) as a scrapyards, or a yard for the storage or distribution of minerals or the breaking of motor vehicles (h) for any work registrable under the Alkali, etc. Works Regulation Act 1906, (i) hostel, (j) waste disposal installation, (k) retail warehouse club, (l) nightclub, (m) casino, (n) betting office, (o) pay day loan shop, (p) public house, wine bar, or drinking establishment, (q) drinking establishment with expanded food provision, (r) hot food takeaway, (s) live music performance venue, (t) cinema, (u) concert hall, (v) bingo hall, (x) dance hall</p>	<p>Casino, betting office, pay day loan shop or hot food takeaway to Class E, subject to prior notification (PD Class A)</p> <p>Public house, wine bar, or drinking establishment to drinking establishment with expanded food provision - and vice versa (PD Class AA)</p> <p>Betting office, pay day loan shop to a mixed use for any purpose within Class E and as up to 2 flats, subject to prior approval (PD Class G)</p> <p>Betting office or pay day loan shop to a mixed use betting office or pay day loan shop and as up to 2 flats, subject to prior approval (PD Class G)</p> <p>Mixed use betting office or pay day loan shop and as up to 2 flats, to use for any purpose within Class E (PD Class H)</p> <p>Mixed use as a betting office or pay day loan shop and as up to 2 flats to a use as a betting office or pay day loan shop (PD Class H)</p> <p>Launderette; betting office, pay day loan shop, hot food takeaway or one of these uses in a mixed use with a dwellinghouse to dwellinghouse, subject to prior approval (PD Class M)</p> <p>Amusement centre or casino to C3, subject to prior approval (PD Class N)</p>

Additional changes of use	
Agriculture buildings	<p>To C3 (dwelling houses), subject to prior approval (Part 3, Class Q)</p> <p>Flexible changes to B8, C1, E, subject to prior approval: new use is sui generis (Part 3, Class R)</p> <p>To a state-funded school, subject to prior approval (Part 3, Class S)</p>
Temporary change of use	<p>Any building in any Use Class and any land within its curtilage, except use class F.2, can be used as a state-funded school for up to 2 academic years (with limitations and conditions). (Part 4, Class C)</p> <p>Vacant use class C1, C2, C2A, or E land (with all buildings demolished) may be developed to provide temporary school buildings, and the land used as a state-funded school for up to 3 academic years, subject to prior approval, and with limitations and conditions, including that the building must be removed at the end of the third academic year. (Part 4, Class CA)</p> <p>Betting office, pay day loan shop, hot food takeaway or Class E to a flexible use falling within Class E, Class F.1(b) (display of art), Class F.1(c) museum, Class F.1(d) (public library or public reading room); or Class F.1(e) (public hall or exhibition hall), for up to three years continuous (Part 4, Class D)</p> <p>Restaurants and cafes, drinking establishments and drinking establishments with expanded food provision to temporarily provide takeaway food (Part 4, Class DA)</p>

Where planning application made after 5 December, 1988, permitted development rights allow the use to be changed to another use granted permission at the same time for a period of ten years from the date of planning permission, unless consisting of a change of use to a betting office or pay day loan shop: [GPD0 \(2015\) Schedule 2 Part 3 Class V](#).

Comparison with use classes prior to 1 September 2020

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020	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	Hotels, boarding and guest houses	C1	C1
Shop	A1	E	Residential institutions	C2	C2
Financial and professional services (not medical)	A2	E	Secure residential institutions	C2a	C2a
Café or restaurant	A3	E	Dwelling houses	C3	C3
Pub or drinking establishment	A4	Sui generis	Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation'	C4	C4
Take away	A5	Sui generis	Clinics, health centres, creches, day nurseries, day centre	D1	E
Office other than a use within Class A2	B1a	E	Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Research and development of products or processes	B1b	E	Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E	Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Industrial	B2	B2	Hall or meeting place for the principal use of the local community	D2	F.2
Storage or distribution	B8	B8	Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Contact us

Birmingham

Jon Kirby
jon.kirby@lichfields.uk
0121 713 1530

Bristol

Andrew Cockett
andrew.cockett@lichfields.uk
0117 403 1980

Cardiff

John Cottrell
john.cottrell@lichfields.uk
029 2043 5886

Edinburgh

Nicola Woodward
nicola.woodward@lichfields.uk
0131 285 0670

Leeds

Justin Gartland
justin.gartland@lichfields.uk
0113 397 1397

London

Matthew Spry
matthew.spry@lichfields.uk
020 7812 3514

Manchester

Simon Pemberton
simon.pemberton@lichfields.uk
0161 837 6130

Newcastle

Jonathan Wallace
jonathan.wallace@lichfields.uk
0191 261 5685

Thames Valley

Daniel Lampard
daniel.lampard@lichfields.uk
0118 334 1920