

Enquiries to:
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Direct Email:
committee@nuneatonandbedworth.gov.uk

Date: 29th March 2022

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in **Council Chamber of the Town Hall, Nuneaton on Tuesday, 12th April 2022 at 6.00p.m.**

Please note that meetings may be recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: All Members of the Planning
Applications Committee

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

AGENDA

PART I - PUBLIC BUSINESS

1. EVACUATION PROCEDURE

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

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

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

3. MINUTES - To confirm the minutes of the meeting held on 1st March 2022, attached (**Page 5**).

4. DECLARATIONS OF INTEREST

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

Declaring interests at meetings

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

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 11**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

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

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

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

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

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

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

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

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

5. DECLARATIONS OF CONTACT

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

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control attached. **(Page 14)**

7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK – the report of the Head of Development Control attached. **(Page 14)**
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

1st March 2022

A meeting of the Planning Applications Committee was held on Tuesday, 1st March 2022, in the Council Chamber.

Present

Councillor L. Cvetkovic (Chair)

Councillor K. Evans (substitute for Councillor B. Hammersley), J. Hartshorn, K. Kondakor, S. Markham, B. Pandher, J. Sheppard, R. Smith, C. Watkins (substitute for Councillor M. Rudkin) and K. Wilson.

Apologies: Councillor M. Rudkin and Councillor B. Hammersley.

PLA54 **Minutes**

RESOLVED that the minutes of the meeting held on 8th February 2022 be confirmed and signed by the Chair.

PLA55 **Declarations of Interest**

Councillor K. Evans informed the Committee that he is on the All-Party Parliamentary Groups for Cricket and for New & Advanced Technologies.

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

PLA56 **Declarations of Contact**

Councillor K. Wilson declared that as Leader of the Council he had met with the agent of Planning Application:038542 at their request. He advised them of his role on the Planning Applications Committee and gave no indication as to how he intended to vote.

IN PUBLIC SESSION

PLA57 **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 PLA57 OF THE PLANNING APPLICATIONS COMMITTEE ON 1ST MARCH 2022

038542: Faultlands Farm, Gipsy Lane, Nuneaton, Warwickshire, CV10 7PH
Variation of condition 22 of planning permission 034901 to allow a higher
percentage of the employment site to be used for B8 (Storage and
Distribution) purposes.

Applicant: Mr Amit Babbar

Public Statements: None

DECISION

Planning permission be granted, subject to the completion of a Deed of Variation to the original S106 obligation for planning application reference 034901.

038224: 1A Sherbourne Avenue, Nuneaton, CV10 9JH
Change of Use from Commercial (A1/E) to hot food takeaway (A5/ Sui
Generis).

Applicant: Mr D Singh-Sanghera

Public Statements: Councillor M. Tromans

DECISION

Planning permission be refused for the reasons as printed on the agenda.

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 |
| | 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 | |
| | B. Hammersley | County Councillor – W.C.C. | | |
| | S. Harbison | Employed by Meridian c/o Hello Fresh, 1 St Georges Way, Nuneaton | Member on the following Outside Bodies: <ul style="list-style-type: none"> • Poor's Piece Charity Astley Charity | |
| | J. Hartshorn | Employed by Nuneaton Library – Digital Inclusion – WCC (Senior Customer Service Assistant) COVID Community Testing – WCC – Team Leader (Casual) | Member of Nuneaton Conservatives | |
| | K.A. Kondakor | Electronic Engineer (self-employed) | Design (self-semi- Unpaid director of 100PERCENTRENEWABLEUK LTD | |

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|--------------------|---|--|--|
| | | retired); Statistical data analyst and expert witness (self employed) | 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 • Governor at Ash Green School • Bedworth Neighbourhood Watch • Governor at Ash Green School • Sherbourne Asset Co Shareholder Committee; • Nuneaton and Bedworth Sports Forum; • Warwickshire Direct Partnership; • Warwickshire Waste Partnership; | |
| | 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. | Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre |
| Director of Wembrook Community Centre. | | | | |
| Member of the Management Committee at the Mental Health Drop in. | | | | |

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|--------------------|---|---|--------------|
| | R. Smith | | Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Member of the following Outside Bodies: <ul style="list-style-type: none"> • A5 Member Partnership; • Patrol (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum Representative on the Digital Infrastructure Board. | |
| | K.D. Wilson | Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton | Nuneaton Conservative Association | |
| Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. | | | | |
| Representative on the following: <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 | | | | |

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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 | |
| | B. Hammersley | County Councillor – W.C.C. | | |
| | S. Harbison | Employed by Meridian c/o Hello Fresh, 1 St Georges Way, Nuneaton | Member on the following Outside Bodies: <ul style="list-style-type: none"> • Poor's Piece Charity Astley Charity | |
| | J. Hartshorn | Employed by Nuneaton Library – Digital Inclusion – WCC (Senior Customer Service Assistant) COVID Community Testing – WCC – Team Leader (Casual) | Member of Nuneaton Conservatives | |
| | K.A. Kondakor | Electronic Engineer (self-employed) | Design (self-employed) | Unpaid director of 100PERCENTRENEWABLEUK LTD |

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|--------------------|---|--|--|
| | | retired); Statistical data analyst and expert witness (self employed) | 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 • Governor at Ash Green School • Bedworth Neighbourhood Watch • Governor at Ash Green School • Sherbourne Asset Co Shareholder Committee; • Nuneaton and Bedworth Sports Forum; • Warwickshire Direct Partnership; • Warwickshire Waste Partnership; | |
| | 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 | |
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| | J. Sheppard | | Partnership member of the Hill Top and Caldwell Big Local. | Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre |
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| | 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 <p>Representative on the Digital Infrastructure Board.</p> | |
| | K.D. Wilson | Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton | Nuneaton Conservative Association | |
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Applications for Planning Permission etc.
Agenda Item Index

Planning Applications

| Item No. | Reference | Ward | Address | Page No. |
|-----------------|------------------|-------------|---|-----------------|
| 1. | 038371 | AB | 18 Bracebridge Street, Nuneaton, Warwickshire CV11 5PA | |

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

REFERENCE No. 038371

Site Address: 18 Bracebridge Street Nuneaton Warwickshire CV11 5PA

Description of Development: Part single storey, part two-storey rear extension to house and existing outbuilding, including installation of dormers to the outbuilding (amendment to previous application 036349)

Applicant: Mr Muhammed Badat

Ward: AB

RECOMMENDATION:

Planning Committee is recommended to refuse planning permission, for the reasons as printed.

INTRODUCTION:

This application is for the regularisation of a part single storey, part two-storey rear extension to house and existing outbuilding, including installation of a dormer to the outbuilding (amendment to previous application 036349) at 18 Bracebridge Street Nuneaton Warwickshire CV11 5PA.

The site gained planning permission in October 2016 to change the use of the rear outbuilding, formerly No. 20 Bracebridge Street under planning reference 034210 and No.18 to be used under Use Class E (was previously Use Class D1) – clinic, health centre, creche, day nursery and day centre type use.

The application site comprises of No 18 Bracebridge Street, which is a Victorian end of terrace property, with gabled roof consisting of red clay tiles. To the side of No. 18 is the access driveway which leads to the outbuilding pertaining to this proposal.

Works have commenced on the site above and beyond what has been granted planning consent. The main amendments that are being considered under this application that have not previously been given planning approval are to raise the height of the eaves and the installation of 4 windows side facing windows – 3 of which will be at ground floor and 1 at first floor.

RELEVANT PLANNING HISTORY:

- 036349: First floor extension to rear and over existing outbuilding, addition of two second storey windows (amendment to 034519): Approved 13/06/2019
- 035796: Non-material amendment to previous permission 034519 to move one of the proposed side walls and provide 5 new windows to the side elevation: Approved 03/08/2018
- 034519: First floor extension to rear above existing outbuilding: Approved 13/01/2017
- 034210: Change of use rear outbuilding from B1 to D1: Approved 12/10/2016
- 751583: Extension to doctors surgery – approved 12/1/1976

RELEVANT PLANNING POLICIES:

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

CONSULTEES NOTIFIED:

None

CONSULTATION RESPONSES:

N/A

NEIGHBOURS NOTIFIED:

16, 20, 22, 24, Bracebridge Street; 9, 11, 15 Norman Avenue

Neighbouring properties were sent letters notifying them of the proposed development on 3rd November 2021.

NEIGHBOUR RESPONSES:

There have been 9 objections from 7 addresses. The comments are summarised below;

1. Overlooking
2. Loss of light
3. Poor design
4. Overdevelopment of the site
5. Overbearing impact to neighbours
6. Impact on highway network and impact on parking as a result of the use
7. Devaluation of property

APPRAISAL:

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

1. Residential amenity
2. Visual amenity
3. Conclusion

1. Residential amenity

The way buildings relate to each other, their orientation and separation distance must provide and protect acceptable levels of amenity for both existing and future residents. These standards can be used flexibly, depending on house layout and on site circumstance.

The principle of the development has already been established. Therefore, the only points to be considered in terms of residential amenity are the increase in height of the eaves and the side facing windows and whether these changes would cause harm to

the amenity of neighbours. The main harm would be to the neighbours either side of the site at No. 16 and No. 22 Bracebridge Street.

The proposed height of eaves is to be increased from 2.7m to 3.15m. It is not thought that this increase would have such a detrimental impact on the amenity of neighbours to warrant refusal of the application.

There are 2 side facing windows proposed facing towards No. 16 at ground floor level. There is also 1 ground floor and 1 first floor side facing window proposed facing towards No. 22. As the extension at 18 Bracebridge has been constructed so that it fills what was the rear garden, there is no fencing separating the neighbours garden and the building; the walls of the building act as the boundary treatment between the neighbouring properties and their gardens. As such, the proposed windows would directly look into both neighbours' gardens, and this is of particular concern to Officers at ground floor level.

The plans state that these windows will be obscurely glazed and non-opening. The windows have also been positioned so that they are higher level, with the lowest point of the window sitting at 1.65m from the external ground floor level. However, it is considered that even with such measures, the windows will still allow for a perceived sense of overlooking, which in turn will create a loss of privacy for both neighbours. As such, the 3 windows at ground floor level are not considered to be acceptable as they would create harm to residential amenity. The applicant has stated that there is a need for these windows to allow natural light into the downstairs room of the building, which is to be used as a toddler room. Without any windows, the room would rely completely on artificial lighting. However, no such issues were raised with any of the previous applications and Officers believe that this is something that should have been considered by the applicant before any building works commenced.

The first-floor side facing window would not have such direct, overlooking views into the neighbour's garden and private amenity areas as it is at first floor. It is thought that if this window was obscurely glazed and non-opening and conditioned to be retained as such for the lifetime of the development, that this would be acceptable.

Objection comments have been received in relation to the impact on the highway network and possible future issues with parking. However, the use of the building has already been approved and the proposed amendments will not exacerbate the use of the building above and beyond what has already been granted planning consent. Therefore, such issues cannot be considered as part of this application.

2. Visual amenity

Firstly, it must be considered what has already been granted planning consent which is a first floor extension to the rear of No. 18 and an extension over an existing outbuilding and the addition of two second storey windows. These windows are within the dormer and face towards the rear of No. 18.

The extensions and additions that have been built on site are different from what is being applied for as part of this application. The eaves of the extension on site are much taller than what is being applied for here. This application seeks to increase the height to the eaves above what has been granted previously by 0.45m. Although this has the potential to somewhat alter the appearance, it would not be considered as an unreasonable addition, as the overall height to the ridge is not proposed to increase. As such, the amendments would not be considered as an incongruous addition and

would not create harm to visual amenities. As such, the changes are considered to be acceptable.

The addition of 4 windows to the side elevations of the building will have very limited views from public view points. It is therefore considered that the addition of windows would not create harm to visual amenities and is also acceptable.

3. Conclusion

The NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

The proposal would create harm to residential amenity by introducing 3 large side windows which would be built directly on the boundary with the adjoining neighbours. The windows would therefore give the perceived sense of overlooking to neighbours. Given the scale of the building, which has been built up to the boundary line, there is no way of potentially mitigating this harm such as through the introduction of fencing, as this would be outside of the ownership of No. 18. Although the windows have been amended to be shown at a higher level, they are still only 1.65m above ground level and would therefore still allow most adults to be above the window level. Officers also consider that even if the windows were fixed (non-opening) and obscurely glazed, this would not be sufficient to overcome the harm that the windows would have on the amenity of neighbours.

It is therefore considered that the proposal fails to accord with policy BE3 of the Borough Plan, the Sustainable Design and Construction SPD and NPPF 2019. As such, the application is recommended for refusal based on the reasons below.

REASONS FOR REFUSAL:

1.i) Policy BE3 of the Nuneaton & Bedworth Borough Plan 2019 states (in part):-
Development proposals must be:

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

Urban character

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

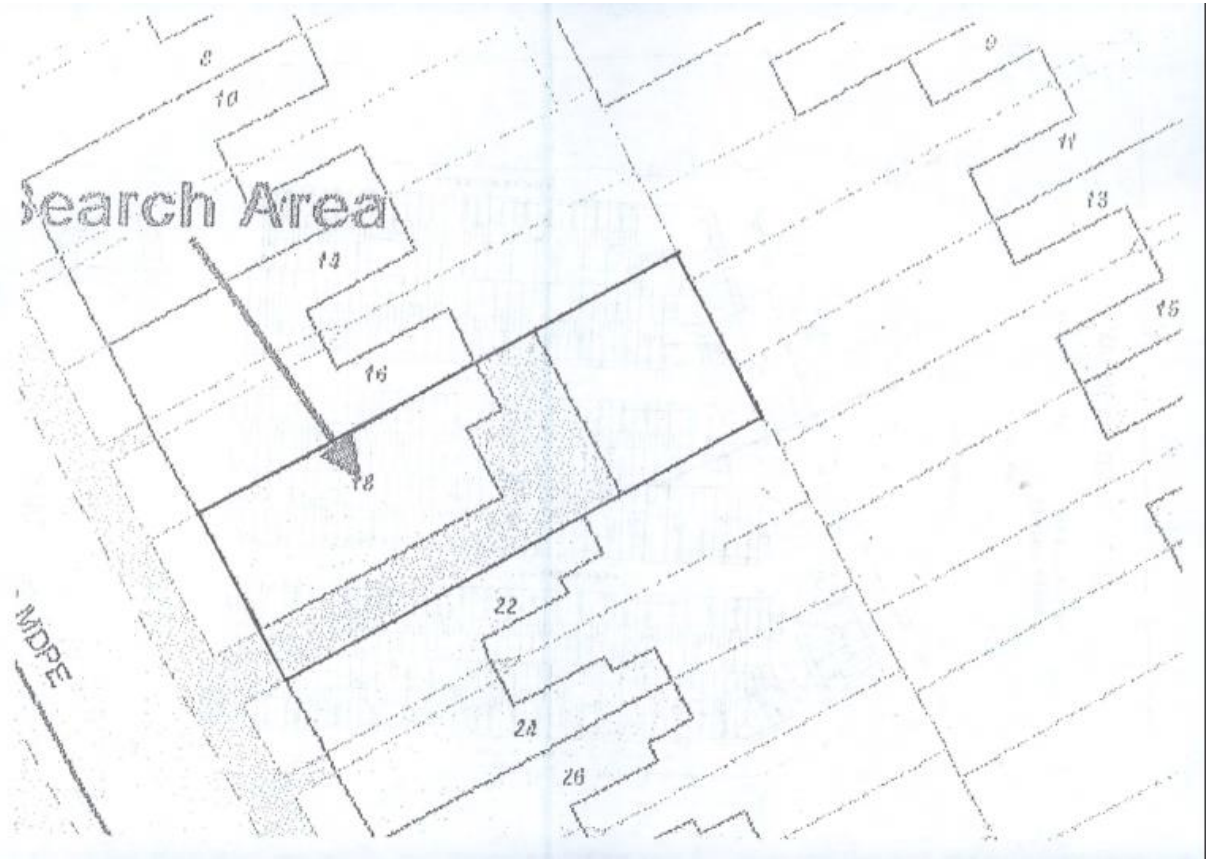
1. Current use of buildings
2. Ownership/tenure
3. Street layout
4. Patterns of development
5. Residential amenity
6. Plot size and arrangement
7. Built form.

Supplementary planning documents - Detailed information to help developers comply with this policy will be set out in the Sustainable Design and Construction supplementary planning document.

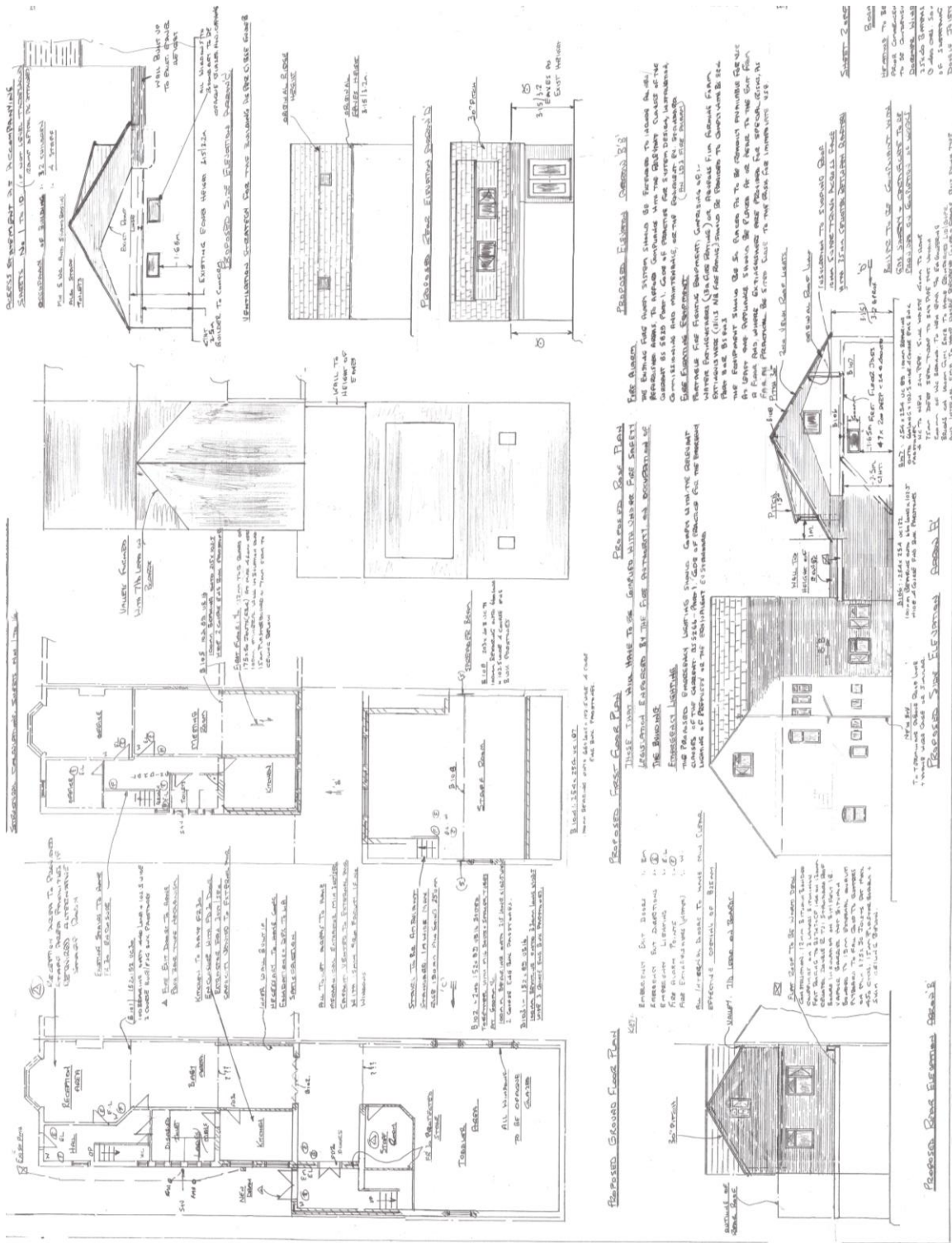
ii) The proposal is contrary to this policy in that the 3 No. proposed ground floor side facing windows will cause a perceived sense of overlooking, resulting in the loss of privacy to both No. 16 and 20 Bracebridge Street to the detriment of the residential amenity of the existing dwellings (contrary to Section 11.6 of the Sustainable Design Construction SPD 2020).



Site Location plan



Site plan



Proposed Floor Plans & Elevations

Glossary

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

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

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

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

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

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

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

Brownfield – Land which has had a former use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Flood plain – An area prone to flooding.

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

Green belt – A designated band of land around urban areas, designed to contain urban sprawl.

Greenfield site – Land where there has been no previous development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Planning permission – Formal approval granted by a council allowing a proposed development to proceed. Planning Practice Guidance (PPG) The government's PPG can be read alongside the NPPF and is intended as a guidebook for planners. It is not a single document but an online resource which is kept current through regular updates. Presumption in favour of sustainable development The concept introduced in 2012 by the UK government with the National Planning Policy Framework to be the 'golden thread running through both plan making and decision taking'. The National Planning Policy Framework gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Public inquiry – See Inquiry.

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

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

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

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

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

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

Section 106 – see Planning obligation.

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

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

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

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

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

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

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

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

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

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

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

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

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

Class E (Commercial, business and service uses),

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

Class F.2 (Local community uses)