

Enquiries to: Kelly Baxter
Telephone Committee Services: 024 7637 6000
Direct Email: committee@nuneatonandbedworth.gov.uk

Date: 28th September, 2020

Our Ref: KB

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held **on Tuesday, 6th October, 2020 at 5.00 p.m. Confidential items will begin at 4.00pm.** Due to Government guidance on social-distancing and the Covid-19 virus this meeting will be held **VIRTUALLY AND LIVE STREAMED.** Public and press can follow the decision making online at www.nuneatonandbedworth.gov.uk/live-meetings. Please note that meetings will be recorded for future publication on the Council's website.

Public Consultation on planning applications will commence at 5.00 p.m. (see Agenda Item No. 6 for clarification). Public participation will be by written submissions or orally through invitation to the meeting either via the internet, or by telephone, utilising MS Teams.

Members of the public wishing to make comments or representations via a written submission are asked to do this electronically by e-mailing planning@nuneatonandbedworth.gov.uk by no later than 12 noon on the working day before the date of the meeting, and identify the agenda item(s) that their submission(s) relate(s) to. All written submissions should take no longer than 3 minutes to present and will be read out by an officer of the Council.

Members of the public wishing to make an oral submission to the meeting are asked to notify the Planning Department of this by either calling 024 7637 6328 or e-mailing planning@nuneatonandbedworth.gov.uk by no later than 12 noon on the working day before the date of the meeting. Access to the meeting will then be arranged by Committee Services. All oral submissions should be no longer than 3 minutes.

Yours faithfully,

BRENT DAVIS

Executive Director - Operations

To: All Members of the Planning
Applications Committee

Councillors W.J. Hancox (Chair);
S. Gran; I. Lloyd; B. Longden;
B. Pandher; N.J. Phillips; M. Rudkin; A.
Sargeant; J. Sheppard; R. Smith; R. Tromans;
C. Watkins and K. Wilson (Vice-Chair)

AGENDA

PART I - PUBLIC BUSINESS

1. ANNOUNCEMENTS

The meeting will be live streamed and recorded for later publication on the Council's website.

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

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

3. MINUTES - To confirm the minutes of the meeting held on 15th September, 2020 (attached). **(Page 5)**

4. DECLARATIONS OF INTEREST

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

Declaring interests at meetings

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

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

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

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.
2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

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

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

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

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

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

5. DECLARATIONS OF CONTACT
Members are reminded that contacts about any Planning Applications on this agenda must be declared before the application is considered
6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK OR HAVE SUBMITTED A WRITTEN STATEMENT TO BE READ OUT BY AN OFFICER OF THE COUNCIL. EACH SPEAKER/STATEMENT WILL BE ALLOWED 3 MINUTES ONLY – 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 OR SUBMITTED A WRITTEN STATEMENT – 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).
9. 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 Schedule 12A to the Act.

10. UNTIDY SITES – report of the Head of Planning

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

15th September, 2020

A meeting of the Planning Applications Committee was held on Tuesday, 15th September, 2020. Due to Government guidance on social-distancing and the Covid-19 virus this meeting was held virtually and live streamed.

Present

Councillor W. Hancox – Chair

Councillors J.B. Beaumont, S. Gran, I. Lloyd, B. Longden, B. Pandher, M. Rudkin, A. Sargeant, J. Sheppard, R. Smith, R. Tromans, C.M. Watkins and K. Wilson

Apologies: None

PLA31 **Chair's Announcements**

The meeting was being live streamed and recorded for future publication on the Council's website.

PLA32 **Minutes**

RESOLVED that the minutes of the meeting held on the 25th August, 2020 be confirmed and signed by the Chair.

PLA33 **Declarations of Interest**

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

PLA34 **Declarations of Contact**

None declared.

IN PUBLIC SESSION

PLA35 **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 PLA35 OF THE
PLANNING APPLICATIONS COMMITTEE ON 15th SEPTEMBER, 2020

037254: 34 Leyland Road Nuneaton, CV11 4RP

Works to Trees covered by TPO 1/04 including removal of overhanging
branches

Applicant: Jonathan Hazell

Public Statements: None

DECISION

Planning permission be granted, subject to the conditions printed on the agenda

**Planning Applications Committee
Schedule of Declarations of Interests – 2020/2021**

	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
	J. Beaumont		Board member of Bulkington Community Library CIC in addition to an unpaid Manager of the library. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Older People's Forum 	
	S. Gran		Member of Warwickshire County Council	
	W.J. Hancox		Daughter holds employment position within NBBC Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group • Hammersley Smith & Orton Charity 	
	I. Lloyd		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton & Bedworth Sports Forum • Camp Hill Urban Village and Pride in Camp Hill • Poor's Piece Charity • Committee of Management of Hartshill & Nuneaton Recreation Group 	
	B.J. Longden		Daughter and son-in-law work in the NHS Member of the Stockingford Community Centre Ex-Officiate of the Veterans Contact Point Board Representative on the following Outside Bodies: <ul style="list-style-type: none"> • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • Armed Forces Covenant Meeting • Astley Charity 	
	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	
	M. Rudkin	Employee of Coventry City Council	Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	A. Sargeant		Member of Warwickshire County Council Chairman of The Nook (Nuneaton) Residents Association. Chair of Attleborough Community Matters group. Chair of Attleborough Neighbourhood Watch Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Advice Rights 	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of the Management Committee at the Mental Health Drop in. Champion for Safeguarding (Children & Adults) Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Local Government Superannuation Scheme Consultative Board • Warwickshire Direct Partnership • Warwickshire Waste Partnership • West Midland Employers • Nuneaton Neighbour Watch Committee 	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	R. Smith		Chairman of Volunteer Friends, Bulkington; Board of Directors at Bulkington Village Community and Conference Centre Trustee of Bulkington Sports and Social Club	
	R.Tromans		Director of RTC Ltd	
	C.M. Watkins	Landlord of a privately rented property	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Home Improvement Agency. • Nuneaton and Bedworth Safer and Stronger Communities Partnership. • Safer Warwickshire Partnership Board. • Warwickshire Housing Support Partnership. • Warwickshire Police and Crime Panel. 	
	K.D. Wilson	Employee of the Courts Service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote

**Planning Applications Committee
Schedule of Declarations of Interests – 2020/2021**

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	S. Gran		Member of Warwickshire County Council	
	W.J. Hancox		Daughter holds employment position within NBBC Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group • Hammersley Smith & Orton Charity 	
	I. Lloyd		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton & Bedworth Sports Forum • Camp Hill Urban Village and Pride in Camp Hill • Poor's Piece Charity • Committee of Management of Hartshill & Nuneaton Recreation Group 	
	B.J. Longden		Daughter and son-in-law work in the NHS Member of the Stockingford Community Centre Ex-Officiate of the Veterans Contact Point Board Representative on the following Outside Bodies: <ul style="list-style-type: none"> • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • Armed Forces Covenant Meeting • Astley Charity 	
	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	
	N.J. Phillips		Member of: <ul style="list-style-type: none"> •A5 Sterling Group (Council Representative) •Nuneaton Labour CLP •The Fabian Society •The George Eliot Society •The PCS Union •Nuneaton Credit Union Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	NABCEL – to speak and vote on any matter where the Council or Cabinet is asked to approve any funding arrangement; grant; or other legal instrument with the company but this dispensation shall not apply where any Non-Executive Director benefits from the arrangements in a personal capacity.
	M. Rudkin	Employee of Coventry City Council	Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	

	A. Sargeant		<p>Member of Warwickshire County Council Chairman of The Nook (Nuneaton) Residents Association. Chair of Attleborough Community Matters group. Chair of Attleborough Neighbourhood Watch Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Advice Rights 	
	J. Sheppard		<p>Partnership member of the Hill Top and Caldwell Big Local.</p> <p>Director of Wembrook Community Centre.</p> <p>Member of the Management Committee at the Mental Health Drop in.</p> <p>Champion for Safeguarding (Children & Adults)</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Local Government Superannuation Scheme Consultative Board • Warwickshire Direct Partnership • Warwickshire Waste Partnership • West Midland Employers • Nuneaton Neighbour Watch Committee 	<p>Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre</p>
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington; Board of Directors at Bulkington Village Community and Conference Centre Trustee of Bulkington Sports and Social Club</p>	
	R.Tromans		Director of RTC Ltd	
<p>Planning Applications Committee - 6th October 2020</p>	C.M. Watkins	Landlord of a privately rented property	<p>Representative on the following outside bodies:</p> <ul style="list-style-type: none"> • Nuneaton and Bedworth Home Improvement Agency. • Nuneaton and Bedworth Safer and Stronger Communities Partnership. • Safer Warwickshire Partnership Board. • Warwickshire Housing Support Partnership. • Warwickshire Police and Crime Panel. 	

	K.D. Wilson	Employee of the Courts Service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote
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Applications for Planning Permission etc.
Agenda Item Index

Planning Applications

Item No.	Reference	Address	Page No.
1.	037310/AB	Site 39D034 - Land adj 23 (Garage Site), Aston Road, Nuneaton	15
2.	037162/AR	Univar Limited, St Georges Way, Nuneaton	23

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

Item No. 1

REFERENCE No. 037310

Site Address: Site 39D034 - Land adj 23 (Garage Site), Aston Road ,Nuneaton.

Description of Development: Erection of one dwelling (including demolition of garages) (outline with all matters reserved)

Applicant: Mr Keith Goode

Ward: AB

RECOMMENDATION:

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

INTRODUCTION:

Erection of one dwelling (including demolition of garages) (outline with all matters reserved) at Site 39D034 - Land adj 23 (Garage Site), Aston Road, Nuneaton.

The area of Aston Road and the nearby St. Mary's Road, is made up of a mixture of uses but is predominantly residential. There are other uses dotted around, such as the works yard opposite the application site and the nearby Abbey Green shops, the hairdressers on Aston Road and Abbey C of E School to name a few.

The application site currently houses 5 vehicular garages and is situated in a suburban street which is occupied by two-storey dwellings, and some other uses as already mentioned. The properties vary in style, but the most obvious type is the rows of Victorian terraced properties which front on the roads and sit on narrow plots. Around the area are some isolated detached and semi-detached properties on Aston Road, Sandon Road and elsewhere nearby.

The road has many terraced properties, but there are frequent gaps between them and changes in style and plot size as one travels along Aston Road and further to the south.

The site is relatively prominent as the corner of St. Mary's Road and Aston Road exposes this site and the side of number 1 St. Mary's Road.

BACKGROUND:

This is an outline application for residential development of one dwelling with all matters reserved. The following matters are reserved to be considered at a future stage and do not form part of the application:

- Access – accessibility into the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

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

RELEVANT PLANNING 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:

National Grid, NBBC Environmental Health, NBBC Parks, Severn Trent Water, Western Power Distribution, WCC Highways.

CONSULTATION RESPONSES:

No objection subject to conditions from:
NBBC Environmental Health

No objection from:
NBBC Parks, WCC Highways,

Comment from:

No response from:
National Grid, Severn Trent Water, Western Power Distribution

NEIGHBOURS NOTIFIED:

1-4 Aston Industrial Estate, 21, 23 Aston Road, Nuneaton; 1, 3 St. Mary's Road, Nuneaton; 59, 61 Toler Road, Nuneaton; 32 Sandon Road, Nuneaton;

Neighbouring properties were sent letters notifying them of the proposed development on 13th and 21st August 2020.

NEIGHBOUR RESPONSES:

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

1. There is asbestos in the garages
2. It would mean demolishing the garages in to neighbouring gardens
3. Would create mess and noise
4. Plans are poorly drawn/not professional

5. Causing stress and worry to the neighbours
6. The road is too narrow
7. There is no emergency access in case of fire
8. The current garage forms a boundary wall
9. Maintenance will be difficult for neighbours
10. The parking will likely be restricted
11. Will increase in cars in an already busy area

APPRAISAL:

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

- 1) The Principle of Residential Development
- 2) Impact on Visual Amenity and the Character of the Area
- 3) Impact on Residential Amenity
- 4) Impact on Highway Safety
- 5) Impact on Ecology
- 6) Other Matters
- 7) Conclusion

1. The Principle of Development

The application site currently consists of a small garage court where it is proposed to demolish the garages and for the erection of a single dwelling. The proposed new dwelling would be located to the side of the terraced row on Aston Road, and St. Mary's Road.

Firstly though, the land is currently contains vehicular garages which were most likely constructed during the middle part of the 20th century. It is therefore considered that since the designation applied to it is one of 'previously developed land', and it is within the urban area, that the normal presumption in favour of sustainable development applies.

The NPPF establishes the need for the planning system to achieve sustainable development which is composed of mutually dependent economic, social and environmental dimensions (paragraphs 8). There is consequently a presumption in favour of applications for sustainable development (paragraphs 10 and 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 (paragraphs 11 and 47).

This proposed house would represent a residential use on land which is within the existing urban area, and would not rely on greenfield sites for the addition of housing. There is a good deal of pressure for housing within the Borough with the 5 year housing land supply statement identifying 5.13 years of housing land.

This proposal would exhibit a beneficial and efficient use of previously developed land, and would add a dwelling to an area already established with a residential character.

2. Impact on Visual Amenity and Character of the Area

As mentioned above the area is typified by the rows of two-storey terraced dwellings that run along Aston Road and St. Mary's Road. That said there are a number of other house types within the street such as a pair of semi-detached houses on Aston Road and the occasional detached property on Sandon Road. Additionally, although there

are many terraced dwellings, there are gaps in these rows and some buildings, like the works yard opposite the site, are set back slightly from the road.

The road has an urban feel to it, and is narrow with a good deal of on-street car parking. At the time of the site visit there were many cars parked on Aston Road and near to the site.

It is considered that the use of the site for a single detached dwelling would sit relatively comfortably within the street scene. In particular, the provision of a two-storey dwelling would be essential as part of any future detailed design. The design and appearance is a reserved matter and as such is not up for assessment here. That said, when this does come forward it should be possible to maintain eave and ridge heights with its neighbours and blend with the street scene.

3. Impact on Residential Amenity

The site, which is roughly rectangular, is flanked on three sides by residential properties and their gardens. To the north is 1 St. Mary's Road, to the south is 23 Aston Road, and to the east is the rear garden and outbuilding of 32 Sandon Road.

The Sustainable Design and Construction SPG 2020 sets out distance standards and guidance for assessing the impact of new proposals on residential amenity.

Impact on 23 Aston Road

23 Aston Road is immediately to the south of the site. A very rudimentary layout plan has been submitted which is purely indicative as all matters are reserved for consideration at a later date. The layout plan does show however how the main building could be sited next to the side elevation of number 23 Aston Road (which has no side facing habitable windows) without directly affecting the property or its garden.

Impact on 1 St. Mary's Road

1 St. Mary's Road is just to the north of the site, and wraps around the site slightly to the east. The property has some side facing windows; on the ground floor there is a secondary window to a lounge, and one to the living room (also secondary), and at first floor there is a bedroom window and a landing window. Given that the siting of the proposed house is a reserved matter, this is really for consideration at a later stage. Notwithstanding that, the site is set at a fairly acute angle compared to the side elevation of 1 St. Mary's Road and as such based purely on the principle of siting a house there (with no layout formally submitted) there should be no significant impact on the windows of 1 St. Mary's Road.

The garden does wrap around the site slightly but it should be possible in any future design to leave an adequate gap to avoid overshadowing and to maintain 7m from any first floor windows to protect privacy.

Impact on 32 Sandon Road

32 Sandon Road is directly to the rear of the site, to the east. The bottom part of the rear garden of number 32 appears to be taken up by a single storey outbuilding. It is thought, given the shape of the plot being proposed, that any detailed layout could be designed so as to protect amenity for number 32 Sandon Road.

4. Impact on Highway Safety

The Highways Authority objected to the original application, however this was for two dwellings, the proposal has been amended to now show only one dwellings and WCC Highways removed their objection so have no objection to the scheme and requested conditions.

The indicative layout, although crudely drawn, shows that some spaces could be accommodated on the site. The future reserved matters for layout will need to show the exact location of these spaces.

Some residents have mentioned the lack of parking locally and the intense use of on-street car parking and this was clear during Officers site visit. It is considered though that the addition of one dwelling, which can show (on any future reserved matters) car parking provision would not have such an impact on on-street parking so as to cause a 'severe' impact on highway safety.

5. Impact on Ecology

NBBC Parks have responded to state that there is no need for a preliminary ecological assessment. This is the case even though the garages are to be demolished since this type of structure has limited potential for bat roosting, especially given the lack of surrounding green infrastructure.

Overall therefore it is considered that there would be no significant impact on highway safety.

6. Other Matters

Some residents have mentioned that the existing garage roofs are constructed of asbestos. It is considered that a note will be added to any approval, as this is a matter dealt with by other legislation and not through the planning process.

7. Conclusion

In conclusion (with all the matters reserved) this outline is purely for the principle of siting a house in that location, and as such it is considered that the proposal is acceptable.

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
Site Plan	TQRQM20198104118041	3.8.20

3. No development above damp proof course 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 dwelling shall be occupied until the boundary treatment to that plot has been carried out in accordance with the approved details.

4. No development above damp proof course shall commence until full details of the drainage to the site, including all surface water and foul sewers and drainage to all hardstandings, have been submitted to and approved in writing by the Council. No construction work creating surface water run off shall be carried out and no dwelling shall be occupied until the required drainage has been provided in accordance with the approved details.

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

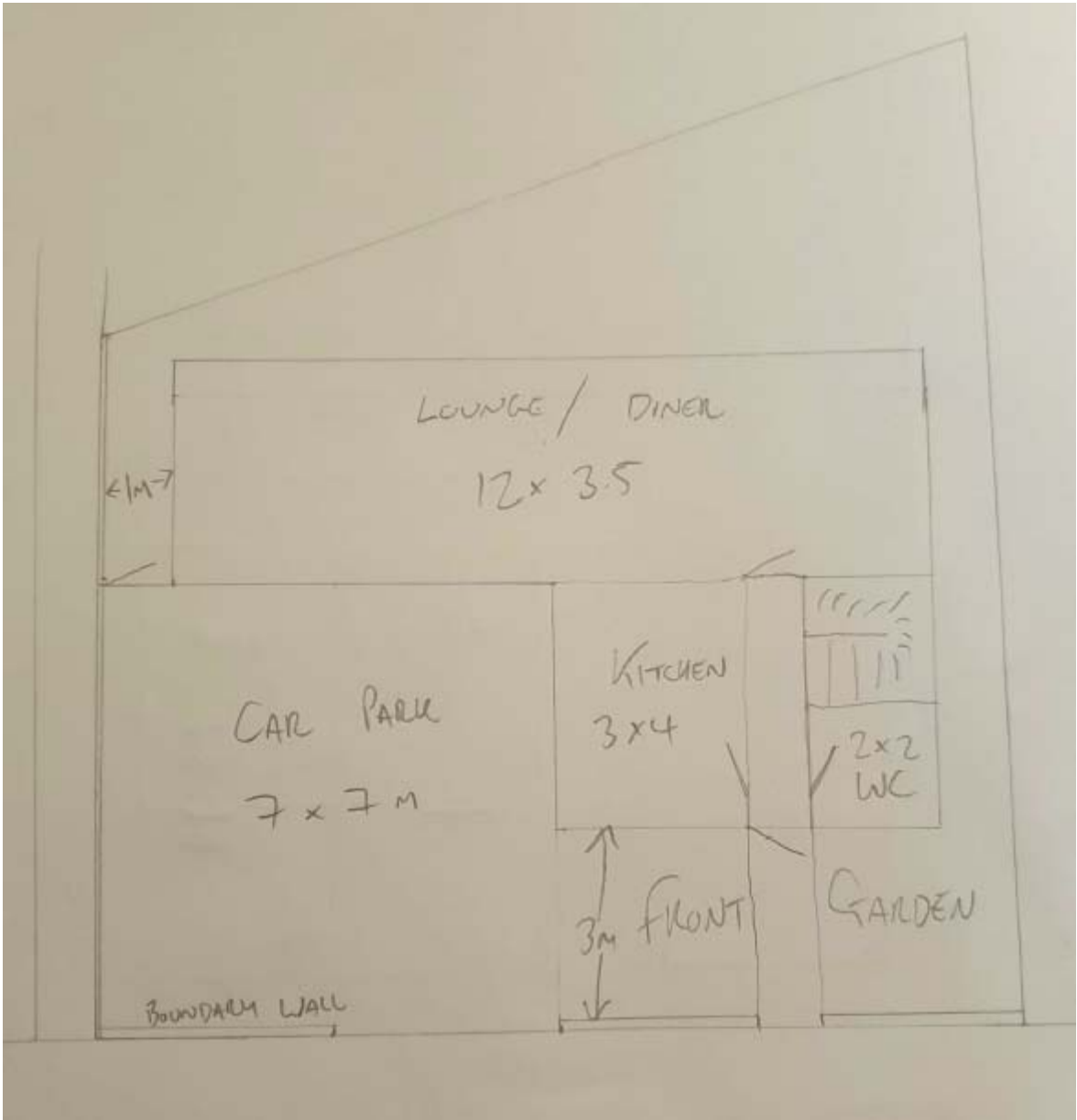
6. No development above damp proof course shall commence until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved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

7. No development shall commence until a site investigation to determine the extent of any land contamination on-site has been carried out and the results submitted to the Council, along with the details of any remedial measures. No development shall commence until either (a) the Council has agreed in writing that no remedial measures are required, or (b) details of remedial measures have been approved in writing by the Council, in which case the works shall not be carried out other than in accordance with the approved details.

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



Site Plan



Indicative Layout Plan

Item No. 2

REFERENCE No. 037162

Site Address: Univar Ltd., St Georges Way, Nuneaton, Warwickshire, CV10 7JS

Description of Development: Application for extended consent for E1 and E2 substances (hazardous substances consent)

Applicant: Mr J Whitehurst, Univar Ltd.

Ward: AR

RECOMMENDATION:

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

INTRODUCTION:

Application for extended consent for E1 and E2 substances (hazardous substances consent) at Univar Ltd., St Georges Way, Nuneaton, Warwickshire, CV10 7JS.

The site comprises a large industrial unit surrounded by car parking and other ancillary spaces, with a high fence and is near to the railway line and Bermuda Station, along with other industrial units and the A444. The site is bounded by St Georges Way to the east and there is a good gap of over 100m between the main building and the A444.

BACKGROUND:

This application is being reported to Committee since there is no inclusion for Hazardous Substances Consents within the Delegated Agreement and therefore Planning Applications Committee must make the decision.

RELEVANT PLANNING HISTORY:

- 035618 – Application for Hazardous Substances Consent – Approved – 10/1/2019
- 010196 Food distribution warehouse with associated offices, parking & servicing facilities (Renewal of permission TP/0362/00) (Univar Ltd site). Approval. 25/11/2005
- TP/0362/00 Food distribution warehouse with associated offices, parking and servicing facilities - Approval. 04/10/2000.
- TP/0295/00 - Installation of windows at first floor level. Approval. 08/08/2000.
- TP/0336/94 - Erection of 3m high fence. Approval. 28/07/1994.
- TP/0141/88 - Illuminated company signs. Approval. 24/10/1988.
- 870218 – Warehouse and offices. Approval. 12/05/1987.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development

- BE3 – Sustainable design and construction
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

Cadent Gas, Coal Authority, Environment Agency, Health and Safety Executive, Ministry of Defence, Natural England, NBBC Environmental Health, NBBC Parks, Network Rail, NHS, Severn Trent Water, Warwickshire Police, Western Power Distribution, WCC Fire Safety.

CONSULTATION RESPONSES:

No objection subject to conditions from:
HSE, WCC Highways,

No objection from:

NBBC Environmental Health, Network Rail, Warwickshire Police, Western Power, Warwickshire Fire Safety

Comment from:

COMAH,

No comment from:

Ministry of Defence (Team Leidos)

NEIGHBOURS NOTIFIED:

Omega Electrical Systems, Alternative Plastics Unit 1, Trinity Rymant Ltd Unit 2, Drinkz Cash and Carry Unit 3, Sea Force Ltd Unit 4, Aktiv Unit 5-6, Unit 7&8, VCS Manufacturing unit 9-10, Unit 11, Thermobile UK Ltd. Unit 12, Buckingham Close; Idiada, Cogsdill, Dow Automotive, Booker Cash and Carry St Georges Way, Renault Trucks Burlington Road; Bedworth Motoring Services, Travelodge Griff Way. NBBC Depot, Unit 2, UPS, Gresham Road; 21 - 61 (odd) Gilfil Road Nuneaton; 13 – 16 (inc) Knights Road; 12-22 (inc) Swansnest Grove.

Neighbouring properties were sent letters notifying them of the proposed development on 29th May 2020. A site notice was erected on street furniture on 3rd June 2020 and the application was advertised in The Nuneaton News on 17th June 2020.

NEIGHBOUR RESPONSES:

There have been no objections received from neighbouring properties.

APPRAISAL:

As required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (see regulation 18 and Schedule 4); the Town and Country Planning (Local Planning) (England) Regulations 2012 (see regulation 10(1)(a) and (b)) the proposed development shall be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

The Development Plan consists of the Borough Plan 2019, the relevant policies are DS1 and BE3.

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

1. The Health and Safety Impact
2. Conclusion

1. The Health and Safety Impact

The relevant governing bodies have been consulted and have no objection to the proposal for this hazardous substances consent. The Health and Safety Executive are a key consultee on this kind of application and they stated that “[The] HSE has concluded that the risks to the surrounding population arising from the proposed operation are sufficiently small that **there are no significant reasons, on safety grounds, for refusing Hazardous Substances Consent**”

<i>Name, or relevant category or description of substance</i>	<i>Part number in Schedule 1 to the Regulations, and entry number if Part 2, category if Part 1, identity if Part 3</i>	<i>Do you have a current PHS consent* in respect of this substance? (Yes/No)</i>	<i>If “yes”, state quantity for which consent granted</i>	<i>Maximum quantity proposed to be present in tonnes</i>
H1 Acute Toxic	Part 1, H1	Yes	14	7 ¹
H2 Acute Toxic	Part 1, H2	Yes	50	50
E1 Hazardous to the Aquatic Environment in Category Acute 1 or Chronic 1	Part 1, E1	Yes	170	400 ²
E2 Hazardous to the Aquatic Environment in Category Chronic 2	Part 1, E2	Yes	40	100 ³

*a hazardous substances consent

The exact substances are not listed, merely the classifications of the substances, but there is to be an increase in both E1 and E2 substances, and a decrease in H1 substance with H2 staying the same.

E1 and E2 are groups of environmentally hazardous substances which require hazardous substances consent when present over a certain threshold because they can be harmful to the aquatic environment.

2. Conclusion

In conclusion the storage of the proposed substances have been vetted by the HSE and deemed to not be of a significant risk. It is therefore considered to be acceptable to approve this Hazardous Substances Consent.

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:

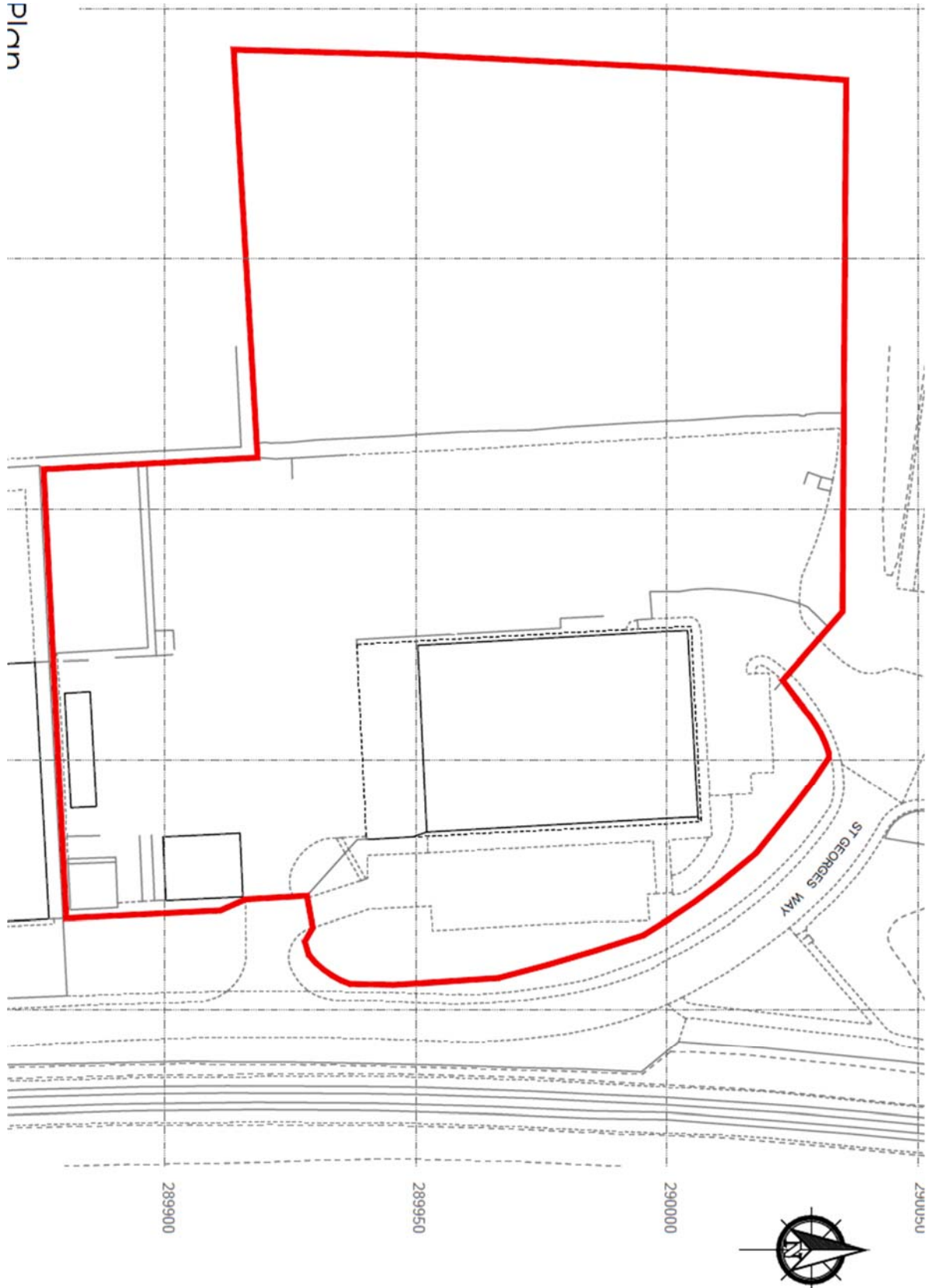
1. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No.	Date Received
Location Plan	LP1	25th May 2020
Substance Location Plan	P2 rev B	25th May 2020

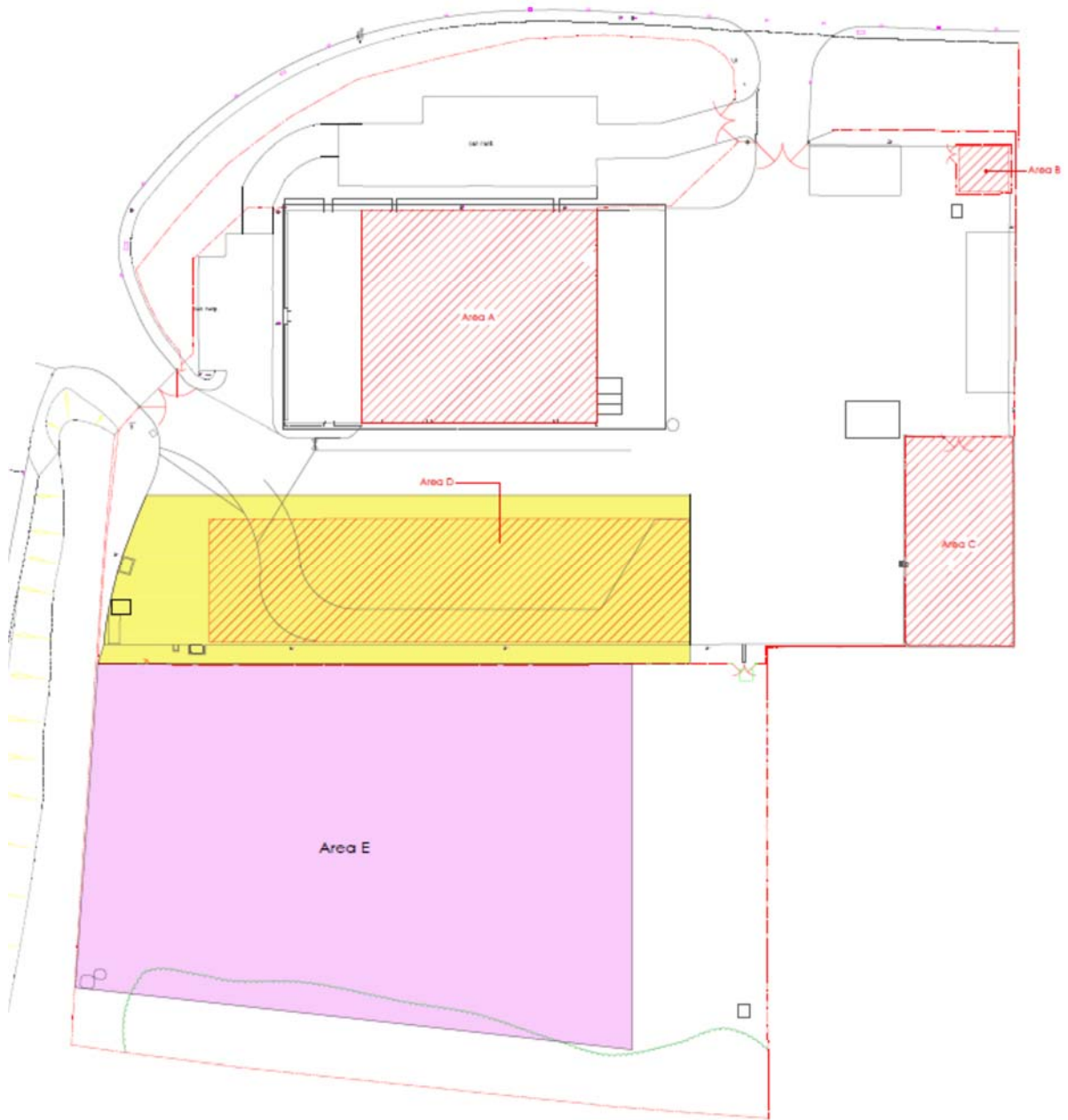
2. The hazardous substances shall not be kept or used other than in accordance with the particulars provided in Table A, Table B, Table C(i), Table C(ii) and Table D of the application, nor outside the areas marked for storage of the substances on the Site Layout (Substance Location Plan) (Drawing No. P2 Rev B project number 17.21) which formed part of the application.

3. The total quantity of H1 acute toxic substances stored in Area A shall not exceed 2 tonnes.

Plan



Site Plan



Site Layout Plan

Guide to changes to the Use Classes Order in England

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)