

Enquiries to:
Wendy Bolton

Telephone Committee Services: 024 7637 6000

Direct Email:
committee@nuneatonandbedworth.gov.uk

Date: 26th June, 2019

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held on **Tuesday, 7th July, 2020 at 5.00 p.m.**

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.

Public participation will be by written submissions only. Contributors are asked to submit their comments, questions or representations electronically, in writing, to planning@nuneatonandbedworth.gov.uk by no later than 12 noon on the day before the date of the meeting. All submissions should be no longer than three minutes and will be read out by an officer of the Council.

Public Consultation on planning applications will commence at 5.00 p.m. (see Agenda Item No. 6 for clarification).

Yours faithfully,

BRENT DAVIS

Executive Director - Operations

To: All Members of the Planning
Applications Committee

Councillors W.J. Hancox (Chair);
J. Beaumont; S. Gran; I. Lloyd; B. Longden;
B. Pandher; 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 16th June, 2020 (attached). **(Page 4)**

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 SUBMITTED WRITTEN REPRESENTATIONS TO THE COMMITTEE
– the report of the Head of Development Control attached. **(Page 14)**
7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE NOT SUBMITTED WRITTEN REPRESENTATIONS TO THE COMMITTEE
– 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

16th June, 2020

A meeting of the Planning Applications Committee was held on Tuesday, 16th June, 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
Councillor K. Wilson – Vice-chair

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

Apologies: None received.

PLA07 Chair's Announcements

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

The Chair expressed thanks on behalf of Members, to Katherine Moreton, Head of Planning, for her valued service over many years to Nuneaton and Bedworth Borough Council and wished her well in her retirement.

PLA08 Minutes

RESOLVED that the minutes of the meeting held on the 26th May, 2020 be confirmed and signed by the Chair.

PLA09 Declarations of Interest

The Head of Planning declared an interest in regards to Planning Application No 036946, as her daughter was employed by the applicant, Barratt Homes. The Head of Planning left the meeting during the consideration and determination of this application.

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

PLA10 Declarations of Contact

Councillor J. Sheppard declared that she had been contacted by residents in regards to Planning Application No 037056, but that she had not given any indication of her voting intention.

IN PUBLIC SESSION

PLA11 **Planning Applications**

(Note: Names of the members of the public who submitted statements 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.

PLA12 **Any Other Business**

None

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA11 OF THE
PLANNING APPLICATIONS COMMITTEE ON 16th June, 2020

037056: 56 Aston Road Nuneaton CV11 5EJ
New flat in roof space and rear dormer
Applicant: Sleek Property Ltd

Public Statements: Mr V. Jenkins
Mr R. Sykes

Speaker: Councillor N. Phillips

DECISION

Planning permission be granted, subject to the conditions printed in the agenda.

037128: 86 Mavor Drive Bedworth Warwickshire CV12 0HH
Erection of Single Storey Annex Building to rear to form new games room
(Resubmission of previous refusal 036713)
Applicant: Mr Rohid Dhmiya

Public Statements: Mrs B. Gardner / Mr & Mrs T. Alcock
Mrs P. Moon

DECISION

Planning permission be granted, subject to the conditions printed in the agenda, with an additional condition that the single storey annex only be permitted as an ancillary building to the main residential property.

036946: Site 37b008 - Edinburgh Road, Nuneaton Warwickshire.
Erection of 44 dwellings (Approval of reserved matters - layout, scale, appearance, landscaping and access of outline permission 029715).
(Amendment to previously approved reference 036201). Camp Hill Phase 3)
(part 5 of 6). Amendment is the change of house types for 40 dwellings; change of 6 apartments to 2 houses and change from flat over garage to 2 dwellings.
Applicant: Mr David Green, Barratt Homes Mercia.

DECISION

Planning permission be granted, subject to the conditions from the outline approval and the new conditions as printed in the agenda and addendum, and subject to a Deed of Variation for the Legal Agreement.

037032: Site 93A001 Woodlands Lane Bedworth.

Description of Development: Demolition and erection of replacement masonry agricultural building. Amendment to previously approval 036123 as previous approval was for a timber structure.

Applicant: Mr Andrew Cartwright, Cartwright Homes Ltd.

DECISION

Planning permission be granted, subject to the conditions printed in 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**

	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

Applications for Planning Permission etc.
Agenda Item Index

Planning Applications

Item No.	Reference	Address	Page No.
1.	036873/SN	Site 42B001 Land rear of 28 - 44 The Long Shoot Nuneaton.	15

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	Whitstone		

REFERENCE No. 036873

Site Address: Site 42B001 - Land rear of 28-44 The Long Shoot Nuneaton Warwickshire

Description of Development: Erection of 75 dwellings including public open space, associated earthworks to facilitate surface water drainage, landscaping, car parking and other ancillary works (Phase 3). Resubmission following refusal of 035623 and 036092

Applicant: Bellway Homes West Midlands Limited.

Ward: SN

RECOMMENDATION:

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

INTRODUCTION:

This is for a full planning application for the erection of 75 dwellings including public open space, associated earthworks to facilitate surface water drainage, landscaping, car parking and other ancillary works (Phase 3). Resubmission following refusal of 035623 and 036092 for the site known as 42B001 – which is land to the rear of 28-44 The Long Shoot Nuneaton and is for phase 3 of Bellways. This site was not within the previous phases but is within the strategic housing allocation HSG1 of the Borough Plan.

The site appears to have former agricultural use but has not been farmed for some years, resulting in the site becoming relatively overgrown although it has been mown or ploughed at least once in the last few years.

To the eastern boundary is a hedgerow that separates this application site from the proposed Callendar Farm development of up to 850 dwellings that has Outline Approval, part of which is currently being considered for Reserved Matters.

This application includes a potential emergency link to the Callendar Farm development. It also provides a new cycle link to the north east and also to the east of the Bellways site into the proposed Callendar Farm development and also connection to the cycle link provided in the previous phases of Bellways.

To the western boundary is a hedgerow and a drainage ditch that separates the site from the rear gardens of Gloucester Close and Callendar Close; although a few of the houses front onto the site due to the orientation to a walkway from Pallett Drive. To the south of this western boundary is the side of 69 Pallett Drive. At this position but beyond the red line of the site plan is a pedestrian access to Pallett Drive

To the south of the site and on the opposite side of the road are houses fronting and one siding onto the site and which is the end of Greendale Road (Phase 1 Bellways).

To the south east there is a small area of the site that fronts onto Farthington Drive (phase 2 of Bellways). The proposal provides a SUDs feature to the south of the site with incidental open space which will not be adopted. The northern part of the site falls slightly before the land starts to rise again up to the Callendar Farmstead.

BACKGROUND:

Notwithstanding the level of objection, this application is being reported to Committee at the request of Councillor Kondakor

When this application was first submitted it used the majority of drawings and documents from the previous application that was refused by Committee in April 2019 under reference 036092. However, there have been amendments during the current application to the layout to overcome WCC Highways objections and to bring the cycle links in line with the Callendar Farm development and the new houses have been pulled slightly further away from the western boundary in line with the Concept Plan that is due to be adopted for the HSG1 area and due to neighbour objections.

The first application for this site was refused (planning reference 035623) and was dismissed at Appeal (reference APP/W3710/W/18/3217924) and which was also recovered by the Secretary of State. Members refused this application due to the fact that whilst the site was identified within the strategic housing allocation at the time of the Emerging Borough Plan, the housing numbers for this particular site were not contributing to the dwelling yield within that allocation. The refusal also included reference to that fact that planning approvals and applications in the pipeline would fulfill the minimum yield of dwellings for the allocation so therefore it could not be demonstrated that its previous designation as a Greenfield site needed to be released for housing. However, these reasons for refusal were withdrawn by Committee on the 12th March 2019 and therefore the Council did not give evidence at the Appeal although the Appeal continued due to a Rule 6 party made up of local residents.

This Appeal was dismissed because the Planning Inspector and Secretary of State (SOS) considered that the Unilateral Undertaking (UU) was fundamentally flawed and not legally sound and as such could not be used for the provision of contributions. This UU was created by the Appellant and was in lieu of a S106 Legal Agreement. It is fairly common practice on Appeals that this is done via a UU created by the Appellant rather than a Legal Agreement via the Council. In this case, the Planning Inspector considered that firstly the land was inadequately defined in the UU (paragraphs 186 -188 of the Appeal) and that a number of the requested contributions including the cycle link, WCC libraries contribution and NBBC play and open space and NBBC sports requests had not been sufficiently evidenced/costed to show they were CIL compliant or alternatively did not evidence that they provided less than five pooled CIL contributions. This pooling restriction has now been lifted within the regulations. The SOS and Inspector considered that without all of the contributions, the application would not meet the Borough Plan Policies.

Other than the UU, the principle of development was considered acceptable by both the Inspectorate and the SOS. The SOS paragraph 24 stated:

“..whether to issue a "minded to approve" letter seeking further information and a corrected UU since the scheme is otherwise in accordance with the development plan.”

The findings of the Planning Inspector on the UU obligation, given that this was before the Inquiry is surprising, given that the Council were present to support the

Inquiry and could have produced the information that the Inspector considered was lacking including the Infrastructure Development Plan and supporting evidence, had it been requested. Similarly, the issue of the site description and related matters could have been clarified and a revised version produced for the Inquiry. That the Inspector chose not to do this is difficult to comprehend.

Prior to the Appeal the application was resubmitted under reference number 036092 and again refused by Committee as it was considered that planning approvals together with sites in the pipeline provided the minimum yield of dwellings for the strategic housing allocation without the need for this site.

In some instances Local Planning Authorities can refuse to deal with repetitive new applications if there are no material changes, particularly if these have been dismissed at Appeal. The Applicant has chosen on this new application to have the 106 contributions be dealt with via a 106 Legal Agreement drafted by the Council rather than a UU and as such the Council consider that there is a material change which would mean that refusing to accept the planning application would not be reasonable. The information that was considered flawed in the UU can be addressed within any 106 Legal Agreement.

The SOS's response and the Inspectors Report for the previous planning Appeal are material considerations when considering this new application and must be a starting point for the consideration of this latest application. Committee Members would have to identify some other significant change between the date of decision and now to justify a departure from that finding. A failure to do so would expose the Council to a significant risk of a costs award against the Council.

Since these previous applications and subsequent to the submission of this latest application, a Concept Plan for the whole of the strategic housing allocation HSG1 has been drafted and subject to Public Consultation and is due to be considered by Full Council shortly. The Concept Plan can therefore not be given full weight at this time, however the application will be assessed in relation to the Concept Plan later in this report.

RELEVANT PLANNING HISTORY:

Applications for site address of "Site 42B001 – land rear of 28-44" The Long Shoot.

- 036092 Erection of 75 dwellings including public open space, surface water drainage, landscaping, car parking and other ancillary works. (Phase 3). (Re-submission following refusal of 035623). Refused by Committee 30.04.2019.
- 035623 Erection of 75 dwellings including public open space, surface water drainage, landscaping, parking and other ancillary works (phase 3). Refused by Committee. 20.11.2018. Reasons for refusal were removed by Committee on the 12.03.2019. Dismissed at Appeal. 25.06.2019
- 033153: Substitution of house types to plots 21-30 and 103-108 of approval reference 032399: Approved 09.02.2018.
- 033152: Erection of 6 no. additional dwellings (C3) to approval 032399: Approved subject to a 106 agreement. 03.07.2015.
- 033110: Variation of house type to plot 5 following grant of planning permission 032399: Approved 28.01.2015.
- 033111: Substitution of house type to plot 8 following grant of planning permission 032399: Approved 28.01.2015.
- 032855: Non-Material Amendment to house type Olton of permission 032399 (plots 30, 38, 48, 56 & 69): Approved 04.08.2014.

- 032597: Adverts. One V Board sign: Withdrawn. 28.03.2014.
- 032399: Application for approval of reserved matters following outline approval 031589 (resubmission following refusal of 32223): Approved 26.11.2013
- 032223: Residential development of 120 dwellings, including public open space and landscaping (Approval of Reserved Matters relating to Appearance, Landscaping, Layout and Scale. Following Outline permission 31589): Refused 15.10.2013.
- 031589: Residential development of up to 120 dwellings, including public open space and landscaping (Outline application to include access): Approved subject to a 106 agreement. 11.07.2013
- 011331: Erection of detached, special needs bungalow (Land rear of 58 & 60 Buttermere Avenue and 34 Langdale Drive): Refused 03.05.2007.

Applications also for Bellways for the adjacent site known as; "Site 31B007 Land off", The Long Shoot (Bellway Phase 2), Nuneaton.

- 035640: Application for variation of condition 2 and 9 following grant of planning permission 034706 to allow layout alterations for access to adjoining land and to change wording of biodiversity condition: Variation Agreed. Awaiting Deed of Variation.
- 035132: Substitution of house types to plots 50, 60 & 68 and repositioning of plots 73, 74, 75 & 76 (following approval ref.032992): Approved 17.07.2018.
- 035051: Removal of condition No.20 of previously approved ref: 034036 (number of dwellings occupied prior to access construction): Withdrawn 15.01.2018.
- 035050: Variation of condition No.20 of previously approved ref: 034036 to state no more than 65 dwellings shall be occupied until the access is completed: Withdrawn 15.01.2018.
- 034706: Variation of condition No.20 of previously approved ref: 034036 to state no more than 30 dwellings shall be occupied until the access is completed: Approved 11.08.2017.
- 034614: Non-material amendment to approval 032992 erection of 254 dwellings for revisions to garage at plot 5 and associated dropped kerbs: Approved 02.02.2017.
- 034036: Variation of condition No.20 of previously approved ref: 032992 to state no dwelling shall be occupied until the access is completed: Approved 30.08.2016.
- 032992: Erection of 254 dwellings (C3) (25% affordable) with public open space, associated earthworks to facilitate surface water drainage, landscaping, parking and other ancillary works, access off The Long Shoot: Approved subject to a 106 agreement. 21.03.2016.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - HSG1 North of Nuneaton.
 - DS1 - Presumption in favour of sustainable development.
 - BE1 - Contamination and land instability.
 - BE3 - Sustainable design and construction.
 - DS2 - Settlement hierarchy and roles.
 - DS3 - Development principles.
 - DS4 - Overall Development needs.
 - DS5 - Residential Allocations.
 - H1 - Range and mix of housing.
 - H2 - Affordable housing.

- HS1 - Delivery of Infrastructure.
 - HS2 - Strategic accessibility and sustainable transport.
 - HS5 - Health.
 - NE1 - Green infrastructure.
 - NE2 - Open space.
 - NE3 - Biodiversity and geodiversity.
 - NE4 - Managing flood risk and water quality.
 - SA1 - Development principles on strategic sites.
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Affordable Housing SPD 2007.
 - Residential Design Guide 2004.
 - National Policy Planning Framework (NPPF).
 - National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

Cadent Gas, Environment Agency, George Eliot Hospital Trust, Highways England, Hinckley & Bosworth Borough Council, Natural England, NBBC Environmental Health, NBBC Housing, NBBC Parks, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NHS, North Warwickshire Borough Council, The Nuneaton Society, Open Space Society, The Ramblers Association, Severn Trent Water, Sport England, Stagecoach, Warwickshire Wildlife Trust, Warwickshire Police (Architectural Liaison Officer), Western Power Distribution, WCC Archaeology, WCC Fire Safety, WCC Flood Risk Management, WCC Highways, WCC Infrastructure, WCC Rights of Way.

CONSULTATION RESPONSES:

No objection subject to conditions/106 requests from:

George Eliot Hospital Trust, NHS/WCC CCG, Warwickshire Police, WCC Highways, WCC Flood Risk Management, WCC Infrastructure, WCC Archaeology, WCC Rights of Way, WCC Fire Safety Team, NBBC Sports, NBBC Environmental Health and NBBC Parks.

No objection from:

Cadent Gas, Sport England, Natural England, Highways England, Hinckley and Bosworth Borough Council, North Warwickshire Borough Council, NBBC Housing, NBBC Policy, NBBC Refuse, The Ramblers and Severn Trent Water.

No comments from:

Environment Agency.

No response from:

Open Space Society, Stagecoach, Warwickshire Wildlife Trust, Nuneaton Society and Western Power Distribution.

NEIGHBOURS NOTIFIED:

31, 57 – 79 (odd), 64, 68, 80 and 82 Greendale Road; 27 St Nicolas Park Drive; 1 Tarn Rise; 14, 15 – 22 (inclusive) Gloucester Close; 2 Loweswater Close; 13 – 31 (odd), 69 Pallett Drive; 20 – 36 (even) Callendar Close; 60 and 62 Farthington Drive, 26 Woodcote Ave. Taylor Wimpey West Midlands.

Neighbouring properties were sent letters notifying them of the proposed development on the 17th January 2020 and due to amendments to our web site were

resent on the 23rd January 2020. Some of those addresses directly affected by the amended plans were re-consulted on the 10th March 2020. Several site notices were erected on street furniture on the 17th January 2020 and the application was advertised in The Nuneaton News on the 5th February 2020.

NEIGHBOUR RESPONSES:

There have been 26 responses of objections from 15 addresses as well as 5 objections from 4 people with no address provided. The comments are summarised below;

1. Should not be accepting an identical application and plans to that which has been submitted and refused twice before and dismissed at Appeal once. This makes mockery of the planning system.
2. Developer devious by applying in stages and access was not meant for all these houses. .
3. Whole layout of existing properties are poor, lighting is inadequate especially on private driveways serving houses; paths, open space and Multi Use Games Area. Layout is perfect for criminals. Another phase will make this worse. Crimes not shown on policy crime map
4. Build quality of houses is not good, render already gone mouldy after 5 years except for show home.
5. Need to retain this area for wildlife and should be made into a reserve. Bats have been seen on the site.
6. Construction traffic and dust caused by construction will cause mental health issues.
7. Asking opinion is just a tick box exercise. If approved this time it will show weakness in Committee.
8. Infrastructure (roads, schools, nurseries, doctors and dentists) cannot cope already.
9. Road surface for the existing development still not completed.
10. Houses should have been built as phase 1.
11. Vehicular access from The Long Shoot was not intended to take these extra houses.
12. Not necessary for overall housing supply numbers.
13. Too much development in area already.
14. Greendale Road is too narrow for these extra houses and will become a main road. The road is already unsafe for children to cross and is used like a racetrack, more houses will compound this.
15. Would not have purchased house on this estate if knew these additional houses were to be built.
16. Houses on estate already not selling. All these new houses have killed off the second hand housing market.
17. Purchased new house in Greendale for the view which will be lost if development goes ahead.
18. House types are not in keeping with rest of the Bellways development and means that current residents were misled. Two bedroom houses get purchased for private buy to let which will change dynamic of area. Also the buy to let properties are not maintained very well.
19. The site floods regularly.
20. Will increase flow into ditch on western side leading to flooding of the gardens in Callendar and Gloucester Close.
21. Concerned about two Larch houses plot numbers 357 and 358 which will look into existing neighbouring properties windows.
22. Lack of consultation by Bellways.
23. Appeal said Unilateral Undertaking requests were not CIL compliant.

24. Object to any tree removal for ecology and climate change reasons. Site should be used to plant trees.
25. Attenuation would be better at lowest point where it floods.
26. Houses are too close to existing houses in St Nicolas Park. Need more bungalows.
27. Concerned about maintenance of ditch.
28. 5 metres landscape strip to western side should be wider.
29. Transport assessment is inadequate.
30. Must be proper pavements along all the roads.
31. Any increase in land height will make the new homes overpower the existing.
32. Biodiversity should be dealt with on site. Baseline is wrong.
33. Play and open space amount is inadequate.
34. Social housing will increase disturbances and police attendance.
35. Road will be rat run.
36. Due diligence has not been taken by the Council on each submission.
37. Land was originally going to be a country park.
38. Should be building on brownfield sites.
39. Councillors at recent planning meeting have stated the north of Nuneaton is over developed and need 'lungs'.
40. Extra metre in the buffer is significantly less than the one offered in the adjacent Taylor Wimpey land.
41. Site is not sustainable.
42. Expiry date for people to respond wasn't changed when new letters were sent.

Comments from Cllr Kondakor:

1. Failure to match the proposed wildlife corridor/sustainable drainage to the west of the site to match that proposed by Taylor Wimpey.
2. Failure to do biodiversity offsetting onsite.
3. The site should have provided school and/or GP.
4. Failure to orientate for solar gain only 30 houses out of 75 will benefit from this.
5. Tree planting near ditch needs amending.

Marcus Jones had the following queries:

1. Were plans and documents the same as those considered by the Inspector?
2. Reason why we had accepted a new Planning Application when refused at Appeal?

APPRAISAL:

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

1. The Principle of Development.
2. Design and Layout of proposal.
3. Travel, Transportation and Highway Safety.
4. Flooding and Drainage.
5. Archaeology.
6. Open Space, Biodiversity, Ecology, Protected Species and Sports provision.
7. Health, Noise, Dust, Air Quality and Contamination.
8. Planning Obligations.
9. Conclusion.

1. The Principle of Development

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

Similarly Policy DS1 of the Borough Plan states the Presumption in Favour of Sustainable Development that accord with the policies in the Borough Plan will be approved without delay unless material considerations indicate otherwise.

Paragraph 7.28 of the Borough Plan Policy for HSG1 identifies that:

“the allocation is a sustainable and deliverable urban extension to Nuneaton”.

It is noted that the proposal is at the end of Greendale Road which is a relatively long road with no bus route. However, there is a pedestrian connection close to the site into St Nicolas Park and the development of this particular site will provide two cycle links into the adjacent Callendar Farm development. This improves the sustainability and travel links between the new developments. In terms of the sustainability of the houses, the developer has a number of actions in place in terms of sourcing materials and site wastage and the new dwelling's will have water saving devices and home efficiency measures. To mitigate for air quality of the increased number of cars, conditions should be included to ensure dwellings have access to electric vehicle charging points.

The Town and Country Planning Act 1990 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan is the Borough Plan 2011 – 2031.

The site is part of strategic housing allocation HSG1 and the site is allocated for residential development. The 75 dwellings were not accounted for as part of the overall HSG1 yield of 4,419 dwellings. The site was submitted as part of a larger land parcel (including the land parcels for Bellway Phase 1 and Bellway Phase 2) through the Council's 'call for sites' exercise. However, at that point there was no agreement between the landowner and a developer for the 'phase 3' land. Subsequently, it was deemed that there was insufficient evidence to demonstrate to the satisfaction of a planning inspector that the 'phase 3' parcel would offer deliverable capacity for HSG1 and meet the soundness test set out in national policy. Nonetheless, the site was still allocated for residential development as it was deemed, based on the Council's evidence base, that residential development on the site could be acceptable in principle and could offer additional flexibility, should the landowner issues be resolved and a proposal submitted in future. It would now seem that agreement has been reached and the site is deliverable, given that a full planning application has been submitted.

In shaping this development site, Policy HSG1 suggests several Key Development Principles (KDP) and these will be referred to throughout this report where they are relevant.

This current application has to meet the specific policies of HSG1 as well as meeting all other relevant Policies of the Borough Plan and National Policies.

The specific Key Development Principles for HSG1 are:

1. Provision of at least 4,419 dwellings in a mix of dwelling types and sizes.
2. Potential on-site GP surgery or financial contribution to new GP or expanded surgery in north Nuneaton area.
3. Provision of a district centre and a local centre including community facilities.

4. Provision of 2 form entry primary school (approximately 210 pupils) and funding including provision for early years.
5. Financial contribution towards and provision of a new secondary school located off Higham Lane, with community use sports provision to include 6 grassed football pitches for youth/junior provision with changing facilities, full-sized floodlit artificial grassed pitch, indoor 6 court sports hall, changing facilities, and indoor health and fitness facility with minimum of 100 station gym and dance studio.
6. Accessible cycling routes to the school site from housing development, with secure cycle storage facilities for community use.
7. Provision of land and contribution to a new community park in the western part of the site.
8. Provision of land and contribution to a new community park in the eastern part of the site, created by the expansion of the existing play and open space area off Buttermere Avenue.
9. Provision of land and contribution to a new community park in the southern part of the site incorporating the Change Brook Open Space.
10. Provision of land and contribution to new allotments in the eastern and western part of the site.
11. Financial contribution towards appropriate management and maintenance of play and open space.
12. Financial contribution towards the upgrading of play facilities at the Change Brook Open Space.
13. Financial contributions towards sport and physical activity.
14. Provision of a strategic access road / spine road through the site, with integrated footway and cycleway provision, provided in order to secure a sustainable pattern of development across the strategic site.
15. Provision of on-site bus infrastructure and contribution to secure diversion of local bus services in order to access the strategic housing site based on dialogue with Warwickshire County Council and bus operators.
16. Transport improvements/upgrades required along Higham Lane, The Long Shoot and Weddington Road as a result of the development.
17. Financial contributions towards Borough-wide strategic highway infrastructure works identified within the Nuneaton area.
18. Contribution to local sewage network improvements in order to improve biological treatment capacity to accommodate the development.

Form of development

19. Incorporate the Change Brook and existing public right of way (N29) within the green/open space network.
20. Local informal public open space along the northern edge of the development along with appropriate landscape treatment. Dwellings should address the open space from the south.
21. Development restricted along the western edge of the strategic site to retain undeveloped land which falls within the setting of the listed church.
22. Use lower densities and 1-2 storey dwellings toward the northern edge of development with a maximum height of 3 stories located toward the existing urban edge.
23. Average density of 35 dwellings per ha with lower densities concentrated toward the new urban edge.
24. Retain visual presence of historic farmsteads (particularly from urban edge) and where possible retain a buffer of fields in order to preserve the isolated character.
25. A historic building appraisal will need to be undertaken where development will affect a historic farmstead.

26. Green spaces should reflect the irregular field patterns and boundaries.
27. Enhance the National Cycle Route 52 / Weddington Country Walk local wildlife site with regards to access, ecological function and historic setting.
28. There is strong east-west connective along various hedgerows within the proposed area, and these should be retained and enhanced in order to form green infrastructure corridors throughout the site.
29. Protected species surveys will be required, with their habitat requirements retained, as well as their connectivity enhanced within any development layout.
30. Development will be required to come forward in accordance with the concept plan.

There are no stipulations on the number of houses to be allocated in each parcel and in reference to KDP number 1, the allocation as a whole is to provide 'at least 4,419 dwellings in a mix of dwelling types and sizes' and there is no maximum provision set in the policy. Both the SOS and Planning Inspector in the Planning Appeal for this site concluded that there was no reason why this figure could not be exceeded.

Indeed the Planning Inspector in the Appeal (paragraph 242) stated:

"The overall development need for the Borough is set by LP [Local Plan – Borough Plan] policy DS4 as at least 14,060 homes between 2011 and 2031. It has been demonstrated that there is a five year HLS [Housing Land Supply] against the housing requirement following the adoption of the LP. [17] Although the most recent 5 year HLS is healthy [18], there has been a significant under supply in past years, requiring a 20% buffer. [17]"

Covid19 is likely to affect the provision of housing short term but it is too early to see how this will affect the overall provision over the Plan period.

The SOS in the called in Appeal considered that the extra 75 dwellings were acceptable. In paragraph 12 of the Appeal the SOS was quoted as:

"He agrees with the Inspector that the additional 75 dwellings would not result in development that would be out of scale with the overall allocation or be inconsistent with policy (IR248) [Inspectors Report paragraph 248] and would not overheat the local housing market (IR250). For the reasons given in IR247-250 the Secretary of State agrees with the Inspector at IR247 that there is nothing in principle to prevent the 4,419 figure from being exceeded."

The Planning Inspector in the Appeal concluded in paragraph 251 that:

"..that the development would be consistent with LP policies DS4, DS5 and HSG1. It would therefore comply with the provisions of the development plan in respect of the supply and spatial distribution of housing within the Borough."

Indeed the SOS agreed with the Inspector in paragraph 13 he stated that:

"Overall the Secretary of State agrees with the Inspector's conclusions at IR251 that the development would comply with the provisions of the development plan in respect of the supply and spatial distribution of housing within the Borough, and in these respects would be consistent with LP policies DS4, DS5 and HSG1"

KDP 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 19, 20, 21, 22, 24, 25 27 refer to either 106 contributions requests which will be discussed in section 8 or relate to specific requirements for the other sites within the allocation.

KDP 14 whilst referring to the spine road within the other sites refers to integrated footway and cycleway provision. This site proposes to have 3 pedestrian and cycle links to the wider area and contributions to the large cycle network.

KDP 18 refers to contributions to local sewage network improvements, this has not been requested by Severn Trent as part of the application but would be covered later during the adoption of drainage as an agreement between the Developer and Water Company.

KDP 23 refers to an average density of 35 dwellings similarly to the Concept Plan for the allocation. This same policy refers to the use of 1 to 2 storeys with a maximum height of 3 storeys to the urban edge. The site is made up of some bungalows but is largely two storeys with some 2.5 storey dwellings. Neighbour objections have stated that the density of the site is greater than phase 1 and 2 and that the houses are semi-detached or terraced which is largely different to the previous phases. The previous phases provided approximately 21 dwellings per hectare, this current application provides 28 dwellings per hectare which is more in accordance with Policy HSG1. The NPPF also states that housing delivery should be maximised. The Council's Residential Design Guide (RDG) states that sites should be between 30 and 50 dwellings. The NPPF paragraph 123 states that Local Authorities should avoid approving low densities where there is a shortage of land and that "developments make optimal use of the potential of each site". It is therefore considered that the density is acceptable as long as distance standards are met within the Council's Residential Design Guide 2004 (RDG).

In looking at the acceptability of the site consideration has to be given to whether this complies with the other Policies within the Borough Plan as follows:

Borough Plan Policy H1 – Range and Mix of Housing states there needs to be a mix of housing types, sizes and tenures based on the need and demand identified in the most up-to-date Strategic Housing Market Assessment (SHMA), as well as the characteristics of the surrounding area. The latest SHMA information (2013) recommended greatest need across the Borough for two and three bedroom properties with a requirement for one bedroom properties for affordable homes. The proposal is for a mix of one (4 properties), two (25 properties) and three (46 properties) bedroom properties. The Council's Policy Team and Housing Team have no issue with the mix.

Policy DS2 – Settlement Hierarchy and Roles identifies Nuneaton as having the primary role for employment, housing, town centre leisure and service provision.

Policy DS4 - Overall Development Needs identifies that at least 14,060 homes are to be planned for over the plan period 2011 - 2031. The proposed development would contribute 75 homes to this requirement. The latest available five year housing land supply information (April 2019) calculated a five year supply figure of 5.83 years (using the Liverpool method) and delivery of the residential strategic allocated sites will contribute to the supply.

Policy DS5 – Residential Allocations identifies this site as an allocation.

Policy HS1 – Ensuring the Delivery of Infrastructure states that development will be required to provide infrastructure appropriate to the scale and context of the site in order to mitigate any impacts of the development and to address the needs

associated with the development. Compliance of this will be shown in section nine of this report.

Policy BE3 – Sustainable Design and Construction states development proposals must be designed to a high standard and meet Buildings for Life 12 standards and meet the optional Building Regulations requirement M4(2) for ‘accessible and adaptable dwellings’ for 35% of the development proposal. An additional document has been provided titled “response to policy BE3 Sustainable Design and Construction March 2020” to confirm 27 plots (plots 300 - 308, 311 - 312, 319, 335 - 337, 345 - 352, 353, 361, 371 – 372) meet the higher Building Regulations Standards.

Policy BE3 is to be supported by a Sustainable Design and Construction SPD that provides further detail on the policy requirements. This SPD is not yet adopted. The SPD sets out seven established principles for successful urban design and goes on to provide guidance on matters such as street layout, patterns of development, residential amenity, size and arrangement and built form. The proposal has mostly curved street design with permeable cycle and pedestrian routes as is sought in the SPD. The proposed house types would be finished predominantly in brick but with some render finishes to add visual interest to the street scene and this also follows the approach given in the SPD. The proposal has public spaces being faced by the front of buildings to provide natural surveillance.

Natural England have not objected to the loss of the agricultural land.

Overall it is considered that the principle of development is already established and together with the submitted information shows that the principle of the development is acceptable and that the proposal constitutes part of the phased development of the strategic housing allocation HSG1 North of Nuneaton and, if material considerations do not indicate otherwise, will contribute towards the overall housing target and offer additional flexibility in supply over the plan period. Therefore if the impact is considered acceptable, then it is considered that the proposal is policy compliant and planning permission should be granted.

2. Design and Layout of proposal

As this site is less than 200 homes, adoptable open space does not have to be provided within the phase this allows for a scheme at a higher density.

The proposal fully complies with the RDG in relation to existing properties. There are some infringements in terms of distance standards within the site and to which Bellways have mostly addressed with amended plans or where there are mitigating circumstances.

A need for affordable housing is well documented in the Borough, and Policy H2 of the Borough Plan requires 25% of all new developments to be affordable. Discussions have been held between the Applicant and the Housing Team and it is agreed the site will provide 25% affordable housing which is broken up as 74% affordable rented homes (14 properties) and 26% shared ownership homes (5 properties). This includes two rentable bungalows which are in demand within the Borough. The affordable housing is to be a mix comprising: 4 one bedroom properties, 11 two bedroom properties and 4 three bedroom properties.

Whilst affordable units must be pepper potted around the scheme, Registered Social Landlords do like to see groups of affordable housing for ease of maintenance. The

properties are within two areas of the site but they are off different parts of the road or different roads entirely.

In conclusion, it is considered that the affordable housing provision and layout is acceptable and gives significant weight to this application.

The Emerging Sustainable Design and Construction Supplementary Planning Document 2020 states that consideration should be given to passive solar design (PSD). The site location provides opportunity to implement the principles of PSD. Whilst there is little information how this is demonstrated it is considered that a number of dwellings will benefit from this. PSD works by orientating buildings south along with appropriate tree planting, large south-facing windows, thermal mass and ventilation. – The Guidance states that the building orientation should be balanced by the needs to create an acceptable pattern of development. PSD will not be able to be implemented across the entire site but many of the houses have some form of solar gain with one side of the house having a south east or south west elevation. The Council's Policy Team have not objected on sustainable design grounds.

The Emerging Sustainable Design and Construction Supplementary Planning Document 2020 states that development must support the principles of 'designing out crime' and the submitted document "Reponses to Policy Sustainable Design and construction March 2020" refers to how this has been addressed and considered within the design. Warwickshire Police have no objection to the layout.

The proposal is largely two storey houses with six 2.5 storey houses (rooms in the roof). The neighbour objections from Callendar Close and Gloucester Close made several requests which included: that the layout was changed so that the houses were pulled further away from the boundary with these properties; that the proposed houses next to this boundary were amended to bungalows; that the affordable units were not situated on this boundary and that the Suds and open space were placed next to the boundary. These comments were forwarded to the Developer but the layout remained more or less the same except that a landing window (obscure glazed) was added to plot 335 at the request of the nearest existing neighbouring property. In planning terms there are no overriding reasons for the layout to be changed to accommodate these requests. However, to accommodate these requirements the Developer has pulled the new houses slightly further from the western boundary.

The design of the dwellings and materials are to fit with the existing Bellways scheme with detailing to the eaves, brick arches to the head of some of the windows and detailing to the window sills. There are to be some mono-pitch porch roofs above front doors and flat roof dormers to the 2.5 storey houses.

All the dwellings have two parking spaces except for the one bedroom maisonettes that have one space each plus a visitor space between them. The parking spaces to the side of properties are largely tandem spaces although there is some parking to the front of properties. There are also some detached garages but due to the size are not considered by Highways to be available for parking

It is considered that the layout and design is acceptable to both existing properties and for future occupiers.

3. Travel, Transportation and Highway Safety.

Highways England and WCC Highways Authority have both been involved during the application process and have no objection subject to conditions and a 106 legal agreement. A Road Safety Audit Stage 1 has been completed to review the layout of the internal roads and considered acceptable by the County Highways Team.

One of the core planning principles outlined within paragraph 102 of the NPPF outlines the need for planning to 'promote walking, cycling and public transport' and to make the fullest possible use of these. Paragraph 103 states that growth should be focused on locations which are or can be made sustainable. As previously stated the proposal provides the benefit of new pedestrian and cycle links to the proposed Calendar Farm development to the east of the site increasing the connectivity between all the new developments. In addition it is noted that where the cycle route within the red line meets the existing hammer head junction of the existing cycle route the route narrows and has an abrupt corner. As part of this development it is proposed to rectify this but as it is outside of the red line it is considered that this needs to be addressed via a Grampian condition. A request of £140,000 has been requested from WCC Infrastructure Team towards the provision of a new cycle route into the Town Centre and this 106 request has been agreed with the Developer.

Borough Plan Policy HS2 – Strategic Accessibility and Sustainable Transport states where development has transport implications, that this is fully considered. To this end a Transport Statement (T18013 Rev C) was submitted with the application and concludes that the additional traffic movements would be acceptable and that the proposed site access would be adequate and within capacity. County Highways consider that the information conforms to guidance and states that the trip rates are satisfactory. County Highways have also requested the provision of Sustainable Travel Promotion Packs via a Section 106 agreement which Officers consider is not CIL compliant but is reasonable to be requested by condition. County Highways have also requested a contribution of £50.00 per dwelling to support road safety initiatives within the community associated within the development. Road safety initiatives include road safety education for schools and training/education for other vulnerable road users within the area. However no evidence has been provided that there is such a local scheme giving exact details and costs of what this entails. It is therefore considered by Officers that this is not CIL compliant.

Borough Plan Policy DS3 – Development Principles states that all new development must be sustainable and high quality and should be fully supported by infrastructure provision. Borough Plan Policy HS2 requires a 15% modal shift to a non-car based mode of transport. NPPF paragraph 102 outlines the need for planning to 'promote walking, cycling and public transport' and to make the fullest possible use of these. NPPF paragraph 103 states that growth should be focused on locations which are or can be made sustainable. The site is considered sustainable and the Developer will be required to pay for bus infrastructure via a Section 278 Agreement for the enhancement of the nearby bus stops as well as contributions towards bus real time information. Moreover the site is in close proximity to a pedestrian link through to St Nicolas Park allowing residents living either side to access services and facilities both existing and new.

Whilst WCC Highways have no objection to the scheme they considered that the level of parking could result in on street parking and which could impact on the manoeuvrability of fire appliances and refuse vehicles. Both the Council's Refuse Team and WCC Fire and Rescue Services were made aware of these concerns and both responded with no objection. Notwithstanding this, whilst the Fire Service did

not have objections to the scheme they did have concerns that there was only one single vehicular access point to the existing estate even though this single access had been considered acceptable for the Bellways development as a whole. WCC Fire and Rescue have therefore requested that no more than 23 dwellings on this phase can be occupied until an emergency access to the wider road network is provided or alternatively if this is still not possible due to development outside of Bellways control, then the remaining houses within this phase will need to be fitted with sprinkler systems prior to their occupation. This is considered a reasonable condition and has been included. The proposal does provide a potential emergency link where one of the new cycle routes from the scheme connects into the Callendar Farm development and to which the adjacent Developer has not objected to.

It is therefore considered that highway safety, travel and transportation can be made acceptable via a legal agreement including 106 contributions and conditions.

4. 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 (paragraphs 155 - 165). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk and states that sustainable drainage should be provided on the site. The development site is located in Flood Zone 1, which is considered suitable for all land uses. Policy NE4 of the Borough Plan advocates above ground storage and it is proposed that rainwater will be dealt via a SUD's system.

It is in this context that the applicant submitted a Flood Risk Assessment and Drainage Strategy (FRA) (revision C) and Drainage Strategy Drawing number 932 revision K has been provided. Suds features are proposed to the southern edges to provide a brake to discharge water at Greenfield run off rates plus allowances for climate change into surface water drains to be adopted by Severn Trent Water.

The Environment Agency, as main river flood authority were consulted and have responded with no comment. Warwickshire County Council as Lead Local Flood Authority and Severn Trent Water were consulted on this application and have no objection subject to conditions.

There were a number of concerns from local residents that the proposal would exacerbate flood problems to existing houses in Gloucester Close and Callendar Close particularly as the FRA stated that the ground will need to be raised to ensure the properties are not at risk of flooding (paragraph 2.3.2). There is a ditch between the site and these properties and according to residents is regularly running with water. According to local residents and evidential photographs they have provided the site does pond on a regular basis. These objections and concerns providing local knowledge of the ground conditions were forwarded to the County Flood Risk Team for their information. Nonetheless, WCC Flood Risk Team have responded with no objection subject to conditions to ensure the scheme does not increase flood risk in line with the national policy. The Developer has also agreed to take on the maintenance of the ditch via a management company via condition.

The County Flood Risk Management Team have advised that Surface water from the site for the new impermeable areas will not be discharged to the ditch (as demonstrated on a catchment plan) but will be drained to the attenuation feature and discharged to the surface water sewer. Indicative site sections have also been

agreed to demonstrate the levels in relation to the existing properties and to show that there will be no flows towards existing properties.

Foul sewage is proposed to be discharged to mains drainage via a pumping station.

In conclusion it is considered that flooding and drainage is acceptable via condition.

5. Archaeology

The NPPF sets out that where a site on which development is proposed, includes or has the potential to include heritage assets with archaeological interest that Councils should require applicants to submit an appropriate desk-based assessment and where necessary a field evaluation (paragraph 189).

Policy BE4 of the Borough Plan, and its supporting text, states that where archaeological sites, or heritage assets are affected by development adequate recording and analysis of the site should be carried out.

A geophysical survey on the site concluded that there is no evidence of archaeological features and that any anomalies were due to geological variations. Notwithstanding this, the County Archaeology Team consider that there could be a potential for groundworks to disturb deposits but have no objection to the principle of development subject to archaeological conditions. A written scheme of investigations has been submitted and agreed with County Archaeology and trial trenching will need to be carried out prior to development and can be provided via condition.

In conclusion, it is considered that in terms of the loss or disturbance of archaeological remains the development is acceptable subject to conditions.

6. Open Space, Biodiversity, Ecology, Protected Species and Sports provision

Play and open space

The size of the development means it does not need to provide formal adoptable open space. Nevertheless the site proposes some incidental space which the Council is not adopting and will need to be maintained by a private management company and can be dealt with via a legal agreement.

The Emerging Concept Plan states that the site is to be used for residential development and that development will have to meet Policies HSG1, NE2, NE5 and BE4. Policy NE2 refers to the site needing to contribute to a community park in the area and provide new strategic and local walking and cycling routes. The Developer has agreed to pay £130,490.65 towards play and open space which includes contributions within the area as well as to the Destination Park Riversley Road.

The Emerging Concept plan shows informal open space to the western and southern boundaries and a pedestrian footpath and cycle routes through to the proposed Callendar farm development to the east of the site. The Concept Plan does not stipulate the width of the informal open space and the plans are not scalable so there is no policy that directly refers to the width of this.

This corridor to the west of the site is between 7 and 10.3 metres in width and has been increased slightly overtime due to discussions with existing neighbouring properties. This area is narrower than the corridor to the western edge of the submitted plans still being considered for Callendar Farm development because the Callendar Farm development has placed the Suds on this edge.

This western corridor within the application site is to have some tree planting to provide incidental screening to the existing houses as per requests from some of these neighbouring properties. However the drainage ditch on this boundary prevents excessive tree planting close to the ditch to ensure the ditch is not compromised in any way.

Trees

Only two of the trees have been identified as of moderate value to be desirably retained. No high value trees (where retention is most desirable) have been identified. The trees are on the boundary and none of the existing trees are to be removed.

The proposal largely retains the hedgerows except where new cycle routes are to be put through to Callendar Farm. The landscape proposal states that the hedgerows are to be gapped where necessary with new hedgerow species and trees. However, this may actually be impractical on the western boundary as it is unclear who the owner of the hedge is, although when the land was farmed, the side of the hedge within the site was trimmed by the farmer.

Biodiversity and Ecology

Policy NE3 of the Borough Plan mirrors National Policy and refers to the protection and enhancement of ecology. To this end an Ecological Update Survey was carried out in 2019. This stated that the overall habitats on site were considered to be of low intrinsic ecological value.

As stated previously the site is currently open with hedgerows to two sides. It is considered that these hedgerows provide ecological value and are therefore to remain as part of the development. Furthermore it is considered appropriate to protect these via condition during construction.

The open space is to be enhanced with wildflower and wetland flower mixes and woodland planting and planting within the Suds. The Council's Parks Team have also requested the addition of bird and bat bricks via a condition. Parks would have preferred plots 300, 310 and 311 being located further away from the hedgerow but consider that protection during construction to the hedge can be conditioned and that future residents are not likely to remove this hedge in their gardens as it is a screen to the Callendar Farm development. Therefore the Council's Parks response was of no objection subject to conditions.

Policy NE3 of the Borough Plan, paragraph 3.2.7 of the Emerging Concept Plan and the NPPF paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

In order to provide a benchmark for assessing the loss of biodiversity; the Developer has used the Biodiversity Metrics created by DEFRA and piloted and used by Warwickshire County Council. Both Coventry, Warwickshire and Solihull have adopted this particular methodology to assess biodiversity on applications and where there have been losses it has been used as a reason for refusal and supported at appeal.

The calculations have been revisited following amendments to the layout and the fact that the previous calculations did not consider the true value of the area as it was previously calculated as agricultural land which is no longer the case due to the lapse

in time. NBBC Parks have worked closely with the Developer's Ecologist and Landscape Architects to address ways the loss can be reduced within the site which is the most preferable place to address any shortfalls. Unfortunately despite this, there is still a slight loss of biodiversity. The way this could be dealt with is via a payment from the Developer to the County's Environment Bank to enhance land elsewhere. The disadvantage of this, is that the monies could be used outside of the Borough. In this instance the Developer has agreed to pay the contribution direct to NBBC with a contribution of £92,443.60 in order that the money can be used to enhance and create biodiversity within the Borough. The nearest available sites for this are at Sandon Park, Dingle and Pingles.

The money for biodiversity offsetting will be paid via a 106 agreement and is based on calculations for 30 years and includes payments for maintaining the improvements, plus 10% for management and admin costs and 5% indemnity insurance against difficulties reaching target habitat condition. This will ultimately mean the development of the site will provide a net gain of biodiversity.

The Planning Inspector in the previous Appeal for the site considered that this approach was acceptable and stated in paragraph 200 that:

"Given that the loss is small and results from the lack of use of the farmland, I consider that the offset amount is commensurate with that status."

Protected species

The Ecological Report states that the majority of the trees had negligible potential to support bats except for 1 single Ash tree on the eastern hedgerow which has low potential to support bats. Notwithstanding this the trees and hedges are to be retained as much as possible and a condition is considered appropriate to ensure lighting will not affect the wildlife corridors. This condition was considered appropriate with the Planning Inspector in the previous application Appeal.

The Ecological Survey and Report states that no other protected species or mammals were present on the site.

Sport and Leisure Services

Sport England and NBBC Sport and Leisure Services have commented on the application and neither object to the proposals. NBBC Sport and Leisure Services request financial contributions of £92,242 towards leisure facilities in the Borough. Sport England support NBBC's request for financial contributions and do not object to the scheme subject to the agreement of suitable contributions towards outdoor sports facilities. This is in line with Policy HS6 of the Borough Plan that necessitates the provision and maintenance for sport and physical activity.

In the planning balance, it is therefore considered that subject to conditions and contributions the proposal can be made acceptable in terms of Open Space, Protected Species, Biodiversity and Ecology.

7. Health, Noise, Dust, Air Quality and Contamination

Policy HS5 of the Borough Plan states that development should provide a Health Screening Report to demonstrate development would not give rise to negative impacts in respect of health and wellbeing. To this end a Screening Report has been carried out which concludes there will be a positive impact on overall health and wellbeing of existing residents within the locality and future occupiers of the site.

The NPPF states that planning policies and decisions should aim to:

“Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. “

An Acoustic Report (2018) has been submitted with the application and the Council’s Environment Health Team are confident that noise is acceptable.

Policy HS2 part C refers to the need to consider the impact to Air Quality Management Areas (AQMA). Similarly paragraph 181 of the NPPF states that decisions should take into account AQMA’s. The nearest AQMA is relatively close to the site and has to be crossed in order to drive into town. The development will lead to an increase in traffic on the local roads, which may impact on air quality at existing residential properties.

Due to concerns with the impact on air quality a report was requested and received (Air Quality Sept 2018 revision 03), this concluded that the cumulative impacts of traffic generated by the proposed development would have negligible impact at existing receptors and that the overall operational air quality impacts of the proposed development was judged not to be significant. The report has been assessed by the Council’s Environmental Health Team. The Council’s Environmental Health Team have not objected on the grounds of air quality and consider that mitigation can be taken via condition of the provision of a Dust Management Plan for the construction period, electric vehicle charging points within the site and the installation of low emission boilers of less than 40mg NOx/kWh.

The NPPF sets out the need to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraph 178). The previous phases included a site investigation report which encompassed this site and the Council’s Environmental Health subsequently do not require conditions in relation to contamination.

In conclusion it is therefore considered that health, noise, dust, air quality and contamination is acceptable or can be made acceptable via conditions.

8. Planning Obligations

In order to meet the Key Development Principles and Borough Plan Policies developers are required to make appropriate planning obligations where there is increased demand for health, education, social/community, public transport services. Sport and play facilities, public open space, and nature conservation from a development. 106 contributions have been sought and many agreed with the developer.

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 56 of the NPPF 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 91 and 92 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.

It is considered that the following contributions that have been agreed with the Developer meet the CIL tests.

The following table outlines the requests made;

Organisation	Request For	Notes
George Eliot Hospital Trust. Total fee £62,114.00.	Provision of healthcare at George Eliot Hospital Contribution towards agency staff for A&E attendances, non-elective admissions, elective admissions, DC admissions, Outpatient appointments and diagnostic imaging, based on a formula to derive a contribution per property constructed.	Developer Agreed to pay.
NHS CCG £28,587	Capital contribution towards construction costs of a new primary care facility in Nuneaton's North Primary Care Network towards development of a new GP practice at either Land at Church Lane, or another identified site within the HSG1 area.	Developer Agreed to pay
WCC Highways Cycling Infrastructure £140,000.	Contribution towards the provision of dedicated cycling infrastructure between the site and Nuneaton Town Centre.	Developer agreed to pay
WCC Education Total £594,179	The contribution will be used towards capital costs for additional primary and secondary school provision at New Provision. Also includes revenue contributions of £21,162 (Primary) and £12,980 (Secondary) towards the new schools.	Developer agreed to pay.
WCC Libraries Total £1,384	Contribution to improve, enhance and extend the facilities or services of a specified library service point where local housing development will mean an expected increase in numbers of people using those facilities. This may include purchase of additional stock, targeted collections, additional seating/study spaces or related facilities, improved family facilities and targeted promotions to inform new residents of services available to them.	Not considered to be CIL compliant.
WCC Rights of Way £2,171.39	£2,171.39 to footpaths within 1.5 km radius are N24 N27-N41 N67 N83 R1-R3 R282.	Not considered to be CIL compliant.
WCC Sustainable Travel Promotion £750	The County Council is keen to promote sustainable travel and requests that either the Developer contributes £10 per dwelling towards the cost of the provision of such information, or that they provide it under a planning condition as part of their new dwelling welcome	Via condition

	information.							
WCC Road Safety £3,750	A contribution of £50.00 per dwelling is sought to support road safety initiatives within the community associated within the development. Road safety initiatives include road safety education for schools and training/education for other vulnerable road users within the area.	Not considered to be CIL compliant.						
WCC Bus stop Infrastructure	<p>1) Public Transport – Bus stop provision eastbound on The Long Shoot/Greendale Road.</p> <ul style="list-style-type: none"> • Raised bus boarding/alighting area including hard-standing to Warwickshire Quality Bus Corridor (QBC) specification standard; • Provision of a bus stop pole; and • Provision of a bus shelter to the same specification and dimensions as the bus shelter in place at the westbound bus stop on The Long Shoot near junction with Summerhill Drive - except advertising boards which are not required. The supplier of the bus shelter is JC Decaux Ltd. <p>Improvement of the westbound bus stop on The Long Shoot near junction with Summerhill Drive:</p> <ul style="list-style-type: none"> • Raised bus boarding/alighting area including hard-standing to Warwickshire Quality Bus Corridor (QBC) specification standard. • The delivery of these works should be included in the Section 278 Agreement highway commitments associated with the proposed new development. <p>Both bus stops are to be facilitated with Real Time Information provision in accordance with the following requirements:</p> <table border="1"> <thead> <tr> <th>Works</th> <th>RTI Display Requirements</th> </tr> </thead> <tbody> <tr> <td>New eastbound bus stop in the vicinity of The Long Shoot / Greendale Road junction but situated to the west of the junction</td> <td>RTI display to be affixed to the interior of the bus shelter</td> </tr> <tr> <td>Accessibility improvements at the westbound bus stop on The Long</td> <td>A standalone bus flag type RTI display to be provided similar to the RTI infrastructure in Bedworth.</td> </tr> </tbody> </table>	Works	RTI Display Requirements	New eastbound bus stop in the vicinity of The Long Shoot / Greendale Road junction but situated to the west of the junction	RTI display to be affixed to the interior of the bus shelter	Accessibility improvements at the westbound bus stop on The Long	A standalone bus flag type RTI display to be provided similar to the RTI infrastructure in Bedworth.	<p>Via agreement 278</p> <p>Via agreement 278</p> <p>Via agreement 278</p>
Works	RTI Display Requirements							
New eastbound bus stop in the vicinity of The Long Shoot / Greendale Road junction but situated to the west of the junction	RTI display to be affixed to the interior of the bus shelter							
Accessibility improvements at the westbound bus stop on The Long	A standalone bus flag type RTI display to be provided similar to the RTI infrastructure in Bedworth.							
Real Time Information £26,000.								
Maintaining bus shelter £5,000								

	Shoot near junction with Summerhill Drive		<p>The Developer would be required liaise with Vix Technology (the supplier of existing RTI displays in Coventry and Bedworth), Transport for West Midlands (TfWM) and the operators of bus services on The Long DShoot (Stagecoach Midlands and Arriva Midlands) to ensure the communications systems of the RTI display is compatible with and connects onto the Coventry RTI Scheme system and on-bus infrastructure.</p> <p>2) Commuted Sum for Maintenance: A commuted sum is required to cover the cost of cleaning and maintaining the bus shelter for a period of 5 years upon adoption of the Highway within the site at a sum of £5,000 (£1,000 per annum),</p>	<p>Developer agreed to pay. Provision of a RTI should cost £13,000 per display covering hardware, communications and electrical connections, i.e. £26,000 in total.</p> <p>£5,000</p>
WCC Monitoring £500 + (5 hours x £40 officer time x number of triggers)	The County Council requires a monitoring fee for the monitoring of County Council obligations due prior to the signing of the agreement.		Developer agreed to pay	
NBBC Affordable Housing. Based on 25%	Affordable housing provision at 25% of total housing number. 26% intermediate/74% social and affordable rent.		Developer agreed to pay	
NBBC Sports, Recreation & Community Facilities Total £92,242 Claw back ten years	To enhance facilities in the North of the Borough in Bedworth: - Enhancing/refurbishing sports hall provision, changing rooms, fitness facilities, additional water space and community facilities. A 10% costs for design of (and management of delivery of) capital items will be required. Upfront contribution, of £5,625 based upon the size of the development towards ongoing feasibility studies to meet Sport England and RIBA planning two stage of the largest provision for swimming and indoor sports hall provision. This sum will be deducted from the final developer's contribution of which NBBC request 50% payment upon 50% of dwellings occupied and then the final payment of 50% contribution upon 75% of the dwellings occupied.		Developer agreed to pay.	
NBBC Parks – Play & Open Space. Total £130,490.65	Provision and maintenance of off-site play and open space. <i>Destination Park –Riversley Park</i> For equipped play and fitness facility provision (including ancillary lighting or CCTV provision if required). Capital contribution £25,016.33 Maintenance contribution £7,698.54, 10% Design and Management £2,501.63		Developer agreed to pay.	

	<p><i>Community Park – Buttermere Park or Callendar Farm Park</i> For Additional play provision / landscape works / signage. Capital contribution £42,796.89 Maintenance contribution £12,562.09, 10% Design and Management £4,279.69</p> <p><i>Local Park - Buttermere Park</i> Additional play provision / landscape works / signage. Capital contribution £22,819.37 Maintenance contribution £6,199.28, 10% Design and Management £2,281.94</p> <p><i>Allotment Provision</i> Higham Lane Allotments or nearest site at which plot capacity can be increased. Increase in allotment plot capacity and provision of ancillary facilities. £3,940.81 plus 10% Design and Management £394.08</p> <p>Total Capital £94,573.39 Total Maintenance £26,459.92 Design and Management costs £9,457.34 TOTAL contribution = £130,490.65</p>	
<p>NBBC Parks £92,443.60</p>	<p>Offsite biodiversity mitigation at the nearest available sites which are: Sandon Park 0.4 hectares, Dingle 0.6 hectares and Pingles (Riversley Park) 0.68 hectares Total site area 1.68. To carry out selective weed killing, groundworks and cultivation and amelioration, turf and grass seeding, wildflower seeding and annual cut and removal. Plus 10% management and admin costs and insurance sum at 5%. Costs over 30 years.</p>	<p>Developer agreed to pay</p>

9. Conclusion

In conclusion, the key issues in this case are: the principle of development; design and layout of the proposal; travel, transportation; highway safety; flooding and drainage; archaeology; open space, protected species, biodiversity and ecology; noise, air quality and contamination. All of these issues show that the site is acceptable or can be made acceptable for development subject to conditions or 106 contributions. In fact the inclusion of this site can actually promote sustainability to the existing surrounding and future adjacent development potential as it can provide further pedestrian and cycle links within the area. This will promote and enhance sustainable development, which in line with national and existing and proposed local guidance is the core and key element to acceptable development.

In addition the findings from the Planning Inspector (from the previous Appeal on the site) and Secretary of State on the previously recovered Application where they considered that the principle of development was acceptable in this location is a significant material consideration when considering this latest application. There would need to be significant changes between their report and now in order to justify

a departure from their findings. If the application was refused on any of the grounds previously considered acceptable by the Planning Inspector and Secretary of State then it could expose the Council to a significant risk of cost award against it, should the application be refused.

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:

<i>Plan Description</i>	<i>Plan No.</i>	<i>Date received</i>
Red Line Plan 2	TLP3 – RL – 02	27/12/2019
Planning Layout	01. Rev AF	12/06/2020
Design and Access Statement	AAH5445_May 2020	15/05/2020
Planning Statement	19.475 version 1	27/12/2019
Materials Plan	ROY-MP3-01E	12/06/2020
Site Sections	SK102 Rev A.	13/03/2020
Acoustics Report	Revision 1 30 Jan 2018	27/12/2019
Written Scheme of Investigations For Archaeological Evaluation Trenching	Lanpro Feb 2019	04/02/2020
Archaeological Geophysical Survey	ARC/746/293 March 2012	27/12/2019
Archaeological Geophysical Survey	pages 1 to 8	27/12/2019
Archaeological Geophysical Survey	photographs	27/12/2019
Archaeological Desk Based Assessment	Phase 2 April 2014 At/PG/13813/1	27/12/2019
Air Quality Assessment	Revision 03 – 27 Sept18	24/02/2020
Additional Ground Investigation	11122/3 Dec 2013 final	27/12/2019
Ecological Update Survey Report	404.01578.00067 Dec 2019	27/12/2019
Tree Constraints Plan (Aerial)	9474 TCP 01	27/12/2019
Tree Constraints Plan	9474 TCP 01	27/12/2019
Tree Schedule	9474 TS 01	27/12/2019
Proposed Habitats	DWG No.1 (Rev11)	16/06/2020
Biodiversity Impact Assessment		12/06/2020
Detailed Landscape Proposals (1 of 2)	18-008-01. Rev AD	23/06/2020
Detailed Landscape Proposals (2 of 2)	18-008-02. Rev AD	23/06/2020
Sustainability Statement	Feb 2020	24/02/2020
Sustainable Design and Construction	March 2020	05/03/2020
Health Impact Assessment Screening		25/02/2020
Cycle Link	SK200 Rev B	22/06/2020
Electric Vehicle Charging Points	ROY/EV/01A	12/06/2020
Fire Service Occupation Plan	AAH5445-RPS-xx-GF- DR-A-800a Rev A	12/06/2020

Refuse Collection Vehicle Swept paths (Sheet 1 of 2)	SK01 Rev F	15/06/2020
Refuse Collection Vehicle Swept paths (Sheet 2 of 2)	SK02 Rev F	15/06/2020
Refuse Collection Vehicle/MPV Swept Paths (sheet 1 of 2)	SK05 Rev B	15/06/2020
Refuse Collection Vehicle/MPV Swept Paths (sheet 2 of 2)	SK06 Rev B	15/06/2020
Fire Tender Swept Paths (sheet 1 of 2)	SK07 Rev B	15/06/2020
Fire Tender Swept Paths (sheet 2 of 2)	SK08 Rev B	15/06/2020
Pumping Station Service Vehicle Swept Paths	SK09 Rev B	15/06/2020
Development Layout Visibility Splays	SK10 Rev B	15/06/2020
MPV Swept Paths – Car Parking Spaces (Sheet 1 of 2)	SK11 Rev C	15/06/2020
MPV Swept Paths – Car Parking Spaces (Sheet 2 of 2)	SK12 Rev B	15/06/2020
Road Safety Audit Brief Stage 1	Rev A 26/05/20	01/06/2020
Section 38 Works Stage 1 Road Safety Audit SA2892 May 2020	Rev 2 Final ASD 01 June 2020	05/06/2020
Road Safety Audit Response Report	First Issue 05/06/2020	05/06/2020
Transport Statement	Revised May 2020 15.05.20 Rev C	15/05/2020
Flood Risk Assessment and Drainage Strategy	11052 phase 3 Rev C	20/05/2020
Proposed Drainage Strategy	11052 932. Rev L	15/06/2020
Proposed Drainage Strategy Drainage Areas Plan	11052 936 Rev A	15/06/2020
Phase 2 – Indicative Longitudinal Sections	11052 990 Rev B	15/06/2020
Chorley Floor Plans	RP3 – CHO – PL – 01	27/12/2019
Chorley Elevations (part render)	RP3 – CHO – PL – 02	27/12/2019
Chorley Elevations (brick)	RP3 – CHO – PL – 03	27/12/2019
Almond (2b semi/ter) Planning Layouts	A/681/v3/00/01. Rev B	27/12/2019
Almond (2b semi/ter) Planning Elevations	A/681/v3/00/02. Rev A	27/12/2019
Cherry (3b semi/ter) Planning Layouts	A/802c/v3/00/01. Rev B	27/12/2019
Cherry (3b semi/ter) Planning Elevations	A/802c/v3/00/02. Rev A	27/12/2019
Larch (3b semi/ter) Planning Layouts	A/1087/v3/00/01. Rev B	27/12/2019
Larch (3b semi/ter) Planning Elevations	A/1087/v3/00/02. Rev B	27/12/2019
House type: 2 Bed 4 Per.SO2+LTH	SO2+- Plan- 03	27/12/2019
House type: 2 Bed 4 Per.SO2+LTH	SO2+- Plan- 01	27/12/2019
House type: 2 Bed 4 Per.SO2+LTH (Plot 335)	SO2+- Plan- 335	27/12/2019
House type: 3 Bed 5 Per SO3 LTH Plots 350 & 352	SO3-Plan- 03	27/12/2019
House type: 3 Bed 5 Per SO3 LTH	SO3-Plan- 01	27/12/2019
House type: SO8 (plots 348 & 349)	SO8- ROY3- 02	27/12/2019
House type: SO8 (plots 305 & 306)	SO8-ROY3- 03	27/12/2019
House type: SO12	SO12- Plan- 04	27/12/2019
House type: Naylor	NAY-Plan- 01	05/03/2020
Single Garage	WM_GAR_1B_WE_01	27/12/2019

3. No development including any site clearance shall take place until a Biodiversity Enhancement and Management Plan (BEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved BEMP shall be adhered to

throughout the construction period. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed work;
- b) Detailed design and/or working method(s) necessary to achieve the stated objectives;
- c) Extent and location of proposed works shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Persons responsible for implementing the works shall be carried out in strict accordance with the approved details and shall be retained in that manner thereafter.

4. No development including any site clearance 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. The CEMP shall include details of:

- a. Any pre- construction checks required;
- b. The species safeguards to be employed;
- c. Appropriate working practices and timings of construction works;
- d. Site clearance methods;
- e. The extent of buffer zones and stand-offs for sensitive ecological features;
- f. What to do if protected species are discovered during construction.
- g. Details of the body or organisation responsible for the implementation and ongoing management, monitoring and remedial actions of the plan, including the mechanism for funding.
- h. Full details of the lights to be used during construction. The lighting scheme shall be developed with the input of a suitably qualified ecologist to outline how the lighting scheme avoids potential negative effects upon the habitats used by foraging and commuting bats. The scheme will include a lighting contour lux diagram demonstrating that there will be no increased light reaching ecological habitat and corridor areas.

The CEMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the CEMP and address any contingency measures where appropriate. The CEMP will set out key operations and associated points at which written reports will be submitted by the Ecological Clerk of Works to the Authority evidencing implementation of the contents of the CEMP through dated photographs and associated text. The approved plan will be implemented in accordance with the approved details. The above conditions for Ecological works monitoring arrangements including a timetable covering all key stages and on site actions including what operations an ecologist will be present at and routine submission of written reports including dated photographic records of works and visits at each key stage.

5. No development including site clearance shall commence until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority giving protection measures for the trees and hedgerows that are to be retained during the course of the development. The scheme shall show the typical canopy extent of the retained trees at maturity. No tree or hedgerow other than so agreed shall be removed, and no clearance shall commence unless the approved measures for the protection of those trees and hedgerows to be retained have been provided and are maintained during the course of development. The scheme shall include a no dig methodology where necessary. The scheme shall conform to BS5837:2012.

6. No development shall take place until:

a. A programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the document produced by Lanpro Services Ltd called "Written Scheme of Investigation for Archaeological Evaluation Trenching: Longshoot Phase 3, Nuneaton Warwickshire" has been undertaken and a report detailing the results of this fieldwork has been submitted to the Local Planning Authority.

b. 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 Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

7. No development including site clearance shall commence until a Dust Management Plan (to include details within the Air Quality Assessment Table 12 pages 28- 30) has been submitted to and approved in writing by the Local Planning Authority. The approved Management Plan shall be adhered to throughout the construction period.

8. No development including site clearance and subsequent use of the development shall take place until a management strategy to prevent and any construction materials from entering or silting up the ditch network has been submitted to and approved in writing by the Local Planning Authority. Details to ensure that no silt or chemicals can leave the construction site shall have been provided and any detrimental impact to the ditch network shall be repaired in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

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

- i. The routing and parking of vehicles of HGVs, site operatives and visitors;
- ii. Hours of work;
- iii. Loading and unloading of plant/materials.
- iv. Storage of plant and materials used in constructing the development.
- v. The erection and maintenance of security hoarding.
- vi. Wheel washing facilities to prevent mud and debris being passed onto the highway.
- vii. A scheme for recycling/disposing of waste resulting from construction works.
- viii. Emergency contact details that can be used by the Local Planning Authority, Warwickshire County Council and public during the construction period.

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

11. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the approved FRA and Drainage Strategy, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 5 l/s for the site.
- 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 designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event.
- Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network.

12. No development of the foul water pumping station shall commence until details of the appearance of the building and enclosure have been submitted to and approved in writing by the local planning authority. The development shall take place in accordance with the approved details

13. No deliveries shall take place during the construction phases, Monday to Friday during the time periods 07:30 – 09:15 and 16:30 – 18:00.

14. No development shall commence above the ground floor slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until provision has been made in accordance with the approved details.

15. No development above ground floor slab level shall commence until details of the specification for bird bricks and bat bricks and their precise locations within buildings, has been submitted to and approved in writing by the Local Planning Authority. The approved bricks shall be installed before the occupation of that plot.

16. The site shall not be laid out, constructed and implemented other than in accordance with approved plan AAH54545 01 Rev AF. Minor alterations maybe required during the technical approval process.

17. No dwelling shall be occupied until a detailed maintenance plan shall be submitted to and approved in writing by the local planning authority 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 local planning authority within the maintenance plan. Maintenance of the retained land drainage and ditch courses shall be included within

the submitted plan. No occupation and subsequent use of the development shall take place until the approved detailed maintenance plan is implemented and that maintenance plan shall be implemented in perpetuity.

18. No dwelling shall be occupied until full details of the permanent street lights including those on the proposed adopted highway have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be developed with the input of a suitably qualified ecologist to outline how the lighting scheme avoids potential negative effects upon the habitats used by foraging and commuting bats. The scheme will include a lighting contour lux diagram demonstrating that there will be no increased light reaching ecological habitat and corridor areas from permanent lighting-including from the lighting for the adopted highway. Full details of lamp columns, luminaires, cowls /shrouds must be submitted. The approved plan shall be implemented in accordance with the approved details.

19. No dwelling shall be occupied until a management plan providing the proposed details of the private maintenance of the green areas including the easement buffer and hedgerows has been submitted to and approved in writing by the local planning authority. The approved management plan shall be implemented in full in perpetuity.

20. No more than 23 houses in phase 3 shall be occupied (as per drawing titled AAH5445-RPS-xx-GF-DR-A-800a Rev A) until an emergency link road is connected to the larger road network. Details of which shall first be provided and approved in writing by the Local Planning Authority. Alternatively if an emergency link road is not possible, the residue houses on phase 3 will be fitted with sprinklers prior to their occupation and retained until such time as a secondary access is provided.

21. No dwelling shall be occupied until Electric Vehicle (EV) charging points at a rate of; one charging point per dwelling with dedicated parking and one charging point per 10 spaces for unallocated parking has been provided for that plot and as shown in the drawing titled Electric Vehicle Charging Points (ROY/EV/01A). Appropriate cabling shall be provided to enable increase in future provision.

22. No dwelling shall be occupied other than with gas-fired boiler installations of low NOx emission type that meet a minimum standard of less than 40mg NO x /kWh.

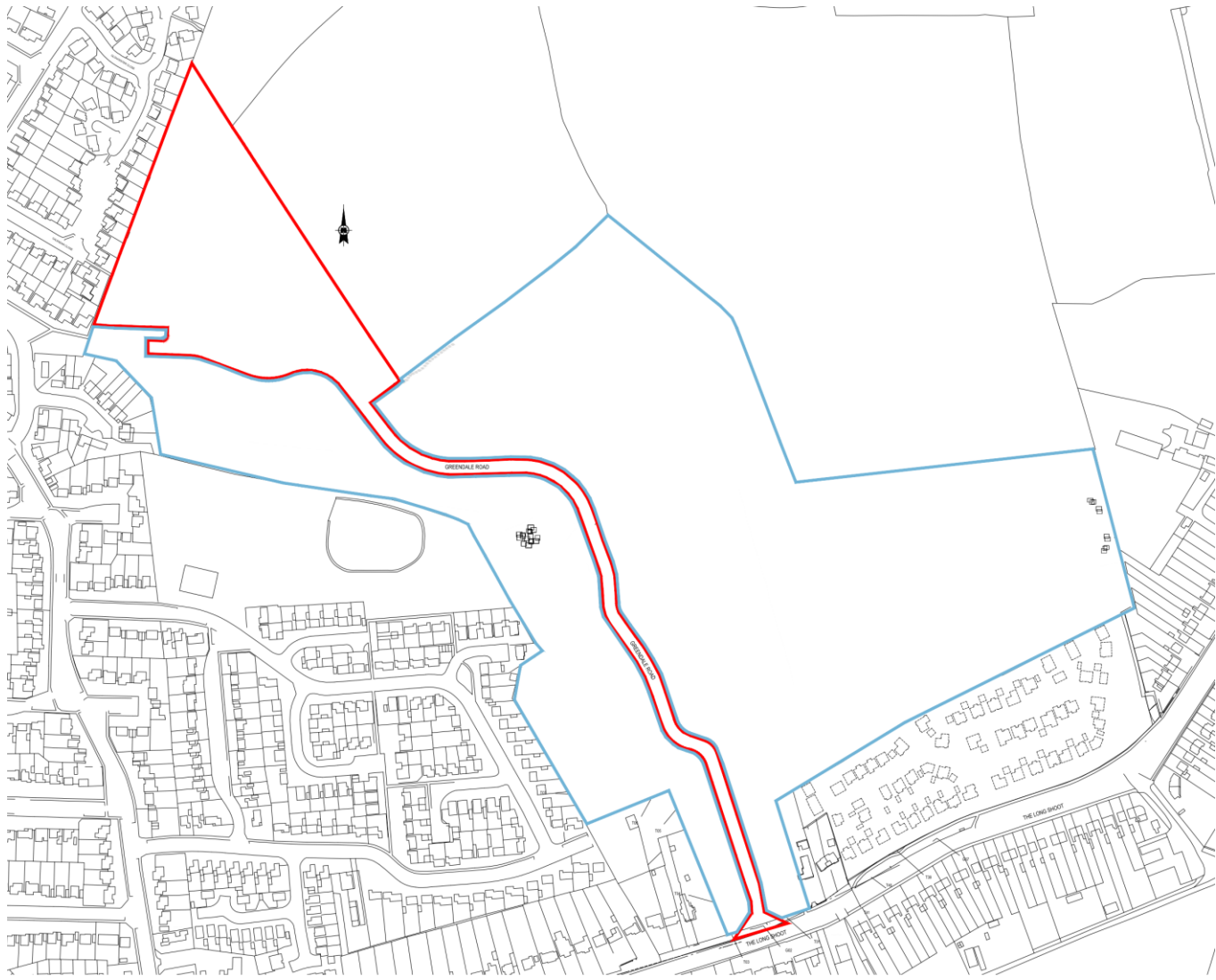
23. No dwelling shall be occupied until details of Sustainable Welcome Packs (including public transport information) has been submitted and approved in writing by the Local Planning Authority for each phase. The approved packs shall be provided prior to the first occupation of that dwelling.

24. No dwelling shall be occupied until the proposed cycle route amendments required to connect the site to the existing hammerhead junction and cycle route to the south of the site (outside the red line but within Bellways ownership and referred to within the Planning Layout Drawing number 01 revision AF) has been submitted to and approved in writing by the local planning authority and the approved amendments implemented on site accordingly.

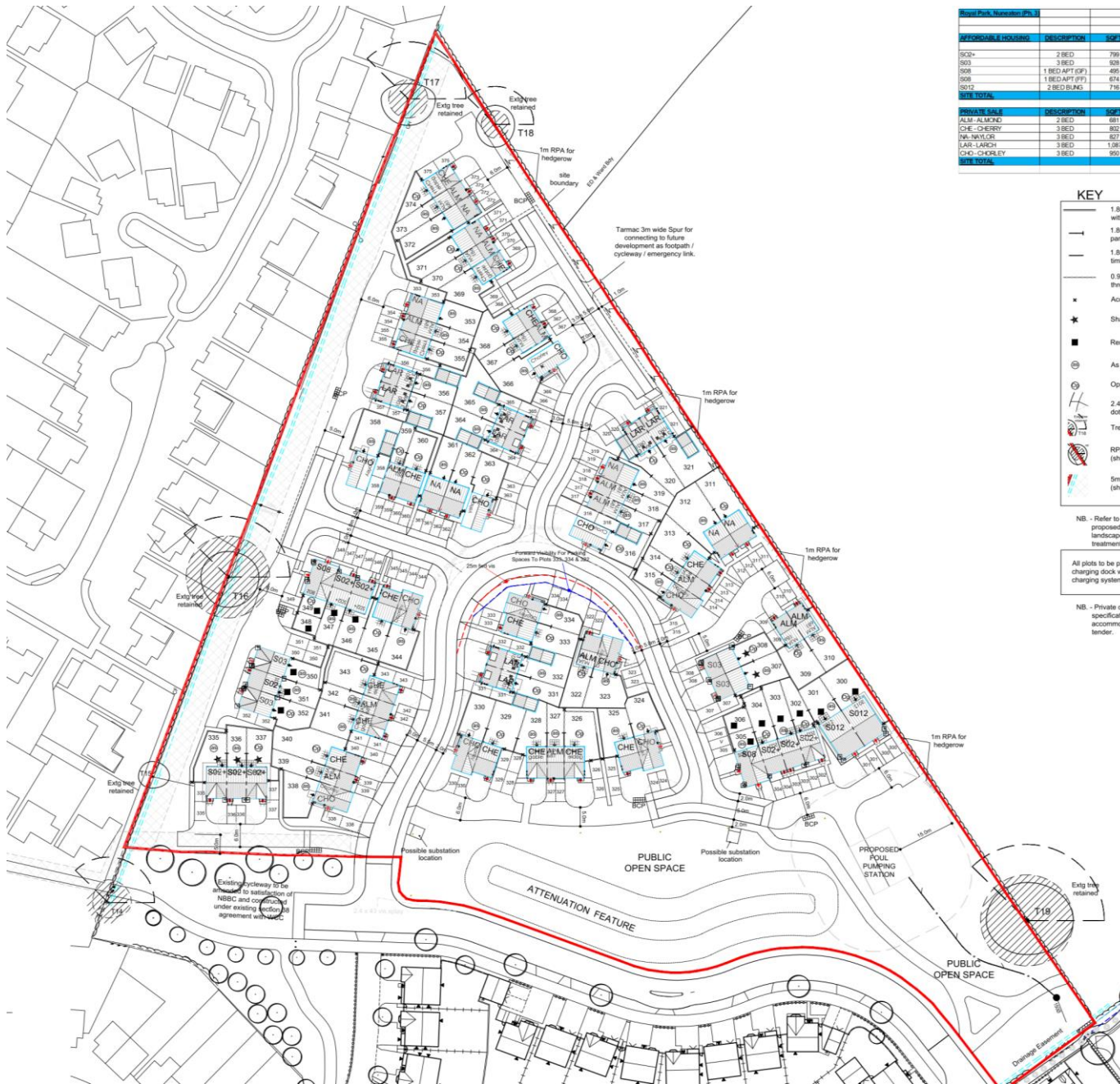
25. No dwelling shall be occupied until the two cycle route connections to the Callendar Farm development (as shown on the Planning Layout Drawing number 01 revision AF) have been provided to be contiguous with the site boundary.

26. All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following

the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All hard landscaping comprised in the approved details of landscaping shall be carried out before the completion or first occupation of the development, whichever is the sooner.



Location Plan



APPROPRIATE HOUSING	DESCRIPTION	NO. OF
SOB*	2 BED	799
SO3	3 BED	508
SO8	1 BED APT (PT)	495
SO8	1 BED APT (FT)	674
SO12	2 BED BUNG	716
SOB TOTAL		

PRIVATE SALE	DESCRIPTION	NO. OF
ALM-ALMOND	2 BED	681
CHE-CHERRY	3 BED	802
NA-NAILOR	3 BED	927
LAR-LARCH	3 BED	1,087
CHO-CHORLEY	3 BED	950
Private Sale TOTAL		

KEY

- 1.8m with
- 1.5m pan
- 1.8m tent
- 0.9m tree
- * Acc
- Sha
- Ren
- As
- Opp
- 2.4m dot
- Tree
- RPA (sho)
- 5m (sho)

NB - Refer to proposed landscape treatment

All plots to be pre charging dock w/ charging system

NB - Private sale specific economic tender.

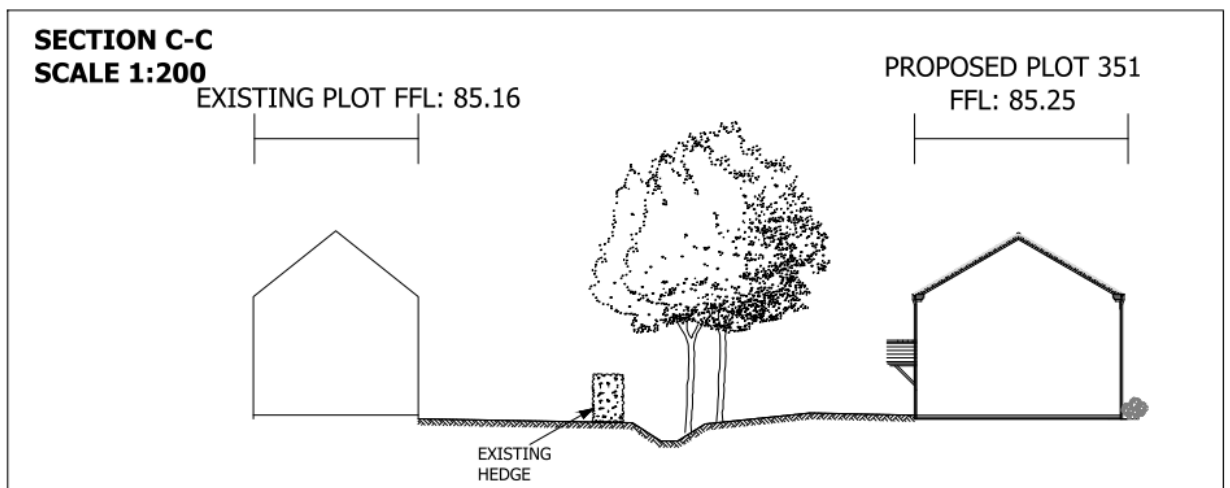
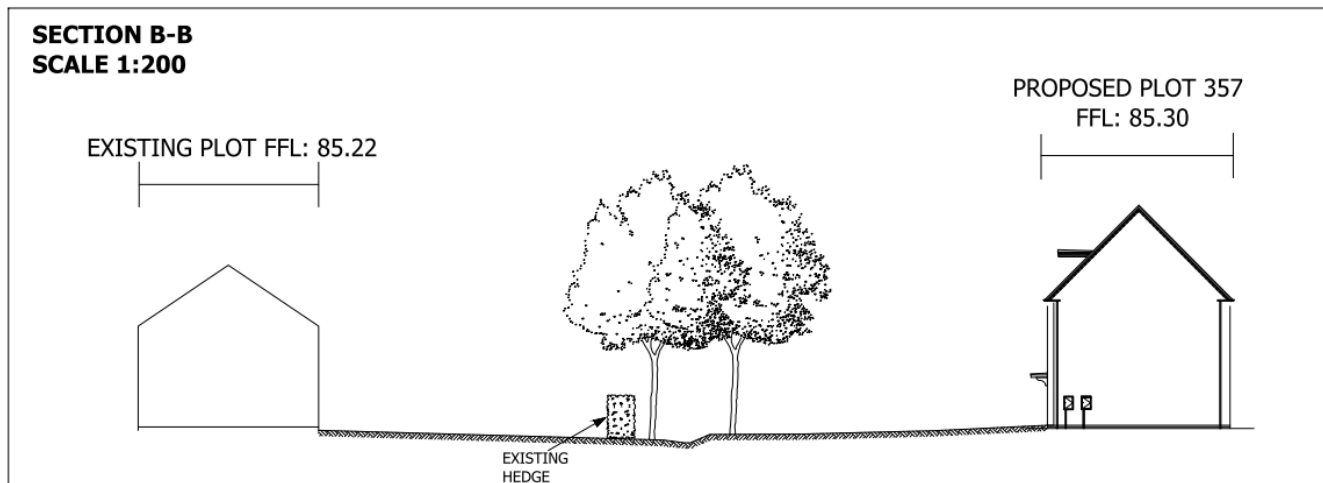
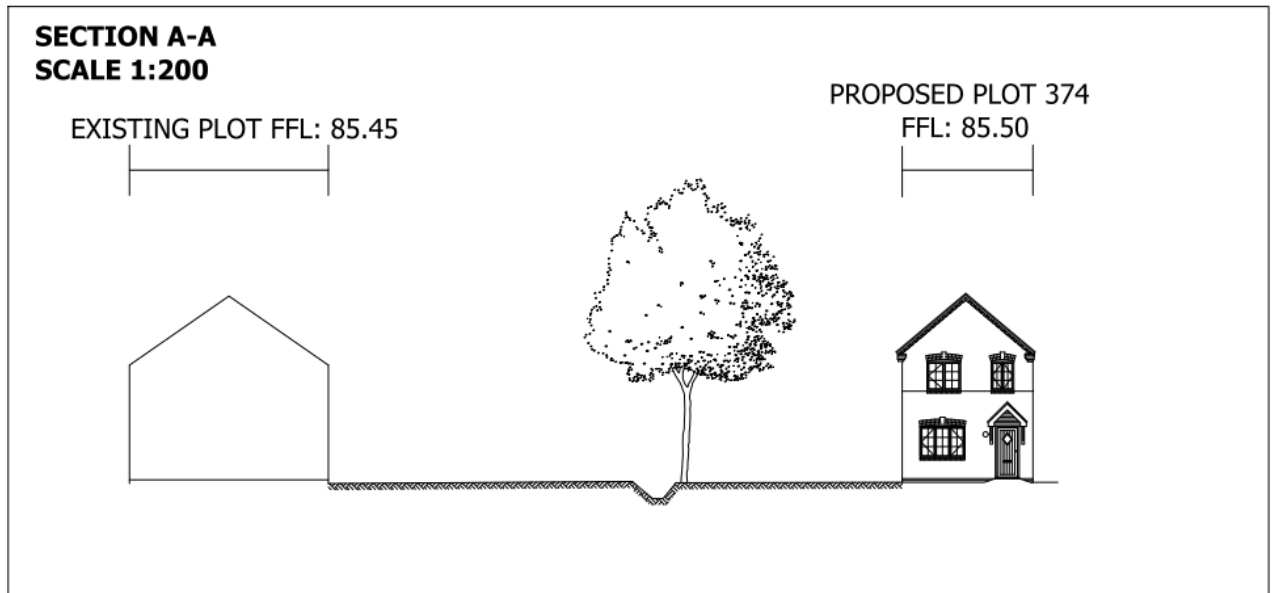
Proposed Layout Plan Revision AF



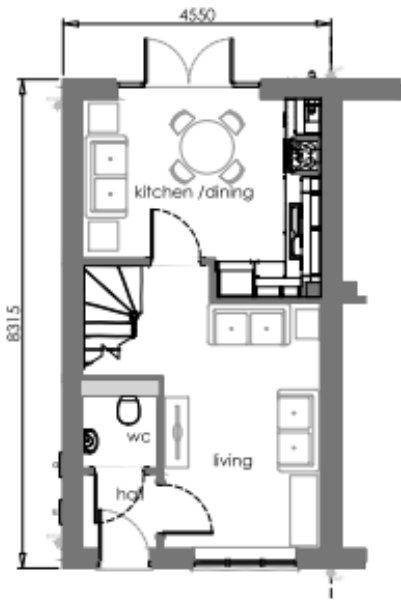
Coloured Layout Plan



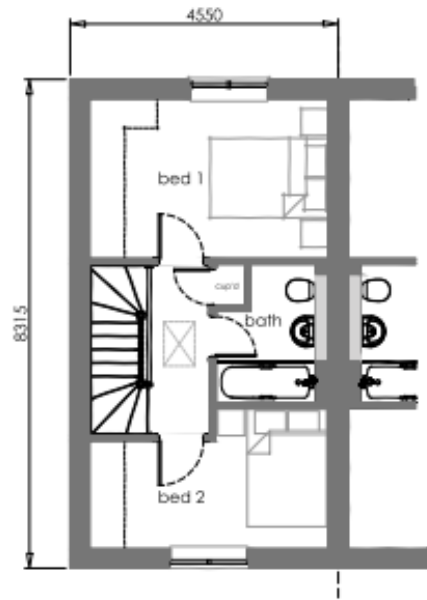
Site Sections (showing where sections taken)



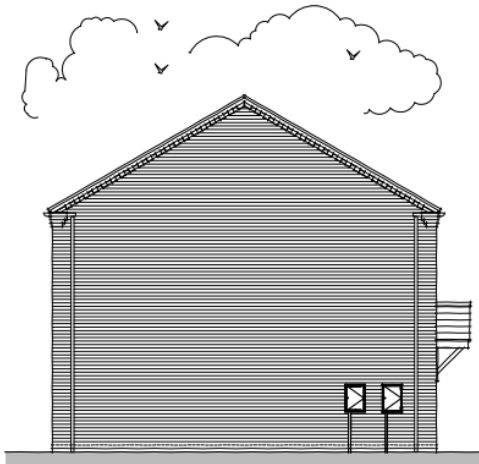
Site Sections between existing houses and proposed showing Finished Floor Levels (FFLs)



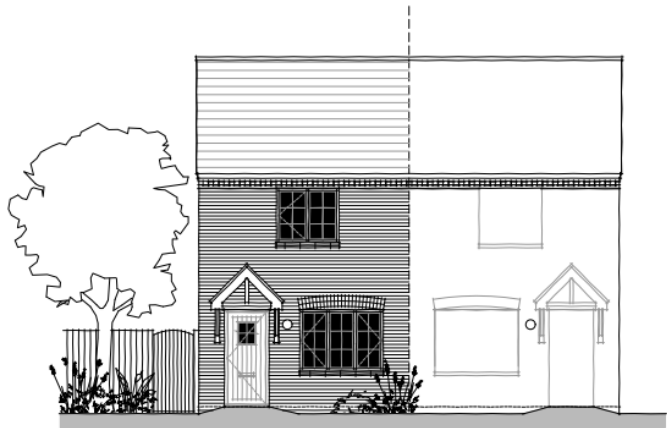
ground floor



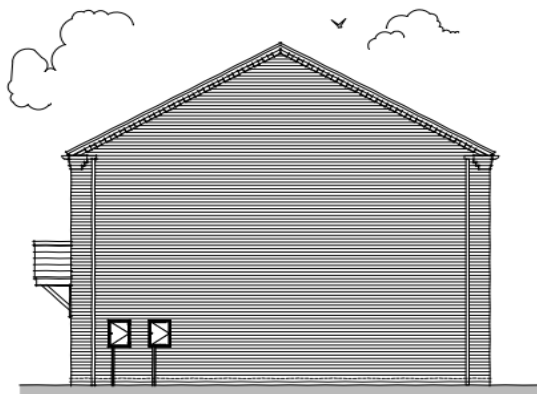
first floor



Side Elevation



Front Elevation

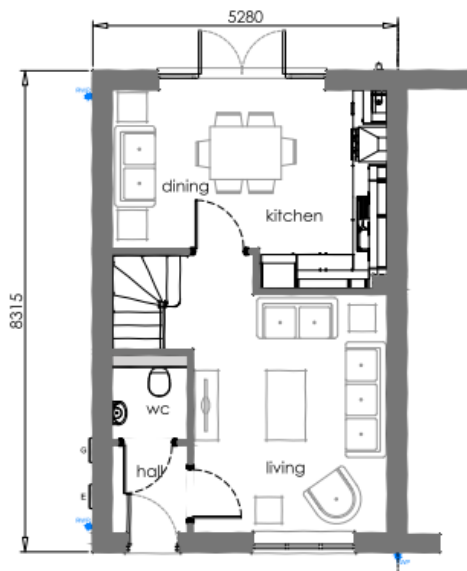


Side Elevation

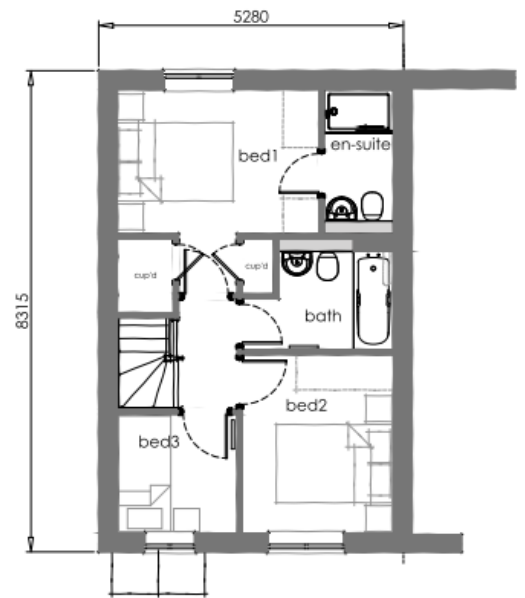


Rear Elevation

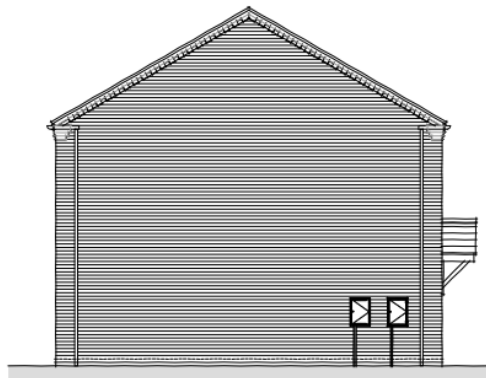
House Type - Almond (2 Bedroom semi/terrace)



ground floor plan



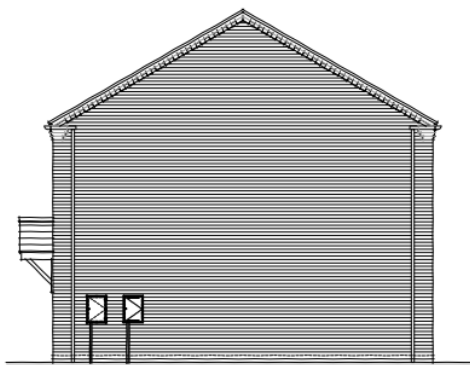
first floor plan



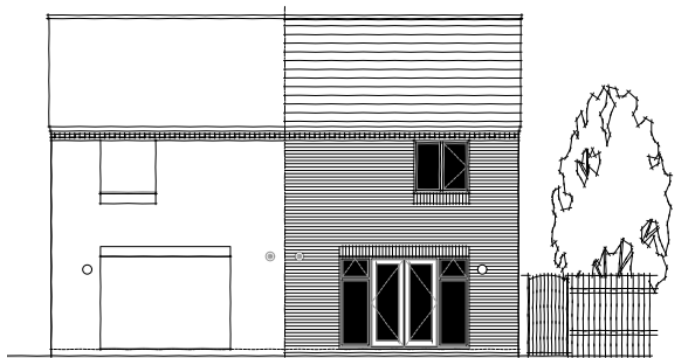
Side Elevation



Front Elevation

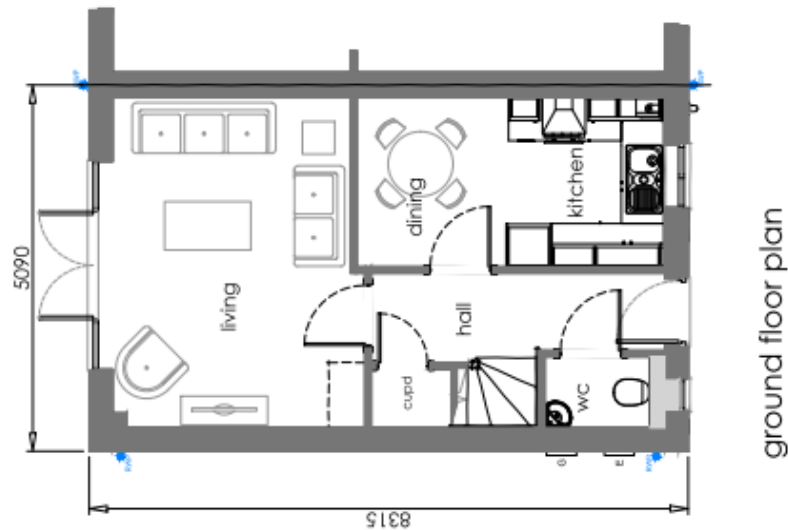
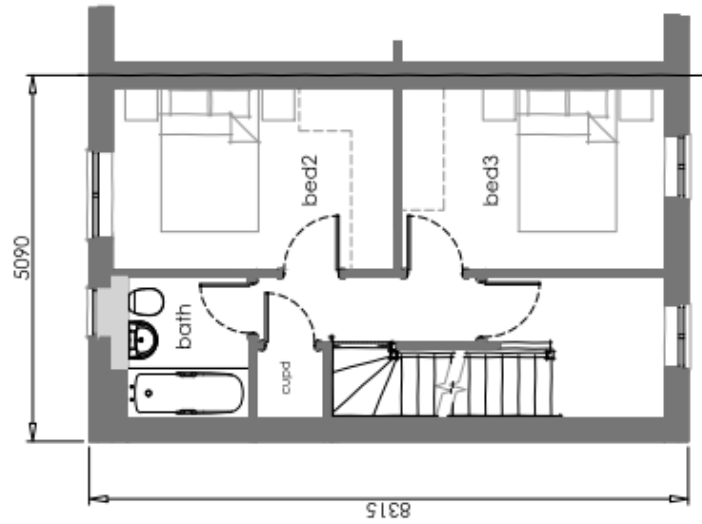
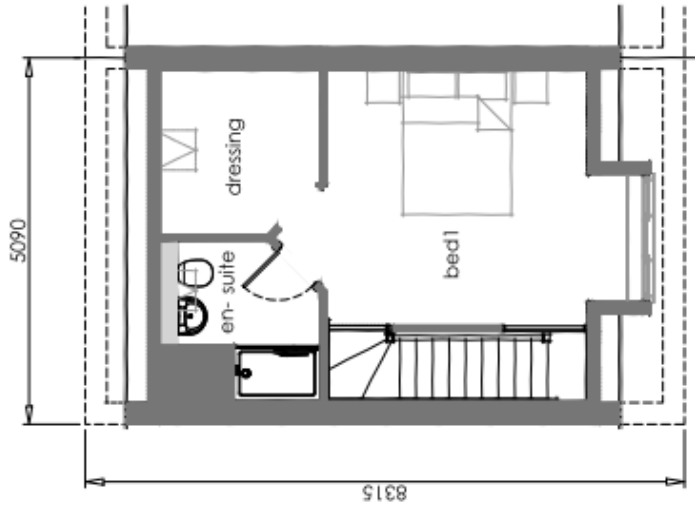


Side Elevation



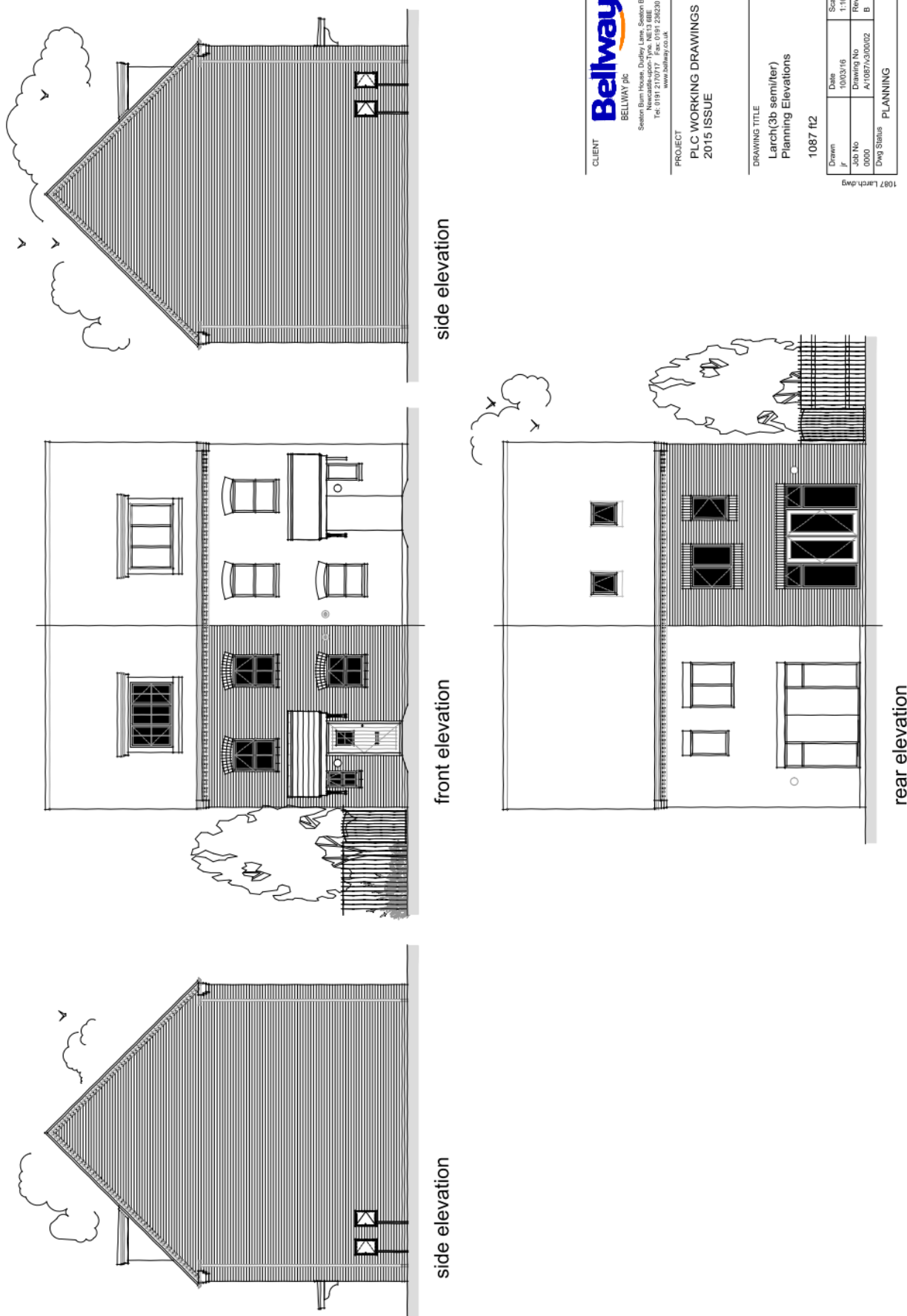
Rear Elevation

House Type - Cherry (3 Bedroom semi/terraced)



House Type - Larch (3 Bedroom semi/terraced) Floor Plans

House Type - Larch Proposed Elevations.



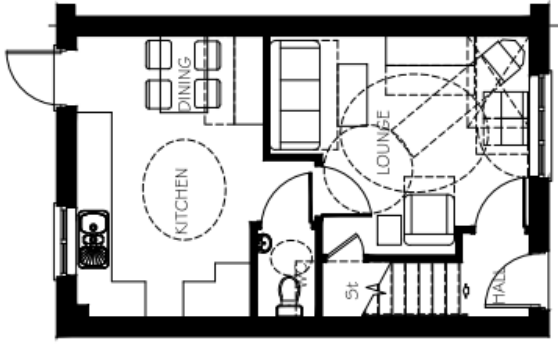
CLIENT **Bellway**
 BELLWAY plc
 Seaton Burn House, Dugdale Lane, Seaton Burn
 Leeds, LS21 3JF
 Tel: 0111 2170171 Fax: 0111 202230
 www.bellway.co.uk

PROJECT
PLC WORKING DRAWINGS
2015 ISSUE

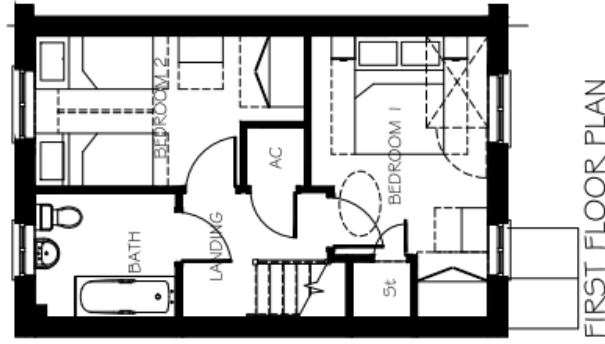
DRAWING TITLE
Larch(3b semi/ter)
Planning Elevations
1087 ft2

Drawn	Date	Scale
JF	10/03/16	1:100@JF
Job No	Drawing No	Revision
0000	A/1087/3/00/02	B
Dwg Status	PLANNING	

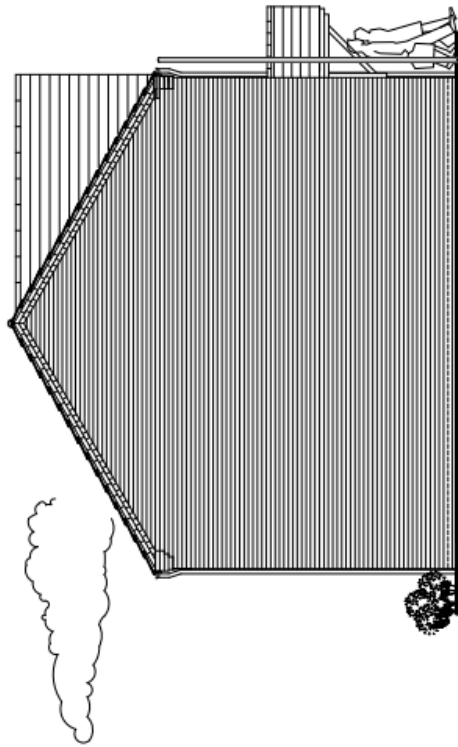
1087 Larch.dwg



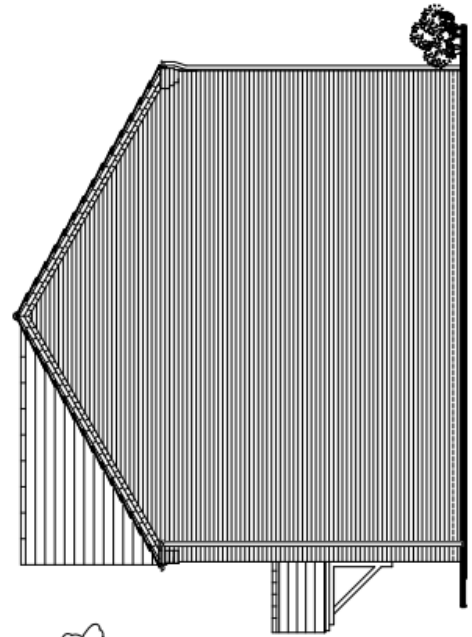
GROUND FLOOR PLAN



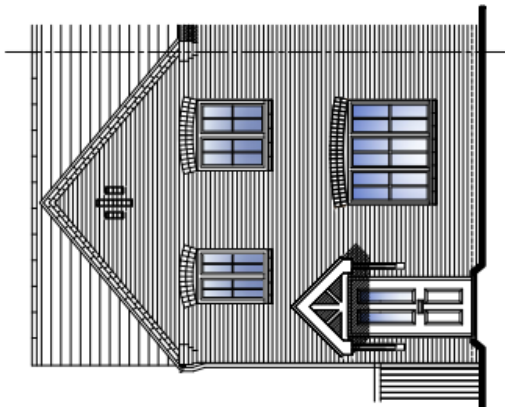
FIRST FLOOR PLAN



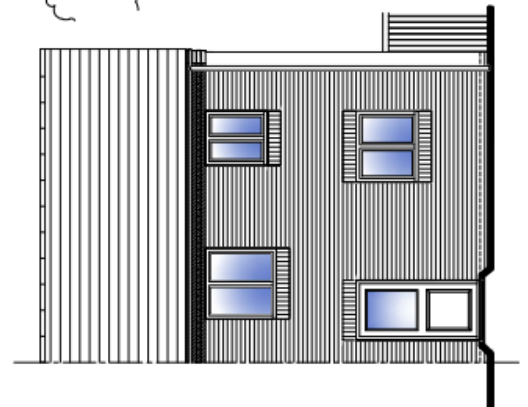
SIDE ELEVATION



SIDE ELEVATION

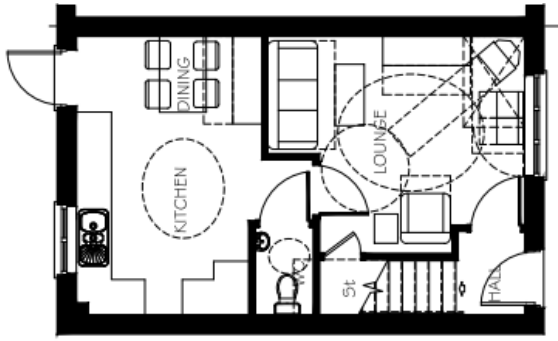


FRONT ELEVATION

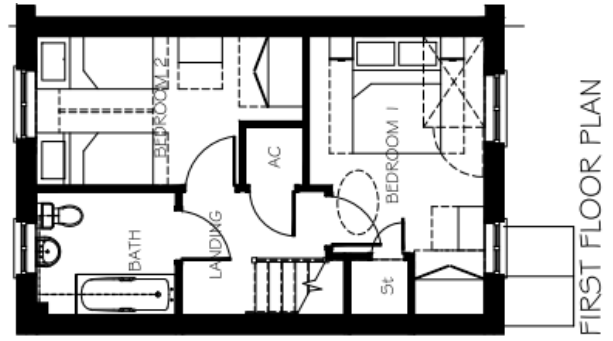


REAR ELEVATION

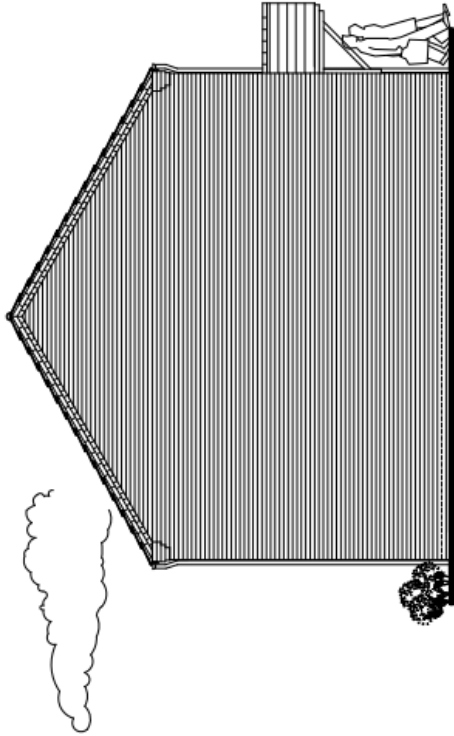
House type - SO2 + (2 Bedroom)



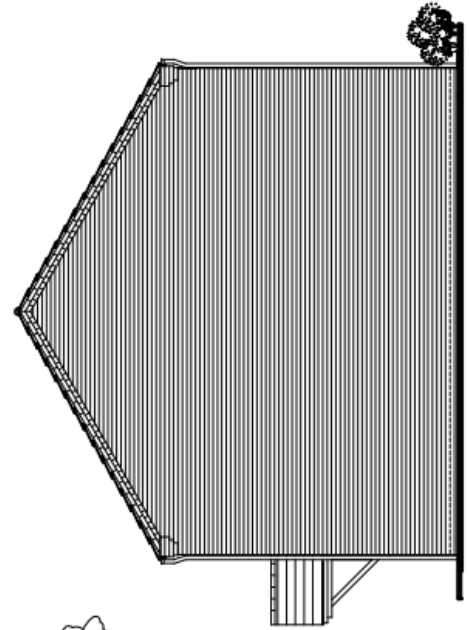
GROUND FLOOR PLAN



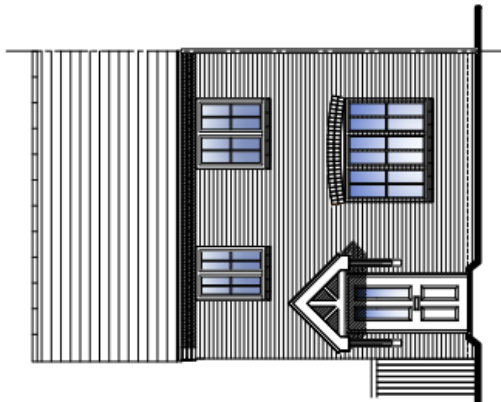
FIRST FLOOR PLAN



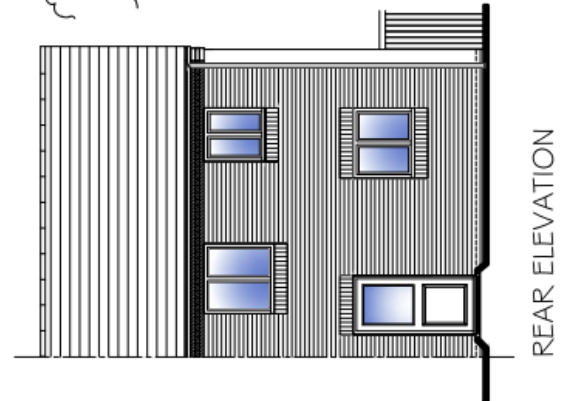
SIDE ELEVATION



SIDE ELEVATION

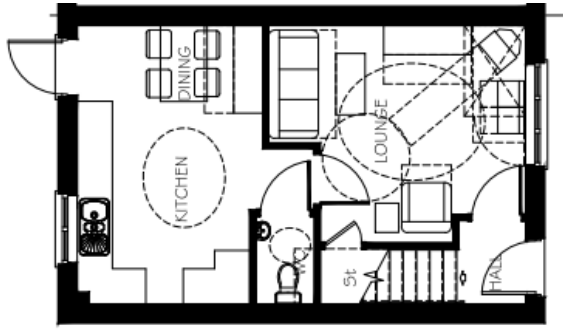


FRONT ELEVATION

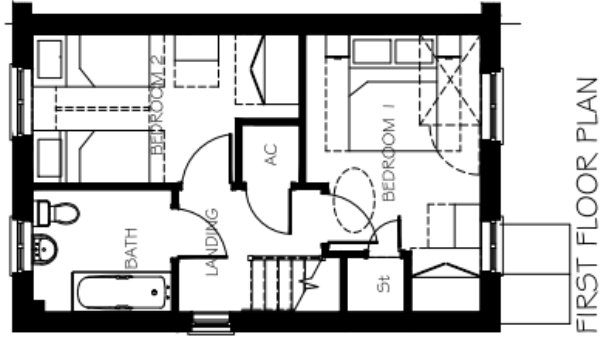


REAR ELEVATION

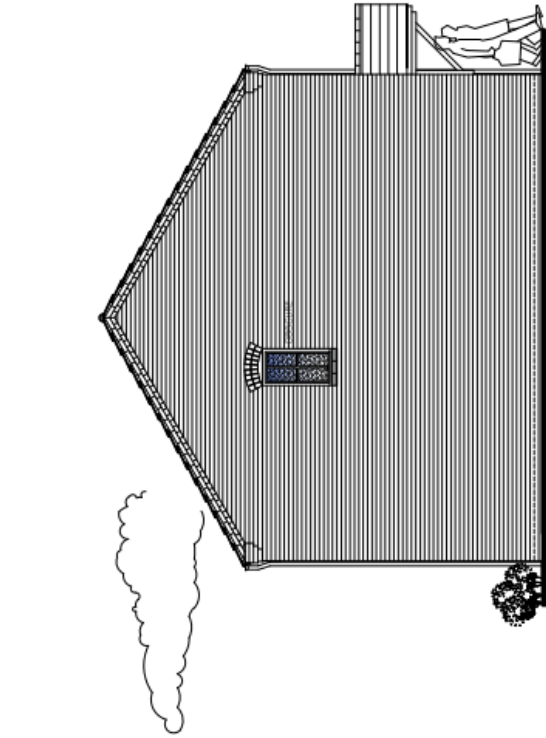
House Type - SO2+ LTH (2 Bedroom)



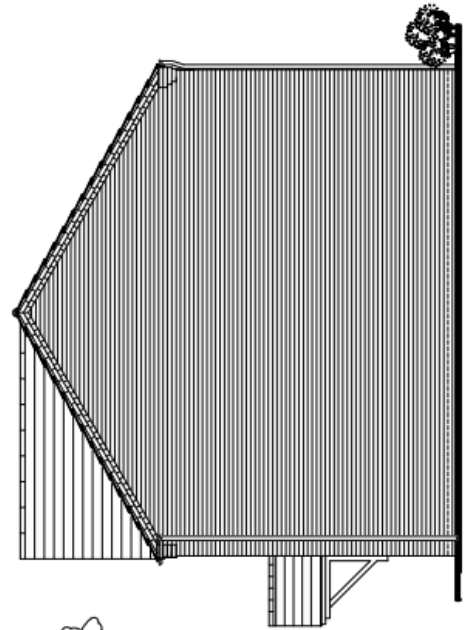
GROUND FLOOR PLAN



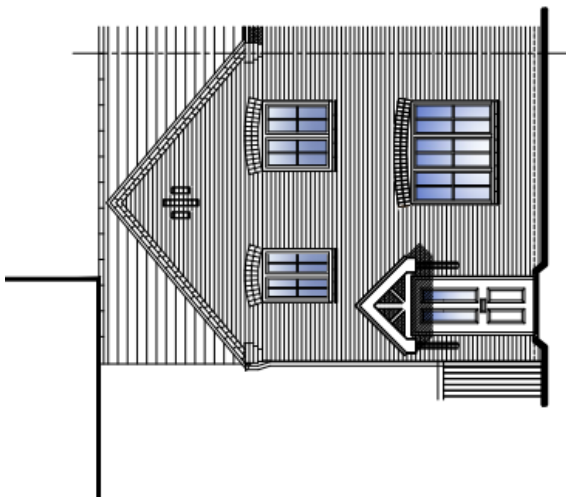
FIRST FLOOR PLAN



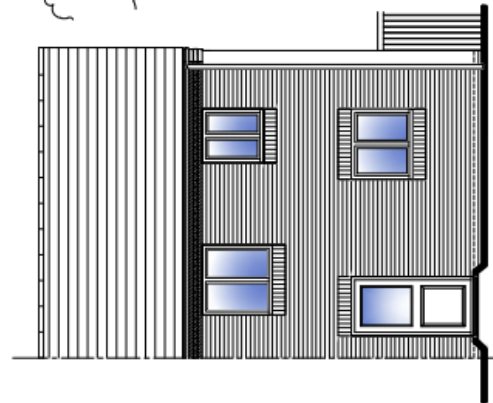
SIDE ELEVATION



SIDE ELEVATION

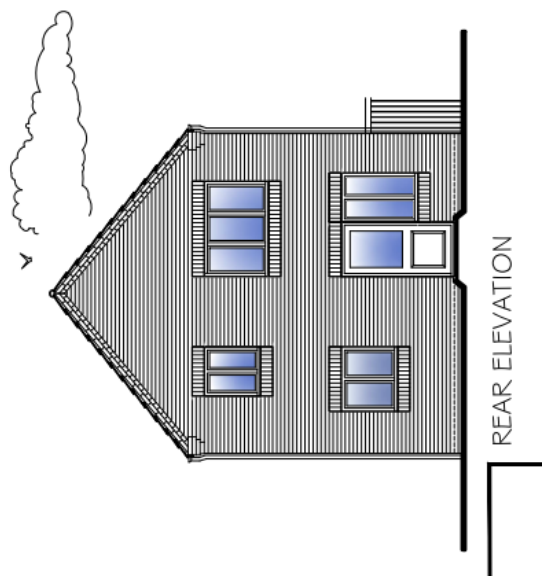
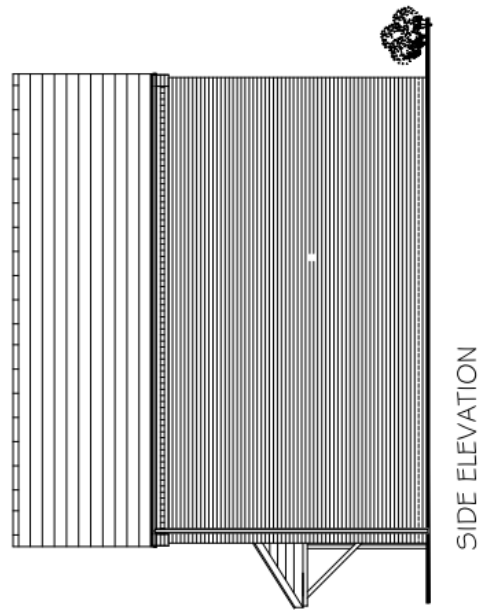
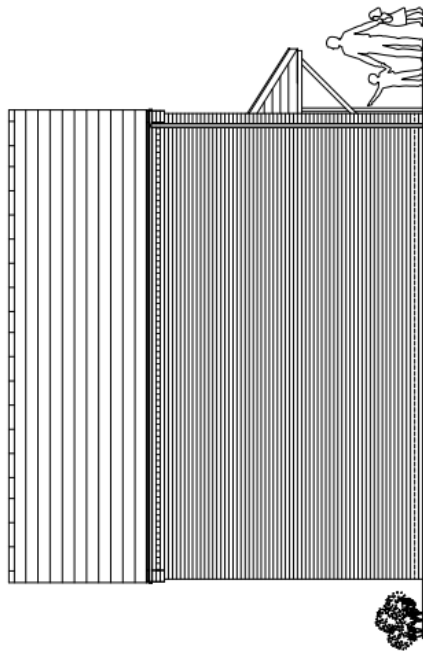
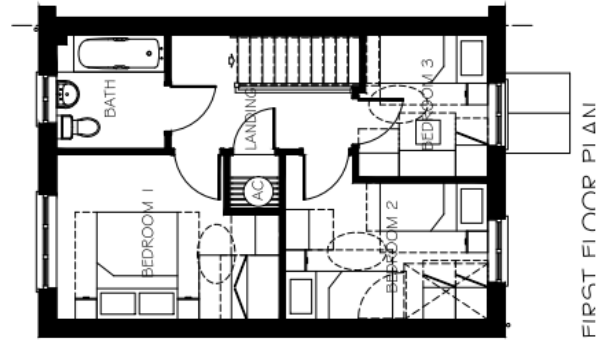
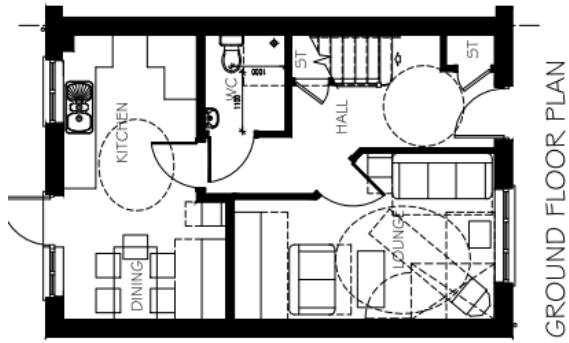


FRONT ELEVATION

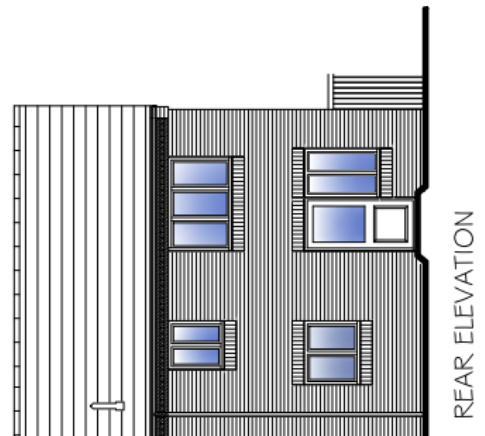
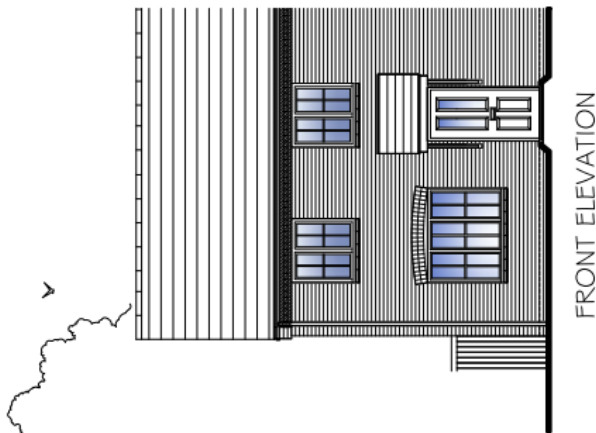
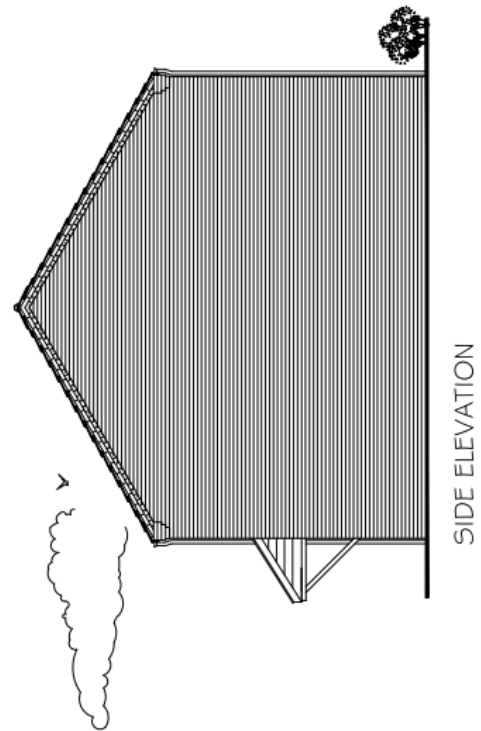
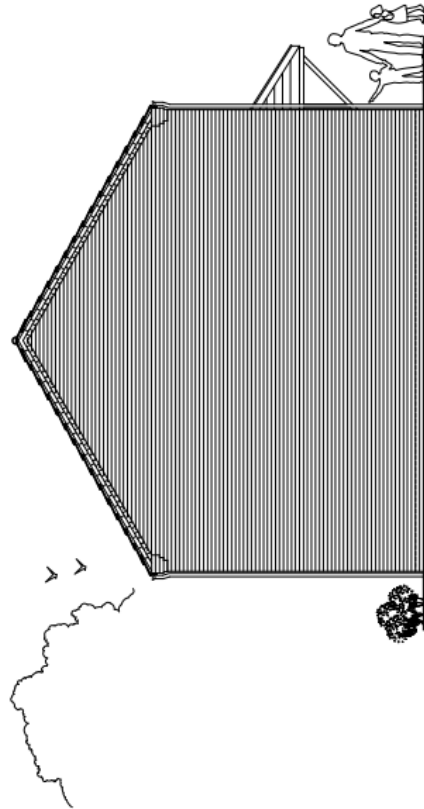
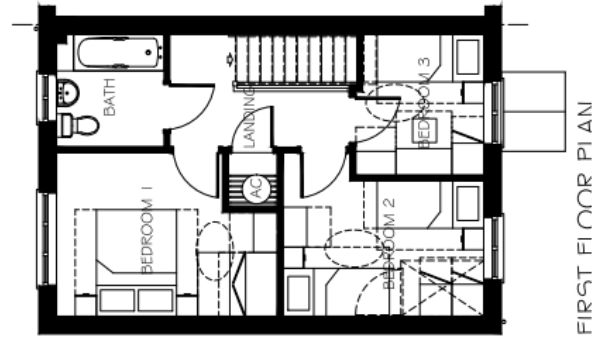
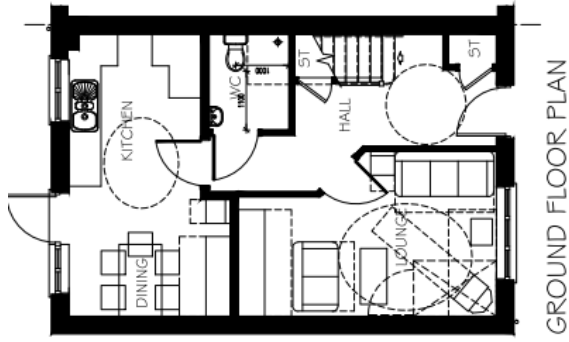


REAR ELEVATION

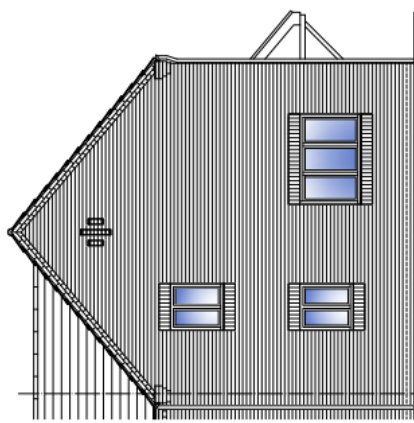
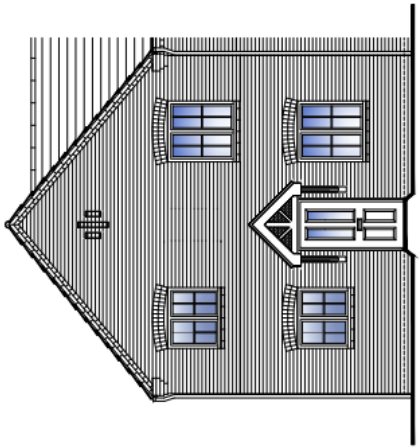
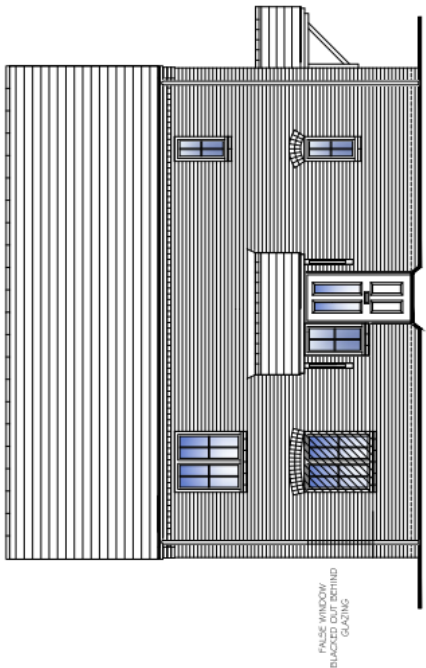
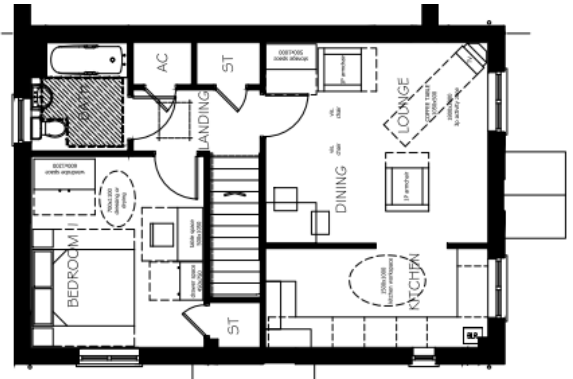
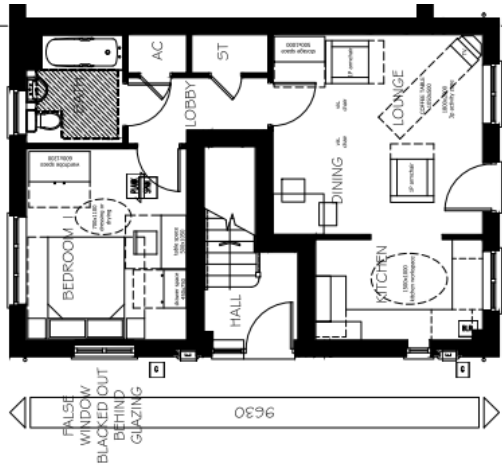
House Type - SO2+ LTH (2 bedroom – Plot 335).



House Type - SO3 LTH (3 Bedroom).

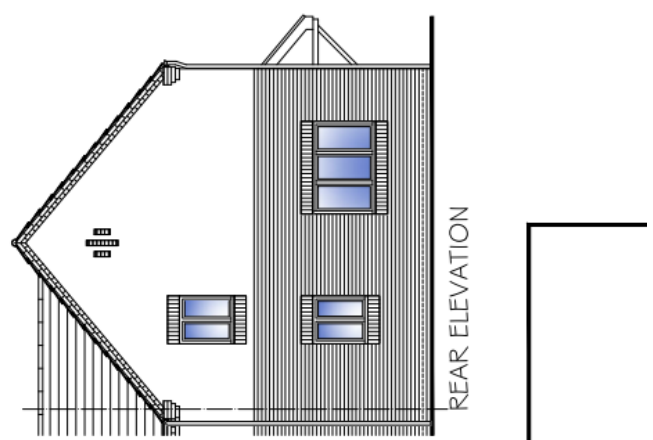
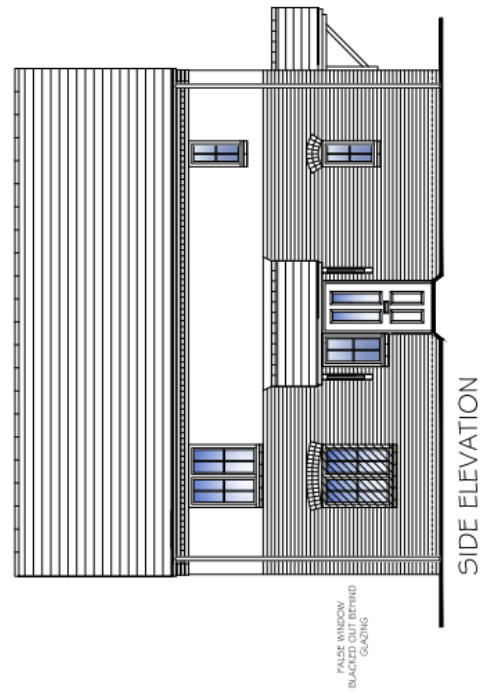
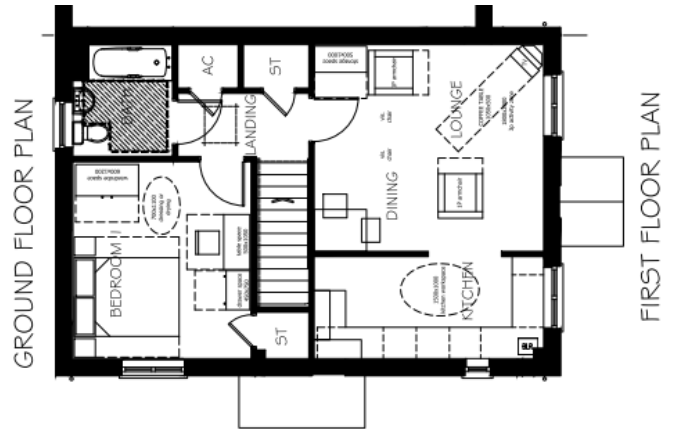
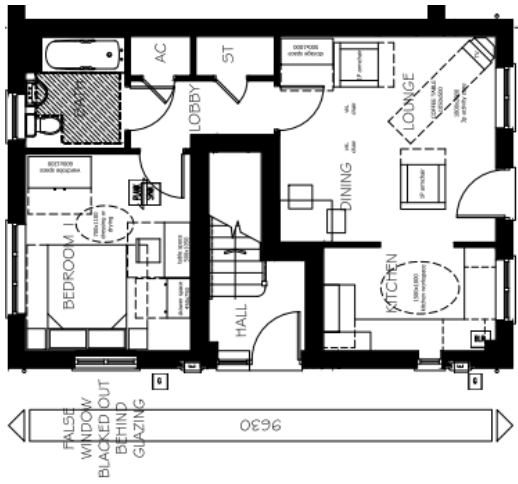


House Type – (SO3 LTH 3 bedroom).



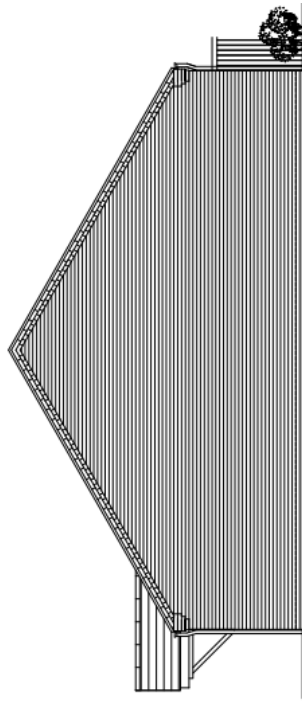
House Type - SO8 (plots 348 and 349)

OTS:
18 & 349

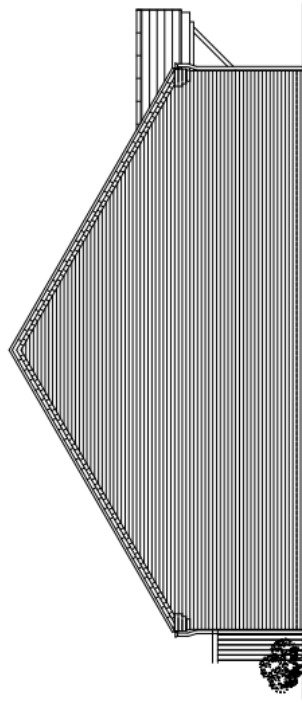


DTS:
5 & 306

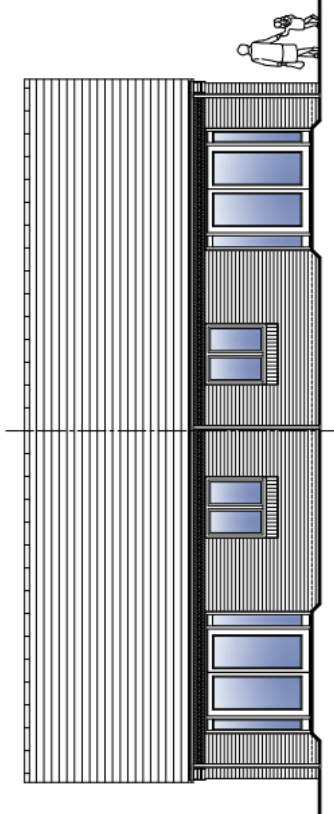
House Type - SO8 (plots 305 and 306)



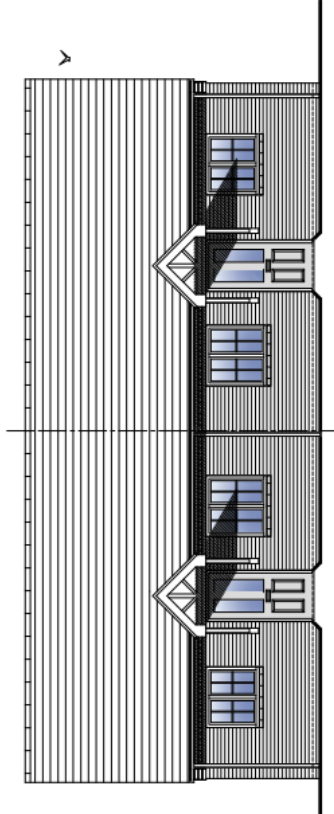
SIDE ELEVATION



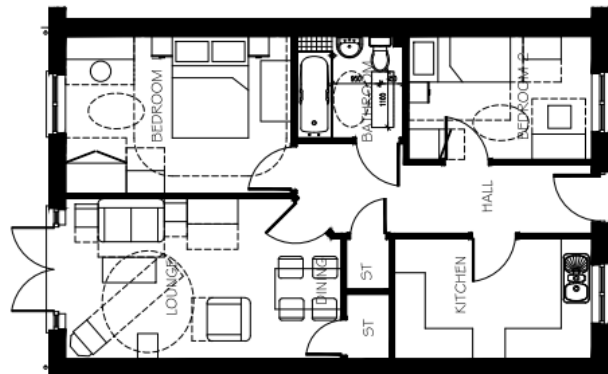
SIDE ELEVATION



REAR ELEVATION



FRONT ELEVATION



GROUND FLOOR PLAN

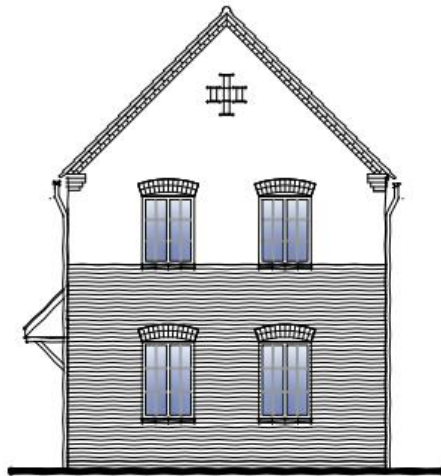
House Type - SO12



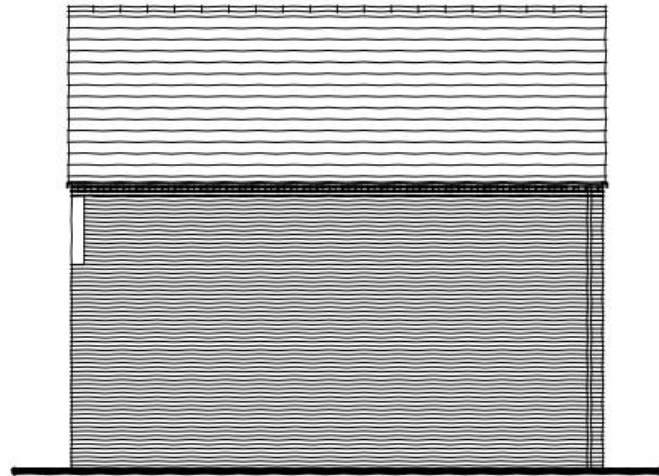
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

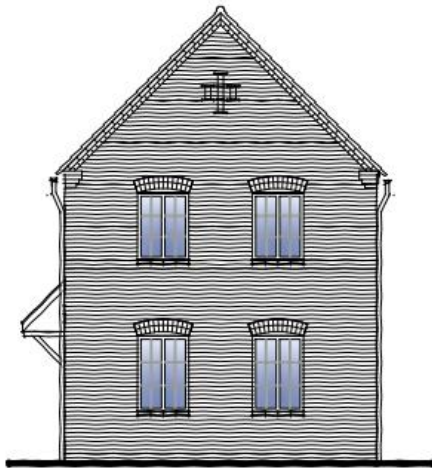
House Type - Chorley Elevations (part rendered)



FRONT ELEVATION



SIDE ELEVATION

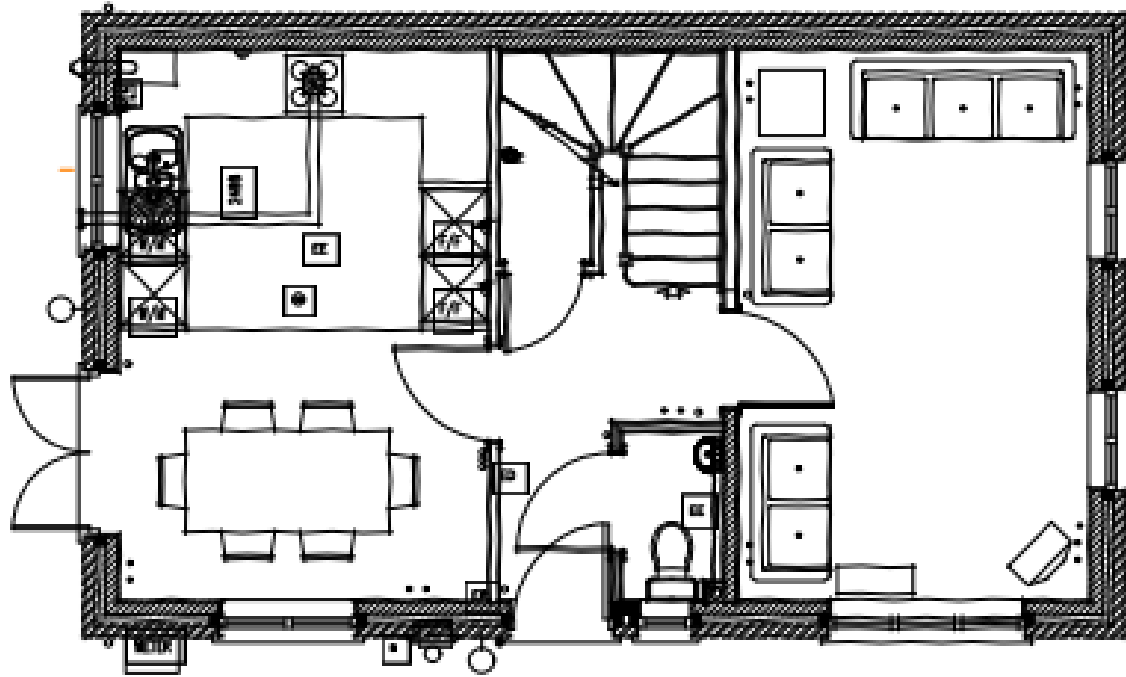


SIDE ELEVATION

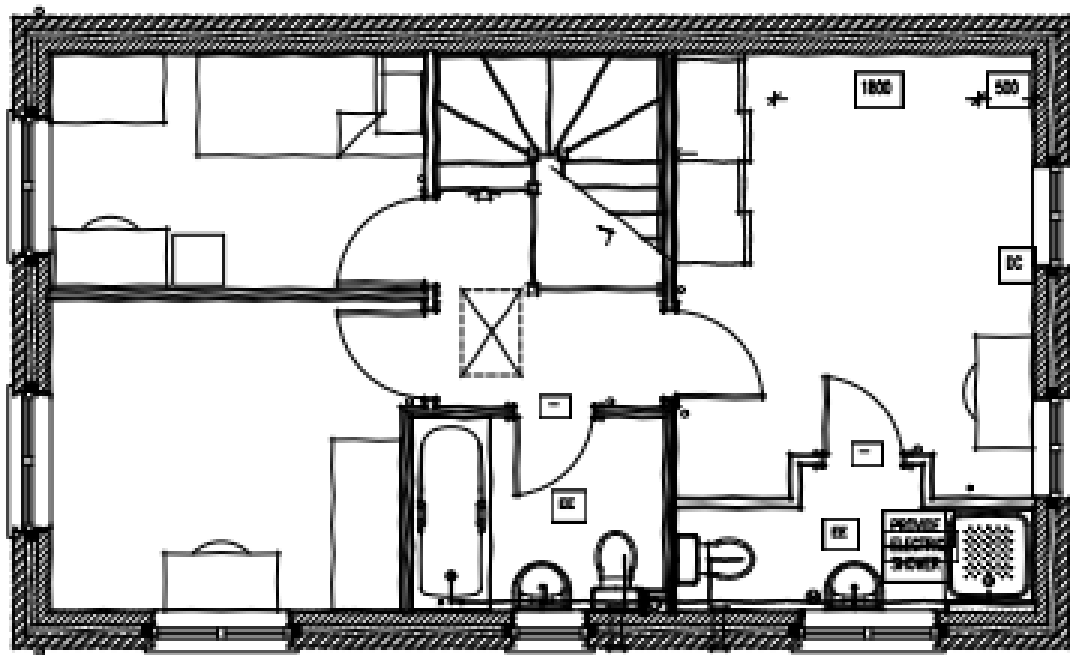


REAR ELEVATION

House Type - Chorley Elevations brick.

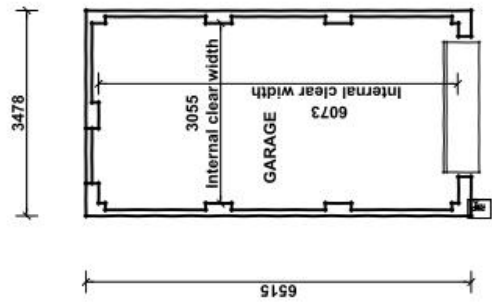
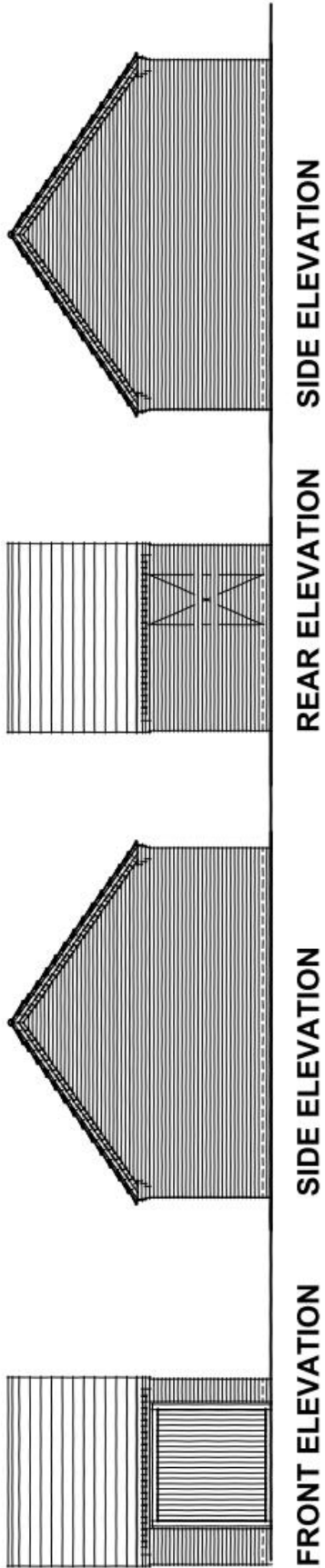


ground floor



first floor plan

House Type - Chorley Floor Plans



GROUND FLOOR

Single Garages

Use Class	Use	Permitted Change
A1 Shops	Shops, retail warehouses, post offices, ticket and travel agencies, sale of cold food for consumption off premises, hairdressers, funeral directors, hire shops, dry cleaners, internet cafes	<p>Temporary permitted change (3 years) to A2, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)</p> <p>Permitted change of A1 or mixed A1 and dwellinghouse to C3 (subject to prior approval) (see also 2018 Order)</p> <p>Permitted change to A2 (see also 2016 Order)</p> <p>Permitted change to A3 (subject to prior approval) (see also the 2018 Order)</p> <p>Permitted change to B1(a) offices (subject to prior approval)</p> <p>Permitted change to D2 (subject to prior approval)</p> <p>Permitted change from A1 to mixed use (A1 or A2 & up to 2 flats); and from mixed use (A1 & up to 2 flats) to A1 or A2</p>
A2 Financial and professional services	Banks, building societies, estate and employment agencies, professional services (not health or medical services)	<p>Temporary permitted change (3 years) to A1, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)</p> <p>Permitted change from A2 or mixed A2 and dwellinghouse to C3 (subject to prior approval)</p> <p>Permitted change to A3 (subject to prior approval)</p> <p>Permitted change to B1(a) offices (subject to prior approval)</p> <p>Permitted change to D2 (subject to prior approval)</p> <p>Where there is a display window at ground floor level, permitted change from A2 or mixed use (A2 & up to 2 flats) to mixed use (A1 & up to 2 flats) or A1</p> <p>Permitted change from A2 to mixed use (A2 & up to 2 flats); and from mixed use (A2 & up to 2 flats) to A2</p>
A3 Food and drink	Restaurants and cafes	<p>Permitted change to A1 or A2</p> <p>Temporary permitted change (3 years) to A1, A2, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)</p> <p>Temporary permitted change of use to a use for the provision of takeaway food, including class A5 (from 24 March 2020 to 23 March 2021, subject to notification)</p>
A4 Drinking establishments	Public houses, wine bars or other drinking establishments	<p>Permitted change to or from a use falling "within Class A4 with a use falling within Class A3" ("drinking establishments with expanded food provision")</p> <p>Temporary permitted change of use to a use for the provision of takeaway food, including class A5 (from 24 March 2020 to 23 March 2021, subject to notification)</p>
A5 Hot food takeaways	For the sale of hot food for consumption off the premises	<p>Permitted change to A1, A2 or A3</p> <p>Temporary permitted change (3 years) to A1, A, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)</p> <p>Permitted change to B1(a) offices (subject to prior approval)</p> <p>Permitted change to C3 (subject to prior approval)</p>

Use Class	Use	Permitted Change
B1 Business	<p>a. Office other than a use within Class A2</p> <p>b. Research and development of products or processes</p> <p>c. For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)</p>	<p>Permitted change to B8</p> <p>B1(a) office permitted change to C3 (see 2015 and 2016 orders)</p> <p>Temporary permitted change (3 years) to A1, A2, A3, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)</p> <p>Permitted B1 change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)</p> <p>Permitted change from B1(c) light industrial to C3 (temporary permitted development right: prior approval application must be determined / expired without determination by 30 September 2020)</p>
B2 General industry	Industrial process other than that falling within Class B1	Permitted change to B1 and B8
B8 Storage or distribution	Use for storage or as a distribution centre	Permitted change to B1
C1 Hotels	Hotels, boarding and guest houses (where no significant element of care is provided)	Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)
C2 Residential institutions	Residential accommodation and care to people in need of care, residential schools, colleges or training centres, hospitals, nursing homes	Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)
C2a Secure residential institutions	Prisons, young offenders' institutions, detention centres, secure training centres, custody centres, short term holding centres, secure hospitals, secure local authority accommodation, military barracks	Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)
C3 Dwelling houses	<p>Uses as a dwellinghouse (whether or not as main residence) by:</p> <p>A single person or by people to be regarded as forming a single household</p> <p>Not more than 6 residents living together as a single household where care is provided for residents; or</p> <p>Not more than 6 residents living together as a single household where no care is provided to residents (other than use within Class C4)</p>	Permitted change to C4
C4 Houses in multiple occupation	Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation' (HMO) NB: Large HMOs (more than 6 people) are unclassified therefore sui generis	Permitted change to C3

Use Class	Use	Permitted Change
D1 Non-residential institutions	Clinics, health centres, creches, day nurseries, schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	<u>Temporary permitted change (3 years) to A1, A2, A3, B1 (interchangeable with notification)</u>
D2 Assembly and leisure	Cinemas, concert halls, bingo halls, dance halls, swimming baths, skating rinks, gymnasiums, other areas for indoor and outdoor sports or recreations not involving motorised vehicles or firearms	<u>Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)</u> <u>Temporary permitted change (3 years) to A1, A2, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)</u>

Use Class	Use	Permitted Change
SUI GENERIS (uses which do not fall within the specified use classes above)	Includes theatres, large HMO (more than 6 people sharing), hostels, petrol filling stations, shops selling and/or displaying motor vehicles, scrap yards, retail warehouse clubs, nightclubs, launderettes, taxi or vehicle hire businesses, amusement centres, casinos, funfairs, waste disposal installations, betting offices, pay day loan shops	<u>Casino to A3 (subject to prior approval)</u> <u>Casino to D2</u> <u>Amusement centre or casino to C3 (subject to prior approval) (see also 2018 Order)</u> <u>Betting office or pay day loan shop to A1, A2, A3, D2 (subject to prior approval)</u> <u>Betting office or pay day loan shop to mixed use A1 and up to 2 flats (if a display window at ground floor level), or mixed A2 and up to 2 flats, or mixed use betting office or pay day loan shop and up to 2 flats</u> <u>Betting office, pay day loan shop or launderette to B1(a) offices (subject to prior approval)</u> <u>Betting office, pay day loan shop or launderette to C3 (subject to prior approval)</u> <u>Mixed use betting office, pay day loan shop or launderette and dwellinghouse to C3 (subject to prior approval)</u> <u>Mixed use betting office or pay day loan shop and up to two flats to A1 (if a display window at ground floor level), A2, betting office or pay day loan shop</u> <u>Temporary permitted change (3 years) from betting office or pay day loan shop to A1, A2, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)</u>
OTHER CHANGES OF USE	Agricultural buildings	<u>Permitted change to C3 (subject to prior approval) (the provisions of the 2015 Order must be read with the provisions of the 2018 Amendment Order and 2019 Amendment Regulations)</u> <u>Flexible changes to A1, A2, A3, B1, B8, C1, D2 (subject to limitations and prior approval process): new use is sui generis</u> <u>Permitted change to state-funded school or registered nursery (subject to prior approval)</u>