

Enquiries to: Victoria McGuffog
Telephone Committee Services: 024 7637 6220
Direct Email: committee@nuneatonandbedworth.gov.uk

Date: 26th February 2021

Our Ref: VM

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held **on Tuesday, 9th March 2021 at 5.00 p.m. Confidential items will begin at 4.00pm.** Due to Government guidance on social-distancing and the Covid-19 virus this meeting will be held **VIRTUALLY AND LIVE STREAMED**. Public and press can follow the decision making online at www.nuneatonandbedworth.gov.uk/live-meetings. Please note that meetings will be recorded for future publication on the Council's website.

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

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

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

Yours faithfully,

BRENT DAVIS

Executive Director - Operations

To: All Members of the Planning
Applications Committee

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

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 23rd February 2021 (**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 INDICATED A DESIRE TO SPEAK OR HAVE SUBMITTED A WRITTEN STATEMENT TO BE READ OUT BY AN OFFICER OF THE COUNCIL. EACH SPEAKER/STATEMENT WILL BE ALLOWED 3 MINUTES ONLY – the report of the Head of Development Control attached. **(Page 14)**
7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK OR SUBMITTED A WRITTEN STATEMENT – the report of the Head of Development Control attached. **(Page 14)**
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

23rd February 2021

A meeting of the Planning Applications Committee was held on Tuesday 23rd February 2021. Due to Government guidance on social-distancing and the COVID-19 virus this meeting was held virtually and live streamed.

Present

Councillor W. Hancox – Chair

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

Apologies: Councillor N. Phillips

PLA66 **Chair's Announcements**

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

PLA67 **Minutes**

RESOLVED that the minutes of the meeting held on the 2nd February 2021 be confirmed and signed by the Chair.

PLA68 **Declarations of Interest**

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

PLA69 **Declarations of Contact**

Councillor Watkins noted that as Portfolio Holder for Housing and Communities he had some contact with Officers regarding Item 2, the land to the rear of 79-117 Vale View, Nuneaton.

IN PUBLIC SESSION

PLA70 **Planning Applications**

(Note: Names of the members of the public who submitted statements or spoke are recorded in the Schedule).

RESOLVED that decisions made on applications for planning permission are as shown in the attached schedule, for the reasons and with the conditions set out in the report and addendum, unless stated otherwise.

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA70 OF THE
PLANNING APPLICATIONS COMMITTEE ON 23rd February 2021.

036877 - Site 103B009 – Land Off Astley Lane, Bedworth (adj. The Heath)

Applicant: Bellway Homes West Midlands

Public Statements: Councillor K. Evans, and Mr C. O’Hanlon (Written statement)

DECISION

The application be approved subject to the legal agreement and the conditions as printed on the agenda.

037066 - Site 37C008 – Land to the rear of 79 – 117 Vale View, Nuneaton

Applicant: Mrs Dawn Dawson (Nuneaton and Bedworth Borough Council)

Public Statements: Mr J. Roberts.

DECISION

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

037609 – 99 Woodlands Road, Bedworth, CV12 0AD

Applicant: Mr A. Cartwright

Public Statements: Councillor K. Evans, Councillor D. Brown, Mr K. Mayer, and Ms N. Lea.

DECISION

Planning permission be refused on the grounds of conflict with the concept plan, specifically the loss of informal open space and ridge and furrow.

037449 – Milverton House School, Holman Way, Park Street, Nuneaton, CV11 4NS

Applicant: Mr Graham Godsen

Public Statements: Mr G. Chalkley.

DECISION

Consent to the tree works be granted with the additional condition that the trees removed should be replaced with a suitable alternative.

Chair

**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
	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 • Towns Board 	
	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group	
	N.J. Phillips		Member of: <ul style="list-style-type: none"> •A5 Sterling Group (Council Representative) •Nuneaton Labour CLP •The Fabian Society •The George Eliot Society •The PCS Union •Nuneaton Credit Union Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	NABCEL – to speak and vote on any matter where the Council or Cabinet is asked to approve any funding arrangement; grant; or other legal instrument with the company but this dispensation shall not apply where any Non-Executive Director benefits from the arrangements in a personal capacity.
	M. Rudkin	Employee of Coventry City Council	Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	A. Sargeant		Member of Warwickshire County Council Chairman of The Nook (Nuneaton) Residents Association. Chair of Attleborough Community Matters group. Chair of Attleborough Neighbourhood Watch Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Advice Rights 	
	J. Sheppard	Planning Applications Committee - 9th March 2021	Partnership member of the Hill Top and Caldwell Big Local.	

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

Planning Applications Committee
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Applications for Planning Permission etc.
Agenda Item Index

Planning Applications

Item No.	Reference	Address	Page No.
1.	037533	120 Lutterworth Road, Nuneaton, Warwickshire	15
2.	037490	111 Earls Road, Nuneaton, Warwickshire	25

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

REFERENCE No. 037533

Site Address: 120 Lutterworth Road, Nuneaton, Warwickshire, CV11 6PH

Description of Development: Erection of 6 No. flats in one two-storey building (with living space in the roof space) with vehicular access of Crowhill Road

Applicant: Mr Andrew Lewicki

Ward: WH

RECOMMENDATION:

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

INTRODUCTION:

Erection of 6 No. flats in one two-storey building (with living space in the roof space) with vehicular access of Crowhill Road at 120 Lutterworth Road, Nuneaton, Warwickshire, CV11 6PH.

The application property is a red brick bungalow situated on Lutterworth Road on the corner of the junction of Crowhill Road and Lutterworth Road. The bungalow is set on a relatively large plot with a front garden and attached garage, just as other nearby properties on the road also feature large (or even larger) plots. This part of Lutterworth Road is a residential area defined by detached properties set on generous plots, the area is open in character with some established natural vegetation, hedges and tree lining along the road.

The bungalow is set under a tiled roof with a side dormer, the property has a generous rear garden with a good depth and width. Being on a corner the plot fronts Lutterworth Road and has its longer side boundary with Crowhill Road, which is characterised by modern (circa 1970s) detached and semi-detached properties.

118 Lutterworth Road is the neighbouring property which is a detached property with a two-storey gable to front, two-storey bay, and low eaves with a dormer window on the other half of the frontage.

No 2a Crowhill Road is the property is the nearest to the rear of the dwelling to the application property which is a small modern bungalow approved around 10 years ago. The side facing windows of 2a are original and comprise the living room and bedroom window and are both primary, habitable windows.

BACKGROUND:

Notwithstanding the number of objection received, this application is being reported to Committee at the request of Councillor Gutteridge.

RELEVANT PLANNING HISTORY:

- 034761 - Erection of detached two-storey (with living space in roof space) building to house 5 self-contained flats (including demolition of existing bungalow)- Approved 23/08/2017
- 12042 – Erection of detached house (existing bungalow to be demolished) Approved – 10/6/2008
- TP/0090/98 – Boundary wall to side – Approved – 18/3/1998

RELEVANT PLANNING POLICIES:

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

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Refuse, Severn Trent Water, WCC Highways.

CONSULTATION RESPONSES:

No objection subject to conditions from:

WCC Highways, NBBC Environmental Health, NBBC Refuse

No response from:

Severn Trent Water

NEIGHBOURS NOTIFIED:

1, 1a, 2, 2a, 4 Crowhill Road; 110a, 116, 118, 121, 123, 126, 128 Lutterworth Road; 2, 44 Middelburg Close

Neighbouring properties were sent letters notifying them of the proposed development on 9th November 2020.

NEIGHBOUR RESPONSES:

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

1. Impact on highway safety and pedestrian movements
2. Having 6 flats is too many for the plot
3. Grass verges may be used as overflow parking
4. It would not be character with the area and would be overbearing
5. Impact on privacy and loss of light
6. The noise, lights and comings and goings would harm residential amenity
7. Park access would be a problem
8. No provision for recycling is to be made

APPRAISAL:

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

1. The Principle of Residential Development
2. Impact on Residential amenity
3. Impact on Visual Amenity
4. Highway Safety

1. The Principle of Residential Development

The application site consists of a residential property and its domestic garden. Although the NPPF states that residential gardens should not be considered as brownfield land, the site is currently one dwelling and within the existing urban area.

A previous permission on the site back in 2017 was for 5 flats – this permission was due to expire in summer 2020 however due to the Coronavirus legislation this expiry has been extended until 1st April 2021 (just like all others expiring last summer).

The use of this land within the urban area for a residential use is acceptable and will conform with the many other surrounding residential uses.

The Borough Plan 2019 sets out at Paragraph 6.22 an estimated target of 247 dwellings from windfall sites (unallocated sites) between 2021 and 2031. This will make a small contribution to that.

Overall the principle of siting 6 flats in this location is considered to be acceptable.

2. Impact on Residential Amenity

Impact on 2a Crowhill Road

The habitable, side facing, windows of 2a overlook the existing bungalow's rear private amenity space, they are original and comprise the living room and bedroom windows. The proposal does show some rear facing first floor windows to bedrooms which face the bungalow at 2a, however there is 22m between these first floor windows and the bungalow's windows. This meets with overlooking distance standards contained with the Sustainable Design and Construction SPD 2020. The Design SPD also suggests that there is at least 7m between any new habitable first floor windows and rear private amenity space, this distance standard is also met.

There are some non-habitable windows at roof level within dormer windows, these are around 24m from 2a Crowhill but since the windows serve non-habitable rooms these comply with the distance standards. There is a habitable room with a window facing 2a Crowhill but it is to be glazed in obscure glazing and this is considered acceptable. This is shown on the plan but will be added as a condition also.

The car parking area is proposed within close proximity to the rear amenity space of 2a Crowhill Road, and NBBC Environmental Health have been consulted and have responded to the amended plans to confirm that they would request an acoustic boundary fence to the boundary with 2a Crowhill Road. It is considered that a 1.9m high acoustic fence will be required by condition (to match the height of the existing fence), and the details of which are to be approved in writing by the Council. This acoustic fence would mitigate concerns over car parking noise (from car doors, engines, etc.) and the opening and closing of bins from the bin store. The acoustic fence, although not its main use, would also help to mitigate the harm from headlights, especially in the darker winter months.

Impact on 118 Lutterworth Road

The proposed building will project beyond the rear of the main building of 118 Lutterworth Road by around 2.4m and is sited roughly on the boundary with 118, however 118 has an existing single storey extension at ground floor level which the proposal does not extend beyond. Enclosure of the garden near to the house is therefore not considered an issue.

There is a rear-facing, first floor window on 118 Lutterworth Road, and although the proposed building does extend beyond the rear of the first floor element of 118, it is not to such a degree so as to breach the 60 degree line drawn from the centre of this window (in accordance with section 11.9 RDG2004).

The proposed building should not have any significantly detrimental impact to the rear private amenity space of 118 Lutterworth Road, and the distance standards are met with this regard. Although new first floor windows are proposed, where the existing bungalow only has a small rear dormer, these are not directly opposite 118's gardens and although fleeting views of the garden are likely, this does not unacceptably reduce amenity.

As mentioned above the car parking area, and a bin store, is proposed to the rear of 120 Lutterworth Road and is within close proximity to the rear amenity space of 118 Lutterworth Road. Again, NBBC Environmental Health have been consulted and have responded to the amended plans to confirm that they would request an acoustic boundary fence to the boundary with 118 Lutterworth Road. It is considered that there is already a 2.4m high fence on this boundary, so on this occasion a 2.4m high acoustic fence will be required by condition to match the existing fence height, and the details of which are to be approved in writing by the Council. This acoustic fence would mitigate concerns over car parking noise (from car doors, engines, etc.) and from bin lids being closed, etc. As mentioned above, the acoustic fence would also help to mitigate the harm from headlights, which would likely face the rear garden of 118 Lutterworth Road especially in the darker winter months.

3. Impact on Visual Amenity

The proposed two-storey building features rooms in the roofspace, and will be designed to resemble a large two-storey house with dormer windows in the front (and rear) roof slope.

The street scene of Lutterworth Road is eclectic in style, with large plots, and relatively large properties being one of the only consistencies as one travels along the road, and there is quite a mixture of house sizes and styles. The materials which make up the road also vary, with red brick being a fairly common sight, with clay tiles also repeated on many properties.

Crowhill Road is a more recently built road than many of the houses on Lutterworth Road and the houses on this road reflect a more modern style than many of those on Lutterworth Road.

The proposal will be constructed with half red brick and half render, with a clay tile roof. Stone headers over the storm porch at the front will be complimented by brick soldier coursing over the windows to front, the exposed side and the rear also help to keep the level of detail high and form attractive openings in the elevations.

The roof style is a relatively large gabled roof and the proposed dormers will also be gabled. The ridge line is not above that of its neighbour at 188 Lutterworth Road, although the eaves of this proposal will be higher (and the roof will have a shallower pitch).

To both the front and rear there will be a small flat roof projection. This should not be so noticeable that it creates an awkward or incongruous feature in the street.

The proposal for 6 flats in this one large unit would be set in line with 118 Lutterworth.

Some amenity space for the flats has been proposed to the front of the building, this feature will not be unusual in the street, and form a normal part of domestic paraphernalia

4. Impact on Highway Safety

Access is to be made to the car parking area for the 6 flats from Crowhill Road.

WCC Highways have been consulted and originally objected, with some amended plans then being submitted and a discussion over contributions had. No contributions can be asked for since this development is less than 10 dwellings, so WCC Highways were content to use a condition instead to ensure works take place.

They have since removed their objection and asked for conditions. One of these conditions is condition requiring off-site works (in this case a Traffic Regulation Order) to take place prior to occupation of the dwellings (this is what is known as a Grampian condition).

It is felt that with these adequate conditions there is to be no significant harm to highway safety as a result of the scheme.

REASONS FOR APPROVAL:

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

SCHEDULE OF CONDITIONS:

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

Plan Description	Plan No.	Date Received
Plans and Elevations	01N	12th January 2021
Street Scene	02E	30th October 2020
Drainage and Levels	03E	26th November 2020
Cycle Store	04A	30th October 2020

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

4. No development shall commence until full details of the boundary treatments, including a 2.4m high acoustic fence to the boundary with 118 Lutterworth Road, and a 1.9m high acoustic fence to the boundary with 2a Crowhill Road, have been submitted to and approved in writing by the Council. No apartment hereby approved shall be occupied until the boundary treatments to the entire site has been carried out in accordance with the approved details, unless otherwise agreed in writing by the Council.

5. No development, including demolition, shall commence until a written method statement of demolition for the existing buildings on site and construction of the new building including;

- timescales,
- storage of materials,
- methods for the control of dust/extraneous materials
- the parking of contractors and visitors during the process
- the turning of HGVs and the loading and unloading of materials

has been submitted to and approved in writing by the Council.

Development, including demolition, shall not take place other than in accordance with the approved details, unless otherwise agreed in writing by the Council.

6. 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 Council. No construction work shall be carried out other than in accordance with the approved details.

7. Notwithstanding the approved plans no occupation of the approved flats shall occur until details of the bin store have been submitted and approved in writing by the Council unless otherwise agreed in writing by the Council.

8. Access for vehicles to the site from the public highway (Crowhill Road) shall not be made other than at the position identified on the approved drawing, number 41280-03E. No gates shall hang within the vehicular access to the site.

9. The existing vehicular access to the site shall be closed off and the public highway footway and verge reinstated within 1 month of the occupation of the first dwelling.

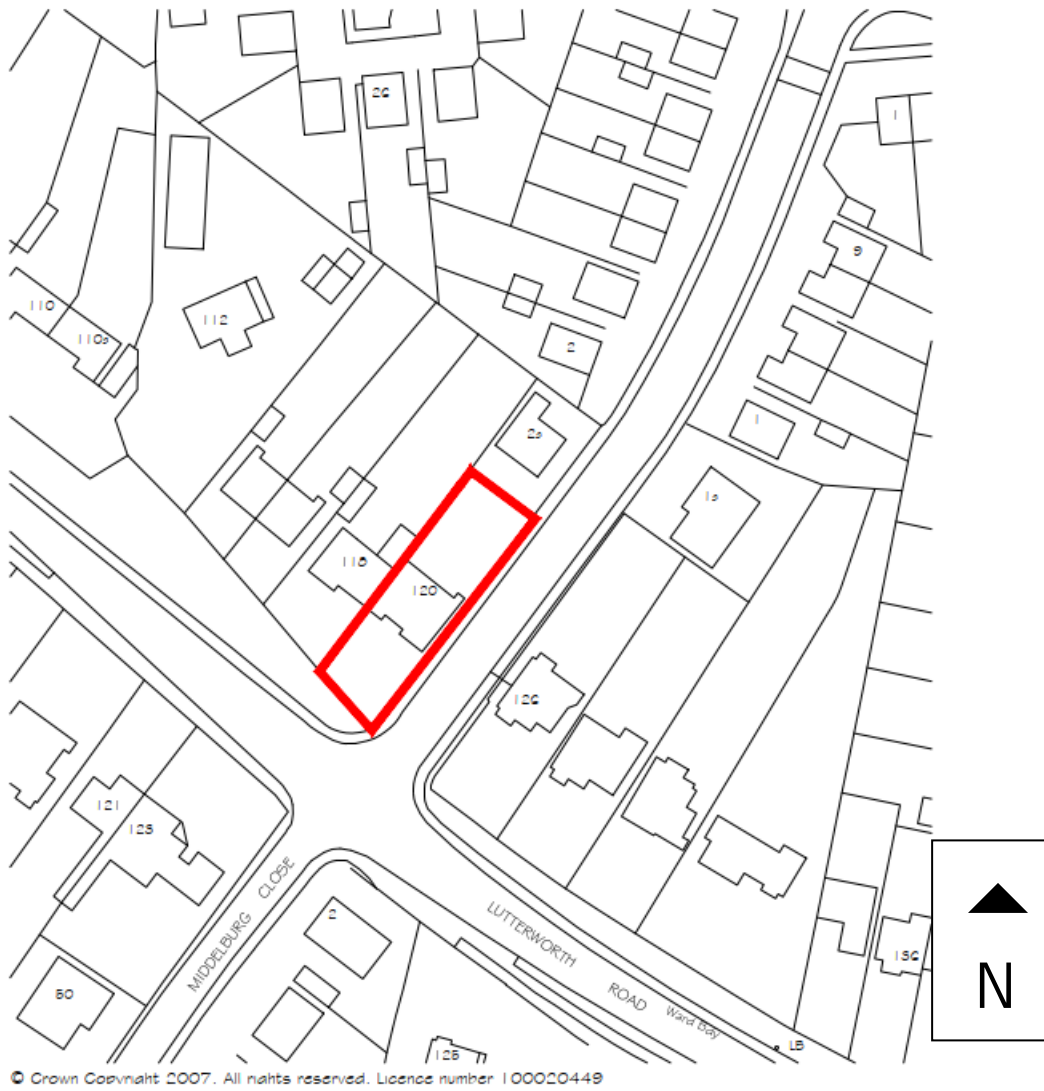
10. No development shall commence until full details of the surfacing, drainage and levels of the car parking and manoeuvring areas as shown on the approved plan have been submitted to and approved in writing by the Council. Only one car parking space per dwelling shall be allocated with the other 3 spaces marked and retained for visitors only. No unit shall be occupied until the areas have been laid out in accordance with the approved details and such areas shall be permanently retained for the parking and manoeuvring of vehicles, and shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

11. No unit shall be occupied until the pedestrian accesses to the site have constructed to the satisfaction of the Council in consultation with the Highway Authority.

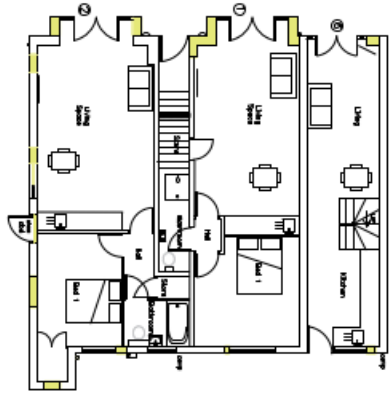
12. No unit shall be occupied until the Traffic Regulation Order (TRO) to provide double yellow lines on and around all four arms of the adjacent crossroad junction with Crowhill Road, Lutterworth Road and Middelburg Close has been implemented fully.

13. The development shall not be occupied until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.4 metres and 'y' distances of 35.0 metres to a point no greater than 1 metre from the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted, or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

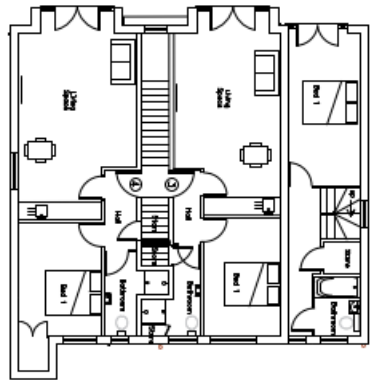
14. The rear facing, second floor window shown as fitted with obscure glazing on the approved plan 41280-01N shall not be fitted or subsequently maintained other than in obscure glazing, in perpetuity.



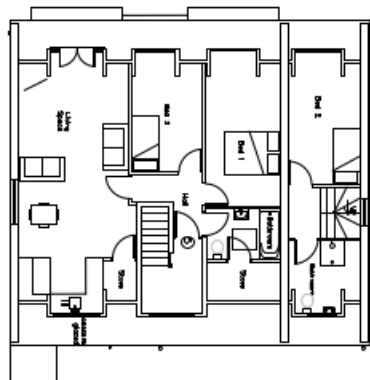
LOCATION PLAN 1:1250



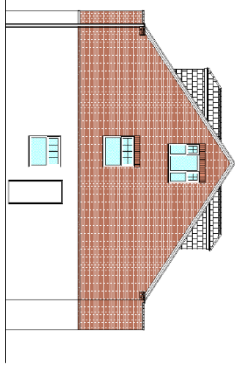
GROUND FLOOR PLAN PROPOSED



FIRST FLOOR PLAN PROPOSED



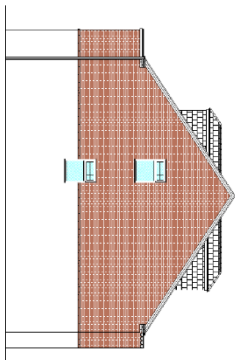
SECOND FLOOR PLAN PROPOSED



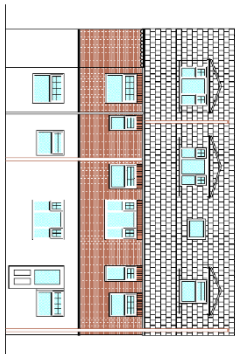
SIDE ELEVATION PROPOSED



FRONT ELEVATION PROPOSED

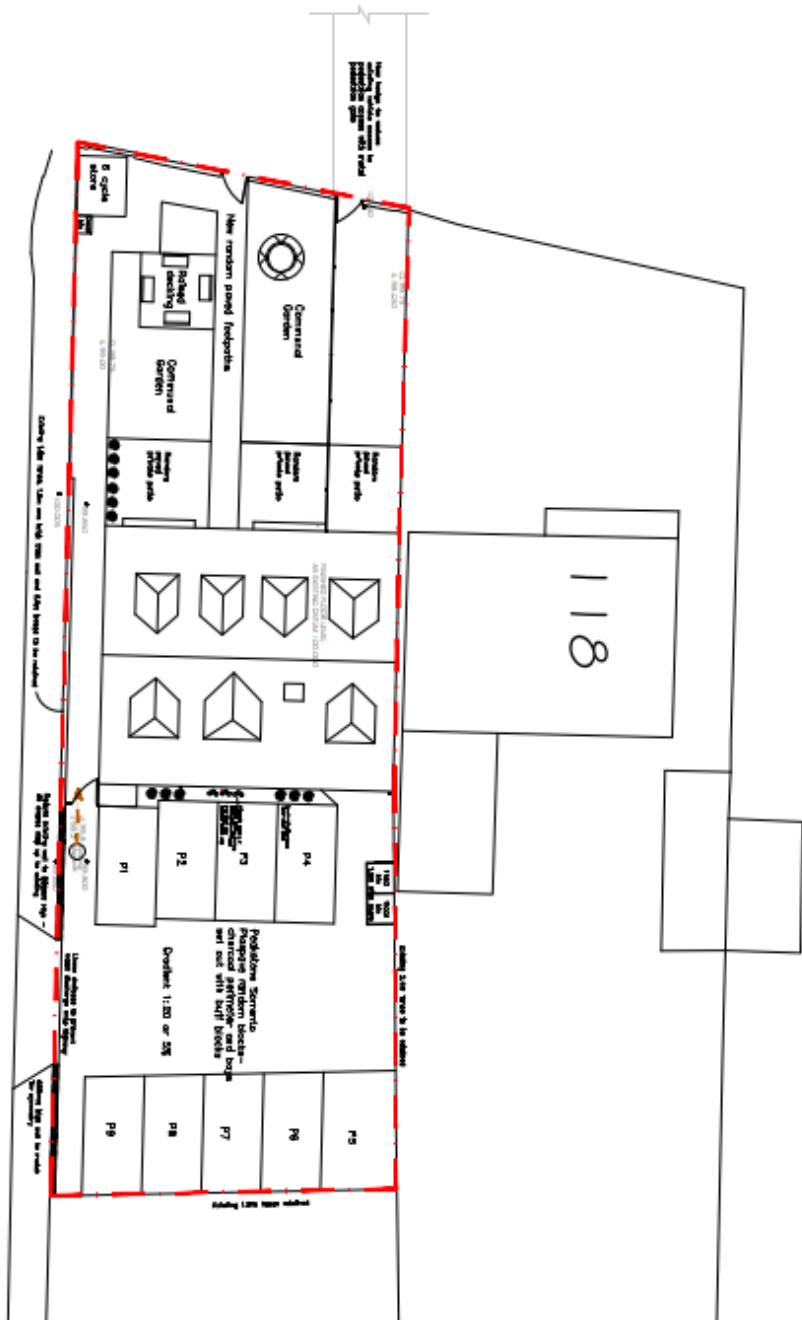


SIDE ELEVATION PROPOSED



REAR ELEVATION PROPOSED

SITE PLAN PROPOSED 1:200



REFERENCE No. 037490

Site Address: 111 Earls Road, Nuneaton, Warwickshire, CV11 5HP

Description of Development: Replacement front door and surround from wood and stained glass to uPVC, composite and Pilkington Autumn Glass

Applicant: Mr Zakariyya Ahmedabadi

Ward: AB

RECOMMENDATION:

Planning Committee is recommended to refuse planning permission, for the reasons as printed. The period of consultation expires on the 16th March 2021. Subject to no new issues being raised the Head of Planning be given delegated authority to refuse planning permission.

INTRODUCTION:

This application is for a replacement front door and surround at 111 Earls Road, Nuneaton.

111 Earls Road is a two storey, semi-detached house located within the Abbey Conservation Area. The site is identified as being designed by H Mayo and Son and it is classed as having a high architectural and historical value within the Abbey Conservation Area Appraisal (2008). The right to change windows and doors under permitted development has been removed from this property via an Article 4(2) direction, which was introduced in 2008.

The existing front door is wooden with a small glass panel in the centre. The door currently features a white wooden frame and surround, which is solid wood at the bottom with decorative stained glass panels to the top and sides. Currently, the wooden frame and surrounds are white, the front door is navy and the stained glass panels feature a coloured floral design.

The proposed replacement door is to be composite with a uPVC double glazed surround. The stained glass surround would be replaced with panels of Pilkington Autumn Glass (obscure glazed leafy pattern).

BACKGROUND:

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

RELEVANT PLANNING HISTORY:

- 036740- for replacement windows from wooden frame to UPVC double glazed, on ground and first floor level- Approved 20/12/2019.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction
 - BE4 – Valuing and conserving our historical environment
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Sustainable Design and Construction SPD 2020.

NEIGHBOURS NOTIFIED:

Neighbouring properties were sent letters notifying them of the proposed development on the 16th December 2020 and the 23rd February 2021. A site notice was erected on street furniture on 17th December 2020 and on the 23rd February 2021.

NEIGHBOUR RESPONSES:

There have been no objections to this application. The extended consultation period is due to expire on the 16th March 2021.

APPRAISAL:

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

1. The impact on residential amenity
2. Impact on the character and visual amenities of the Abbey Conservation Area
3. Conclusion

1. Impact on residential amenity

The way buildings relate to each other, their orientation and separation distance must provide and protect acceptable levels of amenity for both existing and future residents. These standards can be used flexibly, depending on house layout and on site circumstance. However, as this application is only for a replacement door and surround, it is considered that the proposals would have very little detrimental impact on the privacy and amenity on neighbouring properties.

2. Impact on the character and visual amenities of the Abbey Conservation Area

The applicant property forms part of an attractive semi-detached pair of houses that would have originally mirrored one another in terms of design, scale and architectural details. The applicant property, 111 Earls Road, has been identified as having a 'high' architectural and historical value, whilst its adjoined neighbour, 113 Earls Road, has been identified as having a lesser architectural and historical value (Abbey Conservation Area Appraisal). The only obvious visual difference between the two properties is that 113 Earls Road now features an open glass door with a white frame and surround. Therefore, it can be assumed that the loss of the wooden front door and decorative stained-glass surround has detrimentally impacted the architectural and historical value of 113 Earls Road within the Abbey Conservation Area. Consequently, it can be assumed that this proposal would also detrimentally impact the architectural and historical value of 111 Earls Road. (It should be noted that permission was never applied for or granted for 113 Earls Road).

The Abbey Conservation Area Appraisal states that one of the main threats to the heritage value of an area is the widespread use of inappropriate materials, particularly

plastics for windows and doors, as it is one of the most damaging and pervasive alterations that can be made to houses. This application is in contrary to this guidance, as it seeks the approval for a composite door and a uPVC surround, both of which are plastic based materials.

Policy BE4 of the Borough Plan states that development affecting a heritage asset will be expected to make a positive contribution to its character, appearance and significance. Therefore, the proposals are in contrary to this policy, as they would materially harm the architectural and historical significance of the property within the Conservation Area, rather than retaining or enhancing it.

Policy BE4 later states that any harm to the significance of a heritage asset must be justified and it should be demonstrated that all reasonable efforts have been made to mitigate the extent of the harm. The applicant has explained that a replacement door and surround is required to improve safety and energy efficiency and they are showing signs of deterioration. However, these aims could be achieved using materials that respect the existing property and locality. Moreover, no compelling case has been presented which would necessitate the use of uPVC and composite, because alternative sympathetically designed schemes could address the concerns regarding security and energy efficiency.

In order to retain the character of the property, Officers have advised that a replacement door and surround which is either wooden, or one which has a realistic wooden effect, is likely to be acceptable. Officers appreciate that the current stained glass is cracked and that it needs repairing or replacing. Therefore, it has been advised that this should be replaced with a similar decorative stained glass surround, rather than obscure glazing. However the applicant did not wish to consider these options or provide any amended proposals.

3. Conclusion

The proposal would not make a positive contribution to local character and distinctiveness and it would significantly erode the contribution that the property currently makes to the character and appearance of the Conservation Area and its significance as a designated heritage asset. It has not been justified that the use of uPVC and composite is necessary to improve energy efficiency and safety. Officers have recommended suitable alternatives to the applicant that would meet their needs whilst retaining character.

Granting permission to remove intricate architectural features could potentially set a precedent for future applications, which would be detrimental to the entire visual amenity of the Conservation Area. It also has to be considered that windows and doors are an important part of the visual aesthetic of the Abbey Conservation Area and this is why the Article 4(2) direction was placed on certain properties to mitigate the potential risk of modern materials under permitted development.

There are numerous examples of uPVC replacement windows and doors close to the site, which has diminished the period character of the respective properties. However, such examples do not justify the further harmful erosion of the historic fabric of the area. If further harmful erosion is allowed, this could diminish the very reasons for which it was designated a conservation area in the first instance

It is therefore concluded, that the proposed development would not preserve or enhance the character or appearance of the Abbey Conservation Area and would be contrary to Policies BE3 and BE4 of the Nuneaton and Bedworth Borough Plan, which

collectively state that proposals must be designed to a high standard and make a positive contribution to the designated heritage asset's character, appearance and significance. Therefore, this application is recommended for refusal.

REASONS FOR REFUSAL:

1(i) Paragraph 130 of the National Planning Policy Framework 2019 (NPPF) states: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

(ii) Paragraph 192 of the National Planning Policy Framework 2019 (NPPF) states that: In determining applications (affecting heritage assets), local planning authorities should take account of:

c) the desirability of new development making a positive contribution to local character and distinctiveness.

(iii) Policy BE3 of the Nuneaton and Bedworth Borough Plan 2019 states:

Development proposals must be:

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

Urban character

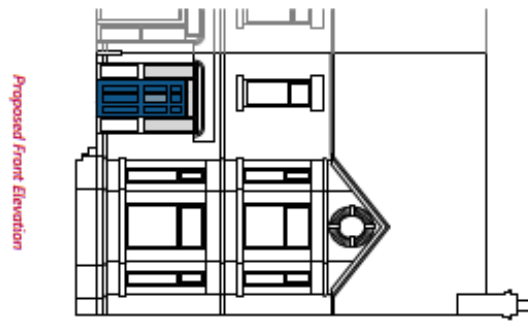
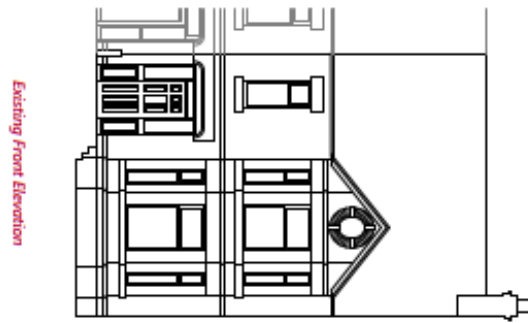
All development proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area, respecting the sensitivity to change of the generic character types within each urban character area. Key characteristics to review/include:

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

(iv) Policy BE4 of the Nuneaton and Bedworth Borough Plan 2019 states:

Development proposals which sustain and enhance the borough's heritage assets, including conservation areas, will be approved. Great weight will be given to the conservation of the borough's heritage assets. Any harm to the significance of a designated or non-designated heritage asset must be justified.

(v) The proposal is contrary to these policies in that it is considered that in the context of the development's location in Abbey Conservation Area, the development is out of character with the existing property and fails to positively build on the areas character and distinctiveness. It would not make a positive contribution to local character and distinctiveness or preserve or enhance the character or appearance of the Abbey Conservation Area. It would significantly erode the contribution that the property currently makes to the character and appearance of the Conservation Area and its significance as a designated heritage asset.



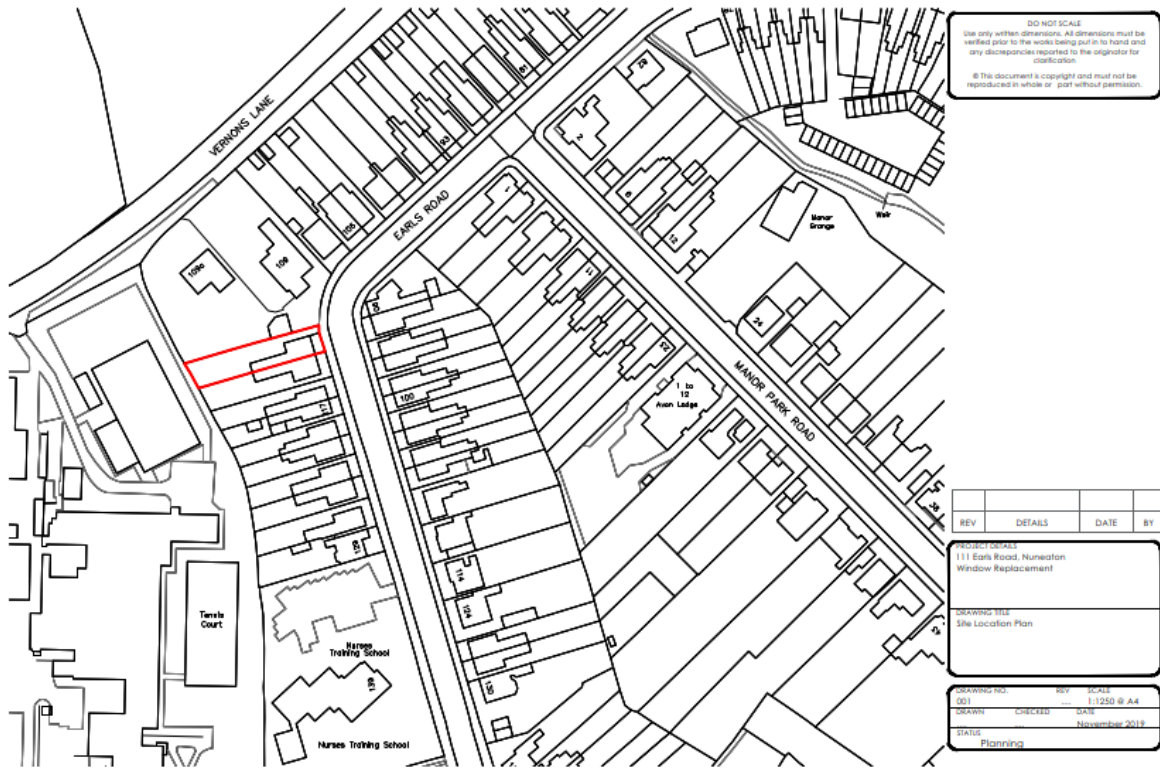
Drawn to scale by the Architect
 10/10/2020
 10/10/2020
 10/10/2020

BOUNDARY FENCING NOT SHOWN FOR CLARITY

Architect's Office
 10/10/2020
 10/10/2020
 10/10/2020

NO.	DATE	BY	REVISION
1	10/10/2020	10/10/2020	10/10/2020
PROJECT TITLE 10/10/2020 10/10/2020 10/10/2020			
DRAWING TITLE 10/10/2020 10/10/2020 10/10/2020			
DRAWING NO. 10/10/2020 10/10/2020 10/10/2020			
DRAWING DATE 10/10/2020 10/10/2020 10/10/2020			

Existing & Proposed Elevations



Site Plan



Photo 1 - Gap underneath door allowing water ingress into the building



Photo 2 - General view of doorset. Note fading and unevenness in colouring to glass panels either side of door

Applicants site photos from planning application statement



Photo 3 - Faded floral section and deterioration to other sections over door



Photo 4 - Break in glass pane

Applicants site photos from planning application statement

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

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

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

Class E (Commercial, business and service uses),

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

Class F.2 (Local community uses)