

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

Date: 7th April 2021

Our Ref: VM

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held **on Tuesday, 20th April 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);
K. Wilson (Vice-Chair); S. Granl. 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 9th March 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 10)**. Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

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

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

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

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

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

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

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

5. DECLARATIONS OF CONTACT
Members are reminded that contacts about any Planning Applications on this agenda must be declared before the application is considered
6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK OR HAVE SUBMITTED A WRITTEN STATEMENT TO BE READ OUT BY AN OFFICER OF THE COUNCIL. EACH SPEAKER/STATEMENT WILL BE ALLOWED 3 MINUTES ONLY – the report of the Head of Development Control attached. **(Page 14)**
7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK OR SUBMITTED A WRITTEN STATEMENT – the report of the Head of Development Control attached. **(Page 14)**
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

9th March 2021

A meeting of the Planning Applications Committee was held on Tuesday 9th March 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, N. Phillips, M. Rudkin, A. Sargeant, J. Sheppard, R. Smith, J. Tandy, R. Tromans, C.M. Watkins, and K. Wilson.

Apologies:

PLA71 **Chair's Announcements**

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

PLA72 **Minutes**

RESOLVED that the minutes of the meeting held on the 23rd February 2021 be confirmed and signed by the Chair.

PLA73 **Declarations of Interest**

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

PLA74 **Declarations of Contact**

Councillor Phillips noted that he had been contacted regarding Item 2, 111 Earls Road, Nuneaton, Warwickshire (Planning Application Reference: 037490)

IN PUBLIC SESSION

PLA75 **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 9TH MARCH 2021.

037533 – 120 Lutterworth Road, Nuneaton, Warwickshire

Applicant: Mr Andrew Lewicki

Public Statements: Mr A. Lewicki and Councillor J. Gutteridge

DECISION

The application be approved subject to conditions as printed on the agenda, with the additional condition that due to the location of the site deliveries and collections associated with the construction of the proposed development should only occur between the hours of 9am and 3pm to avoid peak periods of traffic

037490 – 111 Earls Road, Nuneaton, Warwickshire

Applicant: Mr Zakariyya Ahmedabadi

Public Statements: None

DECISION

At the request of the applicant and with the agreement of the Planning Applications Committee this item was deferred until the next Planning Applications Committee meeting.

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 - 20th April 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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	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
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	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"> • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Central Credit Union • Stockingford Sports and Allotment Club • Haunchwood Sports and Social Club Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	
	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		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.	
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J. Tandy		<p>Partnership member of the Hill Top and Caldwell Big Local.</p> <p>Member of Unite the union.</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 	
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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 - 20th April 2021			

Planning Applications Committee
20th April 2021

Applications for Planning Permission etc.
Agenda Item Index

Planning Applications

Item No.	Reference	Address	Page No.
1.	037112/WH	Site 64C001 – Golf Drive, Nuneaton	15
2.	036656/GC	Maytree, 4 School Lane, Nuneaton	53
3.	037658/AB	Site 51A073 – Ex-Co-op buildings and car park, Abbey Street, Nuneaton	66
4.	037490/AB	111 Earls Road, Nuneaton, Warwickshire	94

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. 037112**Site Address:** Site 64c001 - Golf Drive Golf Drive Nuneaton Warwickshire**Description of Development:** Hybrid planning application for (i) full planning application for 621 no. dwellings (Use Class C3), vehicular access from Golf Drive and Wentworth Drive, pedestrian and cycle access from Juliet Close, landscaping, open space, drainage and all other ancillary and enabling and (ii) outline planning application (including access from internal site roads) for a site of 0.8ha comprising a community hall (Use Class D1) and a health centre (Use Class D1)**Applicant:** Taylor Wimpey**Ward:** WH

RECOMMENDATION:

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

INTRODUCTION:

This is a hybrid planning application consisting of a full planning application for 621 no. dwellings (Use Class C3), vehicular access from Golf Drive and Wentworth Drive, pedestrian and cycle access from Juliet Close, landscaping, open space, drainage and all other ancillary and enabling works and an outline application for a site of 0.8ha comprising a community hall (Use Class D1) and a health centre (Use Class D1).

The site area is 31.48 hectares and is accessed off Golf Drive and comprises agricultural land. A residential housing estate lies to the south and west of the site. To the north is agricultural land, including a Grade II listed farmhouse, and a golf course to the east. The eastern part of the application site contains overhead lines and four pylons which run north to south through the centre of the site. A Public Right of Way crosses the site and runs north to south connecting Golf Drive to the wider countryside to the north where it meets other Public Rights of Way.

BACKGROUND:

As this is a hybrid application, part of it is an outline application (including access from internal site roads) for a site of 0.8ha comprising a community hall (Use Class D1) and a health centre (Use Class D1). The following matter in the outline application is to be considered at this stage:

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

The following matters are reserved to be considered at a future stage and do not form part of the application:

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

RELEVANT PLANNING HISTORY:

- None relevant

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Nuneaton & Bedworth Borough Council Borough Plan 2019:
 - DS1- Presumption in favour of sustainable development;
 - DS2 – Settlement Hierarchy and Roles;
 - DS3- Development Principles;
 - DS5- Residential Allocations;
 - SA1- Development Principles on Strategic Sites;
 - HSG9- Golf Drive;
 - H1- Range and mix of housing;
 - H2- Affordable Housing;
 - HS1 – Ensuring the Delivery of Infrastructure;
 - HS2- Strategic Accessibility and Sustainable Transport;
 - HS5- Health;
 - HS6- Sports and exercise;
 - NE1- Green Infrastructure;
 - NE2- Open Space;
 - NE3- Biodiversity and Geodiversity;
 - NE4- Managing Flood Risk and Water Quality;
 - NE5- Landscape Character;
 - BE1- Contamination and Land Stability;
 - BE3- Sustainable Design and Construction and
 - BE4- Valuing and Conserving our Historic Environment
- Affordable Housing SPD 2020.
- Sustainable Design and Construction SPD 2020.

CONSULTEES NOTIFIED:

Cadent Gas, Environment Agency, George Eliot Hospital Trust, Highways England, Historic England, National Amenity Societies, Natural England, NBBC Environmental Health, NBBC Housing, NBBC Parks, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NHS, The Ramblers Association, Severn Trent Water, Warwickshire Wildlife Trust, Warwickshire Police (Architectural Liaison Officer), Warwickshire Police (Place Partnership), Western Power Distribution, WCC Archaeology, WCC Fire Safety, WCC Flood Risk Management, WCC Highways, WCC Infrastructure, WCC Rights of Way.

CONSULTATION RESPONSES:

Objection from:

Ramblers Association

No objection subject to conditions from:

Highways England, NBBC Environmental Health, WCC Archaeology, WCC Fire Safety, WCC Flood Risk Management, WCC Highways, WCC Rights of Way

No objection subject to planning obligations from:

George Eliot Hospital Trust, NBBC Sports Development, NHS, Warwickshire Police (Place Partnership), WCC Highways, WCC Infrastructure

No objection from:

Environment Agency, Historic England, Natural England, NBBC Housing

Comment from:

NBBC Planning Policy, NBBC Refuse, Warwickshire Police (Architectural Liaison Officer)

No response from:

Cadent Gas, National Amenity Societies, Severn Trent Water, Warwickshire Wildlife Trust, Western Power Distribution

NEIGHBOURS NOTIFIED:

42-52 even), 80, 80a, 82-104 (even), 47-107 (odd) Hill Farm, Gorse Cottage Farm, Nuneaton Golf Club Golf Drive; 4-9 (inc) Leyburn Close; 8-14 (inc) Malham Close; 5-10 (inc) Aysgarth Close; 12-16 (inc), 19 & 20 Ingleton Close; 110-136 (even) Wentworth Drive; 1, 2-28 (even) Oberon Close; 15, 17, 20 & 22 Juliet Close; 1-29 (odd) Hamlet Close; 1-19 (odd), 2 & 101 Shakespeare Drive; 17-53 (odd) St Andrews Drive; Wheatcroft Farm, The Long Shoot (owner of one of the adjoining sites) and agent for one of the adjoining sites.

Neighbouring properties were sent letters notifying them of the proposed development on 6th May 2020. Those neighbouring properties that had made comments on the original consultation were re-consulted on amended plans on 4th August 2020. Site notices were erected on street furniture on 7th May 2020 and the application was advertised in The Nuneaton News on 20th May 2020.

NEIGHBOUR RESPONSES:

There have been 48 objections from 43 addresses as well as 1 objection with no address provided. The comments are summarised below;

1. Increase in pollution.
2. No amenities planned which would lead to more journeys by car.
3. Increased traffic and congestion.
4. Rat runs would be created.
5. Loss of open space.
6. Affordable housing close to the existing detached properties would not be in keeping with the surrounding area.
7. More bungalows are needed which would be more in keeping with the area and won't affect current residents as much.
8. Affordable housing should be evenly spread across the site.

9. Current mini roundabouts on Lutterworth Road/Golf Drive are not suitable for an increase in traffic.
10. Loss of wildlife.
11. Should be a buffer zone along Hamlet Close.
12. Concerns with the addition of allotments.
13. There is no demand for allotments.
14. Concerns with the management and maintenance of allotments, position close to overhead power lines and how they will be accessed.
15. No school planned.
16. Current school provision would not be able to cope.
17. Increased noise.
18. Lack of proposals for any junction improvements at any of the main access points to the area.
19. Existing bus service provision is inadequate.
20. No details of the community hall and health centre.
21. Nuneaton is heavily overpopulated in comparison to the rest of the towns in Warwickshire.
22. Infrastructure does not keep pace with house building.
23. Impact on George Eliot Hospital and GP surgeries
24. Social housing is not in keeping with the existing housing which are at the higher end of Nuneaton properties.
25. Many of the new homes only have 1 or 2 parking spaces leading to more on-street parking.
26. Which dwellings would be built first?
27. Where would the construction compounds be located.
28. The Public Rights of Way should be open at all times.
29. Construction traffic must obey weight restrictions on roads.
30. Privacy needs to be maintained.
31. Potential HGV's to and from Hill Farm.
32. With the 360 houses planned by the crematorium this will close to 1,000 extra houses in this area.
33. Question the submitted Transport Assessment.
34. Would be a car dependent development.
35. Pedestrian safety issues.
36. Lack of employment opportunities so new residents will be commuting elsewhere.
37. No improvements to cycling in the area.
38. Suggest the town centre is knocked down and build houses there as everyone shops elsewhere anyway.
39. All trees and hedgerows should be retained.
40. Loss of light.
41. Devaluation of property.
42. Loss of views.
43. Increased anti-social behaviour.
44. Security of property could be compromised.
45. Loss of agricultural land.
46. Open space should not be located close to existing properties.
47. Golf Drive would become a busy main road.
48. Don't need any more housing.
49. Number of properties not selling.
50. The town centre has a large amount of derelict properties which could be turned into accommodation.

There has been 1 objection from Whitestone Residents Action Group. The comments are summarised below;

1. High concentration of affordable dwellings behind 1-19 Shakespeare Drive.
2. Should be more bungalows or detached housing behind Shakespeare Drive.
3. Insufficient buffer zone to 1-29 Hamlet Close.
4. Loss of privacy for Hamlet Close properties.
5. The only road that provides a direct route through the estate from Golf Drive to Wentworth Drive and vice versa is immediately in front of the properties adjoining the rear of Shakespeare Drive, Hamlet Close and Oberon Close.
6. The allotments should have been placed at the rear of 1-19 (odds) Shakespeare Drive because the existing row of trees would have provided a natural barrier.
7. Concerns over management and maintenance of the allotments.
8. Traffic implications of this development (621 dwellings), the HSG3 - Gypsy Lane (575 dwellings) development and the potential from the proposed development by the Crematorium (HSG10 – 360 dwellings). This will seriously add to the numbers of cars driven through Whitestone. Also, the Community Centre and Health Centre will generate more traffic.
9. The current Whitestone double mini island junction is a major problem during peak hours but is not always confined to peak times. At present the delays result in much traffic using Fairway and Meadowside as “rat” runs.
10. The local bus service is very sporadic with the No 4 only running once an hour up to early evening and not on Sunday.
11. Residents in the eastern part of Shakespeare Drive and the northern end of Golf Drive are concerned that parking outside their properties will increase due to the possible loss of parking at the entrance to the Country Walk.
12. Residents have expressed concern that the GP surgery will become a multi storey Health Centre.
13. Need confirmation that building operations will cease at 5pm.
14. There are many weight restrictions on the roads leading to and from this site such as Lutterworth Road, Gypsy Lane and Crowhill Road. How will this be enforced given the nature of the HGVs which are likely to be involved with the development?

There have been 2 letters of support from 1 address, the comments are summarised below;

1. Should be approved given it would be a similar standard and design to the surrounding estate.
2. Green fields are not sacrosanct.

APPRAISAL:

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

1. The principle of the development,
2. Affordable Housing,
3. Visual amenity and landscape character,
4. Residential amenity,
5. Highway safety and accessibility,
6. Uses on the site,
7. Flood risk and drainage,
8. Contamination and land stability,
9. Air quality,
10. Ecology and Biodiversity,

11. Heritage and archaeology,
12. Planning obligations,
13. Conclusion

1. The Principle of Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key constituents which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

Policy DS2 of the Borough Plan sets out the hierarchy and roles for each settlement in the borough with Nuneaton having the primary role for employment, housing, town centre, leisure and service provision. The site was previously in the Green Belt. Policy DS5 of the Borough Plan refers to a number of sites that will be allocated for residential development and associated infrastructure and this application site forms part of allocation HSG9. The key development principles under Policy HSG9 are:

- Provision of approximately 621 dwellings in a mix of dwelling types and sizes.
- Provision of new on-site GP surgery and/or financial contribution to local NHS Clinical Commissioning Group.
- Financial contribution towards diverting existing frequent local bus services into the development, and provision of bus infrastructure within the development site.
- Provision of new local centre, including a new community hall, or financial contributions.
- Play and open space (including the proposed strategic play area and community park) to be provided, and appropriate management and maintenance arrangements along with a contribution to Riversley Park destination park.
- Financial contribution to Warwickshire County Council towards the provision by Warwickshire County Council for the expansion of primary and secondary school places.
- Provision of on-site bus infrastructure and contribution to secure diversion of frequent local bus services, in order to access the strategic housing site, based on dialogue with Warwickshire County Council and bus operators, including evening and weekend services.
- Financial contributions towards borough-wide strategic highway infrastructure works identified within the A4254 corridor, including the B4114 Lutterworth Road corridor.
- Financial contribution towards the provision of footway/cycleway linkage from the community park through the site, and linking to the cycle path leading to the town centre and Bermuda Park.
- Provision of wayleave for electricity pylons.
- Financial contributions towards sport and physical activity.

The expected form of development is also set out in Policy HSG9 which includes the provision of a landscape buffer to north and east boundaries, including specimen trees

and woodland copses to field corners, provision of intermittent specimen tree planting within the street scene and private gardens, a buffer to protect the setting of the Hill Farmhouse Grade II listed building which will include landscaping and screening to soften the views to and from the listed building, maintenance of the connections across the site by retaining and enhancing the existing footpath network and their associated hedgerows and the requirement for a concept framework to ensure the parcels that make up the site come forward in a comprehensive and cohesive manner.

It is considered that the requirements of Policy HSG9 can be accommodated on the site. Therefore, it is considered that the principle of developing this site for a mix of residential, community use, GP surgery and open space has been established through the allocation of the site in the Borough Plan and the relevant policies within it.

A Concept Plan SPD has been produced for all the strategic sites allocated in the Borough, including HSG9 which were adopted in July 2020. The Concept Plan SPD establishes a strategic context for planning applications and sets a baseline position in terms of assessing future schemes which will contain more detailed proposals. A key objective of the concept plan is to ensure that the strategic land allocation is brought forward in a strategic and comprehensive manner. It is intended to provide a visual representation of policy requirements, as well as other key elements, and so are conceptual in nature. They are not intended to be exhaustive and show all required elements. It is a material consideration when deciding planning applications. It is considered that the current application is in general accordance with the requirements of Policy HSG9 and the Concept Plan SPD.

2. Affordable Housing

Policy H2 of the Borough Plan requires 25% of all new developments to be affordable on sites of 15 dwellings or more. A total of 156no. affordable units are proposed which equates to 25% and is therefore acceptable. Of the affordable units, 23no. are 1 bed (of which 3no. are bungalows), 82no. are 2 bed (of which 3no. are bungalows), 46no. are 3 bed and 5no. are 4 bed. NBBC Housing have confirmed they have no objection to this mix. The Affordable Housing SPD 2020 recommends a tenure split of 74% social/affordable rent to 26% intermediate housing mix which is provided. The Affordable Housing SPD 2020 states that to promote inclusive communities, affordable housing should not be identifiable from other forms of housing within a housing development. Affordable housing should not be located in the least desirable areas of the site but distributed evenly amongst market housing. The SPD also provides appropriate cluster sizes which depend on the size of the development. For sites of 500+ dwellings it recommends 8+ clusters with a maximum of 15-20no. units in each. It is considered that this is met as 11 clusters are provided which are spread evenly throughout the site. NBBC Planning Policy have no objections on that basis.

In terms of general market housing, Policy H1 of the Borough Plan states that development is required to provide 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 SHMA 2013 indicates there is greatest need in the borough for three bed properties (53.3% modelled market need), followed by two bedroom properties (33.1%) then 4 bedroom properties (8.9%). The proposal will provide 2 bed properties (21%), 3 bed properties (50%), 4 bed properties (28%) and 5 bed properties (1%). Given the local context it is considered that some divergence from the SHMA is considered acceptable. In addition, Policy H1 of the Borough Plan states that there is a lack of executive or aspirational homes in the borough which can impact on attracting potential business investors to the area and such housing would be considered favourably providing that

the mix is within general ranges indicated in the SHMA. Given that the majority of the dwellings would be 2 and 3 bed (71%) it is considered acceptable that some larger 4 and 5 bed properties are also proposed.

3. Visual Amenity & Landscape Character

The NPPF establishes the importance of recognising the intrinsic character and beauty of the countryside (paragraph 170). Policy NE5 of the Borough Plan states that major development proposals must demonstrate how they will conserve, enhance, restore or create a sense of place, as well as respond positively to the landscape setting in which the development proposal is located.

Nuneaton and Bedworth Borough Council commissioned a Landscape Character Assessment in 2012 prepared by TEP which was updated in 2016 and have been used to inform the Borough Plan. The site falls within the Nuneaton Estate Farmlands Landscape Character Area, where the land comprises rural fringes of arable and pasture fields, with isolated red brick farmstead situated throughout the landscape linked by narrow tracks. There is also a pattern of hedgerows and clusters of hedgerows trees which reinforces a rural character and filters views of the urban edges.

The Council commissioned a Landscape Capacity Study (2017) which analysed the landscape character of potential strategic Borough Plan sites including the application Site and the impact of developing them. The study sets out a number of recommendations if the site is taken forward for allocation including the development should be offset from the northern and eastern boundary and where feasible Public Rights of way are to be incorporated within green space corridors along their original routes, along the northern and eastern boundaries supplement existing hedgerows with hedgerow trees, new woodland copses to field corners and specimen trees to create a Green Belt defensible boundary, retain and enhance existing hedgerow trees and remaining intact internal hedgerows, restore where possible fragmented internal hedgerows and intermittent specimen tree planting within the street scene and private gardens. This measures would help to ensure that visible residential edges of this part of Nuneaton are filtered and broken up to limit the perception of a continuous urban edge. This type of mitigation would be in keeping with the existing rural landscape character. These recommendations have been carried forward into Policy HSG9.

A Landscape Strategy has been submitted with the application. It is considered that the application complies with the form of development requirements as set out in Policy HSG9. For example, a wooded landscape buffer is proposed along the northern boundary of the site which also incorporates play opportunities as well as accommodating surface water attenuation features set within areas of tree belts and planting blocks. The boundary hedgerows are proposed to be retained and enhanced. The proposed landscaping to the northern boundary would help integrate the development with the surrounding landscape and soften the built form in views from nearby walking routes as well as forming a strong boundary to the Green Belt. This buffer is continued along the eastern boundary of the site, in compliance with Policy HSG9. The proposals also include proposed planting of street trees, particularly along the main spine road together with planted road verges and private gardens. A buffer to protect the setting of the Hill Farmhouse which is a Grade II listed building is also proposed. The existing Public Right of Way has been retained to maintain connections across the site, in compliance with Policy HSG9.

The NPPF states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding

built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (paragraph 127). BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and some of the key characteristics to review include street layout, plot size and arrangement and built form. The proposed built development is outward facing in relation to the proposed open space and the allotments. This provides visual interest and a positive relationship between the different uses. A central spine road is proposed which runs from east to west and connects to the accesses at Golf Drive and Wentworth Drive. It is served by footpaths and is proposed to be tree lined to create an attractive route through the site. Residential streets are proposed off this and include some cul-de-sacs. Several areas of publicly accessible open space are proposed including a large central open space which is bound on the west side by the existing PRow which provides access into the countryside to the north.

The dwellings are predominantly two storey apart from 6no. bungalows. There is a mixture of terraced, semi-detached and detached properties which provides a sufficient variety. Materials consist of brick with some render and other details such as canopies, chimneys, cill detailing and bay windows. It is considered that this adds interest to the site. Boundary treatments would consist of 1.8 metre brick walls where private gardens adjoin roads and the public realm and close boarded timber fencing elsewhere which is considered acceptable in terms of visual amenity.

Clearly, the proposals would have an impact on the landscape character of the area but it is not considered that this would be significant. The built development would partly be seen in context to the existing residential development. Views from the public footpaths to the northern part of the site would be of open space with residential properties beyond. However, the site is part of an allocated site within the adopted Borough Plan and while its future development in line with Policy HSG9 will inevitably have some impact on the landscape character of the area, the benefits associated with the proposed development must be taken into consideration also.

4. Residential Amenity

BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity. A Noise Assessment has been submitted with the application. The assessment has identified traffic as the dominant source of noise in the area but goes on to say that internal noise levels can be met. NBBC Environmental Health concur with the findings of the report.

In relation to the existing properties, distance standards are met, in compliance with the Sustainable Design & Construction SPD 2020. In terms of inside the site, distance standards are generally met. There are some instances where they are not met but it is considered that there are mitigating circumstances. For example, plot 242 & 243 has a distance of 10.8m to side of plot 261 but at ground floor the room is served by a window and French doors and the French doors have views past plot 261. In terms of plot 617 to side of plot 619, this is at a distance of 11.9m but it is at an angle and the room is served by window and French doors with views past. The distance between plot 439 to side of plot 438's detached garage is 9.5m but it is considered there are views past. Plot 566 to side of plot 568 is at a distance of 10.5m but the room is served by a window and French doors, is not direct and has views past. Plot 578 to the side of plot 577's garage is 10.5m but the room affected is a through room. Plots 547/548-551/552 are 11.5m window to window but this is across a shared driveway and at ground floor the rooms are a hallway and toilet and therefore not habitable. The

distance from plot 181 to the side of plots 182's garage is 7m but the room affected is a through room and also has some views past. Plots 282/290-294/302 are 16m window to window but this is across a road. Plots 327/329-332/335 are 14m window to window but again this is across a road. The distance between plot 373 to the side of plot 387 is 10.5m but it is considered that there are views past. There is a distance of 9.5m from plot 194 to the side of plot 205's garage. However, the orientation of the garage has been amended which results in the roof sloping away. The height to the eaves of the garage is 2.175m which is just over a fence or wall that could be built under permitted development. Plot 251 to side of plot 253's garage is 10.8m but there are some views past. The distance between plot 423 to side of plot 424's garage is 11m but again there are views past. This is also the case for the relationship between plot 456 and the side of plot 455's garage. There is 8.8m separation between plot 542 and the side of plot 541's garage. However, the roof has been altered so the roof now slopes away from plot 542. The height to the eaves of the garage is 2.175m which is just over a fence or wall that could be built under permitted development. There is 10.5m from plot 257 to side of plot 258. However, a side facing window has been added to the ground and first floor to the rooms affected. In terms of plot 12 to the side of plot 28, this is at a distance of 11.3m but the affected room is served by French doors and also a window with some views past. The first floor bedroom window that is affected has a shortfall in the required distance of 0.7m which is not considered significant. Plots 569-571 face the rear of detached garages serving plots 563 and 564 at a distance of 10.3m. However, the roof slopes away and the height to the eaves of the garages is 2.175m which is just over a fence or wall that could be built under permitted development. There is 13.3m separation between plot 48 and the side of plot 46 but the room affected is served by a window and French doors with some views past. There is 11.5m separation between plot 51 and the side of plot 31. However, the room affected is served by a window and French doors with views past. In relation to plot 53, there is 11.3 m to the side of plot 72 but the room affected is served by French doors and a window. The first floor bedroom window that is affected has a shortfall in the required distance of 0.7m which is not considered significant and is also served by two windows. The distance from plot 56 to the side of plot 58 is 10.4m. However, the room affected is served by a window and French doors with views past. There is 10.3m separation between plot 64 and the side of plot 62 but it is considered there are views past. This is also the same for plot 138 which is set 10.8m away from the side of plots 136. Plot 199 has a distance of 12.4m to the side of plot 200 but the room affected is served by a window and French doors with views past. There is 12.9m separation between plot 235 and the side of plot 234. However, both of the rooms affected are through rooms with also some views past. Plot 242/243 to the side of plot 261 is 10.8m but the room affected is served by a window and French doors with views past. The first floor bedroom window that is affected has a shortfall in the required distance of 1.2m which is not considered significant, particularly as there are views past. Plot 323 to the side of plot 321 is 12.7m but the room affected is served by a window and French doors with views past. This is also the same for plot 325 to the side of plot 327 which is also has a separation distance of 12.7m. The distance between plot 358 and the side of plot 357 is 11.2m but the room affected is served by French doors and a front facing window. The first floor bedroom window that is affected has a shortfall in the required distance of 0.8m which is not considered significant. Plot 384 to the side of plot 385 is 13m but is considered there are views past. There is 12.7m between plot 531 and the side of plot 533 but plot 533 is set at a slight angle which allows views past. Plot 545 to the side of plot 547 is 10m. However, the two plots are not directly facing and there

are views past. Plot 554 to the side of plot 553 is 11.7m. However, the room affected is served by French doors and a front facing window with views past. Plot 565 to the side of plot 566 is 11.6m but the room affected is served by French doors and a front facing window with views past. Plot 607 to the side of plot 621 is 10.7m but it considered that there are views past. There is also an element of buyer beware.

In relation to the requirements of Policy BE3, a statement has been provided which sets out that all of the questions in the Buildings for Life 12 standard have been met. A total of 35% of the dwellings, as set out in Policy BE3, comply with the additional Building Regulations standards (M4(2) which means they are classed as lifetime homes suitable for adaption from young families to older individuals and for adaption for temporary or permanent physical impairments enabling people to stay in their houses longer giving choice for people with disabilities. Rainwater harvesting is also provided in compliance with Policy BE3 through the provision of water butts to each property. A Passive Solar Design Statement has also been submitted which details how the development integrates the principle of passive solar design. These include the road alignment running predominantly east to west which allows dwellings to be positioned to take advantage of solar gain, maximising the number of buildings orientated within 30 degrees of south, the use of single and two storey dwellings to allow good exposure to available sunlight and the use of traditional masonry external wall construction to allow natural convection and radiation within the masonry walls. The agent has confirmed that the all of the dwellings meet the national minimum space standards as set out in the Sustainable Design and Construction SPD. NBBC Planning Policy have no objection.

5. Highway Safety & Accessibility

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 108). Access is proposed off Golf Drive and Wentworth Drive which is in accordance with Policy HSG9 and the Concept Plan SPD. A central spine road is proposed which runs from east to west and connects to the accesses at Golf Drive and Wentworth Drive and is served by footpaths. Residential streets are proposed off this and include some cul-de-sacs. WCC Highways have no objections but have requested that where the spine road for the development is to connect to the existing public highways of Golf Drive and Wentworth Drive, details of the changes to the existing junction and turning head need to be submitted for agreement. This would form part of a S278 agreement. They have also requested a condition for design details to be submitted for the layout of the junction of Golf Drive/Shakespeare Avenue to re-prioritise the primary route, extension of a shared footway/cycleway provision to the eastern boundary of Golf Drive to enable cyclists to safely re-join the public highway Golf Drive, provision and connection of the shared cyclepath/footway between the proposed development and Juliet Close and provision of a proposed shared footway/cycleway together with the closure of the existing turning head and intersection of the existing residential driveways with the realigned highway of Wentworth Drive. WCC Highways raised concerns regarding the retained access to Hill Farm and also to the paddock and cottages to the south-eastern corner of the development. As a result, the access to Hill Farm has been widened to accommodate the largest vehicles anticipated to be associated with the existing farming and B1 use of the site. WCC Highways are now satisfied with this.

In terms of parking provision, a total of 1,485 spaces are provided which equates to just over 2no. spaces per dwelling. The minimum number of spaces for the 1 bed properties is 1 and there will be a minimum of 2no. spaces for all other properties. The

Council does not have any saved car parking standards and therefore this level of provision is considered acceptable.

A Transport Assessment has been submitted with the application. This details the modelling that has been undertaken to assess the traffic impact of the development on the local and strategic highway network. This has included assessments of a number of junctions including Golf Drive/Wentworth Drive, Lutterworth Road/Golf Drive, Lutterworth Road/Crowhill Road, Crowhill Road/Willowfields Road and the junction of the A4254 with Crowhill Road, Lutterworth Road and the A47. Also assessed was trip generation, trip distribution and queuing at a number of junctions. WCC Highways have confirmed that, with mitigation, the development related traffic impacts can be safely accommodated on the network without severe impacts.

Highways England have assessed the impact of the development on M6 junction 3 and the A5 Corridor which includes the A5 / A47 The Longshoot Signalised 'T' Junction and A5/A47 / B4666 Dodwells Roundabout Junction. In terms of the A5 corridor, the development would generate 471 two-way vehicular movements during the AM Peak Period, and 399 two-way vehicular movements during the PM Peak Period. Of those two-trips approximately 157 movements utilise the A5/A47 The Longshoot Signalised 'T' Junction and A5/A47/B4666 Dodwells Signalised Roundabout Junction, and approximately 243 movements during the PM Peak Period. Highways England's assessment has had regard to the policy consideration. They point out that the site is allocated in the adopted Borough Plan and they accepted that, as an improvement scheme at the A5 /A47 The Longshoot Junction and A5 / A47 / B4666 Dodwells Junction has been identified within their Route Investment Strategy, Warwickshire Local Transport Plan and the Infrastructure Delivery Plan which supports the Borough Plan. They also consider that the impact on the operation of these junctions is a cumulative impact with allocations within the adopted Borough Plan and committed developments. Considering the modelling results for the site as a standalone site, they do note that it does have an impact upon the operation of the junctions as identified. However, the impact is mainly focused on the A5 / A47 The Longshoot Junction during the AM Peak Period and Highways England have confirmed that this impact cannot be considered severe under Paragraph 109 of the NPPF. In relation to M6 junction 3, Highways England have concluded that the impact of the development proposals at this junction are minimal and would not justify a contribution towards to the interim M6 Junction 3 improvement scheme identified by Warwickshire County Council. Highways England therefore have no objection subject to conditions.

The NPPF outlines the need for planning to promote walking, cycling and public transport and to make the fullest possible use of these (paragraph 102). It also states that growth should be focused on locations which are or can be made sustainable (Paragraph 103). There are two public rights of way which cross the application site. Public footpath N42 runs along the track that runs northwards through the site from Golf Drive and public bridleway N39 runs within the site boundary in the north western corner of the site. Public footpath N41 also runs adjacent to part of the northern site boundary. A range of schemes are proposed which would improve accessibility to and from the site by sustainable forms of transport and therefore reduce the reliance on the private car. The two primary access points on Wentworth Drive and Golf Drive will be accessible to vehicles, pedestrians and cyclists, with the secondary access point of Juliet Close being exclusively for cyclist and pedestrian use. The north western boundary of the site is a bridleway and national cycle path. The design proposes that these tracks will be accessible along the boundary. The Public Right of Way which starts at Golf Drive and runs through the site will remain in place and provide access through the site. Provision is also made for a link out of the site in the north-west corner

on to N39 which links onto Eastboro Way. WCC Highways have requested £550,000 for the provision of new cycling infrastructure to serve the site and provide connections to the existing cycle network. This comprises of £200,000 towards Eastboro Way cycle route (Crowhills – Camborne Drive), £250,000 for a Cycle link to National Cycle Network (NCN 52) and £100,000 towards enhancements to the Wem Brook Trail (NCN 52) to cater for higher usage.

The site is in proximity to a number of bus stops that serve the No. 4 Route. This route serves the area of south east Nuneaton and into Nuneaton town centre. There are bus stops on Lutterworth Road, approximately 800 metres from the site that serve the 56, 74A, 74B and 74S routes to Nuneaton town and the University Hospital. It is proposed to facilitate the re-routing of the No. 4 bus route through the site in the future. The site has been designed to cater for this potential movement by providing a 6 metre wide road with 2 metre wide verges, 2 metre wide footpath on one side and a 3 metre wide cycle path on the other. WCC Infrastructure have also requested S106 contributions of £525,000 towards the upgrade of service No. 4 to operate every 30 minutes on Mondays to Saturdays. This will require an additional vehicle to operate between 0700 & 1900. The Developer is also required to provide a sufficient number of paired bus stops on the main arterial road through the site ensuring all dwellings are within 400 metres walking distance to the nearest bus stop. These will be provided as part of the Section 38 works.

Policy TC3 of the Borough Plan states that any new residential development should be within 1,200m walking distance of a district or local centre. Policy HSG9 of the Borough Plan states that there should be the provision of a new local centre on the site, including a new community hall. The site will provide a community hall but the agent has provided justification for not providing shopping provision on the site. They point out that Policy HSG9 of the Borough Plan does not specify that retail uses have to be provided as part of the Local Centre. The only facility that is stipulated is the community hall. They consider that retail uses would be inappropriate and unnecessary in this location, particularly as there are already existing local retail stores in the area, including two convenience stores and a pharmacy at the junction of Golf Drive and Lutterworth Road which is the Lutterworth Road Local Centre. This local centre is approximately 1km away from the site which complies with Policy TC3. In addition, there is a further convenience store and pub/restaurant at the junction of Crowhill Road and Raven Way. Policy TC3 also states that new residential development should be 8 minutes motor vehicle drive time to a district centre. Attleborough District Centre is approximately 5 minutes drive away which meets this requirement. The Inspector's Final Report on the Borough Plan stated that the site would be within walking and cycling distance of day-to-day services and facilities including a good level of bus services into Nuneaton, acknowledging that there are existing local services and facilities to meet the day to day needs of future residents within walking distance of the site. NBBC Planning Policy are satisfied with the justification provided, given the proximity of existing nearby centres.

These infrastructure improvements are in accordance with the requirements of Policies HSG9, HS1 and HS2 of the Borough Plan.

6. Uses on the Site

In addition to the residential development on the site, a number of other uses are proposed in accordance with the requirements of Policy HSG9 and the Concept Plan SPD. The outline element of the application includes land for a community building. The details of this will be covered in a future Reserved Matters application. A condition can be added requiring details of the long term management and maintenance of this

building and use to be submitted and details regarding the management company provisions could be included in the S106 agreement. A local community association is interested in managing the building. It is likely that Warwickshire County Council will take on the freehold and discussions have taken place and are on-going in relation to this. There could be a clause in the S106 agreement which states that at a certain trigger point the site would be transferred to a body to take over the freehold. The outline application also includes land for a GP surgery. Again, further details of this would be assessed under a Reserved Matters application. The proposals also include the provision of on-site allotments. Whilst this is not a requirement of Policy HSG9, this has been requested by NBBC Parks. Due to the total absence of existing allotment sites in the surrounding area, NBBC Parks requires the provision on site of a 14 plot equipped allotment site with enough room allowed to expand the plot provision in future to a minimum of 20 plots. This would allow the site to reach the minimum size NBBC's allotment strategy considers viable in terms of number of plot holders to achieve self governance through an allotment association. Allotment provision can be off-site if there is a site in the right catchment distance according to NBBC's adopted Allotments Strategy where capacity can be increased. However, in this case it can not so on-site provision is deemed more appropriate.

Play and open space is provided on-site and would consist of community park and local park provision, in line with NBBC Park's requirements. Facilities include toddler and Junior equipped play, teenage play including a MUGA, a green gym, BMX track and naturalistic play set within a formal grassland area. NBBC Parks have been consulted and have had detailed discussions throughout the application with the applicant and agent. They subsequently have no objection.

These uses are acceptable and are in compliance with the Key Development Principles set out in Policy HSG9 of the Borough Plan.

7. Flood Risk & Drainage

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraph 163). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Further guidance is provided on flooding and flood risk in the National Planning practice Guidance. Borough Plan Policy NE4 also deals with Managing Flood Risk. Using the Environment Agency's Fluvial Flood mapping the site is within flood zone 1 and therefore has a low level of fluvial flood risk.

The NPPF (paragraphs 157 and 158) describe the principles of the Sequential Test, which aims to steer new development to areas with the lowest probability of flooding. The Sequential Test is a decision-making tool designed to promote sites at little or no risk of flooding in preference to sites in areas at higher risk. A Flood Risk Assessment has been submitted with the application. This states that the site is within flood zone 1, therefore complying with the aims of the Sequential Test.

In terms of surface water drainage, the site does have areas which are at a medium to high risk of surface water flooding. Drainage is proposed by the use of Sustainable Urban Drainage Systems including attenuation ponds located within the northern area of the site. WCC Flood Risk have no objection subject to conditions.

8. Contamination & Land Stability

The NPPF set out that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising

from land instability and contamination and to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraphs 178 and 180). Policy BE1 of the Borough Plan also requires that development proposals located on or adjacent to land which may have been subject to contamination and/or land instability will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination and instability on public health, environmental quality, the built environment and general amenity and that the development site is or will be made suitable for the proposed final use. It is within this context that a Ground Investigation report has been submitted with the application. NBBC Environmental Health have reviewed this report and have confirmed it does not show any elevated contaminants on the site and therefore no conditions are required.

9. Air Quality

The NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified (paragraph 181). An Air Quality Impact Assessment has been submitted with the application. The assessment considered the impact of existing sources of air pollution at the proposed development site (governed by background pollutant levels and vehicle movements along the local highway network), and the impacts of the proposed development on the local area. It found that the potential risk of dust impacts from the development was predicted to be a maximum of medium to high risk during the construction phase. It therefore recommends conditions covering a Dust Management Plan and a Construction Environmental Management Plan. It also found that the development would have an insignificant impact on air quality but recommends the installation of electric vehicle charging points and that all gas-fired boiler installations should be a specified standard. NBBC Environmental Health find the conclusions of the assessment acceptable and have no objection subject to conditions.

10. Ecology & Biodiversity

The NPPF outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraph 170, 174 and 175). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats. An Ecological Impact Assessment and an arboricultural assessment have been submitted with the application. The arboricultural assessment identifies that there are 19no. Class A trees, 11no. Class B trees, 32no. Class C trees and 13no. Class U trees. Many of the Class A trees are retained except three Class A hedgerows. Most of the existing trees and hedgerow are proposed to be retained and significantly enhanced through the planting of new trees and hedgerows, particularly to form a landscape buffer to the north and east. All of the trees that are proposed to be removed are of low quality. The assessments sets out a number of recommendations to protect the retained trees during and after construction which can be covered by conditions. The Ecological Impact Assessment identifies that there are no statutory designated sites within 2km of the site. There are some Local Wildlife Sites, Potential Wildlife Sites and ecosites within 2km. The assessment finds that there is no significant impact on these sites but suggests mitigation such as a dust management plan, habitat creation and sensitive lighting. It also suggested that further ecological surveys are required to determine the presence of various species. Further surveys relating to Bats, Great Crested Newts, Otters and Water Voles have been carried out together with a Hedgerow Regulations Assessment.

In relation to bats, 15no. trees were identified at the site considered to provide some suitability for roosting bats- 4 trees were of Low suitability, 6 trees were of moderate suitability and 5 trees were of high suitability. Only one tree which provides bat roost potential is to be lost as part of the proposed development and all other trees are to be retained. The report recommends various mitigation such as sensitive lighting and bat boxes. In terms of Great Crested Newts, the site provides limited suitable aquatic and terrestrial habitat for them. The ditches at the site appear to support varying water levels throughout the year and vary in suitability for the species. It is also considered that the presence of Great Crested Newts is unlikely at the adjoining site, Nuneaton Golf Club. The Otter and Water Vole Survey found that they are likely to be absent from the site and survey area. The Hedgerow Regulations Assessment identified that there are two hedgerows that meet the criteria and are classed as 'Important', in terms of ecology, under the Hedgerow Regulations 1997- H6 and H9. The remaining four hedgerows that were surveyed did not meet the criteria and are therefore not classed as 'Important', but are species-rich. Three sections which is approximately 27 metres of H6 require removal to facilitate the construction of access roads and a pedestrian footpath as part of the proposed development. However, approximately 1.5km of new species-rich hedgerow is to be created as part of the development which is considered to mitigate the loss of the sections of 'Important' hedgerow.

In order to comply with the NPPF to ensure the development does not have a negative impact on biodiversity, Biodiversity Impact Calculations have been carried out. Biodiversity is always treated in a sequential test with avoidance being the preferred methodology followed by mitigation first on site and then off site. The calculations show a net gain in biodiversity. NBBC Parks have no objection in relation to the impact on ecology and biodiversity subject to conditions.

11. Heritage & Archaeology

Policy BE4 of the Borough Plan states that development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved. A Heritage Impact Assessment has been submitted with the application. The assessment assesses the possible impacts of the proposed development on built heritage assets in and around the site. There are two built heritage assets that may be affected by the proposals which are the Grade II Listed Hill Farmhouse and the Grade II Listed Ashby De La Zouch Canal Bridge No.8. Both assets are considered to be of medium to high significance. Hill Farmhouse appears to have been built in the 19th century and is noted for being a substantial and well-preserved example of an early 19th century estate farmhouse. The assessment states that Hill Farmhouse will not be physically impacted and its immediate setting will remain to a certain extent unchanged, owing to existing screening along the southern boundary of its curtilage. This will be further enhanced by the planting of a landscape buffer along the northern edge of the proposed development. It is acknowledged that the proposal would result in a significant change to the wider rural landscape setting of the heritage asset. As such, the assessment concludes that the proposal will have a moderate impact upon the this heritage asset. During the preparation of the Borough Plan, the impact of the proposed allocation on heritage was assessed. Policy HSG9 sets out mitigation measures which consist of the provision of a landscape buffer to protect the setting of the Grade II Listed Hill Farmhouse and soften the views to and from the listed building. As a landscape buffer is provided it is considered that it complies with that requirement of Policy HSG9. The Ashby De La Zouch Canal Bridge No.8 forms one of a series of canal bridges noted to be a well-preserved example of its type. The assessment considered its heritage value and concluded that there is no inter-visibility between the listed bridge and the application site and therefore the

impact on this heritage asset was as assessed as neutral. Historic England have been consulted on the application but stated they did not wish to make comments.

An archaeological assessment has been submitted with the application and concluded that there may be paleoenvironmental remains and there is a moderate to high potential for prehistoric remains. The potential for remains from all other periods is low. A Written Scheme of Investigation has also been submitted and a programme of trial trenching has been undertaken. A report detailing the results of the fieldwork has been submitted. The trial trenching identified archaeological deposits largely concentrated within three main areas of the proposed development site which included a number of ditch features from which an assemblage of Romano-British pottery was recovered suggesting settlement activity across this area during the Roman period. As a result of this, WCC Archaeology has requested that a further phase of archaeological work is required to mitigate the archaeological impact of the proposed scheme. This will include an Archaeological Mitigation Strategy document including a Written Scheme of Investigation for any archaeological fieldwork proposed which can be covered by a condition.

12. Planning Obligations

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 56 of the NPPF 2019 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 of the NPPF also outlines the need for planning to take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

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

Organisation	Request For	Contribution	Notes
NBBC Parks	Provision and maintenance of play and open space facilities	£446,936.81	Applicant agreed to pay
	Provision of new cycling infrastructure	£25,000	Applicant agreed to pay
WCC Education	Monies for the provision and improvement of schools	Pre-school / Early Years : £220,000 Primary: £575,000 Secondary:	Applicant agreed to pay

		1,726,859 Primary SEN: £72,762 Secondary SEN: £72,762	
WCC Infrastructure	Improvement, enhancement and extension of the facilities or services of a specified library service point	£13,592	Applicant agreed to pay
	Ongoing maintenance of public rights of way within a one and a half miles radius of the site.	£42,133	Applicant agreed to pay
	Upgrading of existing bus service	£525,000	Applicant agreed to pay
	Ongoing maintenance of bus shelters and real-time information displays (RTI)	£5,000 per bus shelter £4,000- per RTI display £2,500 for each replacement RTI	Applicant agreed to pay
	Sustainable travel information	£6,210	To be provided through a condition
	Provisions to support road safety initiatives within the community associated within the development	£31,050	Applicant agreed to pay
NBBC Housing	Provision of affordable housing	25% to be affordable	Applicant agreed to provide
George Eliot Hospital NHS Trust	Provision of healthcare services at George Eliot Hospital	£321,441.25	Applicant agreed to pay
WCC Public Health and NHS Warwickshire North CCG	Land and capital contribution for a new build option or capital contribution for off-site improvement works to primary care facilities	£431,389	Applicant agreed to pay
NBBC Sports Development	Provision and maintenance of sports and leisure facilities	£807,920	Applicant agreed to pay
Warwickshire Police	Police infrastructure consisting of recruitment and equipping of officers and staff, police vehicles and police premises	£75,177	Applicant agreed to pay
WCC Highways	Provision of new cycling infrastructure	£550,000	Applicant agreed to pay

13. Conclusion

In conclusion, The NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise. The site is allocated as a strategic housing site in the Borough Plan and would provide housing and other social and leisure facilities.

The potential impacts of the proposed development in relation to the use of the land, residential amenity, visual amenity, highway safety, flood risk and drainage, contamination, ecology and heritage and archaeology have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, where potential adverse impacts are identified, it would be possible to mitigate against this through the use of planning obligations and conditions

Taking into account the above assessment, it is consequently considered that the proposed development would be in accordance with the development plan and other policies within the NPPF. Furthermore, there are no material considerations or adverse impacts which indicate that the application should be refused. It is therefore considered that the proposed development would achieve sustainable development which should consequently be approved subject to conditions.

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:

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

Plan Description	Plan No.	Date Received
Site Location Plan	P01	23 rd April 2020
Site Layout	P001 Rev S	23 rd March 2021
Tenure Allocation Plan	P003 Rev B	8 th September 2020
Access Treatment Plan	75001 P03	4 th August 2020
Golf Drive Access Arrangement	75002 P01	4 th November 2020
Highways General Arrangement	3836-130-1 Rev B	3 rd February 2021
Highways General Arrangement	3836-130-2 Rev B	3 rd February 2021
Visibility Splays	3836-106-1 Rev G	3 rd February 2021
Visibility Splays	3836-106-2 Rev G	3 rd February 2021

Pedestrian Visibility Splays	3836-106-3 Rev E	3 rd February 2021
Pedestrian Visibility Splays	3836-106-4 Rev E	3 rd February 2021
Traffic Calming Features	3836-131 Rev C	3 rd February 2021
Bus Route Tracking	TWM_20148/VT/001 Rev D	5 th February 2021
Refuse Vehicle Tracking Sheet 1	TWM_20148/VT/002.1 Rev D	5 th February 2021
Refuse Vehicle Tracking Sheet 2	TWM_20148/VT/002.2 Rev D	5 th Feruar 2021
Refuse Vehicle Tracking Sheet 3	TWM_20148/VT/002.3 Rev D	5 th February 2021
Refuse Vehicle Tracking Sheet 4	TWM_20148/VT/002.4 Rev C	13 th January 2021
Refuse Vehicle Tracking Sheet 5	TWM_20148/VT/002.5 Rev A	5 th February 2021
Refuse Vehicle Tracking Sheet 6	TWM_20148/VT/002.6	13 th January 2021
Refuse Vehicle Tracking Sheet 7	TWM_20148/VT/002	13 th January 2021
Refuse Vehicle Tracking Sheet 8	TWM_20148/VT/002	13 th January 2021
MPV Vehicle Tracking Sheet 1	TWM_20148/VT/005.1 Rev D	12 th February 2021
MPV Vehicle Tracking Sheet 2	TWM_20148/VT/005.2 Rev C	5 th February 2021
MPV Vehicle Tracking Sheet 3	TWM_20148/VT/005.3 Rev D	12 th February 2021
MPV Vehicle Tracking Sheet 4	TWM_20148/VT/005.4 Rev B	13 th January 2021
Farm Access Tracking	TWM_20148/VT/008	23 rd March 2021
Fire Tender Tracking Sheet 1	TWM_20148/VT/003.1 Rev B	13 th January 2021
Fire Tender Tracking Sheet 2	TWM_20148/VT/003.2 Rev B	13 th January 2021
Fire Tender Tracking Sheet 3	TWM_20148/VT/003.3 Rev B	13 th Januaru 2021
Fire Tender Tracking Sheet 4	TWM_20148/VT/003.4 Rev B	13 th January 2021
Fire Tender Tracking Sheet 5	TWM_20148/VT/003.5 Rev A	13 th January 2021
Boundary Treatments Plan	P002 Rev G	22 nd February 2021
Landscape Framework Plan	001 Rev O	10 th February 2021
Landscape Framework Plan	002 Rev O	10 th February 2021
POS Soft Landscape Proposals	130 Rev A	26 th March 2021
POS Soft Landscape Proposals	131 Rev A	26 th March 2021
POS Soft Landscape Proposals	132 Rev A	26 th March 2021
POS Soft Landscape Proposals	133 Rev A	26 th March 2021
POS Soft Landscape Proposals	134 Rev A	26 th March 2021
POS Soft Landscape Proposals	135 Rev A	26 th March 2021
POS Soft Landscape Proposals	136 Rev A	26 th March 2021
POS Soft Landscape Proposals	137 Rev A	26 th March 2021
POS Soft Landscape Proposals	138 Rev A	26 th March 2021
POS Soft Landscape Proposals	139 Rev A	26 th March 2021
POS Soft Landscape Proposals	140 Rev A	26 th March 2021
POS Soft Landscape Proposals	141 Rev A	26 th March 2021
POS Soft Landscape Proposals	142 Rev B	24 th March 2021

POS Soft Landscape Proposals	143 Rev B	24 th March 2021
POS Soft Landscape Proposals	144 Rev B	24 th March 2021
POS Soft Landscape Proposals	145 Rev A	26 th March 2021
POS Soft Landscape Proposals	146 Rev A	26 th March 2021
POS Soft Landscape Proposals	147 Rev A	26 th March 2021
POS Soft Landscape Proposals	148 Rev A	26 th March 2021
POS Soft Landscape Proposals	149 Rev A	26 th March 2021
POS Soft Landscape Proposals	150 Rev A	26 th March 2021
Habitat Plan	006 Rev B	10 th February 2021
Habitat Plan	007 Rev B	10 th February 2021
Longitudinal Sections Sheet 1	3836-111-1 Rev E	3 rd February 2021
Longitudinal Sections Sheet 2	3836-111-2 Rev E	3 rd February 2021
Longitudinal Sections Sheet 3	3836-111-3 Rev F	3 rd February 2021
Longitudinal Sections Sheet 4	3836-111-4 Rev F	3 rd February 2021
Longitudinal Sections Sheet 5	3836-111-5 Rev E	3 rd February 2021
Longitudinal Sections Sheet 6	3836-111-6 Rev F	3 rd February 2021
Housetype - AA11 Elevations	20148-AA11S-EL3 Rev B	8 th September 2020
Housetype - AA11 Floor Plans	20148-AA11S-FP Rev B	8 th September 2020
Housetype - NT30 Ardale Elevations (A)	20148-NT30-EL1 Rev A	27 th August 2020
Housetype - NT30 Ardale Elevations (B)	20148-NT30-EL2	23 rd April 2020
Housetype - NT30 Ardale Elevations (C)	20148-NT30-EL3	23 rd April 2020
Housetype - NT30 Ardale Floor Plans	20148-NT30-FP	23 rd April 2020
Housetype - NA20 Ashenford Elevations (A)	20148-NA20-EL1	23 rd april 2020
Housetype - NA20 Ashenford Elevations (B)	20148-NA20-EL2 Rev A	27 th August 2020
Housetype - NA20 Ashenford Elevations (C)	20148-NA20-EL3 Rev A	27 th August 2020
Housetype - NA20 Ashenford Floor Plans	20148-NA20-FP	23 rd April 2020
Housetype - NA21 Beauford Elevations (A)	20148-NA21-EL1	23 rd April 2020
Housetype - NA21 Beauford Elevations (B)	20148-NA21-EL2	23 rd April 2020
Housetype - NA21 Beauford Elevations (C)	20148-NA21-EL3	23 rd April 2020
Housetype - NA21 Beauford Floor Plans	20148-NA21-FP	23 rd April 2020
Housetype - NA30 Benford Elevations (A)	20148-NA30-EL1	23 rd April 2020
Housetype - NA30 Benford Elevations (B)	20148-NA30-EL2	23 rd april 2020
Housetype - NA30 Benford Elevations (C)	20148-NA30-EL3	23 rd April 2020
Housetype - NA30 Benford Floor Plans	20148-NA30-FP	23 rd April 2020
Housetype - NA32 Byford Elevations (A)	20148-NA32-EL1	23 rd April 2020
Housetype - NA32 Byford Elevations (B)	20148-NA32-EL2	23 rd April 2020

Housetype - NA32 Byford Elevations (C)	20148-NA32-EL3	23 rd April 2020
Housetype - NA32 Byford Floor Plans	20148-NA32-FP	23 rd April 2020
Housetype - ND41 Dunham Elevations (A)	20148-ND41-EL1	23 rd April 2020
Housetype - ND41 Dunham Elevations (B)	20148-ND41-EL2	23 rd April 2020
Housetype - ND41 Dunham Elevations (C)	20148-ND41-EL3	23 rd April 2020
Housetype - ND41 Dunham Floor Plans	20148-ND41-FP	23 rd April 2020
Housetype - NA42 Huxford Elevations (A)	20148-NA42-EL1	23 rd April 2020
Housetype - NA42 Huxford Elevations (B)	20148-NA42-EL2	23 rd April 2020
Housetype - NA42 Huxford Elevations (C)	20148-NA42-EL3	23 rd April 2020
Housetype - NA42 Huxford Floor Plans	20148-NA42-FP	23 rd April 2020
Housetype - NA49 Janford Elevations (B)	20148-NA49-EL2	23 rd April 2020
Housetype - NA49 Janford Floor Plans	20148-NA49-FP	23 rd April 2020
Housetype - Kent Floor Plans & Elevations (C)	20148-BU1S -FPEL Rev A	8 th September 2020
Housetype - NT31 Kingdale Elevations (A)	20148-NT31-EL1 Rev A	27 th August 2020
Housetype - NT31 Kingdale Elevations (B)	20148-NT31-EL2 Rev A	27 th August 2020
Housetype - NT31 Kingdale Elevations (C)	20148-NT31-EL3 Rev A	27 th August 2020
Housetype - NT31 Kingdale Floor Plans	20148-NT31-FP	23 rd April 2020
Housetype - NA43 Lanford Elevations (A)	20148-NA43-EL1	23 rd April 2020
Housetype - NA43 Lanford Elevations (B)	20148-NA43-EL2 Rev A	27 th August 2020
Housetype - NA43 Lanford Floor Plans	20148-NA43-FP	23 rd April 2020
Housetype - NA46 Ransford Elevations (A)	20148-NA46-EL1	23 rd April 2020
Housetype - NA46 Ransford Elevations (B)	20148-NA46-EL2 Rev A	29 th April 2020
Housetype - NA46 Ransford Floor Plans	20148-NA46-FP	23 rd April 2020
Housetype - NT40 Rossdale Elevations (C)	20148-NT40 EL3	23 rd April 2020
Housetype - NT40 Rossdale Floor Plans	20148-NT40 FP	23 rd April 2020
Housetype – Somerset Floor Plans & Elevations (C)	20148-BU2S-FPEL Rev A	8 th September 2020
Housetype - NA47 Standford Elevations (A)	20148-NA47-EL1 Rev A	27 th August 2020

Housetype - NA47 Stanford Elevations (B)	20148-NA47-EL2	23 rd April 2020
Housetype - NA47 Stanford Elevations (C)	20148-NA47-EL3 Rev A	27 th August 2020
Housetype - NA47 Stanford Floor Plans	20148-NA47-FP	23 rd April 2020
Housetype - NT41 Trusdale Elevations (A)	20148-NT41-EL1 Rev A	27 th August 2020
Housetype - NT41 Trusdale Elevations (B)	20148-NT41-EL2 Rev A	27 th August 2020
Housetype - NT41 Trusdale Elevations (C)	20148-NT41-EL3	23 rd April 2020
Housetype - NT41 Trusdale Floor Plans	20148-NT41-FP	23 rd April 2020
Housetype - NA51 Wayford Elevations (A)	20148-NA51-EL1	23 rd April 2020
Housetype - NA51 Wayford Elevations (B)	20148-NA51-EL2	23 rd April 2020
Housetype - NA51 Wayford Floor Plans	20148-NA51-FP	23 rd April 2020
Single Garage- Plans & Elevations	20148/SG/EF/BE/01/-	4 th November 2020
Double Garage- Plans & Elevations	20148/DG/EF/BE/01/-	4 th November 2020
Twin Garage- Plans & Elevations	20148/TG/EF/BE/01/-	4 th November 2020

6. Prior to commencement of development and prior to the submission of any applications for approval of reserved matters a phasing plan shall be submitted to and approved in writing by the Council. The Phasing Plan shall provide details of the sequence and timing of development across the entire site, including:

- a. The provision of all major infrastructure including accesses, roads, footpaths and cycle ways and bus stops and shelters;
- b. Residential dwellings;
- c. Provision of public open space;
- d. Provision of ecological and landscaping enhancement areas;
- e. Provision of allotments;
- f. Provision of landscaping

The development, and the release of dwellings for occupation, shall not be carried out other than in accordance with the approved Phasing Plan.

7. No construction, groundworks or remediation will be undertaken until a Construction Management Plan for that phase of development has been submitted to, and approved in writing by, the Council. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) a construction programme including phasing of works;
- ii) expected number and type/size of vehicles accessing the site;
- iii) details of parking provision for employees & visitors to prevent parking within nearby streets;
- iv) vehicle routing plan;
- v) location for parking and loading/unloading of construction/delivery vehicles including waiting/holding areas;
- vi) locations for the storage of plant/construction materials;
- vii) arrangements for the turning of vehicles within the site;

viii) measures to protect vulnerable road users;
ix) details to prevent mud and debris being passed onto the highway;
x) wheel washing facilities;
xi) pre/post condition surveys of those roads from which construction traffic will be routed to the development area.
Only the agreed details shall be implemented on site and shall be adhered to throughout the duration of construction.

8. No phase of development shall commence on either the full or outline elements of the scheme until a Construction Environmental Management Plan for that phase of development has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration and site lighting. The plan should include, but not be limited to:

- i) Procedures for maintaining good public relations including complaint management, public consultation and liaison
- ii) Arrangements for liaison with the Council's Environmental Protection Team
- iii) Restriction of construction working hours so that construction activities take place between 07:00-19:00 Monday to Friday and 07:00-13:00 on Saturday. Work would not normally be permitted during the evening, night or on Sundays or Bank Holidays
- iv) Measures to minimise the visual effects of temporary lighting during the construction period
- v) Measures to minimise air quality effects arising from increased emissions
- vi) Noise and Vibration Management Plan
- vii) Dust Management Plan detailing measures for the control and reduction of dust associated with demolition, earthworks, construction and arrangements for monitoring air quality during construction

The agreed details shall be adhered to throughout the duration of construction.

9. No phase of the development with the exception of site preparation, remediation and groundworks shall commence on either the full or outline elements of the scheme until the preliminary design details have been submitted for the review and approval in writing by the Council, in consultation with the Highway Authority, with respect to the following;

- a) The layout of the junction of Golf Drive/Shakespeare Avenue to re-prioritise the primary route;
- b) Extension of a shared footway/cycleway provision to the eastern boundary of Golf Drive terminating at a suitable point to the south of the realigned Golf Drive/Shakespeare Avenue junction to enable cyclists to safely re-join the public highway Golf Drive;
- c) Provision and connection of the shared cyclepath/footway between the proposed development and Juliet Close; and
- d) Provision of a proposed shared footway/cycleway together with the closure of the existing turning head and intersection of the existing residential driveways with the realigned highway of Wentworth Drive.

The development shall not be carried out other than in accordance with the approved details. No dwelling shall be occupied on any part of the site until the approved works (a-d) have been completed in that phase as evidenced by the issuing of a Certificate of Substantial Completion by the Highway Authority.

10. No phase of development with the exception of site preparation, groundworks and remediation shall commence on either the full or outline elements of the scheme until a hydrological model of the onsite Ordinary Watercourses has been submitted to the LPA, in consultation with the LLFA. The findings of the modelling should inform the layout of the development to ensure all plots are located outside the 0.1% Annual Exceedance Probability fluvial flood outline. The modelling submitted to the LPA in consultation with the LLFA, must demonstrate the submitted modelling and flooding outlines are valid and provide the appropriate level of confidence.

11. No phase of development with the exception of site preparation, groundworks and remediation shall commence on either the full or outline elements of the scheme until a detailed surface water drainage scheme for that phase of development, based on sustainable drainage principles, the approved Flood Risk Assessment (received by the Council on 23rd April 2020) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Council 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:

- Submit cross-sections of the proposed attenuation features to 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 for the site.
- Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in '*Science Report SC030219 Rainfall Management for Developments*'.
- 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.

12. No occupation and subsequent use of any phase of the development shall take place until a detailed maintenance plan for that phase is implemented and provided to the Council giving details on how surface water systems shall be maintained and managed for the life time of the development. The name of the party responsible, including contact name and details shall be provided to the Council within the maintenance plan.

13. No phase of development including any site clearance shall take place on either the full or outline elements of the scheme until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Council for that phase. 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. timing and methodology of site clearance;
- 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. methods for checking habitats for nesting birds;
- h. measures to prevent pollution of surface water and groundwater during construction based on the Environment Agency's (EA's) Pollution Prevention Guidance (PPG) notes, the Groundwater Protection Policy (GP3) (EA, 2013a), CIRIA guidance on Construction Method Statements (CIRIA 2001,2015) and other current best practice.
- i. Demonstration of the adoption of best practice in storage of fuel, oils and chemicals, and in plant refuelling and maintenance during the construction phase.
- j. Measures to protect soil (re-use on-site, appropriate storage and handling, measures to avoid compaction and erosion, reinstatement) in line with BS3882: 2015 (BSI, 2015);
- k. 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.

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. The above conditions conform to the British Standard BS 42020:2013 Biodiversity: Code of Practice for Planning and Development.

14. No phase of development, including site clearance, shall commence on either the full or outline elements of the scheme until a Biodiversity and Ecological Management Plan (BEMP) has been submitted to and approved in writing by the Council for that phase. The BEMP shall set out how the measures detailed in the Ecological Impact Assessment (ref no. CE-GD-1649-RP04a – FINAL) received by the Council on 20th July 2020 and the subsequent Bat Activity Survey (ref no. CE-GD-1649-RP08 – FINAL) received by the Council on 28th July 2020, Great Crested Newt Survey (ref no. CE-GD-1649-RP06 – FINAL) received by the Council on 23rd July 2020, Otter & Water Vole Survey (ref no. CE-GD-1649-RP07 – FINAL) received by the Council on 23rd July 2020 and the Hedgerow Regulations Assessment (ref no. CE-GD-1649-RP09 – FINAL) received by the Council on 23rd July 2020 will be implemented and maintained. The content of the BEMP shall include:

- a.details of planting to provide additional foraging areas for bats;
- b.details and position of roosting and nesting areas, tiles, boxes and terraces for bats and breeding birds;
- c.details of Hedgehog and wildlife friendly fencing;
- d.habitat creation;
- e.landscape and ecological buffer zones;
- f.a timetable for the implementation of all of the ecological and landscape mitigation and enhancement measures;
- g.details of a scheme securing future maintenance and retention;
- h. description and evaluation of features to be managed;
- i. aims and objectives of management;
- j. appropriate management options for achieving aims and objectives;

- k. prescriptions for management actions;
- l. preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- m. details of the body or organisation responsible for implementation of the plan;
- n. ongoing monitoring and remedial measures.

The BEMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the BEMP and address any contingency measures where appropriate. The BEMP 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 BEMP 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. The above conditions conform to the British Standard BS 42020:2013 Biodiversity: Code of Practice for Planning and Development.

The BEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

15. No phase of development, including site clearance, until a walkover of the site by a suitably qualified and licenced ecologist has been undertaken to verify that there are no badger setts on site, the results of which shall be submitted to and approved in writing by the Council. If badger setts are found a licence and mitigation statement shall be submitted to and approved in writing by the Council prior to the commencement of any development. Any approved mitigation statement will be implemented in accordance with the approved details.

16. No phase of development including site clearance shall commence in the outline element of the scheme until full landscaping plans including full planting details, marginal planting details and other landscape details have been submitted to and approved in writing by the Council. Any landscaping within any phase of the outline and full elements of the scheme shall be completed within 12 months of the completion of the construction of the dwellings or buildings in that phase and subsequently maintained in the following manner:

Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.

17. No works affecting trees or hedgerows in any phase of development shall commence in either the full or outline element of the scheme until an Arboricultural Method Statement has been submitted and approved in writing by the Council. No construction works shall commence until measures for the protection of the trees and hedges to be retained have been provided and approved in writing by the Council and the agreed measures are to be implemented in full during the course of development. The submitted information must include details of the recommendations outlined in the

Arboricultural Impact Assessment (ref no. LA4396 AIA V1 – Rev B) received by the Council on 23rd April 2020.

18. No phase of development excluding site preparation, ground works and remediation shall commence on either the full or outline elements of the scheme until details of site levels and finished floor levels for that phase 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.

19. Prior to the commencement of construction of any buildings within a phase of the full element of the scheme full details of the construction details of the estate roads and footways serving them and the provision of car parking, access and manoeuvring areas, including surfacing, drainage and levels shall be submitted to and approved in writing by the Council. No dwelling shall be occupied until the estate roads and footways in that phase have been laid out and substantially constructed and the car parking, accesses and manoeuvring areas for that dwelling have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

20. No phase of development shall commence on the outline element of the scheme until full details of the provision of car parking, access and manoeuvring areas, including surfacing, drainage and levels, pedestrian and cycle access to the uses and cycle parking provision have been submitted to and approved in writing by the Council. No use shall be occupied until the car parking, accesses, manoeuvring areas and cycle parking provision for that use have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

21. Prior to the occupation of the first building in each phase of development a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at that phase, shall be submitted to and approved in writing by the Council. The development shall not be occupied on either the full or outline elements of the scheme until provision has been made in accordance with the approved details.

22. No phase of development shall take place on either the full or outline elements of the scheme until 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 Council.

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

23. No phase of development above ground floor slab level shall commence on either the full or outline elements of the scheme until a scheme for the lighting for that phase of development and associated access roads and parking areas within that phase has been submitted to and approved in writing by the Council. This scheme should outline how the lighting scheme prevents lightspill affecting ecological habitats as evidenced by a suitably qualified and experienced ecologist and on lighting contour diagrams that include 5, 1, 0.5 and 0.3 lux contours. The scheme should also be in accordance with the guidance of the 2018 Bat Conservation Trust and Institute of Lighting Professionals Joint Guidance publication. The development shall not be carried out other than in accordance with the approved details.

24. No development above ground floor slab level for each phase shall commence until details of the specification for bird and bat bricks and their precise locations within buildings for each phase of development have been submitted to and approved in writing by the Council. These should be concentrated on the outer perimeter near habitat areas and away from direct sources of artificial lighting. The detail of the bricks must be integral to the fabric of the buildings. The approved bricks shall be installed before the occupation of that plot.

25. No phase of development above ground floor slab level shall commence on either the full or outline elements of the scheme until full details and samples of materials proposed to be used in the external parts of any building in that phase 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.

26. No phase of development above ground floor slab level shall commence on either the full or outline elements of the scheme until full details of the boundary treatments including new walls and fences for that phase of development have been submitted to and approved in writing by Council. No dwelling shall be occupied or use commence within that phase until the agreed boundary treatments within that phase have been carried out in accordance with the approved details.

27. No development above ground floor slab level shall commence in the outline element of the scheme until details of any fixed plant or equipment to be located externally to the community building and GP surgery to include proposed measures for acoustically treating such equipment, have been submitted to and approved by the Council. The equipment shall not be installed other in accordance with the approved details.

28. No development above ground floor slab level shall commence in the outline element of the scheme until details of the long term management and maintenance of the community building by a body approved by the Council have been submitted to and approved in writing by the Council. The subsequent management shall be undertaken in accordance with the approved details.

29. No development above ground floor slab level shall commence until details of the method for the removal of Yellow Archangel from the site including timings, site specific control and management, disposal and future monitoring and management arrangements (as recommended in the Variegated Yellow Archangel Management Plan- reference no. CE-GD-1649-RP03a – FINAL received by the Council on 16th November 2020) have been submitted to and approved in writing by the Council. These details shall include a written report with dated photographs evidencing the work being carried out. The work shall not be carried out other than in accordance with the approved details.

30. Prior to the construction of the substation buildings full details of their design and appearance shall be submitted to and approved in writing by the Council. The substations shall not be built other than in accordance with the approved details.

31. Notwithstanding the details submitted, prior to the first use of the allotments (in accordance with the phasing plan) the following details in relation to allotment provision shall be submitted to and approved in writing by the Council. These details shall include:

- a. The positioning of 21 half plots (or equivalent to 10.5 full size plots),
- b. The design, size and location of pedestrian and vehicle access gates,

- c. The design size and position of boundary fencing,
- d. Provision of roads, pathways and materials storage and composting bays,
- e. The design, size and location of sheds,
- f. The provision of a water supply with access for each plot in accordance with Nuneaton and Bedworth Borough Council's Allotment Strategy.
- g. Further details of the steel storage unit with electrical supply incorporating toilet and small meeting space including full specifications and supplier.
- h. Full details of haulage way construction including materials, depths and a construction cross section,
- i. Full details of position and hedges and trees and hedges planting mix,
- j. Details of car parking including numbers of spaces, size and surfacing.

The development shall not be carried out other than in accordance with approved details. No more than 250 dwellings shall be occupied until the allotments have been provided and made available for use.

32. No use within the outline element shall be brought into use and occupied until the approved accesses as detailed on the Site Layout Plan (drawing no. P001 rev S) received by the Council on 23rd March 2021 have been completed in accordance with the approved details.

33. Prior to the occupation of 150 dwellings a signalisation scheme shall be implemented at the Golf Drive/B4112/B4114 junction in general accordance with details shown on the Golf Drive Access Arrangement Plan (Plan no. 75002 P01) received by the Council on 4th November 2020 or as superseded by the Section 278 Technical Approval process.

34. No dwelling shall be occupied until a Site Wide Residential Travel Plan including details of Sustainable Welcome Packs (including public transport information) has been submitted to and approved in writing by the Council in consultation with Highways England. No dwelling within the site shall be occupied until the Travel Plan has been approved and the approved sustainable welcome packs shall be provided prior to the first occupation of each dwelling. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter be adhered to in accordance with the approved Travel Plan.

35. Prior to the first use of the community centre a Travel Plan shall be submitted to and approved in writing by the Council in consultation with Highways England. The Community Centre shall not be brought into use until the Travel Plan has been approved. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter be adhered to in accordance with the approved Travel Plan.

36. Prior to the first use of the health centre a Travel Plan shall be submitted to and approved in writing by the Council in consultation with Highways England. The health centre shall not be brought into use until the Travel Plan has been approved. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter be adhered to in accordance with the approved Travel Plan.

37. The development shall be carried out in accordance with the recommendations in the submitted Noise Assessment (Ref no. 20626-1-R1) received by the Council on 23rd April 2020. No dwelling shall be occupied until the mitigation measures including

glazing and ventilation have been provided in accordance with the recommendations of the Noise Assessment.

38. There shall be no occupation of any dwelling 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, excluding unallocated street parking, has been provided. There shall be no occupation of any use within the outline element of the scheme until Electric Vehicle (EV) charging points at a rate of 10% of the total number of spaces serving the community building and GP surgery and at least 1 charging point for every 10 disabled parking spaces has been provided. In addition at that time, the developer is to ensure appropriate cabling is provided to enable increase in future provision.

39. For domestic heating provision, all gas-fired boiler installations should be low NO_x emission type that meet a minimum standard of less than 40 mg NO_x/kWh.

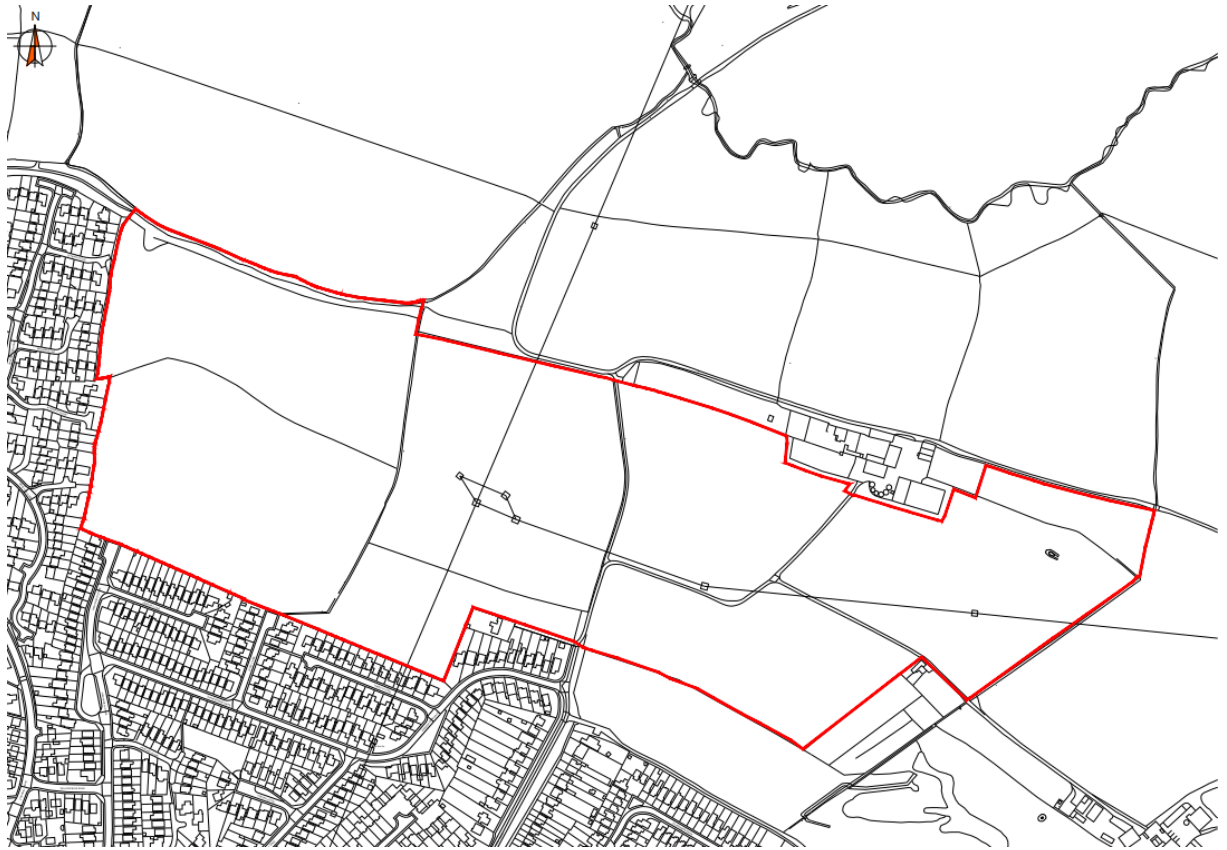
40. No more than 320 dwellings shall be occupied until the community building has been constructed and made available for use.

41. No HGV shall enter or leave the site during the construction phase on Mondays to Fridays during the time periods 07:30 – 09:00 and 16:30 – 18:00.

42. The removal of existing trees and hedgerows on the site and those to be retained shall not be carried out other than in accordance with the details in the Arboricultural Impact Assessment (ref no. LA4396 AIA V1 – Rev B) received by the Council on 23rd April 2020. No tree or hedgerow other than so agreed shall be removed.

43. No site security fencing may be erected on or within 1 metre of any public right of way.

44. A separation gap of at least 2 metres must be allowed between the edge of any public right of way and the edge of any proposed new pond or other water body or water course.



Site Location Plan



Site Layout



FRONT ELEVATION



FRONT ELEVATION



FRONT ELEVATION

House Type Examples



FRONT ELEVATION



FRONT ELEVATION



FRONT ELEVATION

House Type Examples



FRONT ELEVATION



FRONT ELEVATION



FRONT ELEVATION



FRONT ELEVATION

House Type Examples

Item No. 2

REFERENCE No. 036656

Site Address: Maytrees 4 School Lane Nuneaton Warwickshire CV10 9PA

Description of Development: Residential development to former pet cemetery consisting of 4 no. 3 bed houses and 1 no. 4 bed dormer bungalow, garages and associated parking

Applicant: Mr David Flemans

Ward: GC

RECOMMENDATION:

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

INTRODUCTION:

This application is for residential development of a former pet cemetery consisting of 4 no. 3 bed houses and 1 no. 4 bed dormer bungalow, garages and associated parking.

The site lies along School Lane (a narrow country lane) on the north western edge of Galley Common. The area is surrounded by agricultural land, with an agricultural business directly east of the application site. To the west of the site are residential properties. Either side of the access road into the site are new modern houses. The access road is approximately 55 metres from the main road up to the start of the application site. Beyond this is a gravel road to an existing detached single storey brick house, No.4 School Lane.

The application site is in the shape of a C, part of which lies in front of No.4 School Lane (to the northeast), then continues down the side (to the west) of the curtilage and round to the rear of the property (to the south). This area (to the west and south) is open green field and is bounded by mature hedgerows and trees. The site level gently slopes down the side of the existing property (heading west) and then drops off steeply to the west/southwest. According to the topography levels it drops from 137.4 to 133.9 AOD (above ordnance datum).

BACKGROUND:

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

RELEVANT PLANNING HISTORY:

- 034904: Erection of 2 dwellings (reserved matters relation to appearance, access, landscaping, layout and scape of already approved outline application referenced 033819) (Amendment to already approved details, ref 034526): Approved 31/07/2017.
- 034526: Erection of 2 dwellings (reserved matters relation to appearance, access, landscaping, layout and scape of already approved outline application referenced 033819): Approved 16/07/2017.
- 033819: Residential development (outline all matters reserved: Approved 14/03/2016.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Nuneaton & Bedworth Borough Council Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development;
 - DS2 – Settlement Hierarchy and Roles;
 - DS3- Development Principles;
 - NE3- Biodiversity and Geodiversity;
 - BE3 – Sustainable design and construction;
 - Supplementary Planning Guidance / Supplementary Planning Documents
- Sustainable Design and Construction SPD 2020.

CONSULTEES NOTIFIED:

NBBC Environmental Health; NBBC Housing; NBBC Refuse; Severn Trent Water; WCC Highways; Western Power Distribution

CONSULTATION RESPONSES:

No objection subject to conditions from:

NBBC Environmental Health, Warwickshire Fire & Rescue, WCC Highways

No objection from:

NBBC Housing

Comment from:

NBBC Refuse

No response from:

Severn Trent Water, Western Power Distribution

NEIGHBOURS NOTIFIED:

1, 2, 3 3a, The Elms, Freesland Park Farm School Lane; 1 and 1a, Galley Farm The Rookery; Galley Common Nursery, Galley Common Infant School Plough Hill Road.

Neighbouring properties were sent letters notifying them of the proposed development on 17th September 2019 and 11th October 2019.

NEIGHBOUR RESPONSES:

There have been 3 objections from 2 addresses and 1 anonymous objection. The comments are summarised below;

1. The road from the development to the main road (Plough Hill Road) is rather narrow and already has major problems with congestion.

2. This particular plot has already had 2 additional large houses built on it since the original bungalow.
3. Insufficient parking for these additional 6 properties on the plot.
4. Increased parking on School Lane.
5. There is a lot of traffic associated with Galley Common Infant School. As there is no footpath, parents have to walk their children in the very narrow roadway.
6. School Lane is the last country lane in Galley Common. It's quaint feel will be lost.
7. Increase in crime.
8. How will the rubbish bins would be collected?
9. Increased noise and disturbance.
10. Drainage and sewerage hasn't been properly considered.

APPRAISAL:

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

14. The principle of residential development,
15. Residential amenity,
16. Visual amenity,
17. Ecology & Biodiversity,
18. Highway safety
19. Conclusion

1. The Principle of Residential Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development in to three key constituents which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in *favour* of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

Given that the application site is within proximity to other residential dwellings and there have been recent planning permissions adjacent to the application site, it is considered that the site is an appropriate and sustainable site for residential dwellings.

2. Residential Amenity

BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity. The property most likely to be affected is No.4 School Lane. Plot 5 of the original submitted layout was too close to No.4 School Lane, as the blank wall was within 14 metres of a primary habitable room window to No.4. However, the number of plots has been reduced to 5 and a new house type, Plot 6, is now in place in the southwest corner of the site. This new plot meets all the recommended separation distances set out in the Sustainable Design and Construction SPD. Additionally, the site level is considerably lower in comparison to No.4, which will further reduce the impact to No.4.

In relation to inside the site, the layout is also compliant with the separation distances set out in the Sustainable Design and Construction SPD with regards to each new dwelling and provides secure enclosures to rear amenity spaces of each new dwelling.

3. Visual Amenity

The NPPF outlines the Government's commitment to good design and attaches great importance to the design of the built environment, highlighting it as a key aspect of sustainable development. It states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (paragraph 127). BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and some of the key characteristics to review include street layout, plot size and arrangement and built form.

Whilst the development represents development in depth, somewhat out of character with nearby dwellings, it would only be partially visible from public views and not detract from the existing street scene. It is considered it is large enough to create its own character. Furthermore, the layout reflects neighbouring properties by presenting frontages to the road and approaches for both vehicular and pedestrian traffic.

The proposed housing types are considered appropriate and incorporate some interesting features, such as segmental brick arches above the windows and stone cills below. The use of various gables also adds interest. With regards to materials, the elevations will be in facing brickwork and the roof tiles will be concrete interlocking. However, to ensure the development is of a high standard, a condition will be imposed, if approved, requiring details of the materials and boundary treatments.

It is, therefore considered that the new dwellings will create their own cohesive character and that appropriate conditions will ensure the scheme is built to a high quality. As such, the overall scheme provides variation in massing and scale similar to its context, in accordance with the NPPF and the Policy BE3.

4. Ecology & Biodiversity

The NPPF outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraph 170, 174 and 175). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats. Likewise Policy NE3 of the Borough Plan states development proposals will ensure ecological networks and services, and biodiversity and geological features are conserved, enhanced, restored and, where appropriate, created.

Whilst the site is not designated as a site of any ecological significance, a preliminary ecological assessment (PEA) has been submitted with the application on account that the majority of the site is green field and bordered by mature hedgerows and trees.

The site consists of a mown amenity grassland, small area of hardstanding, and non-native trees, planted landscape trees (two Walnut Trees at the northern entrance and a line of Lombardy Poplars along the southern boundary) and native hedge.

The PEA states that the site has some low value for bat foraging and commuting, although there are no trees on site with bat roost potential. It is possible that there foraging badgers come into the site as well as hedgehogs.

With regards to birds, the PEA notes that the Wildlife & Countryside Act 1981 (as amended) makes it is an offence to intentionally kill, injure or take any wild bird, or to damage, take or destroy the nest of any wild bird whilst the nest is being built or in use, or to take or to destroy its eggs. Blackbird, Magpie, Robin and Woodpigeon were all recorded as being on-site. Indeed, the hedgerows and trees within the survey site could also be suitable for nesting habitat for a number of other common bird species.

The presence of Great Crested Newts and reptiles is considered highly unlikely. The PEA, however, states that a precautionary approach should be taken during construction

This PEA illustrates that the majority of the site is of 'low ecological value' and that no further ecological surveys are required.

The PEA concludes that all retained trees and hedges should be protected in accordance with British Standard. Additionally, since Bats react adversely to intense lighting, external lighting provision within the development should be as minimal as possible to maintain the suitability of the site for roosting and foraging bats.

It is therefore considered that there are insufficient grounds to refuse the application on the impact on ecology.

5. Highway Safety.

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 108). The form and layout of the vehicular access and driveway leading to the proposed units has been amended to address concerns that WCC Highways had in respect of pedestrian movements associated with the development leading from School Lane into the existing vehicular access and ensuring that the proposed driveway provided a low speed environment. NBBC Refuse have also confirmed that the area is serviced by a smaller refuse vehicle which has enabled the site to be serviced internally removing the need for bin collection points. WCC Highways subsequently have no objections subject to conditions.

6. Contamination & Land Stability

The NPPF set out that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination and to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraphs 178 and 180). Policy BE1 of the Borough Plan also requires that development proposals located on or adjacent to land which may have been subject to contamination and/or land instability will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination and instability on public health, environmental quality, the built environment and general amenity and that the development site is or will be made suitable for the proposed final use. It is within this context that a Contaminated Land Assessment has been submitted with the application. The investigation does not identify any elevated contaminants but does discuss a possible risk from the remains of pets buried at the site. However, it advises that as the remains should be buried at 0.8m below ground level it should not pose a risk under normal circumstances. NBBC Environmental Health have no objections subject to a condition.

7. Conclusion

In conclusion, the NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise. The site is within proximity to other residential dwellings and as there have been recent planning permissions adjacent to the application site, it is considered that the site is an appropriate and sustainable site for residential dwellings and would create a cohesive group of dwellings.

The potential impacts of the proposed development in relation to the use of the land, residential amenity, visual amenity, ecology, highway safety and contamination have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, where potential adverse impacts are identified, it would be possible to mitigate against this through the use of conditions.

Taking into account the above assessment, it is consequently considered that the proposed development would be in accordance with the development plan and other policies within the NPPF. Furthermore, there are no material considerations or adverse impacts which indicate that the application should be refused. It is therefore considered that the proposed development would achieve sustainable development which should consequently be approved subject to conditions.

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
Location Plan	9523.10	18/09/2019
Site Access and Visibility Splays	DWG-04 RevD	24/03/2021
Site Layout & Street Scene	9523.11 RevG	21/05/2020
Plans & Elevations- Plots 1,2 &3	9523.12 RevB	31/03/2020
Plans & Elevations- Plots 4 &6	9523.13 RevC	31/03/2020
Swept Path Analysis	DWG-05 RevD	24/03/21
Phase 1 Pre-liminary Ecological Appraisal	School Lane 0719_PEA	22/11/2019

3. No development, including groundworks and site clearance, shall commence until an Ecological Construction Management Plan (ECMP) has been submitted to and approved in writing by the Council. The approved ECMP shall be adhered to throughout the construction period. The Plan shall include details of:

- a) any pre-construction checks required;
- b) the species safeguards to be employed (including for amphibians, badgers, bats hedgehogs and reptiles);

- c) appropriate working practices and sequence of construction works;
- d) details (to also be clearly shown on a plan), of where bat boxes will be installed;
- e) the extent of buffer zones and stand-offs for sensitive ecological features (including habitats suitable for amphibians, badgers bats, birds and reptiles);
- f) details of any new habitat created on site, including channel improvements;
- g) details of treatment of site boundaries and/or buffers around water bodies and native species known to provide foraging opportunities for breeding birds and nectar sources for invertebrates.

The ECMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the ECMP and address any contingency measures where appropriate. The Plan will also include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens).

The ECMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the Council.

4. No development shall commence until a scheme for the lighting of the site and associated access roads and parking areas has been submitted to and approved in writing by the Council. This scheme should outline how the lighting scheme avoids lightspill and potential negative effects upon ecology and habitat areas with input to the scheme from a suitably qualified and experienced ecologist and as evidenced on lighting contour diagrams that include 5, 1, 0.5 and 0.3 lux contours . The scheme should also take into account the guidance of the 2018 Bat Conservation Trust and Institute of Lighting Professionals Joint Guidance publication. The development shall not be carried out other than in accordance with the approved details.

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

6. No development above the damp proof course shall commence until details of all boundary treatments, including new walls and fences, have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the boundary treatments to that plot have been provided in accordance with the approved details.

7. Prior to occupation of any of the dwellings hereby approved full details of hedgehog friendly fencing within and around the site shall be submitted to and approved in writing by the Council. The approved fencing shall be installed and maintained as such at all times thereafter.

8. The development hereby permitted shall not be occupied 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 approved scheme shall be implemented in full prior to occupation of any dwelling.

9. If during implementation of this development contamination is encountered which has not previously been identified, including pets remains buried shallower than 0.6 meters below ground level, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall

be submitted to and agreed in writing by the Local Planning Authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved.

10. The development shall not be occupied until the site and vehicular access has been laid out and constructed in general accordance with drawing no DWG-04 rev D received by the Council on 24th March 2021.

11. The existing access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for its entire extent, in accordance with details to be approved in writing by the Council in consultation with the Highway Authority.

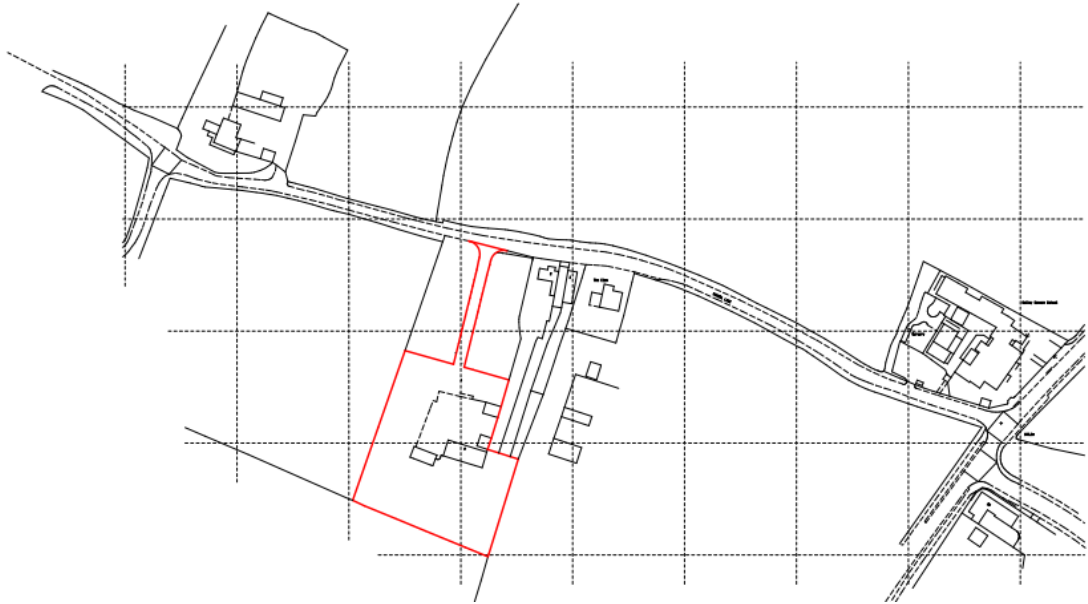
12. The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway.

13. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Council. This must include:

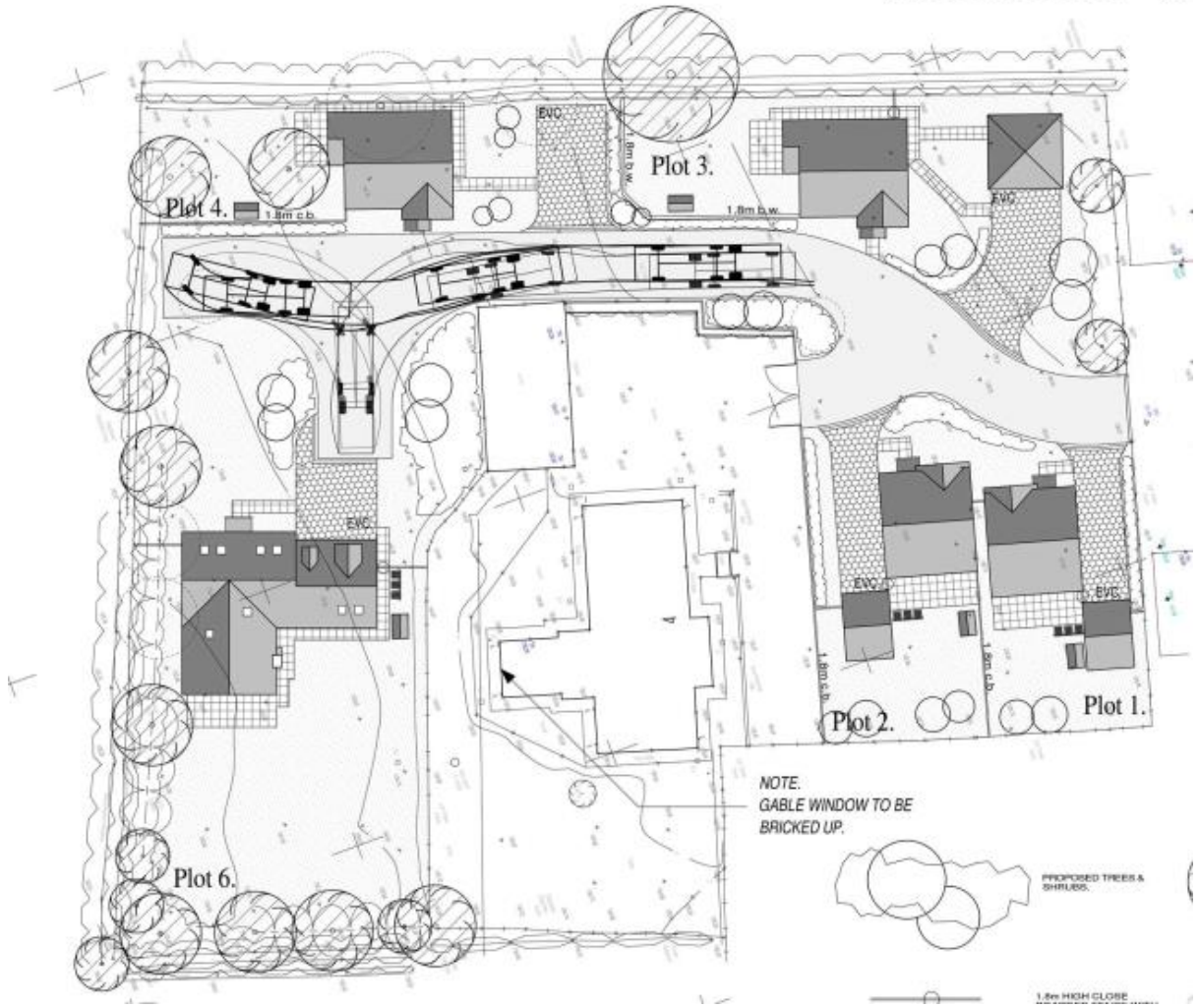
- a) details of measures to ensure that mud and debris will not be deposited on the highway as a result of construction traffic,
- b) provision for parking within the site for all associated vehicles to ensure parking does not occur within the limits of the public highway together with turning provision,
- c) pre/post condition survey of School Lane and its junction with Plough Hill Road

Only the agreed details shall be implemented on site and shall be adhered to throughout the duration of construction.

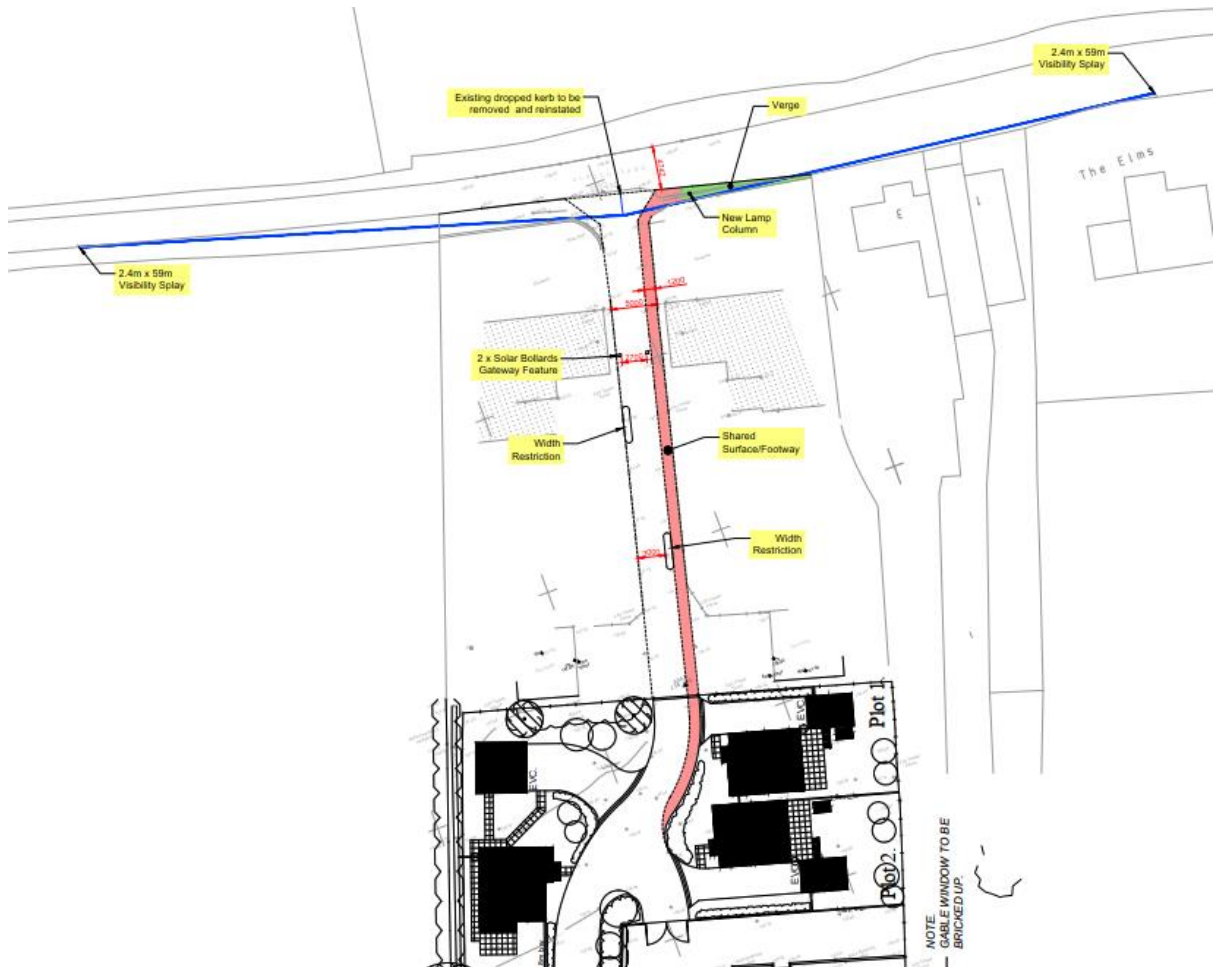
14. No HGV shall enter or leave the site during the construction phase on Mondays to Fridays during the time periods 07:30 – 09:30 and 16:30 – 18:00.



Site Plan



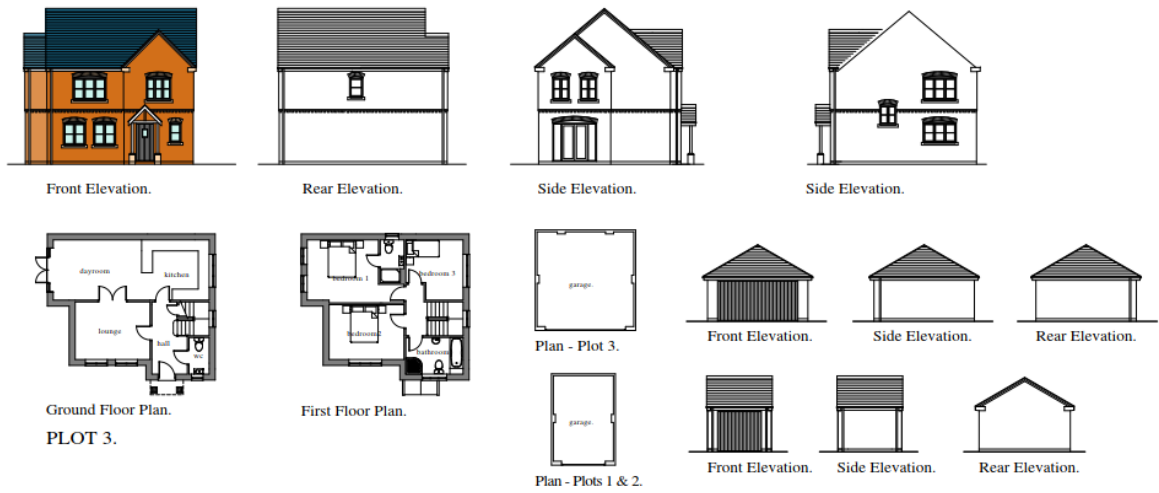
Site Layout



Site Access



Floor Plans & Elevations- Plots 1 & 2



Floor Plans & Elevations- Plot 3 & Detached Garages



Front Elevation.



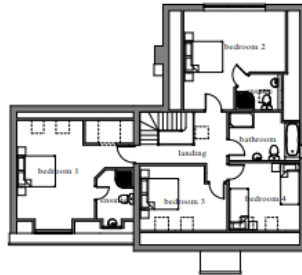
Rear Elevation.



Side Elevation.

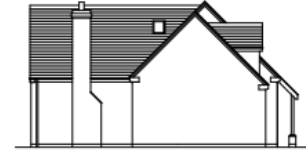


Ground Floor Plan.



First Floor Plan.

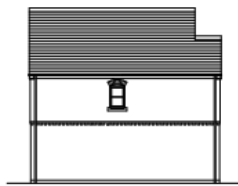
PLOT 6.



Side Elevation.



Front Elevation.



Rear Elevation.



Side Elevation.



Side Elevation.



Ground Floor Plan.



First Floor Plan.

PLOT 4.

Floor Plans & Elevations- Plots 4 & 6

REFERENCE No. 037658

Site Address: Site 51A073 - Ex Co-op buildings and car park, Abbey Street, Nuneaton, Warwickshire, CV11 5BU

Description of Development: Hybrid planning application for (i) full planning application for the demolition of buildings, erection of hotel (Class C1) with associated access, car parking and landscaping/public realm and (ii) outline planning application (including access) on remainder of Abbey Street car park and buildings fronting, including properties to the rear for a mixed-use town centre development comprising flexible use for retail, leisure, restaurants and 'makers space' (Class E), medical uses (Class E), residential (Class C3), multistorey and surface car parking with associated means of access, public plaza for public and other events, public realm and landscaping

Applicant: Nuneaton and Bedworth Borough Council

Ward: AB

RECOMMENDATION:

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

INTRODUCTION:

This is a hybrid planning application consisting of a full planning application for the demolition of buildings, erection of hotel (Class C1) with associated access, car parking and landscaping/public realm and an outline planning application (including access) on the remainder of Abbey Street car park and buildings fronting, including properties to the rear for a mixed-use town centre development comprising flexible use for retail, leisure, restaurants and 'makers space' (Class E), medical uses (Class E), residential (Class C3), multistorey and surface car parking with associated means of access, public plaza for public and other events, public realm and landscaping.

The development is likely to be delivered in three phases. Phase 1 is the delivery of the hotel under the full application, phase 2 which will include the proposed foodhall/restaurants, residential accommodation, medical/healthcare facilities, the first leisure uses and the multi-storey car park and phase 3 which would see the development of the final leisure unit adjacent to the hotel.

The Site is within Nuneaton Town Centre and is 2.42 hectares in area. To the north is Abbey Street with Roanne Ringway to the west and Queens Road to the south. There are residential properties to the west, on the other side of Roanne Ringway. The site is surrounded by a mixture of uses including retail and commercial. Nuneaton Town Centre Conservation Area adjoins the site. The site currently comprises a surface level car park and a mix of occupied, vacant and derelict two to three storey retail buildings to the east. The site also includes all buildings fronting New Century Way, buildings between (but not including) the Blue Boar public house on Abbey Street up to no. 25

Abbey Street (former India Red) and a building to the west of the former Co-operative building on Queens Road.

BACKGROUND:

As this is a hybrid application, part of it is an outline application (including access) The following matter in the outline application is to be considered at this stage:

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

The following matters are reserved to be considered at a future stage and do not form part of the outline application:

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

The application is being reported to Committee as it is a major application involving Council owned land.

RELEVANT PLANNING HISTORY:

- None

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Nuneaton & Bedworth Borough Council Borough Plan 2019:
 - DS1- Presumption in favour of sustainable development;
 - DS2 – Settlement Hierarchy and Roles;
 - DS3- Development Principles;
 - DS4 – Overall development needs;
 - H1- Range and mix of housing;
 - H2- Affordable Housing;
 - TC1 – Town centre requirements;
 - TC2 – Nature of town centre growth;
 - HS1 – Ensuring the Delivery of Infrastructure;
 - HS2- Strategic Accessibility and Sustainable Transport;
 - HS5- Health;
 - HS6- Sports and exercise;
 - NE4- Managing Flood Risk and Water Quality;
 - BE1- Contamination and Land Stability;
 - BE3- Sustainable Design and Construction and
 - BE4- Valuing and Conserving our Historic Environment
- Affordable Housing SPD 2020.
- Sustainable Design and Construction SPD 2020.

CONSULTEES NOTIFIED:

Cadent, Coal Authority, Environment Agency, George Eliot Hospital Trust, Historic England, National Amenities Society, NBBC Environmental Health, NBBC Housing, NBBC Parks, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NBBC Town Centres, NHS, Severn Trent Water, Warwickshire Police (Architectural Liaison Officer), Warwickshire Police (Place Partnership), Western Power Distribution, WCC Archaeology, WCC Fire & Rescue, WCC Fire Safety, WCC Flood Risk Management, WCC Highways, WCC Infrastructure.

CONSULTATION RESPONSES:

No objection subject to conditions from:

Environment Agency, NBBC Environmental Health, NBBC Parks, WCC Archaeology, WCC Flood Risk Management, WCC Highways

No objection subject to planning obligations from:

George Eliot Hospital Trust, NBBC Parks, NBBC Sports Development, WCC Highways

No objection from:

NBBC Refuse, NHS, Twentieth Century Society (member of National Amenities Society), Warwickshire Police (Architectural Liaison Officer), Warwickshire Police (Place Partnership), WCC Fire Safety, WCC Infrastructure

Comment from:

Cadent, Coal Authority, NBBC Housing, NBBC Planning Policy

No response from:

Historic England, NBBC Town Centres, Severn Trent Water, WCC Fire & Rescue, Western Power Distribution

NEIGHBOURS NOTIFIED:

1-49 (odd), 64-72 (even), Flats 1-4 (inc) 72 High Street; 34-40 (even) Pool Bank Street; Cannon Sports 19, Bet Fred 21, Socialites 21a, Warren James 21b, Shoe Zone 21c, Label Nuneaton 23, Bonmarche 25/27, Cooks the Bakery 29, Age UK 31, Kevin Joseph Salon 31a, Bull & Young 32, Iceland 34-36, Ali's Hair & Beauty 35, Concepts 37, Lord Hop 38, Nuneaton Sports Nutrition 40, Exclusively Yours, Loft Photography Studio, Full Length & Fabulous 42, Natural Nail Care 46, Martins Pet Supplies 48, Flat over 48, Anthonys Bistro 48a, H Johnson & Son 50-52, Next units 13-14 Ropewalk Queens Road; 2, 4, British Heart Foundation 6-14, Flat 1- 6, Toppers Fish Bar 16-18 Stratford Street; Myton Hospices 11, HD Nails 12, DMK Grocery 13/14, The Blue Bear PH 15, Flat 1 15, 16, Time-House of Games 22, Dominoes Pizza 23 a&b, John Christopher Hairdressers 23c, 23f, The Printer People 24, India Red 25, PET X Training 98, Flat over 98, Johns Hair Design 104, Beasley & Co 105, DC Leake 106, Milano Pizza 107, Rear ground floor flat, flat 1 & flat 2 107, Mutual 111, 112, Siamo 113, African Supermarket 114, Flat 114d, Flat 114e, Flat 114f, Flat 114g, Flat 114h, Flat 114i, Flat 114j, Abbey Craft 115, Crossed Ghurka 115, Flat 1 & Flat 2 115, Castillos 116, 116a, West East 117, First Floor Flat 117, 117b, Best One 118, 118a, 118b, 118c, 118d, 118e, Bromfield Solicitors 120, 120a, 120b, 120c, 120d Abbey Street; Kumon Study Centre 1, Heatwave 3, Nuneaton Mobility 9, Kimberleys Occasions 11, Sally Beauty 15 New Century Way.

Neighbouring properties were sent letters notifying them of the proposed development on 28th January 2021. Site notices were erected on street furniture on 27th January 2021 and the application was advertised in The Nuneaton News on 17th February 2021.

NEIGHBOUR RESPONSES:

There have been no objections received.

APPRAISAL:

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

20. The principle of the development,
21. Housing need and affordable Housing,
22. Visual amenity,
23. Residential amenity,
24. Highway safety and accessibility,
25. Flood risk and drainage,
26. Contamination and land stability,
27. Air quality,
28. Ecology and Biodiversity,
29. Heritage and archaeology,
30. Planning obligations,
31. Conclusion

1. The Principle of Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key constituents which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

The NPPF also states that Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation (paragraph 85).

Policy DS2 of the Borough Plan sets out the hierarchy and roles for each settlement in the borough with Nuneaton having the primary role for employment, housing, town centre, leisure and service provision. Therefore, this site is an appropriate location in principle for the proposed hotel and mixed-use development. The site is also within the defined settlement boundary for Nuneaton, as defined in Policy DS3 of the Borough Plan, and therefore is acceptable in principle under that policy.

Policy TC1 of the Borough Plan sets out the new office, retail and leisure floor space requirements for Nuneaton town centre. These include:

- Offices - 13,000 sq m – 14,000 sqm
- Comparison – 11,420 sq m – 13,950 sq m
- Convenience – 910 sq m – 2,500 sq m
- Cafés, restaurants and bars – 2,324 sq m – 2,672 sq m

It is considered that the proposals would contribute to this requirement. The proposed development comprises a mix of town centre uses and is divided into development plots by which individual but flexible uses have been allocated within Use Classes E and C3 including flexible retail and restaurant space (which could include a food hall), two flexible leisure spaces (including a cinema), workshop space for local 'makers' (which could also include start-up office space), a medical / health care centre, residential apartments and a multi-storey car park. The overall maximum floorspace by Use Class is 25,645 sq metres.

The aim of Policy TC2 is to ensure that town centre development proposals do not undermine or adversely impact, either individually or cumulatively, the vitality, viability, character of the area and overall vision for the town centre. The proposed mix of uses are considered to be acceptable in principle under this policy. These are considered to be appropriate town centre uses that would complement each other and they are in accordance with the overall vision for Nuneaton town centre.

A Town Centres Area Action Plan (TCAAP) is to be produced as part of the Borough Plan. A public consultation on the issues and options document recently closed and the responses will inform the drafting of the preferred options document later in 2021. The Abbey Street car park is identified as an opportunity site in the TCAAP that could potentially accommodate a mix of uses. The former Co-Op store site is identified as an opportunity site to complement the Abbey Street car park site to form a link between Abbey Street and Queens Road. The proposal is in keeping with these identified opportunity sites.

The proposal would also support the aspirations of the Transforming Nuneaton Project. This is a project between Warwickshire County Council and Nuneaton and Bedworth Borough Council to deliver the transformation of Nuneaton town centre, by implementing mixed-use regeneration for boosting economic growth. The vision is to transform Nuneaton into a prosperous town centre. The aim is to create a town where people choose to live- with high quality, easily accessible town centre housing and a strong and diverse leisure offer; do business- with excellent transport connections and high-quality office space for all entrepreneurs; shop- with a mix of national, independent and specialist retailers; and visit- through the creation of high-quality public realm and enhancing the heritage and cultural opportunities. The Transforming Nuneaton project has identified the Abbey Street car park as a potential development site for a mix of uses including retail, residential, leisure and entertainment along with on site car parking provision. It has also identified the former Co-Op store site as a potential link between Abbey Street and Queens Road to complement the Abbey Street car park site. The Transforming Nuneaton proposal is to use the site to create a new public square. The proposal is therefore in line with the aspirations of the Transforming Nuneaton initiative.

It is therefore considered that the development of this brownfield is acceptable in principle and would accord with the principles of national and local Planning policy.

2. Housing Need and Affordable Housing

In terms of general market housing, Policy H1 of the Borough Plan states that development is required to provide 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 SHMA 2013 indicates there is greatest need in the borough for three bed properties (53.3%

modelled market need), followed by two bedroom properties (33.1%) then 4 bedroom properties (8.9%). The proposed residential element is part of the outline application so no further details of the house types, mix and tenure have been provided. However, this policy should inform the future detailed phase of the proposed residential element.

Policy H2 of the Borough Plan requires 25% of all new developments to be affordable on sites of 15 dwellings or more. NBBC Housing have confirmed that the Council would seek a tenure split of 26% intermediate housing and 74% social or affordable rented. Whilst the residential element is within the outline application, NBBC Housing have stated that they would seek an affordable housing mix taking account of the Council's Housing Register and the Strategic Market Housing Assessment. The SHMA 2013 identified the highest long term need for affordable properties is for one bed properties, followed by two bed properties then three bed properties and, with least demand, four or more bed properties. There is also a high demand for accommodation to meet the housing needs of older people. Any future reserved matters application should address the recognised affordable housing requirements.

3. Visual Amenity

The NPPF states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (paragraph 127). Policy BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and some of the key characteristics to review include street layout, plot size and arrangement and built form. In terms of the hotel which forms the full application, this is proposed to the north-west corner of the site, at the corner of Abbey Street and Roanne Ringway. It is a seven storey building with a flat roof. It is not considered that this would be appear over prominent in this location, particularly taking into account the former Ritz Cinema building which is located on the other side of Abbey Street. That building is five storeys high and it is considered that the proposed hotel would complement the height of that building and vice versa. Due to it's siting on a prominent corner, it is considered that part of the site is suitable for a taller building that would provide a landmark. The proposed hotel building and the former Ritz Cinema would provide a gateway into Abbey Street and the rest of the town centre. The design of the hotel building has taken inspiration from a number of buildings within the town centre including the Town Hall, the Barclays Bank building on Market Place and the former Ritz Cinema. The key elements used as inspiration include the strong features and a main entrances located on the corner of all three buildings, a lighter Crown where the top level at each building has a different elevational treatment and accented horizontal lines where each building offers contrasting horizontal lines to further embellish the building. Those three elements have been translated onto the proposed building and have been incorporated into the simple form and patterns of a typical hotel development. The distinctive corner of the building is located along Abbey Street and is accented by a feature column. The windows are arranged in a repetitive pattern with contrasting cladding to add interest. The top two floors will be slightly set back with a different finish to visually minimise the height of the building. In terms of materials, the main body of the building will consist of red multi-tone brick which is a characteristic within Nuneaton town centre. The brickwork facade will be broken up with a repetitive window pattern and associated cladding panels in a bronze/ gold colour. The ground floor will be set back and fully glazed to provide an active frontage along Abbey Street with rear of the ground floor being clad with a dark colour cladding for maintenance reasons.

The two top floors are slightly set back where cladding is proposed.

In relation to the rest of the site, as this is an outline application, no specific details have been submitted. However, the outline elements are defined by development parameters which indicate minimum and maximum building heights and plot width and depth. A Design & Access Statement has been submitted which indicates that building heights would be between two and five storeys which is acceptable when taking into account existing building heights within the town centre. It is envisaged that the taller buildings would be located on the periphery of the site, along Roanne Ringway which is less sensitive to change. Materials that are likely to be used are red brick for the residential and health building to lightweight materials such as metal and timber for the leisure buildings.

The proposals would have an impact on the visual amenities of the area but it is not considered that this would be significant or detrimental but would provide opportunities to redevelop a brownfield site and contribute to the regeneration and transformation of Nuneaton town centre.

4. Residential Amenity

Policy BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity. In terms of the impact on neighbouring properties, the nearest residential property is a flat at first floor at no 98 Abbey Street. The proposed hotel would be the nearest element to this property and would be sited approximately 20 metres away. However, this distance is across a road and also the hotel would not directly face the property as the flat would look onto the car park entrance. To the west, the rear of the properties on High Street face the application site. The nearest properties would be approximately 26-37 metres away from the boundary of the site with these distances also across Roanne Ringway. It is considered that the scheme can be developed to ensure the amenities of these properties are not significantly affected.

In terms of noise, a noise assessment has been submitted. NBBC Environmental Health have been consulted and consider that there are two elements to address-noise, particularly plant noise, impacting upon existing noise sensitive properties and any noise from existing sources impacting on the proposed development. They have requested a condition that full details of all external plant and equipment is submitted for both the full and outline applications. With regard to the proposed residential element, the submitted noise assessment identifies that, without mitigation, the proposed residential properties may be impacted by unacceptable noise from surrounding sources. They have therefore requested a condition requiring the submission of a noise assessment and noise attenuation scheme including glazing and ventilation details

In relation to the requirements of Policy BE3, a Sustainable Design & Construction statement has been submitted. This details the proposed development's holistic approach to sustainable design and construction and summarises the contribution it makes to create a more sustainable development. This includes high-level considerations and potential strategies for energy efficiency improvement and compliance with Building Regulations Part L: Conservation of Fuel and Power, a BREEAM Pre-Assessment to provide a framework for the development to achieve a 'Very Good' rating, residential space which successfully responds to all questions within Buildings for Life 12 standard and the consideration for future adaptability to suit changing social, economic and technological conditions. NBBC Planning Policy have confirmed that this statement is acceptable and meets the requirements of Policy BE3.

5. Highway Safety and Accessibility

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 108). Access to the hotel car park is directly off Abbey Street, at the northern end of the site. This access also serves the rest of the site, giving access to the surface parking and multi-storey car park. A Secondary access off Roanne Ringway as a left in only is also proposed. Minor works to the kerb are proposed to include a taxi drop-off area on Abbey Street. WCC Highways have stated that the taxi drop-off area will require a Traffic Regulation Order (TRO) to ensure that it is not used to park in. They have requested £5,000 towards the processing and implementation of the TRO.

In terms of parking provision, approximately 450no. car parking spaces would be provided, 37no. of which serve the hotel. Two of the spaces serving the hotel would be disabled spaces. The remaining spaces would be distributed between the surface parking and multi-storey car park. There are currently 454no. car parking spaces on the site. The Council does not have any saved car parking standards and therefore this level of provision is considered acceptable.

An independent traffic survey has been undertaken which surveyed the use of the car park on a working day. This showed that the existing car park only reached 48% occupancy at 11:45am, that the car park was 16% occupied by 9am and 18% occupied at 5pm. There is also spare car parking provision within Nuneaton Town Centre and that the current demand within this car park can be absorbed within existing car parks.

A Transport Assessment has been submitted with the application. This assessment confirms that the total number of trips likely to be generated by the development is within the allowance previously assessed by Warwickshire County Council when it devised a strategic model in support of the Transforming Nuneaton initiative. On this basis, vehicle trips arising from the development can be accommodated within the highway network, taking into account the improvements already planned and/or committed. The impact of the development has been modelled and the Transport Planning Team at Warwickshire County Council are satisfied that the development proposals can be mitigated. As part of the mitigation it has been highlighted that there is a requirement for real time car parking information. Car parking studies showed that the capacity of the proposed car parking provision would be exceeded significantly on a Saturday, by up to 192 cars. The studies showed that Rope Walk car park did not have capacity for the overspill, but Harefield Road car park does. Therefore, drivers need to be informed before they get to Abbey Street that they need to divert to Harefield Road. This can be achieved by providing real time information. It has been agreed between the applicant and WCC Highways that one RTI sign would be placed on the western side of the 'Dandelion Fountain' roundabout on the ring road, one on Corporation Street and one on the westbound approach on the A444 at the roundabout of Harefield Road and Asda access. WCC Highways are satisfied that would cover all approaches to Abbey Street and direct drivers to Harefield Road car park. A condition has been added that the proposed multi-storey car park should not be brought into use until details of the RTI signs have been submitted and have been installed.

A Stage 1 Road Safety Audit has been submitted which had highlighted an issue with the size of vehicles able to service the units fronting the proposed Abbey Street parking area. Swept path analyses show that vehicles 11 metres in length could pass each other around the access to the site. WCC Highways therefore recommend that the length of vehicles servicing the units accessed from Abbey Street car park is limited to 11 metres in length which can be added as a condition. They have also requested a

Service Management Plan for the rest of the development to ensure safe and suitable servicing which can also be added as a condition.

The NPPF outlines the need for planning to promote walking, cycling and public transport and to make the fullest possible use of these (paragraph 102). It also states that growth should be focused on locations which are or can be made sustainable (Paragraph 103). The proposals aim to increase connectivity and permeability through the site. Two new pedestrian routes are proposed on a north-south axis through the site, connecting Queens Road and Abbey Street. These pedestrian routes will be situated either side of a proposed new public square situated centrally in the site and will be fronted by active uses on all sides. In addition to these primary pedestrian routes, secondary pedestrian routes are proposed in an east / west direction to maximise permeability. The addition of pedestrian routes will also facilitate movement and connection to nearby public transport including bus stops located along Roanne Ringway, and Nuneaton train station. The site is considered to be in a sustainable location and accessible by non-car modes. The hotel development is to provide 15no. cycle parking stands equating to 8 Sheffield stands or similar. Cycle parking will also be provided on the outline application but the precise provision and location will be determined at the reserved matters stage.

Framework Travel Plans for the hotel and wider uses have also been submitted. These set out that the key objectives are to set out actions to increase awareness of sustainable travel opportunities in the local area for residents, employees and occupiers, reduce dependency on the private car, particularly during peak hours and reduce unnecessary travel to and from the site. In order to achieve these objectives, the Travel Plans provide a series of measures and initiatives which are to be implemented by the developer (and operator, as appropriate) to encourage to use of sustainable transport and to reduce the need to travel. The proposed measures include the promotion of initiatives to positively encourage walking and cycling by ensuring the site has suitable cycle provision and legible pedestrian routes, measures to deliver suitable information across the site related to the use of public transport through the use of updated displays for bus timings, fares, ticketing and potential funding for a bus season ticket voucher for future residents to further encourage travel by bus. Further measures include the promotion of car sharing, provision of electric car charging points and initiatives to reduce the need to travel such as establishing high speed broadband and provision of details regarding local amenities and facilities. It is considered that this complies with Policy HS2 and would ensure that the proposed development provides adequate accessibility to sustainable transport modes.

6. Flood Risk and Drainage

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraph 163). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Further guidance is provided on flooding and flood risk in the National Planning practice Guidance. Borough Plan Policy NE4 also deals with Managing Flood Risk. Using the Environment Agency's Fluvial Flood mapping the majority of the site is within flood zone 1 and therefore has a low level of fluvial flood risk. However, parts of the site to the southern and western boundaries are within flood zones 2 and 3.

The NPPF (paragraphs 157 and 158) describe the principles of the Sequential Test, which aims to steer new development to areas with the lowest probability of flooding. The Sequential Test is a decision-making tool designed to promote sites at little or no risk of flooding in preference to sites in areas at higher risk. A Flood Risk Assessment

has been submitted with the application. The Environment Agency have been consulted and have no objections subject to the development being carried out in accordance with the Flood Risk Assessment and the mitigation measures detailed within it which can be included as a condition.

In terms of surface water drainage, a Drainage Strategy has been submitted. The objectives of the drainage strategy are to manage surface water runoff on-site to minimise flood risk, to manage surface water discharge from the site so that it does not adversely affect third parties and to ensure ongoing operation and maintenance through appropriate management and adoption. The strategy considers options for surface water drainage and recommends that permeable paving is used as the preferred strategy. WCC Flood Risk have reviewed the drainage strategy and have no objections subject to conditions.

7. Contamination and Land Stability

The NPPF set out that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination and to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraphs 178 and 180). Policy BE1 of the Borough Plan also requires that development proposals located on or adjacent to land which may have been subject to contamination and/or land instability will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination and instability on public health, environmental quality, the built environment and general amenity and that the development site is or will be made suitable for the proposed final use. It is within this context that a Ground Investigation report has been submitted with the application. This has reviewed previous intrusive investigations and also undertaken some intrusive investigation as part of the proposed development. It concludes that further investigation and assessment works are required. NBBC Environmental Health have reviewed this report and have no objection subject to the inclusion of the four standard contaminated land conditions.

8. Air Quality

The NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified (paragraph 181). An Air Quality Impact Assessment has been submitted with the application. This demonstrates that concentrations of the traffic pollutant, nitrogen dioxide, is predicted to be below the national limit value at all receptor locations in all future year scenarios with the development taking place. The predicted change in pollutant concentrations due to the operation of the proposed development is predicted to be not significant at all receptors modelled. There will be a small increase in concentrations of pollutants and particulate matter during the construction phase which can be mitigated through a dust management plan condition. NBBC Environmental Health have no objection subject to conditions covering a dust management plan, electric vehicle charging points and that all gas-fired boiler installations should be a specified standard.

9. Ecology and Biodiversity

The NPPF outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraph 170, 174 and 175). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats. A

Preliminary Ecological Appraisal and a Preliminary Arboricultural Assessment have been submitted. There is one statutory designated site within 2km of the Site which is Ensor's Pool. However, due to the distance of 1.7km it is not considered that this site would be significantly affected. There are also several non-statutory designated sites within 1km of the proposed development, the nearest of these are the River Anker pLWS and Abbey Fields pLWS, situated 0.2 km east and 0.3km west of the site respectively. Given the distance from the proposed development and the existing infrastructure around the River Anker and Abbey Fields pLWSs, no direct impact upon these non-statutory sites is anticipated.

The appraisal states that all habitats that are present which are not hardstanding or buildings are small and restricted in value. However, some buildings have the potential to support protected species such as bats and nesting birds. It confirms that nesting birds do not represent a significant constraint to the proposed development but a general constraint is that the demolition of buildings or modification work should commence outside of the main nesting bird season. In terms of bats, ten buildings have been assessed for bat roosting potential. Of the ten buildings assessed, five present the potential to support roosting bats but their presence has not been confirmed. These buildings are located within phase 2 of the proposed development and therefore the appraisal recommends that a phased approach to additional bat surveys is undertaken prior to any work on Phase 2 commencing which can be included as a condition. The appraisal also states that any loss of habitat will be compensated through implementation of a range of replacement habitats within the proposed development in the form of bat boxes on existing buildings, to be delivered prior to Phase 1 completing which can also be included as a condition. NBBC Parks have been consulted and have confirmed that appropriate survey work and assessment have been undertaken up to this point. They consequently have no objections subject to conditions covering lighting, further survey work being undertaken, landscaping, cycle parking provision and ecological mitigation such as bat bricks.

10. Heritage and Archaeology

Under s66 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990, NBBC in determining the submitted hybrid planning application, has a statutory duty to have special regard to the desirability of preserving the special interest and setting of listed buildings. Case law has established that considerable importance and weight should be given to this duty. The NPPF states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, putting them into viable uses consistent with their conservation, as well as the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 192). The NPPF also requires when considering the impact of development on the significance of a designated heritage asset that great weight should be given to the asset's conservation. Conservation is defined by the NPPF as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.' (Paragraph 193)

Policy BE4 of the Borough Plan states that development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved. It also states that development affecting a designated or non-designated heritage asset and its setting will be expected to make a positive contribution to its character, appearance and significance. A Heritage Statement has been submitted with the application. This identifies and assesses the local heritage assets that are at risk of being affected through their setting by future

development of the site, particularly the former Ritz Cinema building, the Co-op building and Nuneaton Town Centre Conservation Area. In relation to the former Ritz Cinema building, the Heritage Statement points out that although taller and designed to be a contemporary building, the proposed hotel will reinstate built development, provide context and address the existing fragmentary setting of the listed building. It also states that there is a simplicity and regularity to the hotel design to ensure that it will not compete with the distinctive form and prominence of the Ritz Cinema building. The proposed materials would complement the listed building and the recessed upper floors would lessen the visual impact at street level. The statement also says that the position of the Ritz Cinema and its contrasting style, height and massing in relation to neighbouring properties means that it currently has a degree of prominence within the street scene. The proposed hotel will reduce the prominence of the listed building to a degree, but not to the extent that its significance would be harmed. The National Amenities Society have been consulted as from that organisation the Twentieth Century Society have responded who have confirmed they have no objection.

In terms of the Co-op building, the statement points out that there would be development of a suitable height adjacent to the locally listed Co-op building. The proposed multi-storey car park would be separated from this locally listed building by existing buildings lining Queens Road. It will be clearly visible in views, but due to distance and separation will not detract from or impede the ability to appreciate the distinctive Art Deco building. Although the historic frontage of the former Co-op building is not within the red line boundary for the application site, the boundary abuts this important part of Nuneaton town centre's heritage. Although the former Co-op building is not nationally listed, it is of local significance and any proposed development adjacent to it will still need to respect its character, appearance and significance. Further detailed assessment of this would be part of any reserved matters.

In terms of Nuneaton Town Centre Conservation Area, the site is not within the conservation but adjoins it. The tallest proposed buildings such as the hotel and multi-storey car park are located furthest away from the conservation area, towards the west of the application site which would help to reduce the impact on the character of the conservation area. The hotel would be visible from Abbey Street and the conservation area but this building would also be seen in relation to the former Ritz Cinema building. The development will need to make a positive contribution to the character, appearance and significance of the conservation area. Further detailed assessment of this would be part of any reserved matters. However, at this stage, it is not considered that there would be harm to the Grade II Listed Ritz Cinema building. Nuneaton Town Centre Conservation Area would be sustained and subject to detailed design as part of the reserved matters, there could be an opportunity for enhancement.

It is considered that, subject to detailed design, the proposed development could make a positive contribution to the character, appearance and significance of nearby heritage assets.

In relation to archaeology, the proposed development lies within an area of archaeological potential, located at least partly within the probable extent of the medieval settlement of Nuneaton. An archaeological assessment has been submitted with the application and concluded that whilst it is likely that the site will have been subject to relatively modern disturbance there remains a significant potential for archaeological features and deposits dating from the medieval and post-medieval periods to survive across this site. WCC Archaeology have been consulted and requested that further archaeological work is undertaken which is likely to include a

combination of test pitting and trial trenching. They have also requested that a Written Scheme of Investigation for a programme of archaeological evaluative work and an Archaeological Mitigation Strategy are submitted which can be covered by condition.

11. Planning Obligations

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 2019 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 of the NPPF also outlines the need for planning to take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

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

Organisation	Request For	Contribution	Notes
NBBC Housing	Provision of affordable housing	25% to be affordable	Applicant agreed to pay
NBBC Sports Development	Provision and maintenance of sports and leisure facilities	£42,933	Applicant agreed to pay
George Eliot Hospital NHS Trust	Provision of healthcare services at George Eliot Hospital	£22,065	Applicant agreed to pay
NBBC Parks	Provision and maintenance of open space facilities	£57,415.88	Applicant agreed to pay
WCC Highways	Process and implement a Traffic Regulation Order	£5,000	Applicant agreed to pay

12. Conclusion

In conclusion, The NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise. The site is a brownfield site within Nuneaton Town Centre and complies with the policies within the Borough Plan.

The potential impacts of the proposed development in relation to the use of the land, residential amenity, visual amenity, highway safety, flood risk and drainage, contamination, air quality, ecology and heritage and archaeology have all been

considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, where potential adverse impacts are identified, it would be possible to mitigate against this through the use of planning obligations and conditions .

Taking into account the above assessment, it is consequently considered that the proposed development would be in accordance with the development plan and other policies within the NPPF. Furthermore, there are no material considerations or adverse impacts which indicate that the application should be refused. It is therefore considered that the proposed development would achieve sustainable development which should consequently be approved subject to conditions.

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:

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

Plan Description	Plan No.	Date Received
Site Location Plan	2264-GHA-XX-XX-DR-A-(10)001	22 nd January 2021
Site Plan	2264-GHA-XX-XX-DR-A-(10)005	22 nd January 2021
Vehicular access and servicing plan	ACM-00-00-SHT-C-00120	22 nd January 2021
Parameter Plan 01- Demolition Plan	2264-GHA-XX-00-DR-A-(10)510	22 nd March 2021
Parameter Plan 03 – Proposed site levels	2264-GHA-XX-00-DR-A-(10)501A	22 nd March 2021
Parameter Plan 04 – Building Footprint (Horizontal) Deviation – Ground Floor	2264-GHA-XX-00-DR-A-(10)520A	22 nd March 2021
Parameter Plan 05 – Building Footprint (Horizontal) Deviation – Upper Floors	2264-GHA-XX-00-DR-A-(10)521A	22 nd March 2021
Parameter Plan 06 – Minimum and Maximum Building Heights (Vertical) Deviation	2264-GHA-XX-00-DR-A-(10)530A	22 nd March 2021
Parameter Plan 07 – Pedestrian Movement and Plaza	2264-GHA-XX-00-DR-A-(10)531A	22 nd March 2021
Parameter Plan 08 – Proposed Use Class Ground Floor	2264-GHA-XX-00-DR-A-(10)540B	22 nd March 2021

Parameter Plan 09 – Proposed Use Class Upper Floor	2264-GHA-XX-01-DR-A-(10)54B	22 nd March 2021
Proposed Phasing Plan	2264-GHA-XX-01-DR-A-(20)120	22 nd January 2021
Hotel- Site Location Plan	L01 – A	18 th December 2021
Hotel- Proposed Site Plan	SK01 – B	22 nd March 2021
Hotel- North Elevation	SK07 – A	22 nd January 2021
Hotel- South Elevation	SK09 – A	22 nd January 2021
Hotel- East Elevation	SK08 – A	22 nd Januaruy 2021
Hotel- West Elevation	SK10 – A	22 nd January 2021
Hotel- Ground Floor Plan	SK02 – A	22 nd January 2021
Hotel- Level 1 Floor Plan	SK03 – A	22 nd January 2021
Hotel- Level 2 - 4 Floor Plans	SK04 – A	22 nd January 2021
Hotel- Level 5 -6 Floor Plan	SK05 – A	22 nd January 2021
Hotel- Roof Plan	SK06 – A	22 nd January 2021
Hotel- Section A-A	SK11 – A	22 nd January 2021
Hotel- Section B-B	SK12 – A	22 nd January 2021
Framework Travel Plan	60638174	22 nd January 2021
Hotel Travel Plan	60638174	22 nd January 2021

6. No construction, groundworks or remediation will be undertaken on either the full or outline elements of the scheme until a Construction Management Plan for that phase has been submitted to, and approved in writing by, the Council. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) Schedule of HGV delivery times and a HGV routing Plan;
 - ii) Construction routes into the site;
 - iii) Hours of work;
 - iv) Loading and unloading of plant and materials;
 - v) Storage of plant and materials used in constructing the development;
 - vi) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - vii) details to prevent mud, debris and obstructions on the highway,;
 - viii) Measures to control the emission of dust and dirt during construction;
 - ix) Compound location
 - x) A construction phasing plan for that phase;
 - xi) Contractor and visitor parking arrangements and
 - xii) A scheme for recycling/disposing of waste resulting from construction works.
- Only the agreed details shall be implemented on site and shall be adhered to throughout the duration of construction of that phase.

7. No phase of development shall commence on either the full or outline elements of the scheme until a detailed surface water drainage scheme for that phase, based on sustainable drainage principles 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 include the following information:

- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 through the submission of plans and cross sections of all SuDS features.

- 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 total runoff rate of 73 l/s for the entire development site.
- Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- Demonstrate detailed design (plans, network details and calculations) of the surface water drainage scheme including details of all attenuation and outfall arrangements. Calculations should demonstrate the performance of the designed system for the critical storm duration for at least the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods. The calculations should be supported by a plan of the drainage network with all manholes and pipes labelled accordingly.
 - Provide plans and details showing the allowance for exceedance flow and overland flow routing. Water must not be directed toward properties nor flow onto third party land. 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.

8. No occupation and subsequent use of the development shall take place until a detailed maintenance plan, written in accordance with CIRIA C753, is implemented and provided to the LPA giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible, including contact name and details, shall be provided to the LPA and LLFA within the maintenance plan.

9. No phase of development shall commence on either the full or outline elements of the scheme until a Construction Environmental Management Plan for that phase has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration and site lighting. The plan should include, but not be limited to:

- j) Procedures for maintaining good public relations including complaint management, public consultation and liaison
- viii) Arrangements for liaison with the Council's Environmental Protection Team
- ix) Restriction of construction working hours so that construction activities take place between 07:00-19:00 Monday to Friday and 07:00-13:00 on Saturday. Work would not normally be permitted during the evening, night or on Sundays or Bank Holidays, except with prior LPA approval
- x) Measures to minimise the visual effects of temporary lighting during the construction period
- xi) Measures to minimise air quality effects arising from increased emissions
- xii) Noise and Vibration Management Plan
- xiii) Dust Management Plan detailing measures for the control and reduction of dust associated with demolition, earthworks, construction and arrangements for monitoring air quality during construction.

The agreed details shall be adhered to throughout the duration of construction.

10. No phase of development shall commence on either the full or outline elements of the scheme until:

- a. A contaminated land assessment and associated remedial strategy for that phase has been submitted to, and agreed in writing by the Council;

- b. The approved remediation works shall be completed on site, in accordance with a quality assurance scheme, agreed as part of the contaminated land assessment for that phase;
- c. If during implementation of this development, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the local planning authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved; and
- d. On completion of the agreed remediation works for any phase, a closure report and certificate of compliance, endorsed by the interested party/parties shall be submitted to and agreed in writing by the Council.

11. No phase of development, including any site clearance, shall commence until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Council for that phase. 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. timing and methodology of site clearance;
- 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. methods for checking habitats for nesting birds;
- h. measures to prevent pollution of surface water and groundwater during construction based on the Environment Agency's (EA's) Pollution Prevention Guidance (PPG) notes, the Groundwater Protection Policy (GP3) (EA, 2013a), CIRIA guidance on Construction Method Statements (CIRIA 2001,2015) and other current best practice.
- i. Demonstration of the adoption of best practice in storage of fuel, oils and chemicals, and in plant refuelling and maintenance during the construction phase.
- j. Measures to protect soil (re-use on-site, appropriate storage and handling, measures to avoid compaction and erosion, reinstatement) in line with BS3882: 2015 (BSI, 2015);
- k. 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.

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. The above conditions conform to the British Standard BS 42020:2013 Biodiversity: Code of Practice for Planning and Development.

12. No phase of development, including any site clearance, shall commence until a Biodiversity and Ecological Management Plan (BEMP) has been submitted to and approved in writing by the Council for that phase. The BEMP shall set out how the measures detailed in the Preliminary Ecological Appraisal (ref Nuneaton Abbey Street Project number: 60638174) received by the Council on 22nd January 2021 will be implemented and maintained. The content of the BEMP shall include:

- a.details of planting to provide additional foraging areas for bats;
- b.details and position of roosting and nesting areas, tiles, boxes and terraces for bats and breeding birds;
- c. dust management measures;
- d.habitat creation;
- e.a timetable for the implementation of all of the ecological and landscape mitigation and enhancement measures;
- f.details of a scheme securing future maintenance and retention;
- g. description and evaluation of features to be managed;
- h. aims and objectives of management;
- i. appropriate management options for achieving aims and objectives;
- j. prescriptions for management actions;
- k.preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- l.details of the body or organisation responsible for implementation of the plan;
- m. ongoing monitoring and remedial measures.

The BEMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the BEMP and address any contingency measures where appropriate. The BEMP 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 BEMP 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. The above conditions conform to the British Standard BS 42020:2013 Biodiversity: Code of Practice for Planning and Development.

The BEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

13. No phase of development shall commence on the outline element of the scheme until details of site levels and finished floor levels 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.

14. No phase of development shall commence on either the full or outline elements of the scheme until full details of the provision of the following for that phase have been submitted to and approved in writing by the Council:

- i) car parking, access and manoeuvring areas, including surfacing, drainage and levels,
- ii) pedestrian and cycle access to the uses
- iii) cycle parking provision and secure cycle storage including secure long stay cycle parking provision in the multi-storey car park (where within that phase)

No use within that phase shall be occupied until the car parking, accesses, manoeuvring areas and cycle parking provision for that phase have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

15. No phase of development, including site clearance and demolition, shall commence on the outline element of the scheme until additional bat surveys by a suitably qualified and licenced ecologist have been undertaken to verify that there are no roosting bats within the existing buildings, the results of which shall be submitted to and approved in writing by the Council. If roosting bats are found a licence and mitigation statement shall be submitted to and approved in writing by the Council prior to the commencement of any development. Any approved mitigation statement will be implemented in accordance with the approved details.

16. No phase of development shall take place on either the full or outline elements of the scheme until:

a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work for that phase has been submitted to and approved in writing by the Council.

b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the Council.

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

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

17. Further demolition/modification of buildings shall not in any circumstances commence on the outline element of the scheme unless the Council has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitat and Species Regulations 2017 authorizing the specified activity/development to go ahead; or

b) evidence that a full suite of recommended surveys have been undertaken and sufficient evidence has been obtained to continue works without the requirement for a licence.

18. No development above ground floor slab level shall commence on any residential element until details of a noise assessment and noise attenuation scheme, including glazing and ventilation details, to meet the standard for internal noise levels as defined in table 4 of BS8233:2014 (including consideration of maximum sound levels in line with the World Health Organisation's Guidelines for Community Noise) has first been submitted to and approved in writing by the Council. No dwelling shall be occupied until the attenuation measures have been provided in accordance with the approved details.

19. No above ground development works excluding demolition shall commence on either the full or outline elements of the scheme until full landscaping plans including full planting details for that phase have been submitted to and approved in writing by the Council. Any landscaping within a phase shall be completed within 12 months of the completion of the construction of that phase and subsequently maintained in the following manner:

Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.

20. No phase of development above ground floor slab level shall commence on either the full or outline elements of the scheme until details of all external plant and equipment for that phase have been submitted to and approved in writing by the Council. The uses shall not commence on either phase until the work has been carried out and the plant and equipment has been installed in accordance with the approved details.

21. No phase of development above ground floor slab level shall commence on either the full or outline elements of the scheme until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes for that phase of development, has been submitted to and approved in writing by the Council. The development shall not be occupied on either the full or outline elements of the scheme until provision has been made in accordance with the approved details.

22. No phase of development above ground floor slab level shall commence on the full and outline elements of the scheme until details of the specification for bat boxes and their precise locations within buildings within that phase have been submitted to and approved in writing by the Council. The submitted details shall demonstrate how the potential bat mitigation measures detailed in the Preliminary Ecological Appraisal (ref Nuneaton Abbey Street Project number: 60638174) received by the Council on 22nd January 2021 will be implemented and maintained. The approved boxes shall be installed before the occupation of that building.

23. No phase of development above ground floor slab level shall commence on either the full or outline elements of the scheme until full details and samples of materials proposed to be used in the external parts of any building in that phase 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.

24. Prior to their installation, full details of the boundary treatments within that phase including new walls and fences shall be submitted to and approved in writing by Council. No use within that phase shall commence until the agreed boundary treatment has been carried out in accordance with the approved details.

25. Prior to their installation, a scheme for the lighting of the site and associated access roads and parking areas within that phase shall be submitted to and approved in writing by the Council. This scheme should outline how the lighting scheme prevents lightspill affecting ecological habitats as evidenced by a suitably qualified and experienced ecologist and on lighting contour diagrams that include 5, 1, 0.5 and 0.3 lux contours. The scheme should also be in accordance with the guidance of the 2018 Bat Conservation Trust and Institute of Lighting Professionals Joint Guidance publication. The development shall not be carried out other than in accordance with the approved details.

26. There shall be no occupation of any dwelling 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. There shall be no occupation of any other use within that phase until Electric Vehicle (EV) charging points at a rate 10% of the total number of parking spaces (32 amp) and at least 1

charging point for every 10 disabled parking spaces has been provided. In addition at that time, the developer is to ensure appropriate cabling is provided to enable increase in future provision.

27. Prior to the occupation of both the full and outline elements of the scheme, a Landscape Management and Maintenance Plan for that phase of development, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Council. The landscape management plan shall not be carried out other than in accordance with the approved details.

28. Prior to the occupation of both the full and outline elements of the scheme, full details of the CCTV provision for that phase of development, including the siting and the technical specification details of the cameras, direction of view and their external appearance/colour shall be submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.

29. Prior to the occupation of both the full and outline elements of the scheme, a Waste Management Plan for that phase of development, including waste handling procedures within the site, waste reduction techniques and measures in accordance with relevant standards and guidance (such as Controlled Waste (England and Wales) Regulations 2012) shall be submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.

30. Prior to the hotel opening to visitors the car park access and parking area serving the hotel shall be laid out in accordance with the approved plans and shall be permanently retained for the parking and manoeuvring of vehicles.

31. No units in the full element of the scheme shall be occupied until a Servicing Management Plan for that unit has been submitted to and approved in writing by the Council. Details shall include sizes of vehicles able to service the units, times of deliveries and routing. The agreed Plans shall be followed at all times whilst the units are used for the purposes approved.

32. The multi storey car park shall not be brought into use until details, including the location of 3no. signs detailing real-time parking information (RTI's) has been submitted to and approved by the Council. The RTI's shall thereafter be installed and maintained prior to first use.

33. The development shall not be carried out other than in accordance with the submitted Flood Risk Assessment (ref Abbey Street Nuneaton Flood Risk Assessment March 2021 revision P04) received by the Council on 18th March 2021 and the following mitigation measures it details:

- a) Finished floor levels shall be set no lower 600mm above the flood level.
- b) Compensatory flood water storage shall be provided as outlined in Appendix D and section 5.2 of the approved FRA. AS built drawings should be supplied to demonstrate the compensation has been achieved post works completion.
- c) All more vulnerable development shall be sited within Flood zone 1 or on a first floor level. No development designated as more vulnerable shall be sited directly within flood zone 2 or 3.

d) Flood resilience measures shall be fitted to all ground floor commercial development.

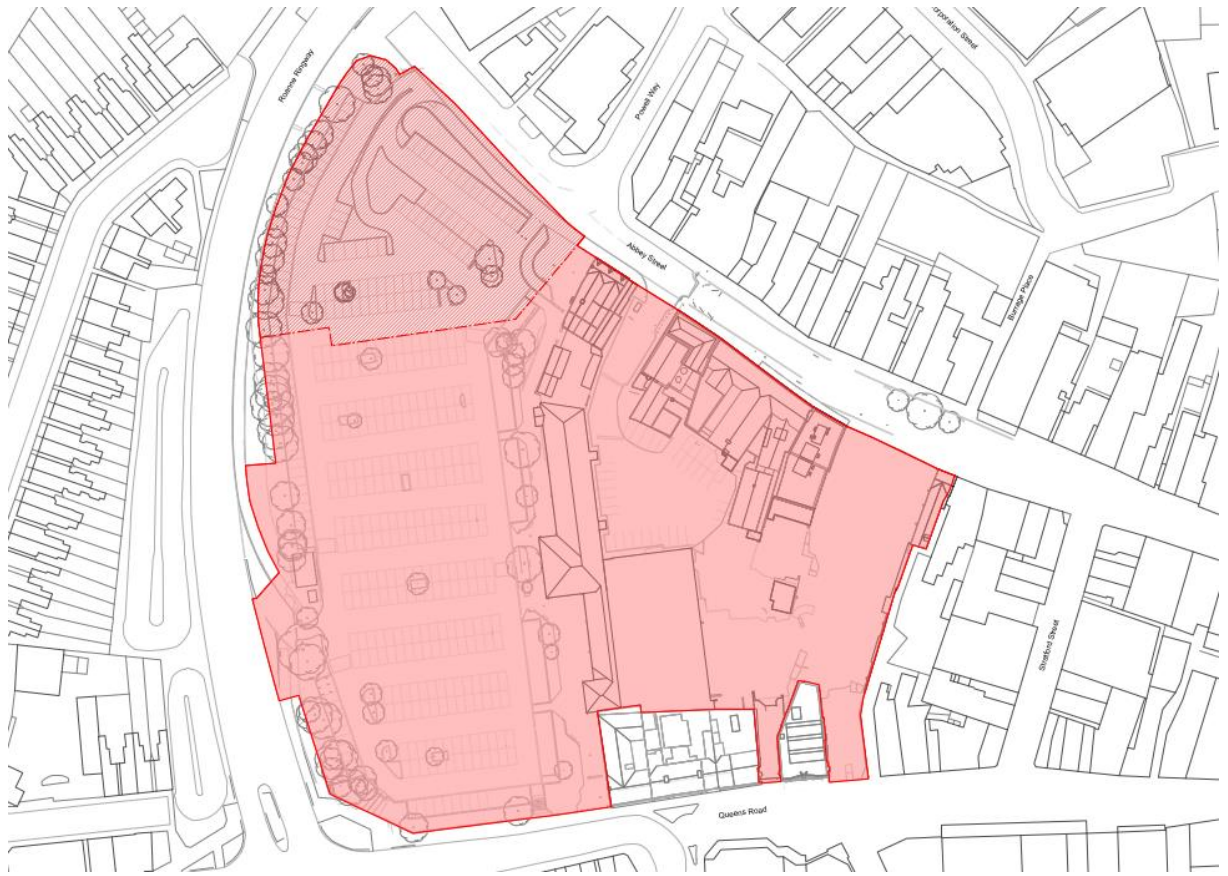
These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

34. No vehicle greater than 11.0 metres in length shall be allowed to service the hotel and units accessed from the Abbey Street car park.

35. For domestic heating provision, all gas-fired boiler installations should be low NOx emission type that meet a minimum standard of less than 40 mg NOx/kWh.

36. The details required by condition 2(e) shall be carried out within 12 months of the commencement of the development in that phase and subsequently maintained in the following manner:

Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.



Site Plan



Site Location Plan



Illustrative Master Plan



PROPOSED ELEVATION - EAST
SCALE 1:200



PROPOSED ELEVATION - NORTH
SCALE 1:200

Hotel- Eats and North Elevations



Hotel- South and West Elevations



Hotel- Visuals

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

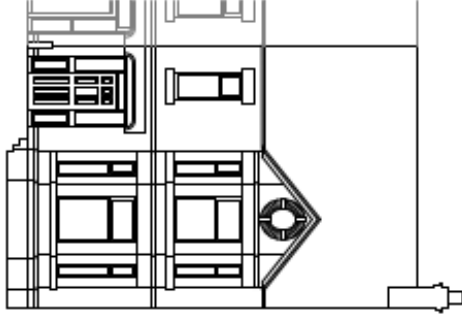
(iv) Policy BE4 of the Nuneaton and Bedworth Borough Plan 2019 states:

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.

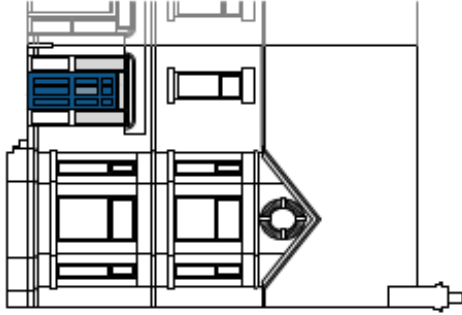
(v) The proposal is contrary to these policies in that it is considered that in the context of the development's location in Abbey Conservation Area, the development is out of character with the existing property and fails to positively build on the areas character and distinctiveness. It would not make 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.

These drawings are not to scale and are for illustrative purposes only. They are not to be used for any other purpose without the prior written consent of the Council.

BOUNDARY FENCING NOT SHOWN FOR CLARITY



Existing Front Elevation



Proposed Front Elevation

Color is used to indicate proposed changes to the existing elevation.

NO.	DATE	BY	FOR
1	10/01/2021
<p>1.01.2021 - Initial Design Development</p> <p>1.02.2021 - Final Design Development</p> <p>1.03.2021 - Final Design Development</p>			
<p>1.04.2021 - Final Design Development</p> <p>1.05.2021 - Final Design Development</p> <p>1.06.2021 - Final Design Development</p>			
<p>1.07.2021 - Final Design Development</p> <p>1.08.2021 - Final Design Development</p> <p>1.09.2021 - Final Design Development</p>			
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<p>1.100.2021 - Final Design Development</p>			

Existing and proposed elevation plans



Location plan N



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)