

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

Date: 17th August, 2020

Our Ref: WEB

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held on **Tuesday, 25th August, 2020 at 5.00 p.m.** Due to Government guidance on social-distancing and the Covid-19 virus this meeting will be held **VIRTUALLY AND LIVE STREAMED**. Public and press can follow the decision making online at www.nuneatonandbedworth.gov.uk/live-meetings. 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);
J. Beaumont; S. Gran; I. Lloyd; B. Longden;
B. Pandher; M. Rudkin; A. Sargeant;
J. Sheppard; R. Smith; R. Tromans;
C. Watkins and K. Wilson (Vice-Chair)

AGENDA

PART I - PUBLIC BUSINESS

1. ANNOUNCEMENTS

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

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

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

3. MINUTES - To confirm the minutes of the meeting held on 28th July, 2020 (attached). **(Page 4)**

4. DECLARATIONS OF INTEREST

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

Declaring interests at meetings

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

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda **(Page 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 13)**
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 13)**
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

28th July, 2020

A meeting of the Planning Applications Committee was held on Tuesday, 28th July, 2020. Due to Government guidance on social-distancing and the Covid-19 virus this meeting was held virtually and live streamed.

Present

Councillor W. Hancox – Chair
Councillor K. Wilson – Vice-chair

Councillors J.B. Beaumont, S. Gran, J. Jackson (substitute for Councillor M. Rudkin), I. Lloyd, B. Longden, B. Pandher, A. Sargeant, J. Sheppard, R. Smith, R. Tromans and C. Watkins.

Apologies: Councillor M. Rudkin

PLA19 **Chair's Announcements**

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

PLA20 **Minutes**

RESOLVED that the minutes of the meeting held on the 7th July, 2020 be confirmed and signed by the Chair.

PLA21 **Declarations of Interest**

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

PLA22 **Declarations of Contact**

Councillors I. Lloyd and W. Hancox both declared that approximately one year ago, they had been in contact with the Bedworth Eagles JFC, the leaseholders in regards to Planning Application No 037017, but that neither had given any indication of their voting intention.

IN PUBLIC SESSION

PLA23 **Planning Applications**

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

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

PLA24 **Any Other Business**

None

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA23 OF THE
PLANNING APPLICATIONS COMMITTEE ON 28th July, 2020

036903: Site 95A002 Marston Lane, Bedworth
Erection of stable block with 5 stables plus tack room and barn
Applicant: Mr Nicholson

Public Statements: Mr K. Powell

DECISION

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

037017: Johnson Road Recreation Ground, Johnson Road, Bedworth
Siting of 2 no. storage containers within a fenced enclosure adjacent to
railway line, for ground maintenance equipment and ball stop fencing towards
boundaries of pitch
Applicant: Mr Al Saje

DECISION

Subject to no new issues being raised at the end of the consultation period which expires on 31st July 2020, the Head of Planning be given delegated authority to grant planning permission, subject to the conditions printed in the agenda and addendum.

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

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	J. Beaumont		Board member of Bulkington Community Library CIC in addition to an unpaid Manager of the library. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Older People's Forum 	
	S. Gran		Member of Warwickshire County Council	
	W.J. Hancox		Daughter holds employment position within NBBC Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group • Hammersley Smith & Orton Charity 	
	I. Lloyd		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote

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

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

**Planning Applications Committee
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	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

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	B.J. Longden		Daughter and son-in-law work in the NHS Member of the Stockingford Community Centre Ex-Officiate of the Veterans Contact Point Board Representative on the following Outside Bodies: <ul style="list-style-type: none"> • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • Armed Forces Covenant Meeting • Astley Charity 	
	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group	
	M. Rudkin	Employee of Coventry City Council	Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	A. Sargeant		Member of Warwickshire County Council Chairman of The Nook (Nuneaton) Residents Association. Chair of Attleborough Community Matters group. Chair of Attleborough Neighbourhood Watch Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee	

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	R. Smith		Chairman of Volunteer Friends, Bulkington; Board of Directors at Bulkington Village Community and Conference Centre Trustee of Bulkington Sports and Social Club	
	R.Tromans		Director of RTC Ltd	
	C.M. Watkins	Landlord of a privately rented property	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Home Improvement Agency. • Nuneaton and Bedworth Safer and Stronger Communities Partnership. • Safer Warwickshire Partnership Board. • Warwickshire Housing Support Partnership. • Warwickshire Police and Crime Panel. 	
	K.D. Wilson	Employee of the Courts Service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote

Planning Applications Committee
25th August 2020

Applications for Planning Permission etc.
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Previously Considered

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3.	036981/WH	33 Copsewood Avenue, Nuneaton, CV11 4TQ.	104
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Works to Trees

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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		

PREVIOUSLY CONSIDERED

Item No. 1.

REFERENCE No. 036491.

Site Address: Site 97c001 Bedworth Road, Bulkington. Warwickshire.

Description of Development: Erection of 188 dwellings with public open space, landscaping, highways, drainage infrastructure and other accommodation works.

Applicant: Ms Jayne Smith - Taylor Wimpey, North Midlands Ltd. & Adrian Seabridge - Seabridge Developments Ltd.

Ward: BU.

RECOMMENDATION:

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

REASON FOR DEFERRAL:

This application was deferred by Planning Applications Committee on the 26th May 2020 to wait for the adoption of the Supplementary Planning Documents and Concept Plans for the Strategic Housing Allocation Sites.

INTRODUCTION:

This is a full application for the erection of 188 dwellings with public open space, landscaping, highways, drainage infrastructure and other accommodation works at Bedworth Road, Bulkington (Site 97c001).

The site is on the western edge of Bulkington, it is bounded to the west by the railway line and to the east by the residential estate of Severn Road which is a mixture of semi and detached two storey properties and semi-detached dormer bungalows all dating from the 1960's/1970's.

Access to the site is off Bedworth Road which is to the south of the site and which has ribbon development of residential properties of differing design and age with a mix of detached, semi-detached and terraced properties. The materials of the houses in the area and roof design are mixed.

To the north of the site are open fields, to the north east is Mill Lane with the houses closest to the site consisting of two storey dwellings also from the 1960's/1970's.

The land is currently vacant and was previously farmed but is now fallow and re-wilding. The site is approximately 1km from the village centre and measures 6.37 hectares in size and slopes down from the eastern to the western boundary and includes a hedgerow to the boundary with a garden in Mill Lane and one hedgerow that runs through the middle of the site.

The site is part of the Strategic Housing Allocation known as HSG8 of the Borough Plan 2011 – 2031. HSG8 is split into three separate pieces of land all under different ownership. The two further pieces of land in the Allocation are to the south of Bedworth Road and extend southerly and easterly to meet Coventry Road these other sites have not yet come in as planning applications.

RELEVANT PLANNING HISTORY:

- 018613 (780560) Housing Development (Outline application). Refused 1978.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - HSG8 - West of Bulkington.
 - DS1 - Presumption in favour of sustainable development.
 - BE1 - Contamination and land instability.
 - BE3 - Sustainable design and construction.
 - BE4 - Valuing and conserving our historic environment.
 - DS2 - Settlement hierarchy and roles.
 - DS3 - Development principles.
 - DS4 - Overall Development needs.
 - DS5 - Residential Allocations.
 - DS7 - Land Removed from the Green Belt.
 - H1 - Range and mix of housing.
 - H2 - Affordable housing.
 - HS1 - Delivery of Infrastructure.
 - HS2 - Strategic accessibility and sustainable transport.
 - HS5 - Health.
 - NE1 - Green infrastructure.
 - NE2 - Open space.
 - NE3 - Biodiversity and geodiversity.
 - NE4 - Managing flood risk and water quality.
 - NE5 - Landscape character.
 - SA1 - Development principles on strategic sites.
- Concept Plans for Strategic Allocations: HSG8, West of Bulkington SPD 2020.
- Affordable Housing SPD 2020.
- Air Quality SPD 2020.
- Sustainable Design and Construction SPD 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

Cadent Gas, Coal Authority, CPRE, Environment Agency, George Eliot Hospital Trust, Highways England, Natural England, NBBC Environmental Health, NBBC Housing, NBBC Parks, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, Network Rail, NHS, Open Space Society, The Ramblers Association, Severn Trent Water, Stagecoach, Warwickshire Wildlife Trust, Warwickshire Police (Architectural Liaison Officer), Western Power Distribution, WCC Archaeology, WCC Fire and Rescue, WCC Flood Risk Management, WCC Highways, WCC Infrastructure, WCC Rights of Way.

CONSULTATION RESPONSES:

No objection subject to conditions from:

Network Rail, NBBC Environmental Health, Severn Trent Water, WCC Archaeology, WCC Flood Risk Management and WCC Highways.

No objection from:

Coal Authority, Highways England, NBBC Housing, NBBC Refuse, Warwickshire Fire and Rescue.

No objection subject to a request for planning obligations from:

Bulkington Village Centre, George Eliot Hospital Trust, NBBC Parks, NBBC Sports Development, WCC Infrastructure and WCC Highways.

Comment from:

Cadent Gas, Coal Authority, NBBC Policy, The Ramblers Association, Warwickshire Fire and Rescue, Warwickshire Police (Architectural Liaison Officer) and WCC Rights of Way.

No comment from:

Environment Agency and Natural England.

No response from:

CPRE, Open Space Society, NBBC Parks and Warwickshire Wildlife Trust.

NEIGHBOURS NOTIFIED:

126 – 154 (even), 143 – 147 (odd) Bedworth Road, 17, 22 – 44 (even) Mill Lane, 1 – 73 (odd), 38 Severn Road and 1 – 19 (inc) Weavers Close, 9 Durham Lodge London.

Neighbouring properties were sent letters notifying them of the proposed development on the 25th June 2019. Following receipt of amended plans a further letter was sent to neighbours on the 7th November 2019 and subsequent to some minor changes nine of the properties previously consulted were consulted again on the 25th February 2020. Additional letters were sent to the neighbours bounding the site and the adjacent land owner on the 24th June 2020 following further landscaping to the boundaries to Severn Road.

A site notice was erected on street furniture on the 4th July 2019 and the application was advertised in The Nuneaton News on the 10th July 2020.

NEIGHBOUR RESPONSES:

There were seventeen objections from eleven addresses and two anonymous objections following the original consultations. The comments are summarised below:

1. High volume of traffic already as this is the main road through.
2. Access is too close to brow of hill.
3. Emergency access from Severn Road is a concern due to limited parking and must be lockable to ensure it doesn't become a secondary road and must remain locked. Concerns that this access will be changed to a secondary road over time.

4. Credibility of Transport Assessment is in doubt due to errors and should be accompanied by a road safety audit and swept path drawings to demonstrate the safety for Refuse vehicles etc. Proximity of bus stops could be dangerous. Traffic modelling needs to reflect traffic to The Lawns Equitation Centre and show the proposed toucan crossing.
5. Transport Plan is flawed does not take into account developments in Nuneaton that have increased traffic in the village.
6. Parking in village is already an issue.
7. Houses to the north of the site will park in Mill Lane which is a dead end and does not have capacity for more parked traffic.
8. Large proportion of the affordable housing is at the extreme reaches of the site furthest from bus services.
9. Need details of what provision will be given to cycle route.
10. Two trees will be removed at the end of Mill Lane in order to put cycle route through. Cycle route through to Mill Lane will increase crime and provide a rat run for mopeds.
11. Will reduce air quality.
12. Increased number of housing to that shown during the public consultation.
13. Density is too great Borough Plan stated 28 dwellings per hectare site provides 38.8 dwellings per hectare. Should be reduced to allow more openness to boundaries with neighbours and to protect hedges and enhance landscaping.
14. Not enough public consultation.
15. Must be developed as part of larger HSG8 site not on a standalone.
16. Encroaches into green buffer and reduced play and open space.
17. Loss of more green fields and wildlife habitats for bats, badgers hedgehogs skylarks etc. Green Belt should be protected. Will provide urban sprawl and alter character.
18. Disregard to the loss of the hedge in the middle of the field which is a hundred years old and supports wildlife and absorbs water preventing the flooding of the railway line. Loss of this hedge is against policy.
19. Hedge to Mill Lane must be protected.
20. Field has been left fallow and wildlife has increased.
21. Should concentrate on developing brownfield sites.
22. Good arable land will be lost.
23. Lack of infrastructure will put pressure on doctor's surgeries as only one in the village, schools and roads.
24. Drainage including blockages due to insufficient fall and water pressure has always been an issue in the area.
25. Should include open space and allotments. No capacity for any expansion of existing allotments. Allotments provide exercise.
26. Bulkington will lose its village feel and will be turned into town.
27. Development is on the urban edge and will look messy.
28. Loss of light and privacy to garden and house. Fence heights should be minimum height of existing dwellings rather than the standard 1.8m to protect privacy. Should be continuous to protect neighbours.
29. Need to provide slab levels and levels across site as steep gradient could cause road safety concerns.
30. Other Authority's refuse applications on Green Space.
31. Looking onto gable end to be built close to fence line. Will block light from garden; cast shadows and be claustrophobic. Will have permanent health impact on existing residents.
32. Even though decrease of two houses it is still an increase on what was originally intended in the public consultation by 40 dwellings.

33. Infrastructure won't cope e.g. doctors, schools etc.
34. No account of small developments around the village increasing pressure on infrastructure.
35. No one wants development.
36. Density in corner of site is too much.
37. Plots 31-34 have been squeezed in.
38. Archaeological work recently carried out caused vibration to neighbouring property and will be greater nuisance during construction.
39. Amendments improve the footpath and cycle route to existing properties.
40. Ecology reports have inconsistencies.
41. Still looking at gable close to fence line which will block light and cast shadows.
42. Even though decrease of two houses it is still an increase on what was originally intended in the public consultation by 40 dwellings.
43. Infrastructure won't cope e.g. doctors, schools etc.
44. No account of small developments around the village increasing pressure on infrastructure.
45. No one wants development.
46. New layout small improvement on previous.
47. Lockable bollard is deleted.
48. Some neighbours still adversely affected.
49. Hedge on site has recently been cut (to stop birds nesting in it) and caused noticeable drop in biodiversity and appears to be an excuse to remove it.
50. Surveyors will need to establish true boundary.
51. A lockable bollard will not be effective as it increases the risk of vandalism to the bollard and unrestricted access and presents an increased risk to pedestrians and cyclists. Taylor Wimpey assured they would provide measures to provide access for pedestrians and cycle access but not powered vehicles.
52. The creation of an off road route from Coventry Road to Mill Lane will without doubt facilitate greater antisocial behaviour and crime to what is already taking place. These concerns were ignored by the Planning Inspectorate at the Local Plan Examination.
53. Proposal does not comply with SPD and is being rushed through before the SPD is adopted.
54. As an adjacent land owner to the northern edge, should have been notified of application and amendments as had meetings with NBBC Policy over the last 2.5 years and have been constantly ignored by the Applicant; Agent; Taylor Wimpey (TW) and NBBC.
55. Objections already submitted to the Borough Plan to the Inspector re the northern green edge on the site as considers it is not legally compliant as it prevents a right of access to the land to the north so sterilises this land to the north. This was ignored by the Inspector. The owners of the land are legally obliged to provide a vehicular access to the north for farming purposes and green edge precludes any development of the land to the north. Existing hedge is sufficient. If approved land to the north will be land locked.
56. Objects to the Concept Plan
57. Over the years other land owners have not been involved in public meetings with NBBC, TW and others.
58. In April 2019 a plan with a bollarded access from Weston Lane/Mill Lane was sent to the adjacent land owner and agreed between them and TW following a meeting at TW offices.

59. Incorrect northern boundary (of the Plan shown on the Borough Plan) which was pointed out to the Council's Policy Team in April 2017 as the boundary trespassed onto neighbours land.
60. Due to time constraints cannot include many other points but application should be delayed until Concept Plan SPD is more thoroughly studied and legally disputed and resolved amicably, following a letter from TW dated 21.01.20 to take matter forward re the alleged access.

Subsequent to the amended plans and partial re-consultation on the 24th June 2020, three more objections were received from three addresses (all who had previously responded). The comments are summarised below and are to be read in conjunction with the above:

1. Residents views about the boundaries should now be well known but the amended proposals still remain contrary to Key Development Principle (KDP) 25 that states:
"All site boundaries should be enhanced through new planting of woodland copses and trees whilst maintaining adequate distances from housing, and all veteran hedgerows should be retained and surveyed prior to development. Species rich hedgerows should be incorporated within areas of open space."
2. Furthermore the additional trees shown in the document are in private gardens so do not contribute to the above KDP and together with other deficiencies leave the development seriously non-compliant with the Borough Plan and should be refused.
3. Difficult to understand why the application has been allowed to persist for a year with proposals that do not adhere to the Plan and should have been refused long before this.
4. Require reassurance that boundary fences will be a minimum height of the existing fences rather than 1.8m fence to ensure no privacy issues.
5. Hedgerow to rear of property is due to be removed but is within this neighbours own boundary and removal is not acceptable.
6. Still have gable end facing this neighbours existing property. Other alterations have been done but not this one. This house will block sunlight and cast shadows across the garden and will devalue home. Would prefer that new gardens were backing onto this neighbours garden.
7. Infrastructure will not cope.
8. No account of other small development around the village.
9. No one wants development to go ahead, elected members are not listening to the people who elected them.
10. The large village will become a town.
11. Re-wilding of the field has led to increased wildlife in the area.

Comments from Bulkington Village Centre:

1. Request for 106 contributions.
2. Informal concern on density on village edge and principle of development.

Comments from WCC. Councillor Jeff Morgan:

1. Glad safer routes for schools have been included. Bedworth Road to Nicholas Chamberlain is hazardous and needs to be made safer.

Comments from Councillor Kondakor:

1. This item should be deferred as it is not reasonable to consider it during the start of a pandemic via a possibly crowded public meeting.

2. The flood zone 1 to 3 are for flooding from seas, rivers and other significant water courses. Most flooding in the Borough is from surface water flows and the ground raising from new developments can produced new risk outside the red line area.
3. Already excessive Housing targets are now impossible. Need to pause applications until situation is reassessed.
4. No S106 funding should be given or controlled by North Warwickshire CCG as they fail to deliver. Funding for GP capacity need to be held by one of the councils.

APPRAISAL:

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

1. The Principle of the Development.
2. Affordable Housing.
3. Impact on Residential Amenity.
4. Impact on Visual Amenity.
5. Impact on Highway Safety.
6. Flooding, Drainage, Contamination, Noise and Air Quality.
7. Landscape, Landscape Buffers, Allotments, Open and Play space, Ecology and Biodiversity.
8. Archaeology.
9. Planning Obligations.
10. Conclusion.

1. The Principle of the Development

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

The land was originally within Green Belt but this status was removed and the site allocated for residential development within the Borough Plan 2011 - 2031. The site forms part of the Strategic Allocation known as HSG8. Therefore, the Planning Inspectorate has agreed in principle by their approval of the Borough Plan that this site is suitable for residential development.

Since the Plan's adoption, the principle of this site for housing land has been established given the amount of background research, and consultation required to allocate this land as part of the Borough Plan. Therefore, the impact of residential development, highways, landscape assessment etc., were assessed as part of this wider evidence base.

Since the Adoption of the Borough Plan, Concept Plans have been created for all of the Strategic Allocations. However the creation of these were after the submission of this planning application. These Concept Plans went to Cabinet on the 11th March 2020 and amendments were agreed by Cabinet to these on the 24th June 2020 and they were adopted by Full Council on the 15th July 2020 and they therefore carry weight in the assessment of this application. The amendments that were approved to the Concept Plan by Cabinet were to bring the Concept Plan more in line with Policy HSG8 and the Updated Landscape Character Assessment 2017 which was commissioned by the Council to drive the design of the Concept Plans.

In shaping this development site, Policy HSG8 suggests several Key Development Principles (KDP) and these will be referred to throughout this report where they are relevant.

This current application has to meet the specific policies of HSG8 as well as meeting all other relevant Policies of the Borough Plan and National Policies.

The specific Key Development Principles for HSG8 are:

1. *Provision of at least 495 dwellings in a mix of dwelling types and sizes.*
2. *Provision of under 12s children's play facilities on central parcel of site.*
3. *Play and open space to be provided with appropriate management and maintenance arrangements.*
4. *Financial contribution towards the upgrading of sports facilities and teenage play provision at Bulkington Recreation Ground, as well as financial contribution towards facilities at Miners Welfare Park in Bedworth, a destination park within the council's Open Space Strategy.*
5. *Provision of community allotments on northern parcel of HSG8.*
6. *Financial contribution and/or on-site land swap with Arden Forest Infant and St James Academy Junior schools in order to meet anticipated demand for school places.*
7. *Financial contribution towards secondary level education in order to expand existing secondary provision in the area to an additional 3.5 form entry.*
8. *Bus infrastructure improvements within or adjacent to HSG8, with a potential contribution to secure diversion of frequent local bus services to access the strategic housing site based on dialogue with Warwickshire County Council and bus operators.*
9. *Any transport improvements/upgrades required along Bedworth Road, Coventry Road and surrounding streets as a result of the development.*
10. *Financial contributions towards highways infrastructure identified in the Strategic Transport Assessment for Bulkington.*
11. *Provision of a footway/cycleway network through the open space on the site, linking Coventry Road with Bedworth Road and up to Severn Road and Mill Lane.*
12. *A toucan crossing on Bedworth Road between the northern and central parcels of HSG8.*
13. *Financial contributions towards the development of a dedicated cycle path along the B4029 between Bulkington and Bedworth*
14. *Potential local sewage network improvements to improve capacity to accommodate the development, subject to discussions with Severn Trent Water.*
15. *Financial contributions towards sport and physical activity.*
16. *Financial contribution towards community facilities.*
17. *Financial contribution for primary medical care to be given to NHS Warwickshire North Clinical Commissioning Group or successor body.*

There are no stipulations on the number of houses to be allocated in each parcel and in reference to KDP number 1, the allocation as a whole is to provide “*at least 495 dwellings in a mix of dwelling types and sizes*”. The Concept Plan 3.4.1 states there should be an “*overall net density of around 28 dwellings per hectare*”.. The site proposes 30 dwelling per hectare and is therefore considered to be in keeping with the Concept Plan. Government guidance used to state that sites should provide 30 to 50 dwellings per hectare so it is well in line with this. The NPPF paragraph 123 states that policies should optimise the use of land identified for housing as much as possible. The NPPF also states that housing delivery should be maximised. In conclusion it is considered that the density is acceptable as long as the site complies with Policy and distance standards in the Council's Sustainable Design and

Construction Supplementary Planning Document 2020 (SDC 2020) which has replaced the Council's Residential Design Guide 2004.

Borough Plan Policy *H1 – Range and Mix of Housing* states there needs to be a mix of housing types, sizes and tenures based on the need and demand identified in the most up-to-date Strategic Housing Market Assessment (SHMA), as well as the characteristics of the surrounding area. The latest SHMA information (2013) recommended greatest need across the Borough for 2 and 3 bedroom properties but it is recognised that there may be a market need for 3 and 4 bedroom properties in this location. The proposal is for a mix of 1, 2, 3 and 4 bedroom houses with the predominance of 3 bedroom properties. The Council's Policy Team and Housing Team have no issue with the mix.

The second KDP refers to the central parcel of the Allocation and not to this site. KDP's 3, 5 and 11 will be dealt with in section seven below. KDP points 4, 6 - 10, 12, 13, 15 - 17 will be dealt with in section nine of this report as they refer to financial contributions. KDP 14 will be dealt with in section six of this report.

The other Policies of the Borough Plan considered relevant are:

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

Policy *DS2 – Settlement Hierarchy and Roles* identifies Bulkington as having a supporting role for housing, shopping, leisure and local services. Bulkington is considered to be a sustainable location for this scale of development.

Policy *DS4 - Overall Development Needs* identifies that at least 14,060 homes are to be planned for over the plan period 2011 - 2031. The proposed development would contribute 188 homes to this requirement. Last year's Five Year Housing Land Supply information (April 2019) calculated a five year supply figure of 5.83 years (using the Liverpool method). Delivery of the residential Strategic Allocated Sites such as this are necessary to this supply. The Council's Five Years Housing Land Supply calculated in April this year (as required by the Government) has stated that the Housing Land Supply has fallen to 5.15. This is due to the fact that not as many of the Strategic Housing Allocation sites have come forward since the adoption of the Borough Plan as predicted. Due to Covid19 this amount could drop even further in the next year but it is too early to understand how the pandemic has affected development outputs.

The NPPF (paragraph 73) makes clear stipulations of the importance of maintaining a Five Year Housing Land Supply. Indeed the NPPF clearly states that failure to do so could mean the Borough Plan is considered to be out of date and leave the Council open to a large influx of prospective applications from landowners and developers on non-allocated sites. The lack of a Five Year Housing Land Supply would bring in the "tilted balance" for having to approve these non-allocated sites, as experienced in the few years before the Adoption of the new Borough Plan. The landowner on this site has informed Officers that it already has a developer in contractual arrangements and indicated that the site can be delivered in the near future and be a contributor to the Local Plan targets and the Government's stated intention to promote housebuilding to support the economy.

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

Policy *HS1 – Ensuring the Delivery of Infrastructure* states that development will be required to provide infrastructure appropriate to the scale and context of the site in order to mitigate any impacts of the development and to address the needs associated with the development. An assessment of this will be shown in section nine of this report.

Policy *BE3 – Sustainable Design and Construction* states development proposals must be designed to a high standard and meets Buildings for Life 12 standards and meets the optional Building Regulations requirement M4(2) for ‘accessible and adaptable dwellings’ for 35% of the development proposal. An additional document has been provided to confirm it exceeds those standards.

Policy BE3 is supported by the newly Adopted Sustainable Design and Construction Supplementary Planning Document (SDC 2020) that provides further detail on the policy requirements. The SDC 2020 sets out seven established principles for successful urban design and goes on to provide guidance on matters such as street layout; pattern of development; residential amenity; size; arrangement and built form. The proposal has mostly curved street design with permeable cycle and pedestrian routes as is sought in the SDC 2020. The proposed house types would be finished predominantly in brick but with some render finishes to add visual interest to the street scene and this also follows the approach given within the SDC 2020. The proposal has public spaces being faced by the front of buildings to provide natural surveillance.

Overall it is considered that the principle of development is already established and together with the submitted information shows that the principle of the development is acceptable.

2. Affordable Housing.

A need for affordable housing is well documented in the Borough, and Policy H2 of the Borough Plan requires 25% of all new developments to be affordable. Discussions have been held between the Applicant and the Housing Team and it is agreed the site will provide 25% affordable housing which is broken up as 74% affordable rented homes and 26% shared ownership homes. The affordable housing is to be a mix comprising of: 4 one bed maisonettes; 19 two bed houses; 20 three bed houses and 4 four bed houses.

Whilst affordable units must be pepper potted around the scheme, Registered Social Landlords do like to see groups of affordable housing for ease of maintenance. The scheme proposes that the affordable units are spread across the site into seven groups of between 4 and 9 dwellings in each cluster. It is considered that this provides an even distribution of affordable units. Furthermore this exceeds the newly Adopted Affordable Housing Supplementary Planning Document 2020 that specifies that there should be approximately between 3 to 5 clusters of up to 10 dwellings in each cluster for sites of between 151 to 200 dwellings. Some of these units are to the extreme west and also close to the northern part of the site but nonetheless these properties are in close proximity to footpath and cycle routes to Bedworth Road and Mill Lane.

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

3. Impact on Residential Amenity.

The nearest residential properties affected are in Bulkington Road, Severn Road and Mill Lane.

In the majority of cases the proposed layout to the existing houses in Severn Road are back to back e.g. the existing and proposed gardens are between the rear windows of the existing properties and the rear windows of the proposed dwellings. The 20m distance SDC 2020 paragraph 11.4 is met in these cases from the existing houses to two storey proposed dwellings.

There are two 2.5 storey dwellings on the boundary with Severn Road which are plot numbers 11 and 12. There is 26.3m from the back of the proposed dwellings to the rear of the existing houses. For a full three storey dwelling the distance required would be 30m to prevent an oppressive sense of overlooking between windows. The second floor rear windows of these proposed dwellings are roof lights and the actual distance to these within the roof slope is a further 2.6 metres, therefore the distance from window to window is approximately 29m. Furthermore the lowest of the roof lights which is a secondary window to a bedroom has a windowsill height of 2.2m therefore there will be no views from this window. The second roof light is to a bathroom and which has an even taller windowsill height so there are no views from out of these windows. As this house type is 2.5 storeys (e.g. rooms in the roof) rather than 3 storeys with a further roof, it is considered that the distance is acceptable.

There are two rear proposed bedroom windows that overlook existing neighbour's rear gardens one is plot 4 to the garden of 147 Bedworth Road. However where the window begins, the distance to the boundary is 7.1m and it therefore complies with the 7m distance set out in the SDC 2020 paragraph 11.6. There is a similar incidence on plot 50 where there is a rear bedroom window overlooking the rear garden of 44 Mill Lane and the distance is only approximately 6.2m. However in this instance it is towards the top end of the garden towards the rear boundary that will be overlooked and which is well away from the house and most usable private amenity space. The garden to this neighbouring property is relatively long at over 50m.

Plot 4 is side on to 147 Bedworth Road but because of the distance between them neither property impact on the other in relation to the impact to rear and front windows nor impact on each other's private amenity space. This is the same with plot 54 and 44 Mill Lane. Similarly plot 21 is to the side of 35 Severn Road but again there is no impact to each other's front or rear windows or private amenity space. However, 35 Severn Road does have a side kitchen window (south west facing) which is now a primary window to the kitchen. Nonetheless, the house design for these neighbouring properties was such that the side window was always intended as a secondary window and the primary window to the kitchen would have been to the rear. This rear opening is now enclosed by a conservatory. The SDC 2020 paragraph 11.3 states that only primary original windows can be protected and which are normally deemed to be the windows that overlook amenity areas e.g. garden. The side window just overlooks the owner's driveway. Therefore whilst the kitchen of this existing property will be impacted upon, the proposal is to the guidance in the SDC 2020. Notwithstanding this, these impacts were discussed with the Developer and plot 21 has been moved further away from the boundary so there is approximately 5.5m between this neighbour's side window and the side wall of plot 21.

Plot 33 sides onto the rear gardens and properties of 41 and 43 Severn Road. The distance from the rear of the original properties (not extensions) in Severn Road to

the side of the proposed properties is 18.6m. In terms of impact to these neighbours' original windows the distance should be 14m set out in the SDC 2020 paragraph 11.7, so the distance complies with the standards. There will no doubt be an impact to these neighbours' rear gardens but the side of the proposed dwellings are set off from the boundaries with these properties by at least 2.9m. In addition the proposal is not the entire length of the rear boundaries of these properties and is northwest to it. It is therefore considered that the impact to these existing gardens is acceptable.

There is a similar relationship between 35 Severn Road and the side of plot 32. The distance from the rear of 35 and the side of plot 32 is 14.3m and therefore complies with the SDC 2020 distance of 14m. In addition the side of the proposed house is set off the boundary by 4.4m and the roof to this proposed property is hipped reducing the impact and again the proposal is northwest to this property.

It is therefore considered that whilst there will be no doubt be an impact to existing residential properties it is considered acceptable and largely in compliance with the SDC 2020 and where it is not, Officers consider there are mitigating circumstances to make any impacts acceptable.

The distance standards within the site are largely met, where they are not this is normally across a road and the SDC 2020 paragraph 11.5 states that the distance can be reduced in these circumstances.

On plot 162 the rear of this property is slightly in line with the side of plot 161 and the distance is only 12.3m and which should be 14m. However this is only for a very small amount and the nearest ground floor window has views beyond the side of this neighbouring house and therefore it is considered the relationship between the properties is acceptable in terms of residential amenity.

Plots 114 - 117 are set further back than the neighbouring property plot number 113 by 4m. The acceptable maximum step-back would normally be 3m set out in the SDC 2020 paragraph 11.9. However, the 3m distance is where both properties are immediately adjacent to one another and there is a 1m gap between these properties which will lessen the impact. In addition plot 114 - 117 is in a northerly direction to this neighbours garden and therefore will not provide overshadowing. The same relationship means that the front living room window of the nearest one bedroom dwelling will be infringed at 45 degrees by the side of plot 113. However this window will have views out towards the car park and open space.

There is only 13m from the rear of plot 125 to the side of plot 142, the distance should be 14m as per SDC 2020 paragraph 11.7. However plot 142 is not across the entire rear boundary of plot 125 and therefore there will still be views from the ground floor rear window of plot 125.

Some of the rear ground floor windows of the proposed properties will be infringed by garages, however in most cases the infringement is caused by the plots own garage and where this is not the case there is a gap between the rear of the property and the garages. These garages are only 2.4m in height from the ground to the eaves level so is not hugely different in height to that which could be built with a garden wall. In addition the garages are not the full length of the boundaries.

Overall it is considered that the layout largely complies with the Council's SDC 2020 and where it is not there are mitigating circumstances that means Officers consider the residential amenity is acceptable and that the very minor breaches are

considered acceptable given that new occupiers will purchase any property in full knowledge of the layout and consequently it is considered that they are not significant enough to warrant a refusal of the scheme. As is always the case, there is also an element of 'buyer beware'.

4. Impact on Visual Amenity.

The proposed houses are a mixture of design with terraced, semi-detached and detached properties and some 1 bedroom units that give the impression of semi-detached properties. There is a mixture of three specifications of brickwork of six types of brick and which include red brick with buff detailing. These are also broken up further by areas of ivory roughcast render. Elevations will also be broken up by brick soldier coursing to the head and sills of windows with a mixture of canopy roofs to the doors.

The roofs are proposed to be a mix of gables and hips and are to be plain concrete tiles of either peat brown or slate colour which reflects the area. This complies with the Concept Plan that states that roof materials should "*be in recessive colours to help reduce the prominence of urban edges*" (paragraph 3.5.1).

Overall it is considered that there would be no significant harm on visual amenity.

5. Impact on Highway Safety

Highways England were consulted on this application and have no objection. WCC Highways have no objection subject to conditions and 106 contributions via a Legal Agreement and Section 278 works.

The site proposes a junction onto Bedworth Road with a designated right hand lane with pedestrian refuge and 2m wide footpath.

Borough Plan Policy *HS2 – Strategic Accessibility and Sustainable Transport* states where development has transport implications, that this is fully considered. To this end a Transport Assessment (May 2019 Issue 4) was submitted with the application and concludes that the additional traffic movements would be acceptable and that the proposed site access would be adequate and within capacity.

Borough Plan Policy *DS3 – Development Principles* states that all new development must be sustainable and high quality and should be fully supported by infrastructure provision. Borough Plan Policy HS2 requires a 15% modal shift to a non-car based mode of transport. NPPF paragraph 102 outlines the need for planning to '*promote walking, cycling and public transport*' and to make the fullest possible use of these.

NPPF paragraph 103 states that growth should be focused on locations which are or can be made sustainable. The site is considered sustainable and the Developer will be required to pay for bus infrastructure via a Section 278 Agreement for the enhancement of the nearby bus stops as well as contributions towards bus real time information.

The proposal also includes contributions of £375,000 towards the improvement of the Bulkington highway network for the junctions of Rugby Road / New Street, Rugby Road / Withybrook Road / Shilton Lane, Rugby Road/ Arden Road and Nuneaton Road / Cleveland Road.; £237,500 towards the improvement of a footpath/cycle route to Nicholas Chamberlaine School; £30,000 for dropped kerbs to crossing points

to the route towards Arden Forest School and the provision of a new toucan crossing on Bedworth Road. All these contributions have been agreed with the Applicant.

With the exclusion of the 1 bedroom dwellings, which have one parking space per dwelling and additional visitor spaces; the proposal provides 2 car parking spaces per dwelling some of the dwellings have additional garages in addition to this. Therefore the provision of parking spaces is considered acceptable.

Overall it is considered that with the relevant conditions and the obligations requested that there would be no significant harm on highway safety.

6. Flooding, Drainage, Contamination, Noise and Air Quality.

In relation to flooding and drainage, the NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (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.

It is in this context that the applicant submitted a Flood Risk Assessment and Foul Drainage Proposal (FRA) (June 2019) with the application. The site is entirely within Flood Zone 1 which is the least likely to flood. Suds features are proposed to the western and northern edges to provide a brake to discharge water at Greenfield run off rates into Severn Trent Water storm water drains. The Report demonstrates that development would not have any adverse impacts or increase flooding elsewhere and would “*inherently significantly reduce uncontrolled overland flows from the development area*”.

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

The site proposes Suds features to limit the run off flow of surface water. The surface water was originally to run from the Suds via a surface water drain onto Network Rail land which Network Rail were not in agreement to. A subsequent agreement was made with Severn Trent Water for the use of mains drainage but which will require a pumping station due to the site levels.

Similarly a pumping station will be required for foul water which will again make use of Severn Trent Water mains drainage.

Severn Trent Water have no objection to the use of their drains subject to condition and have advised that sewer modelling and capital improvements may be required from the developer.

In reference to contamination, the NPPF sets out the need to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraphs 109, 120 and 121). Borough Plan Policy *BE1 – Contamination and Land Instability* also states that land stability and contamination needs to be considered.

It is within this context that the applicant has submitted a Geo-Environmental Assessment (July 2017). This report comprises of a desk-based geo-environmental preliminary risk assessment. This concludes that there are no remediation measures required or hazardous ground gases identified.

The Councils Environmental Health Team (contamination) were consulted during the application process and conclude that no contaminated land conditions are required.

In reference to noise, the NPPF states that planning policies and decisions should aim to:

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

The site is adjacent to a main railway line and a Noise and Vibration Climate Report (revision 2) was submitted with the application. This concludes that the dominant noise is from road traffic on Bedworth Road and short duration of higher noise levels from trains passing the site and that vibration mitigation measure are not deemed necessary for the site.

The Council’s Environment Health Team (noise) have deliberated on this assessment and consider that although they are not entirely satisfied that the measures outlined in the report are sufficient to mitigate noise, that nonetheless the scheme can be made acceptable with adequate noise attenuation include glazing and ventilation and they have no objection on this basis subject to condition.

The Council’s Environmental Health Team (air quality) responded to say that air quality was reasonably good in the area and the impact was likely to be slight or negligible and therefore an Air Quality Assessment was not required. They therefore responded with no objection subject to conditions for a Dust Management Plan for the construction phase and the fitting of electric vehicle charging points and low emission boilers. These are all considered appropriate conditions.

Borough Plan *Policy HS5 – Health* requires that a Health Impact Assessment (HIA) screening assessment is required. A Health Impact Screening Assessment (February 2020 final) was submitted with the application and concludes that the development would have a positive health effect and designed to provide a high quality and healthy environment for future users and will provide a safe and healthy environment. It also concludes that the nature and scale of the development would not be likely to result in significant impacts on health and wellbeing. It concludes that a full HIA is not required. WCC have no objection to this approach.

In conclusion, it is considered that in terms of contamination that the site is acceptable and that in terms of flooding; drainage; noise and air quality that the proposal can be made acceptable subject to conditions.

7. Landscape, Landscape Buffers, Allotments, Open and Play space, Ecology and Biodiversity

Section b) of paragraph 170 of the NPPF 2019 establishes the importance of ‘recognising the intrinsic character and beauty of the countryside’.

Borough Plan Policy NE5 – *Landscape Character* states that it should be demonstrated how the proposal will conserve, enhance, restore or create a sense of place and how a proposal responds positively to the existing landscape character.

The site falls within the Bulkington Village Farmlands Character Area that has been assessed to be of moderate quality and condition with key fringes including hedgerows and hedgerow trees, linear woodland along the railway and some streams and trees and scrub along settlement fringes. These are considered to be common place features for arable farmland.

The Council commissioned an Updated Landscape Character Assessment in 2017 to identify the character within the Strategic Sites. This assessment discusses the northern part of HSG8 and identifies that the current impact of houses in Severn Road to the village edge as:

“These properties have little garden vegetation and are prominent on the approach into the village from the west.

The landscape capacity/scope for mitigation in this commissioned Council Assessment states that:

“The site immediately borders existing residential development which exerts an urbanising influence on the adjacent landscape. The presence of development and the mature trees along the railway help to limit the visibility of the site and limit effects on landscape character. Effects on public views would be relatively limited, with higher visual effects likely to be experienced by neighbouring residents. There is a moderate-high potential to mitigate landscape and visual effects through additional hedgerow and tree planting, which also has the potential to improve the appearance of the settlement edge and careful design of development along Bedworth Road could help contribute to the character of the village approach from the west. Overall there is a moderate-high capacity to accommodate new housing on this site.”

The Assessment therefore identified that the current village edge is prominent when approaching the village and that the new proposed urban edge when approaching the village should be softened to mitigate the current stark edge.

Paragraph 2.5.2 of the Concept Plan replicates the suggestions from the Updated Landscape Character Assessment (2017) for this northern section of the Allocation and states that the development should include:

- *“Enhancement of linear woodland along the railway;*
- *Creation of new hedgerows and hedgerow trees along the northern, western and southern boundaries of the northern parcel;*
- *Conserve and enhance the pattern of small and medium sized fields bounded by intact hedgerows where possible on southern and central parcels;*
- *Retain and enhance the field pond on the central parcel and creation of green corridor either side of public footpath B41 through incorporating into a network of inter-connected open spaces;*
- *Enhance wooded fringes of village edge through planting new small woodland copses and trees and incorporating trees across the site;*
- *Enhanced tree cover along site boundaries;*
- *Landscape buffer along the Bedworth Road frontage of the northern parcel to enhance the character and approach into Bulkington from the west; and*
- *For the central parcel, mirror existing landscape treatment and scale of development along Bedworth Road.”*

To establish the impact on the landscape a Landscape and Visual Appraisal (May 2019 Issue C) was submitted with the application and which together with the Borough Plan Policies and pre application meetings have formed the layout of the proposed development. This Appraisal considers the landscape conditions as being poor but that the 'landscape had 'moderate' strength of Landscape Character' and 'medium landscape value'.

The Landscape and Visual Appraisal concluded that providing the new urban edges were reinforced along the western and northern boundary, together with the retention of existing boundary hedgerows that the development would not give "rise to any unacceptable landscape and visual harm".

Open space and landscape buffers and the Suds are proposed to the edges of the development to the north, west and south. This is to soften the boundaries to enhance the approach to the village and again mirrors the recommendations in the Council's Updated Landscape Character Assessment 2017 for the site. The hedgerow to the edge of the site (to Mill Lane) is to be retained.

It is therefore considered that the layout will protect and enhance the current landscape character of the area as much as possible and is in line with the recommendations of the Council's own evidence base and Adopted Concept Plan.

Borough Plan Policy HSG8 has specifications for the '*form of development*' these cover the three sites within HSG8 so not all of the requirements are relevant to the northern part of the Allocation. The HSG8 '*form of development*' states:

18. Landscape buffer along Bedworth Road to enhance the character and approach into the village from the west.

19. Development along Bedworth Road should mirror the existing landscape treatment and scale of development, and should be designed so as to frame views towards the church and refrain from dense planting which may limit views towards the church.

20. Creation of substantial hedgerow with hedgerow trees along northern, western and southern boundary (to be maintained as a Green Belt defensible boundary).

22. Conserve and enhance the pattern of small and medium sized fields bounded by intact hedgerows where possible.

25. All site boundaries should be enhanced through new planting of woodland copses and trees whilst maintaining adequate distances from housing, and all veteran hedgerows should be retained and surveyed prior to development. Species rich hedgerows should be incorporated within areas of open space.

26. Site will require a concept framework to ensure the parcels that make up the site come forward in a comprehensive manner and cohesive manner. Development proposals should be in accordance with the concept plan, including access arrangements.

27. The northern parcel will require a strategic green edge to the north of the boundary to provide a defensible boundary. This area should include open space and the proposed allotments.

The Adopted Concept Plan for HSG8 states:

3.2.3 Edge treatments and landscape buffers should align with the recommendations of the 2017 Landscape Capacity Study for the site. Retention and strengthening of existing hedgerows is encouraged adjacent to

existing residential properties. These hedgerows should be left as part of residential garden space rather than separate areas of isolated green space.

- 3.2.4 Soft landscaping and planting should be positioned in front of the development line on the northern parcel of HSG8 where this fronts Bedworth Road. The current building line to both the north and south of Bedworth Road should inform the building line to HSG8 where it fronts this road. This will enable the retention of the boundary hedge to Bedworth Road on the central parcel of HSG8 and will maintain long views of the church tower of St James Church in the village centre from Bedworth Road.*
- 3.2.5 The site's western edge, along with northern areas of the central and northern parcels will form enhanced areas of open space and will be combined with existing areas of habitat such as the field pond and the greenspace along the railway line.*
- 3.2.6 The northern parcel will require a strategic green edge to the north of the boundary to provide a defensible boundary. This area should include open space and the proposed allotments. A structural tree and shrub belt should also be created along the western edge of the site.*
- 3.2.10 West to east running hedgerows at the northern ends of the central and southern parcels of the strategic housing site should be retained as part of the development. Higher category trees, such as Category A and B for example, should be incorporated into the site layout where possible, with any loss of significant trees supported by full tree and ecological surveys and net biodiversity benefits delivered as a result of the loss in accordance with Policy NE3.*
- 3.2.11 The indicative layout aims to create a green route alongside the existing public footpath, with boundary edges on the northern and western edges of HSG8 benefitting from enhanced areas of planting to create well-connected areas of open space. These areas; will contain new pedestrian/cycle paths; will be utilised by wildlife; will provide a valuable amenity space and setting for the residential development of the strategic site; and, will provide natural noise attenuation and screening to the railway line.*
- 3.2.12 Areas of hedgerows on existing site boundaries should be retained and enhanced to minimise the impact on the amenity of existing residential properties*

The houses are to be set back from Bedworth Road with a landscape buffer. Beyond the buffer will be a private driveway to the houses fronting onto Bedworth Road. The proposal therefore complies with points 18 and 19 of Policy HSG8 and the Adopted Concept Plan.

A linear green space and new planting is proposed to the northern and western boundaries giving a total of 1.47 hectares of open space which will incorporate suds and a footpath and cycle link through to Bedworth Road to the south and Mill Lane to the north. Therefore the proposal will comply with KDP's 20 and 27 of Policy HSG8 and the Adopted Concept Plan. The provisions of these linear areas also means the proposal complies with Borough Plan Policy *NE1 – Green Infrastructure* where new development proposals are required to create new and enhance existing Green Infrastructure assets.

In relation to KDP's 22 and 25 which require the retaining of intact and species rich hedgerows where possible; the proposal seeks the removal of the internal hedgerow. The Ecological Appraisal (May 2019 revision F) submitted with the application states that whilst the two hedgerows on the site have native species which are generally considered to be of principal importance; the hedgerows on the site are not considered to qualify as 'important' under the Hedgerows Regulations 1997 and are considered to be species poor, with an overall score quality of 3 for each hedgerow indicating 'moderate ecological value'. Only those with scores of 1 and 2 are considered to be a priority for nature conservation.

Borough Plan *Policy SA1 – Development Principles on Strategic Sites* also states that internal hedgerows should be retained if species rich or where they form a link to habitat. As the internal hedge does not fit under this criteria and there is no objection from the Parks Team for its removal, it is considered that the internal hedge removal is justified within these Policies. The second hedgerow to the border to Mill Lane is to be retained and can be protected via condition and therefore complies with the Concept Plan 3.2.12.

KDP 25 of HSG8 requires:

25. All site boundaries should be enhanced through new planting of woodland copses and trees whilst maintaining adequate distances from housing, and all veteran hedgerows should be retained and surveyed prior to development. Species rich hedgerows should be incorporated within areas of open space.

In direct reference to the boundary with Severn Road the distance standards to these properties have already been assessed and discussed within the section above on residential amenity. Amended plans have been received after the application was deferred by Committee and due to the adoption of the Concept Plan. These amended plans show tree planting to the Severn Road boundaries. The two species of trees that are proposed are Crab apple trees which will provide a mature height of 3 to 7m and a spread of 4 to 8 metres. The second species chosen is Whitebeam trees which are classed a medium sized trees of low maintenance and grow to 8 to 12m at maturity. These species has been chosen as medium height trees in order not to get too tall to overshadow the existing and proposed new gardens but simply to provide screening. The landscape plans show that these are to be provided as heavy standard specimens which means they will be between 3.5 to 4m in height when they are planted.

Figure 6 within the Concept Plan provides a diagrammatic plan of the written requirements of the Concept Plan. The boundary edges are shown as proposed landscaping. This edge to Severn Road is a very narrow strip and it is considered that the landscape treatment to this boundary is in keeping with both the KDP for Policy HSG8 of the Borough Plan and the Concept Plan.

KDP point 5 requires that allotments are provided in this particular site and these were included within the original submitted plans and also show in the Concept Plan. However, in reality the Council's Parks Team responsible for allotments consider that the number of allotments that would be provided would unlikely produce a viable site in terms of numbers of members and would also contradict the allotment strategy that states there should be a minimum of 20 allotments. The Council's Parks Team have spoken to the Bulkington Allotments Association to ask if they would run 10 plots on the site as a satellite site to the existing allotments in Bulkington and the response was that they would not take them on. The Parks Team therefore had concerns

about the practicalities of allotment provision on the site in terms of management and viability. However, the Allotment Association stated they would take on new allotments by way of the expansion of the existing allotment site in Bulkington and Parks have confirmed there is scope for further plots to be created alongside the existing ones.

Discussions were held with the Applicant and it was agreed that instead of on site provision which the Council's Parks Team had objected to, the site would provide an off-site capital contribution of £9,442.30 plus £944.23 (towards design and management fees of this capital cost) towards the provision of new allotments on the existing allotment site. This was a preferred option by the Council's Parks Team and existing Allotment Society.

One advantage of the removal of the allotments on the site is the removal of a pinch point of the proposed new pathway onto Mill Lane which means the landscape buffer in this area can be increased meaning that two trees to this boundary that were originally to be removed (and their removal was objected to by neighbours) can now be retained. The freeing up of this area of the site from allotments also means that a play area for small children can be provided.

Policy HSG8 stipulates that play provisions would be in the central part of the Site Allocation as a whole and not within the application site. However, discussions with the Council's Legal Team during the application process showed that this was not practical to govern across the three land parts within the allocation. This is because the three sites are not coming forward at the same time and could be built at different times meaning that early occupants on the application site would not have the facilities available. Whilst the other land owners could be asked to enter into a legal agreement to provide the park they couldn't be made to provide the park before their own sites came forward. It would also mean that if the proposed new park on the other site was not adopted, that occupiers of this first site would have to enter into a management agreement to pay for these off site facilities which would be impractical to administer.

All of these issues were considered by Officers to be unworkable and impracticable and instead discussions with the Applicant led to an agreement for the developer to provide a small children's play area within the site and this is an option agreed by the Council's Parks Team. This provision will be within the Legal Agreement if approved and the type of equipment will be via condition.

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 and 175). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats. Borough Plan Policy *NE3 – Biodiversity and Geodiversity* mirrors the NPPF.

Natural England, Warwickshire Wildlife Trust and the Council's Parks Team were consulted during the application process. The Council's Parks Team were also part of the pre application discussions to drive the layout. Natural England have no objection and Warwickshire Wildlife Trust left the assessment to the Council's own Parks Officers in terms of ecology and biodiversity.

An Ecological Appraisal (May 2019 rev F) was submitted to assess both habitats and protected species. Habitat Surveys were carried out in 2016 with an updated survey in 2017. Two local off site ponds were DNA tested for Great Crested Newts (GCN)

and one proved to be positive. However the report considers that as the pond is 150m away and the intervening habitat is not suitable for GCN that it would be unlikely that GCN would migrate from the pond. Notwithstanding this no GCN were recorded during trapping on the site in 2018.

Bat surveys were carried out in 2017 and no bat roosts were found but there was some limited bat activity for foraging and commuting bats. However, the survey concluded that no significant commuting routes were identified within the site and habitats that were to be removed were not considered to be of significant foraging resource. New lighting, or lighting during construction, can affect bat roosts and commuting or foraging routes but it is considered that this can be limited and dealt with via a lighting condition which has been requested by the Council's Parks Team. In addition bird and bat bricks are also proposed via condition. It is considered that in time, the new buffers to the north and west will provide increased foraging with the provision of additional trees, bushes, species-rich grassland and Suds features.

No evidence of badgers were found within the site or within 30m of it and the site was considered to not have the structural diversity required for reptiles. The hedgerows were considered suitable for nesting and foraging birds and the hedgerow that is to be removed has recently been reduced to ensure that this is not used during the nesting season.

A Biodiversity Impact Assessment was submitted and it was proven that subject to conditions the site could be enhanced to provide a net gain.

An Arboricultural Assessment (May 2019 Final) was submitted with the application. This identifies that all of the trees on the site have a classification of C or lower. This classification is for trees of low quality but with a life expectancy of at least ten years. The main trees that are to be removed are within the internal hedgerow that is to be removed and include Elm, Ash and Hawthorn, however the survey of these trees show that they have flail damage from previous cutting of the hedge and include some dead trees. There is one further tree to be removed to the Eastern boundary (identified in the Arboricultural report as T3) which is a Balsam Poplar and is a category (U) tree considered to be unsuitable for retention due to its poor condition with multiple failed limbs, unsympathetic past pruning, die back of crown material and dead wood. None of the trees were considered worthy of a Tree Preservation Order.

In conclusion it is considered that the new proposed landscape buffers, provision for payment towards increasing existing allotments, play and open space, impact on ecology and biodiversity are all acceptable or can be made so via condition. It is also considered that the scheme complies with National Policy, Policy HSG8 and is in compliance with the Adopted Concept Plan.

8. Archaeology

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

An initial desk based study was submitted but WCC Archaeology objected as they considered that trial trenching was necessary prior to determination.

32 trial trenches were carried out and a Written Scheme of Investigation (February 2020) was subsequently submitted. Findings included Roman; Anglo Saxon and

medieval pottery; 14th/15th century tile; a brick fragment dated to 1300 – 1580; possible Iron Age fragments and a windmill dating to the 13th and 15th centuries. Subsequent to the trial trenches and additional report, WCC Archaeology have now removed their objection subject to conditions.

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

9. 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;
- a. directly related to the development; and
- b. 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.

Key Development Principles

Many of the Key Development Principles (KDPs) set out in Policy HSG8 refer to contributions including NHS, community facilities, education, transport, highways, toucan crossing, bus infrastructure, sports, open space and parks provision, cycle and footpath links. Provision for these contributions required and in line with the relevant KDPs are below.

Organisation	Request For	Contribution and notes
NHS Joint Health request	Bedworth's Primary Care Network. For more consulting rooms including clinical and non-clinical support.	Total £53,879 Agreed with Applicant.
Bulkington Village Centre	Car park extension; improved WC facilities to the north block and construction of a new function room.	£82,793.32 Agreed with Applicant.
George Eliot Hospital Trust	Provision of healthcare at George Eliot Hospital	£127,438.00 Agreed with Applicant.
NBBC Sports and Leisure	To enhance facilities in the South of the Borough in Bedworth: - Enhancing/refurbishing sports hall provision, changing rooms, fitness facilities, additional water space and community facilities.	£443,888 Agreed with Applicant.

NBBC Parks and Open Space	<p>Provision and maintenance of off-site play and open space.</p> <p>Destination Park - Miners Welfare Park – Splash park provision and entrance improvements. Including Design and Management fees @10% Capital Cost, Capital Contribution and to maintain same items.</p> <p>Community Park – Bulkington Recreation ground. Teenage play provision, green gym equipment and path creation. Including Design and Management fees @10% Capital Cost, Capital Contribution and to maintain same items.</p> <p>Local Community Park – To be provided on site by Developer. Children’s play provision</p> <p>Allotments – Bulkington Allotments. Increase in plot capacity and provide ancillary facilities.</p>	<p>Total £235,160.71 (excluding fees if adopting local park on site)</p> <p>Split as:</p> <p>-Capital Total £170,115.10.</p> <p>-Maintenance Total £48,034.10 (excluding on site land local community park).</p> <p>-Design and Management Total £17,011.51.</p> <p>If adopting on site park additional £14,697.31 will be required.</p> <p>All agreed with Applicant.</p>
NBBC Parks and Open Space	<p>On site Park to be provided for small children. Approximate value of equipped park to be in the region of £50,000.</p>	<p>Maintenance charge will be incurred if adopted.</p> <p>Agreed with Applicant.</p>
NBBC Housing	<p>Affordable housing provision at 25% of total housing number. 26% intermediate/74% social and affordable rent.</p>	<p>Agreed with Applicant.</p>
WCC Infrastructure	<p>Rights of Way - Improvements to public rights of way within a 1.5 mile radius of the development site.</p>	<p>Total £8,191</p> <p>Considered by NBBC and Agent not to be CIL compliant.</p>
WCC Infrastructure	<p>Libraries – To improve, enhance and extend the facilities or services of a specified library service point.</p>	<p>Total £4,077</p> <p>Agreed with Applicant.</p>
WCC Infrastructure	<p>Sustainability Welcome Packs - £75 per dwelling towards the cost of the provision of information to promote sustainable travel provided through new dwelling welcome information.</p>	<p>£14,100. To be provided via condition.</p> <p>Agreed with Applicant.</p>
WCC Infrastructure	<p>Public Transport – Bus stops. Enhancement of the pair of bus stops on Bedworth Road (B4029) near junction with Severn Road in Bulkington:</p> <p><i>1. Supporting Bus Infrastructure:</i></p> <p>A. Bus Stop on Bedworth Road near junction with Severn Road:</p>	<p>Delivered as part of Section 278 Agreement highway works arrangements associated with the proposed new development.</p> <p>The cost of the displays, maintenance of the stops and the Real Time</p>

	<ul style="list-style-type: none"> • Raised bus boarding area (hard-standing, paving and kerbs); • Provision of a Bus shelter; • Re-positioning of existing bus stop pole; • Rejuvenation of the bus stop clearway box markings within the existing lay-by; • Provision of a 'No Parking' sign to be attached to the existing bus stop pole; and <p>B. Bus Stop on Bedworth Road opposite junction with Severn Road:</p> <ul style="list-style-type: none"> • Raised bus boarding area (hard-standing, paving and kerbs); • Provision of a Bus shelter; • Re-positioning of existing bus stop pole; • Rejuvenation of the bus stop clearway box markings within the existing lay-by; • Provision of a 'No Parking' sign to be attached to the existing bus stop pole; and • Excellent pedestrian connectivity to each bus stop should also be in place. <p>Note: If the construction of the new junction between Bedworth Road and the highway access road for the proposed new development requires the need to relocate either bus stop than a bus stop lay-by to the same size as the existing facility must be provided at the relocation site.</p> <p>2. Real Time Information: Both bus stops should be facilitated with a Real Time Information (RTI) display attached to the interior of the bus shelter(s) to display the actual expected arrival times to occupiers of the new development. The provision will act as an extension of the existing RTI scheme in Coventry in order to simplify the organisational and technical arrangements. The Developer would need to work with</p>	<p>Information displays and commuted sum for replacement adds up to £27,000 per stop (total £54,000).</p> <p>The cost of the bus stops should be shared between the application site and the allocated site on the opposite side of Bedworth Road. The Section 106 Agreement shall be written so that the applicant / developer is not responsible for all of the costs, and any works and contributions adding up to over half of the value of the works be taken away from the site's contribution towards the cycleway and added on to the opposite site's contribution.</p> <p>The bus stops to be provided within 12 months of the commencement of development so full fee may be required for these (depending on whether other parts of HSG8 have come forwards at the time). Additional monies to be taken off the rest of the bus infrastructure or signalised crossing.</p>
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	WCC Traffic Control and Information Systems Team, Travel for West Midlands and VIX (RTI supplier for Warwickshire County Council RTI Scheme) and Stagecoach Midlands - the primary bus operator on the B4029 corridor. Provision of a RTI should cost £12,000 per display covering hardware, communications and electrical connections.	
WCC Infrastructure	The construction of drops kerb pedestrian crossing points from the site to Arden Forest School.	£30,000 Agreed with Applicant.
WCC Infrastructure	A toucan crossing on Bedworth Road will facilitate walking and cycling journeys between the northern and central parcels of housing site HSG8 (as also stated in the Borough Plan) which will be required to access green spaces within the developments.	£34,340 plus £66,660 (required if other sites not come forwards at time). If the payment of the £66,660 is required this is to be deducted from cycleway or highway network . Agreed with Applicant.
WCC Highways	Footpath /cycle way improvement - To enable the implementation and improvement of cycle and pedestrian routes, links and connections between the development site and connection with Nicholas Chamberlaine School and Bedworth Town Centre.	Total £237,500 (based on 25% for Local Plan Quantum) Agreed with Applicant.
WCC Highways	Bulkington Village Highway network (details required) Rugby Road / New Street, Rugby Road / Withybrook Road / Shilton Lane, Rugby Road/ Arden Road and Nuneaton Road / Cleveland Road.	£375,000 Agreed with Applicant.

10. 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 in the Borough Plan for residential development as a Strategic Site Allocation and therefore the principle of development has been established and agreed by the Planning Inspectorate. This provides considerable weight in favour of the application.

Also giving substantial weight to approve the application is that the 188 houses that the site will provide are necessary to reach the Council's required housing numbers and will contribute to the Council's Five Year Housing Land Supply. It is paramount that the Council maintain a Five Year Housing Land Supply and which has already reduced from 5.83 years to 5.15 within the last year. The failure to provide this would mean that the Borough Plan could be deemed out of date and leave the Council open to a large influx of prospective applications from landowners and developers on non-allocated sites as it would bring in the "tilted balance" for having to approve these non-allocated sites. This is what was experienced by the Council in the few years before the Adoption of the new Borough Plan. This site is ready to deliver in the near future and the Developer has indicated they can bring the site forward quickly and therefore the site if approved would be a contributor to the Local Plan targets and the Government's stated intention to promote housebuilding to support the economy.

In addition the proposal will provide 25% affordable homes in a village that has relatively high market values for the Borough.

There is no doubt that the proposal will impact on the adjacent properties in Severn Road and to an extent in Mill Lane. However the proposal does largely comply with the SDC 2020 in terms of distance standards to both these existing neighbours and within the site.

The proposal is also considered acceptable in terms of visual amenity as it provides landscape buffering to the urban edge and can provide an improvement to that of the existing urban edge.

WCC Highways have no objection to the scheme subject to contributions via a Legal Agreement and via Section 278 works and the proposal will bring forward substantive contributions to road improvements within Bulkington as well as contributions to provide a cycle route to Nicholas Chamberlaine School; a toucan crossing and improvements under the 'safe walking route to schools' scheme as well as improvements to bus stops and libraries.

The site will also contribute towards the Primary Care network within the area; George Eliot Hospital Trust and contributions for community facilities for improvement works at Bulkington Village Centre.

The Council's Parks Team have worked closely with the Planning Department and Applicants at the pre application and application stages in order to make the site acceptable in terms of landscaping; ecology; biodiversity and amenity provision.

In conclusion it is considered that the scheme is acceptable subject to the conditions as printed.

REASONS FOR APPROVAL:

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

SCHEDULE OF CONDITIONS:

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

<i>Plan Description</i>	<i>Plan No.</i>	<i>Date Received</i>
Location Plan	001	18 th June 2018
Site Layout	003 Rev T	20 th May 2020
Planning Layout	101 Rev F	7 th Aug 2020
Boundary Treatments Layout	005 Rev L	20 th May 2020
Acoustics Upgrades Layout	008 Rev H	20 th May 2020
Materials Layout	004 Rev J	20 th May 2020
Condition 14	CD14 Rev A	15 th May 2020
B4029 S278 Ghost Island General Arrangement	S278-901 Rev D	26 th May 2020
Swept Path Analysis Vehicle and Large van	108-1 Rev C	13 th March 2020
Swept Path analysis Fire Appliance & Fire hose	108- 2 rev A	24 th Feb.2020
Swept Path analysis – MPV	108-3 Rev B	24 th Feb. 2020
Detailed Soft Landscape Proposal POS sheet 1	7323-L-01 Rev J	7 th Aug. 2020
Detailed Soft Landscape Proposal POS sheet 2	7323-L-02 Rev J	7 th Aug.2020
Detailed Soft Landscape Proposal on plot sheet 1	7323-L-03 Rev L	7 th Aug. 2020
Detailed Soft Landscape Proposal on plot sheet 2	7323-L-04 Rev L	7 th Aug. 2020
Detailed Soft Landscape Proposal on plot sheet 3	7323-L-05 Rev L	7 th Aug. 2020
Detailed Soft Landscape Proposal on plot sheet 4	7323-L-06 Rev L	7 th Aug. 2020
Archaeological Desk Based Assessment	Nov. 2017(updated Nov. 2018) Rev v.1.1 Nov 2018 final	18 th June 2018
Archaeological Evaluation Report A Written Scheme of Investigation For an Archaeological Evaluation	Sept 2019 V1 August 2019 V1.	2 nd Oct. 2019 20 th Aug. 2019
A Written Scheme of Investigation For an Archaeological Excavation	Feb 2020 Issue 3.	18 th Feb.2020
Health Impact Screening Assessment	Feb.2020 Final Issue 1	20 th Feb.2020
Ecological Appraisal	May 2019 Rev F	18 th June 2018
Appendix E Bat Survey Report	May 2019 Rev C	18 th June 2018
Flood Risk Assessment With Foul Drainage Proposals (Excluding outfall from site for surface water discharge)	June 2019 6190/R1_rev-	18 th June 2018
Email from applicant ref S104	8378981_dated 09/03/2020	
Report on Existing Noise & Vibration Climate (excluding appendix 1)	Rev 2	18 th June 2018
Phase 1 Geo-environmental Assessment (Desk Study)	July 2017 6190/R1	18 th June 2018
Phase 2 Geo-environmental Assessment (Site Investigation)	Dec 2017 6190/R2	18 th June 2018

Transport Assessment	May 2019 Rev 4	18 th June 2018
House Type –Willow	AA31 Rev C	13 th March 2020
House Type –Janford	NA49 Rev C	13 th March 2020
House Type –Canford	PA25 Rev C	13 th March 2020
House Type –Flatford V1	PA33 Rev C	13 th March 2020
House Type –Flatford V2	PA33-2 Rev C	13 th March 2020
House Type –Gosford V1	PA34 Rev C	13 th March 2020
House Type –Gosford V2	PA34-2 Rev C	13 th March 2020
House Type –Bentford	NA30 Rev C	13 th March 2020
House Type –Easedale V1	PT36 Rev C	13 th March 2020
House Type –Easedale V2	PT36 – 2 Rev C	13 th March 2020
House Type –Amersham	PD30 Rev C	13 th March 2020
House Type –Braxton	NB31 Rev C	13 th March 2020
House Type –Lydford	PA42 Rev D	13 th March 2020
House Type –Wortham V1	ND43 Rev C	13 th March 2020
House Type –Wortham V2	ND43 Rev C	13 th March 2020
House Type –Trusdale	NT41 Rev C	13 th March 2020
House Type –Lanford	NA43 Rev C	13 th March 2020
House Type –Bayswater (Floor Plans)	BAY1 Rev C	13 th March 2020
House Type –Bayswater (Elevations)	BAY2 Rev C	13 th March 2020
Single and Double Garages	GAR Rev C	13 th March 2020

3. No development including site clearance shall commence until a Construction Management Plan to include details to prevent mud, debris and obstructions on the highway, compound location, contractor parking arrangements, hours of operation and schedule of HGV delivery times, is submitted and approved by the Council. The Approved Construction Management Plan shall be implemented in full for the lifetime of the construction period.

4. No development including site clearance, shall commence until a Dust Management Plan is submitted and approved by the Council, prior to works commencing on site. The approved Management Plan is to be adhered to during the construction process.

5. No development (including any site clearance) other than the construction of the main site access and S278 works in the highway, shall take place until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Council. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall include details of:

- a. any pre- construction checks required;
- b. the species safeguards to be employed;
- c. appropriate working practices and timings of construction works;
- d. site clearance methods;
- e. the extent of buffer zones and stand-offs for sensitive ecological features; and
- f. what to do if protected species are discovered during construction.
- g. details of any lighting to be used during site clearance and the construction period. Should such lighting be proposed the scheme should have input from a suitably qualified and experienced ecologist to outline how the lighting scheme avoids potential negative effects upon the habitats used by foraging and commuting bats. The scheme will include a lighting contour lux diagram demonstrating that there will be no increased light reaching ecological habitat and corridor areas.
- h. 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 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.

6. No development other than the construction of the main site access, S278 works in the highway and site clearance, shall take place until a Biodiversity Enhancement and Management Plan has been submitted to and approved in writing by the Council. The approved BEMP will set out a programme of management for the newly created ecological habitats in perpetuity. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed work;
- b) Detailed design and/or working method(s) necessary to achieve stated objectives;
- c) Extent and location of proposed works shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Provision of gaps in fences to provide movement for hedgehogs.
- f) Persons responsible for implementing the BEMP.

The works shall be carried out in strict accordance with the approved details and shall be retained in that manner thereafter.

7. No development (including site clearance) other than the construction of the main site access and S278 works in the highway, shall commence until an Arboricultural Method Statement has been submitted and approved in writing by the Council. No tree or hedgerow other than those shown within the approved landscaping and layout drawings shall be removed unless otherwise agreed. 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 scheme shall conform to BS5837:2012.

Any tree or plant (including any replacement) which, within a period of five years from the implementation of that phase, 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

8. Access to the site from the public highway shall not be made other than at the positions identified on the approved drawing, number 2968/003 Rev T (received 20th May 2020) (unless otherwise agreed in writing by WCC Highways.) No access shall be used other than for site clearance until a bound all weather surface suitable for two way traffic is provided in accordance with the approved plans.

9. No development other than the construction of the main site access, S278 works in the highway and site clearance shall commence until full details of the construction of the roads serving the development including footways, private drives and means of accessing individual plots, drainage (including the outfalls) and levels of the car parking and manoeuvring areas as shown on the approved plan have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the associated highway and drainage serving that dwelling has been laid out and

substantially constructed. Such areas shall be permanently retained for the parking and manoeuvring of vehicles

10. No development shall commence until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 4.5 metres and 'y' distances of 90.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

11. Junction visibility splays for the estate roads within the site, shall be provided with an 'x' distance of 2.4 metres and 'y' distances of 25.0 metres to the near edge of the carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the carriageway.

12. No development other than construction of the main site access, S278 works in the highway and site clearance shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the approved FRA, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the 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:

- 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 runoff rate of 5 l/s for the site, or as further restricted by the surface water pumping arrangement and capacity of the Severn Trent Water network.
- 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. Demonstrate that flow routes do not increase surface water flood risk in the event of a surface water pumping failure.
- Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network. The pumped rate for the surface water system must be shown to be acceptable to the receiving sewer and evidence provided of any capacity improvement works required by Severn Trent Water.
- Profiles of balancing ponds to be agreed (by the LLFA and NBBC Parks) and evidenced by cross section so as to incorporate shelves in profile so egress from water is relatively easy if anyone enters and gets into difficulties.

13. No development other than the construction of the main site access, S.278 works and site clearance shall commence until details for the disposal of foul sewage have been submitted to and approved in writing by the Council. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. Due to the size of this development a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.

14. No development other than the construction of the main site access, associated visibility splays and S.278 works within the highway and plots 1-4 and 177-182 (inclusive) (all defined within the area highlighted on plan ref CD14 Revision A - in pink) received on the 15th May 2020, shall commence until the programme of archaeological fieldwork detailed within the document "Written scheme of investigation for an archaeological excavation on land at Bedworth Road, Bulkington Warwickshire February 2020" by MOLA Northampton has been undertaken.

Following completion of the agreed programme of archaeological fieldwork required to satisfy Condition 14, the post-excavation analysis and report production detailed within the submitted document "Written scheme of investigation for an archaeological excavation on land at Bedworth Road, Bulkington Warwickshire February 2020" by MOLA Northampton, shall be undertaken. A report detailing the results of the fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive will be submitted to the planning authority within one year of the completion of the archaeological fieldwork unless agreed otherwise by the planning authority's archaeological advisor.

15. No development other than the construction of the main site access, associated visibility splays and S.278 works within the highway shall commence until full details of the site levels and finished floor levels have been submitted to and approved in writing by the Council. No construction work shall be carried out other than in accordance with the approved details.

16. No development shall be carried out other than to the drawing titled Drainage Strategy SW & FW Pumping Station drawing number 18038-6 _rev – received on the 2nd March 2020 unless agreed otherwise by the Council in consultation with Severn Trent Water; Network Rail and the LLFA.

17. No dwelling shall be occupied until a Landscaping Strategy Management Plan (LSMP) indicating a scheme for the long-term management of open space, green infrastructure and planting within the public realm and details of biodiversity management has been submitted to and approved in writing by the Council. The open space, green infrastructure and planting shall thereafter be managed in accordance with the approved Landscape Management Plan, unless otherwise agreed in writing by the Council.

18. No dwelling shall be occupied until details of the on site provision of a younger equipped children's play and signage and including 'green network' cast fingerpost signage has 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, unless otherwise agreed in writing by the Council.

19. No dwelling shall be occupied until a scheme for the permanent lighting of the housing and associated access roads, parking areas and open spaces has been submitted to and approved in writing by the Council. The lighting scheme should demonstrate that it avoids light spill 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 and plan must demonstrate that there will be no increased light reaching ecological habitat and corridor areas from permanent lighting - including from all new lighting for adopted highway. Full details of lamp columns, luminaires, cowls / shrouds etc must be submitted. 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.

20. No development above ground floor slab level shall commence until details of noise attenuation scheme, including glazing and ventilation details, to meet the standard for internal and external noise levels as defined in table 4 and paragraph 7.7.3.2 of BS8233:2014 (including consideration of maximum sound levels in line with the World Health Organisation's Guidelines for Community Noise) has first been submitted to and approved in writing by the Council. No dwelling shall be occupied until provision has been made in accordance with the approved details.

21. No development above ground floor slab level shall commence until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Council. No dwelling shall be occupied until provision has been made in accordance with the approved details.

22. No dwelling shall be constructed above ground floor slab level until details of the specification for bird and bat bricks and their precise locations within buildings, shall be submitted to and approved in writing by the Council. 19 no. bat bricks and 19 no. bird bricks shall be incorporated as an integral part of the buildings, although one of each type can be provided on a property. 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.

23. No dwelling can be occupied until the Section 278 works is implemented.

24. The development shall be provided with Electric Vehicle (EV) ready domestic infrastructure in accordance with NBBC Electric Vehicle Charging Point Specification at a rate of; one charging point per dwelling with dedicated parking and one charging point per 10 spaces for unallocated parking prior to the occupation of the associated dwelling.

25. No occupation and subsequent use of the development shall take place until a detailed maintenance plan 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.

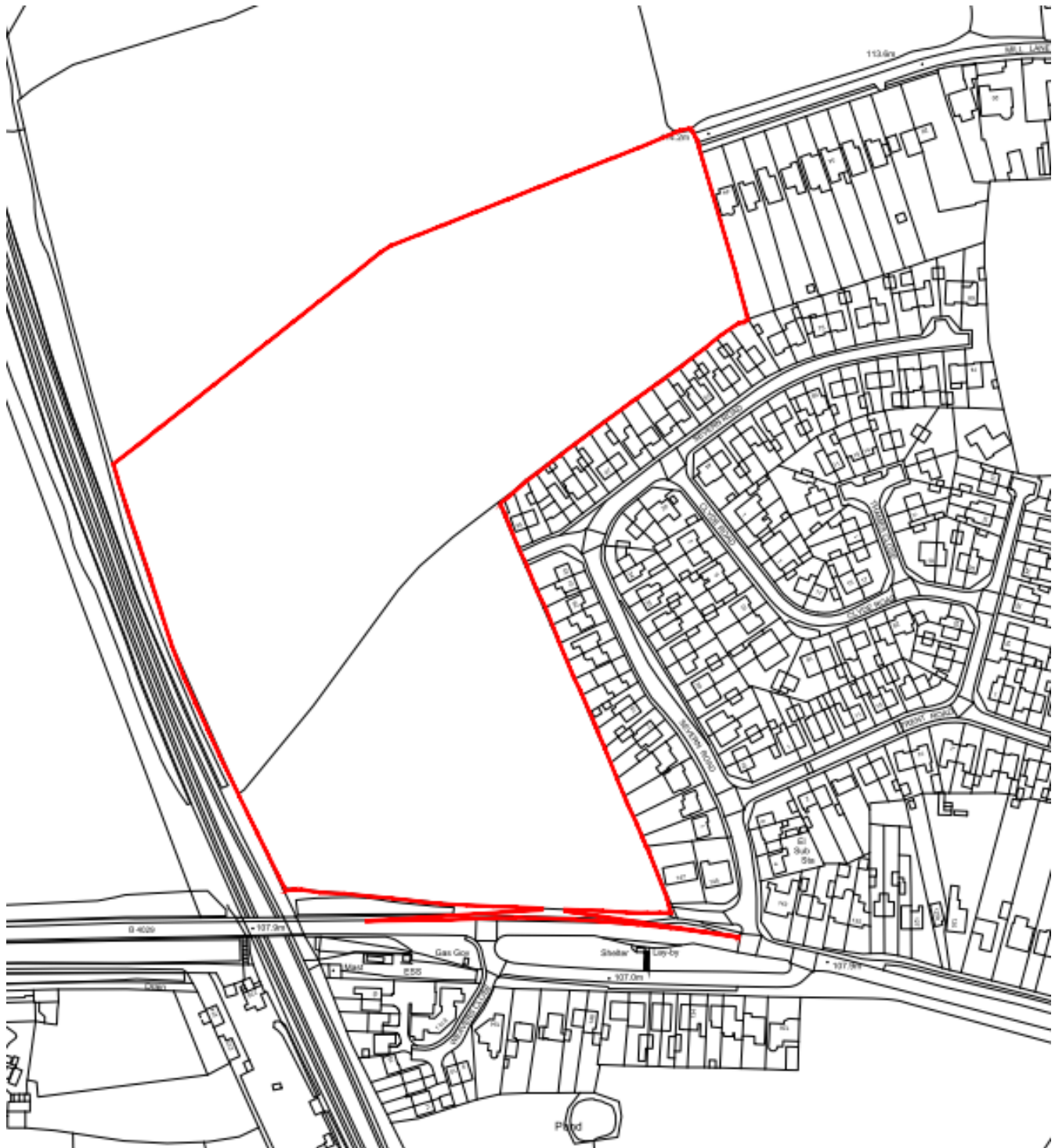
26. No dwelling shall be occupied until the visibility splays from the vehicular access to that plot, passing through the limits of the site, adjacent properties fronting the

fronting the highway and the highway, have been provided in accordance with the approved plans. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the carriageway.

27. No dwelling shall be occupied until the relevant domestic gas boiler to that plot is installed to be low NOx emission type that meet a minimum standard of less than 40 mg NOx/kWh.

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

29. No structure, tree or shrub shall be erected, planted or retained within the shown pedestrian intervisibility splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the footway.



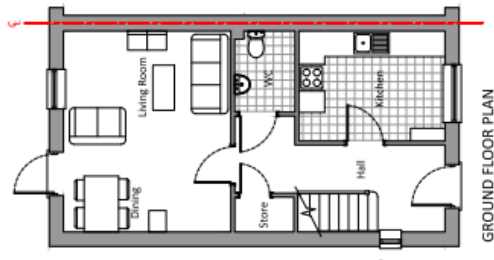
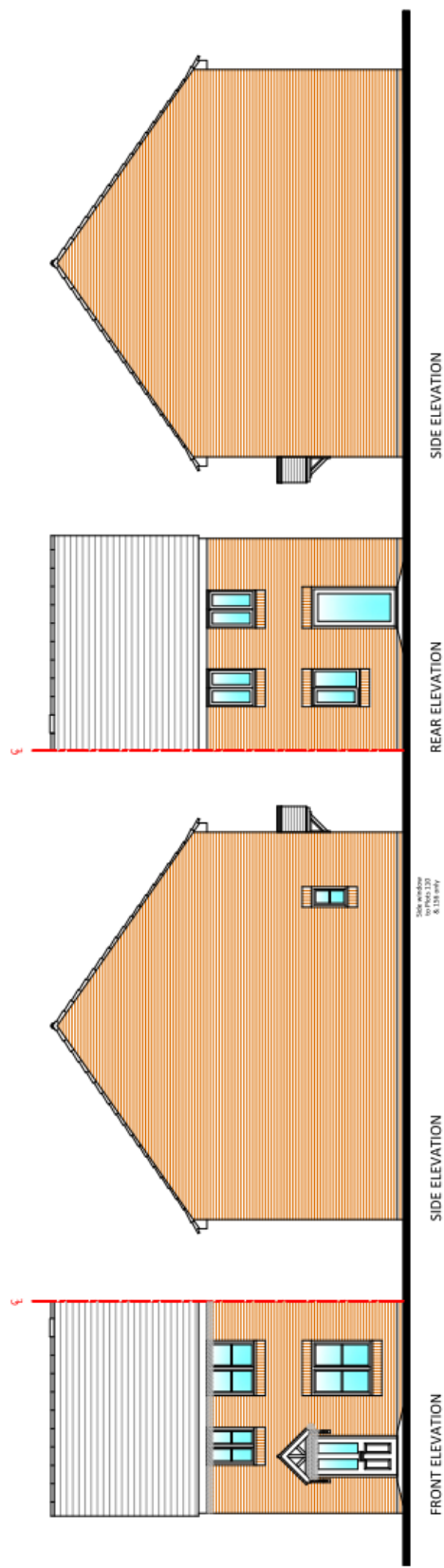
Location Plan

TYPE	REF	STOREY	BEDS	SQFT	PLOTS
Bayswater	BAY	2	1	520	4
Canford	PA25	2	2	689	28
Flatford	PA33	2	3	866	13
Gosford	PA34	2	3	866	19
Willow	AA31	2	3	910	20
Benford	NA30	2	3	922	20
Easedale	PT36	2	3	931	12
Amersham	PD30	2	3	990	8
Braxton	NB31	2.5	3	1092	12
Lydford	PA42	2	4	1099	16
Trusdale	NT41	2	4	1243	10
Lanford	NA43	2	4	1251	5
Worham	ND43	2	4	1525	17
Janford	NA49	2	4	1160	4

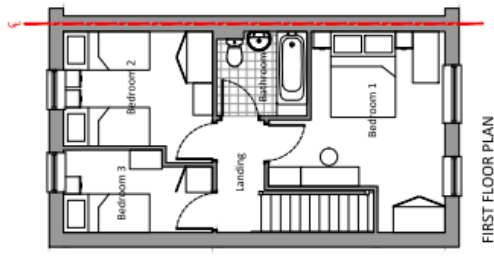


Site Layout

A3 Residential Development At Bedworth Road, Bulkington



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Taylor Wimpey
 Type Wimpey
 North Midlands
 1155448870
 F155448881
 www.taylorwimpey.co.uk

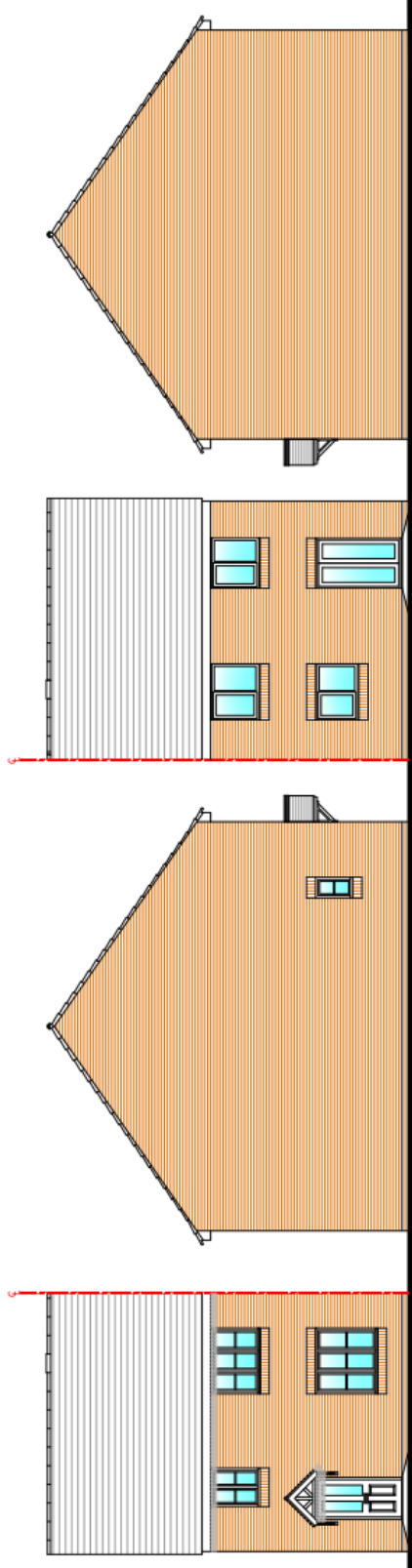
Project No: 2968
 Date: Dec 2018
 Drawn by: CC
 Project Title: Willow House Type
 Planning Drawing
 Scale: 1:100
 Rev: AA31 C

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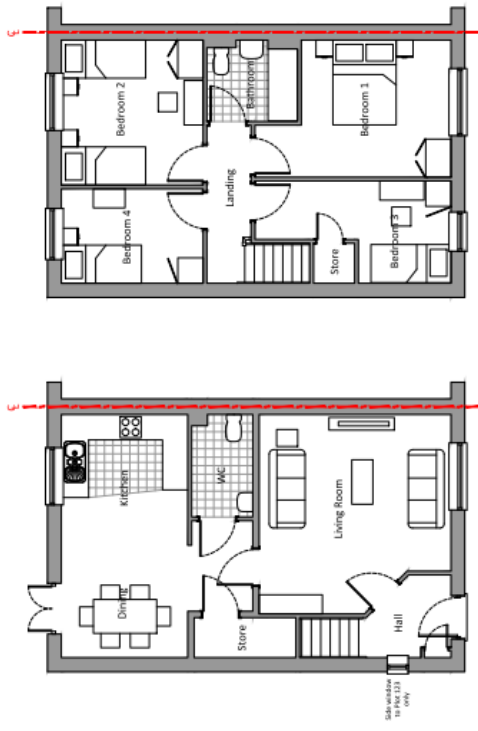
Willow House Type

House Type – Willow.

A3 Residential Development At Bedworth Road, Bulkington



FRONT ELEVATION SIDE ELEVATION REAR ELEVATION SIDE ELEVATION



GROUND FLOOR PLAN FIRST FLOOR PLAN

Taylor Wimpey
 Taylor Wimpey
 North Midlands
 Cross House
 Park Plaza
 Leamington
 Warwickshire CV34 9JQ
 Tel: 01927 456177
 Fax: 01927 468301
 www.taylorwimpey.co.uk

Project: Residential Development At
 Bedworth Road, Bulkington

Drawing: Janford House Type
 Planning Drawing Scale: 1:100

Drawn: CC Project no: 2968 Drawing no: NA49 C

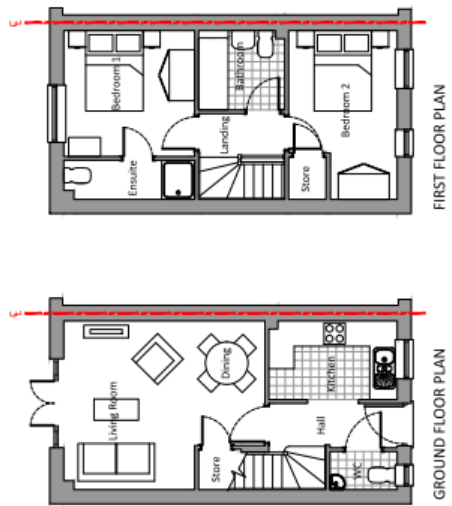
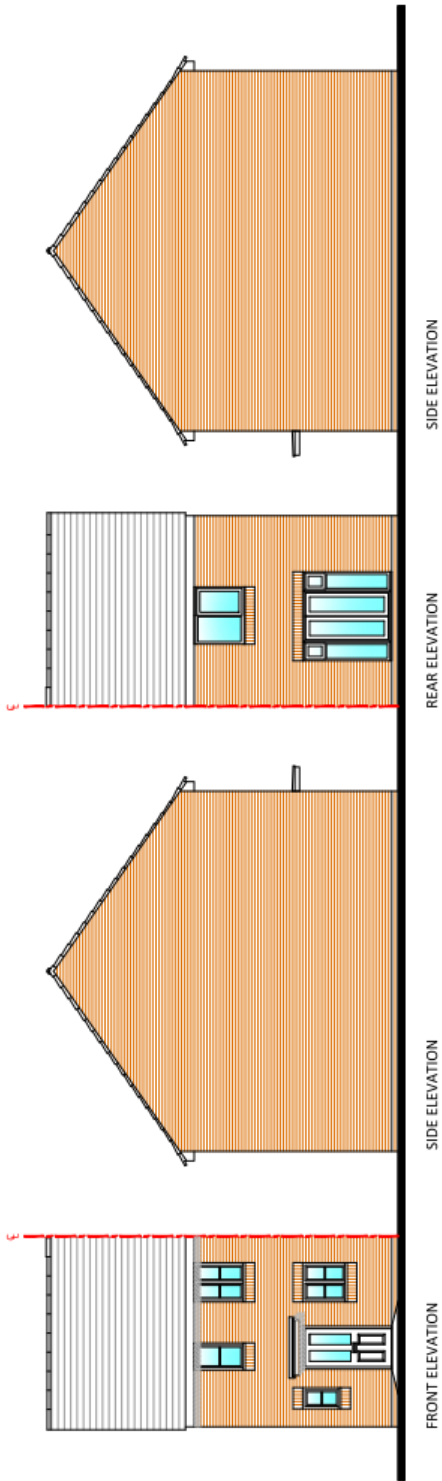
Date: Dec 2018

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Janford House Type

House Type - Janford

A3 Residential Development At Bedworth Road, Bulkington

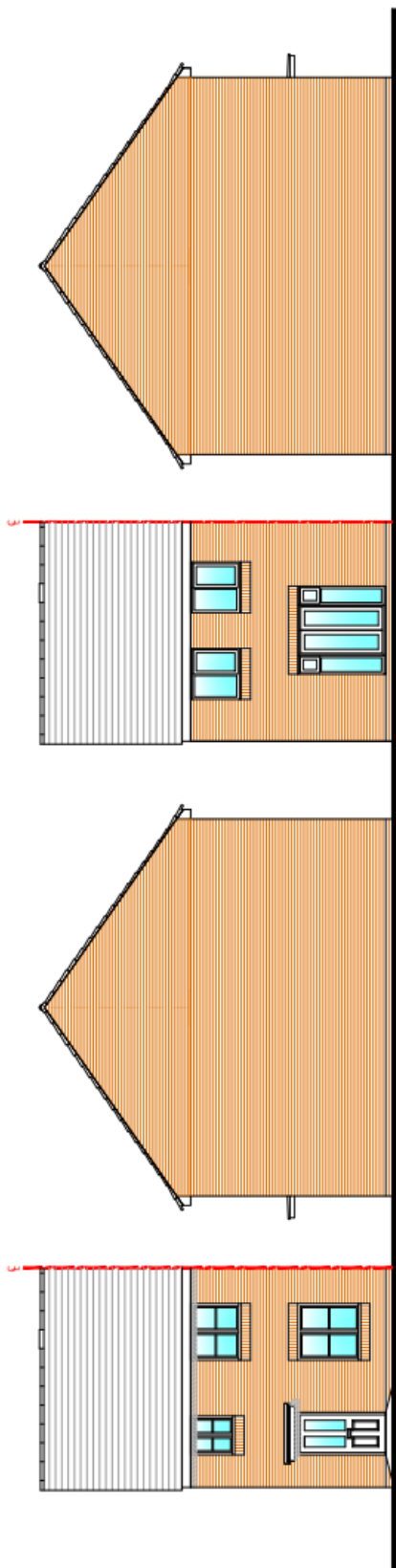


Taylor Wimpey Taylor Wimpey North Midlands Charn Hall Park Lane Huddersfield West Yorkshire WF1 1AA www.taylorwimpey.co.uk	
Telephone: 01454 48200 Fax: 01454 48211 Email: enquiries@taylorwimpey.co.uk	Project: Residential Development At Bedworth Road, Bulkington Drawing: Canford House Type Planning Drawing Scale: 1:100
Date: Dec 2018 Drawn: CC Checked: CC	Project No: 2968 Drawing No: PA25 C

Canford House Type

House Type - Canford

A3 Residential Development At Bedworth Road, Bulkington

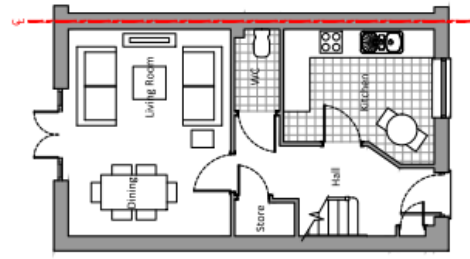


FRONT ELEVATION

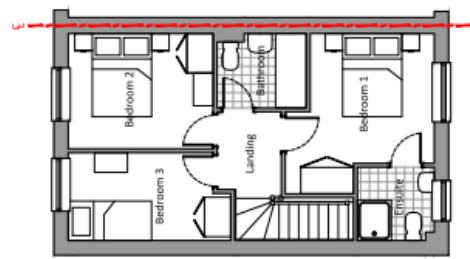
SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN



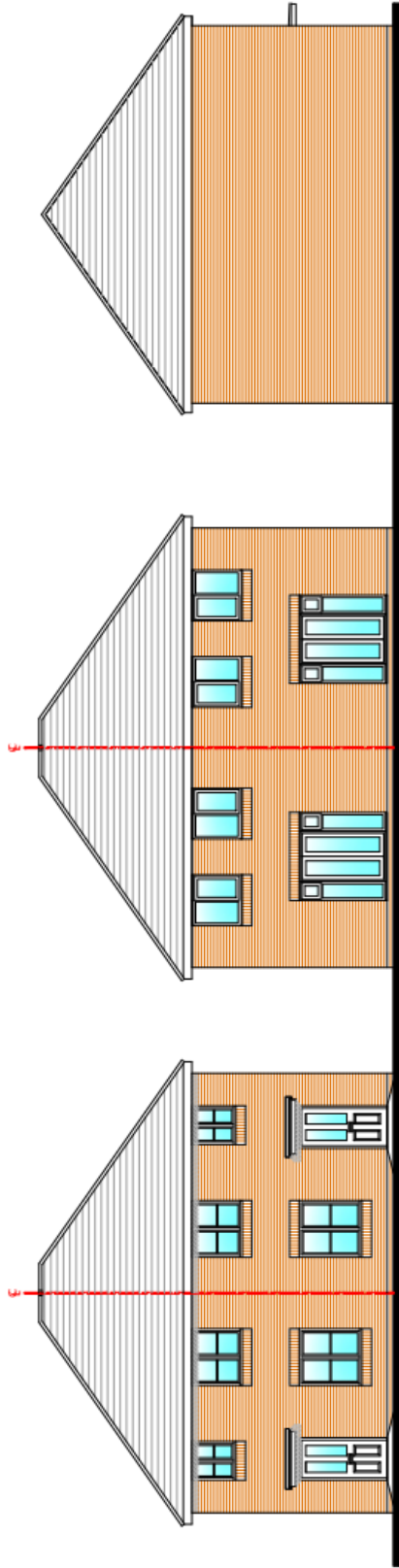
FIRST FLOOR PLAN

Taylor Wimpey	
17560 (4670) 17565 (4671) 17566 (4672) 17567 (4673) 17568 (4674) 17569 (4675) 17570 (4676) 17571 (4677) 17572 (4678) 17573 (4679) 17574 (4680)	
Project: Residential Development At Bedworth Road, Bulkington	
Drawing: Flatford V1 House Type Scale: 1:100	
Planning Drawing	
Drawn: CC	Project no: 2968
Date: Dec 2018	Approved: PA33 IC
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Flatford V1 House Type

House Type – Flatford V1

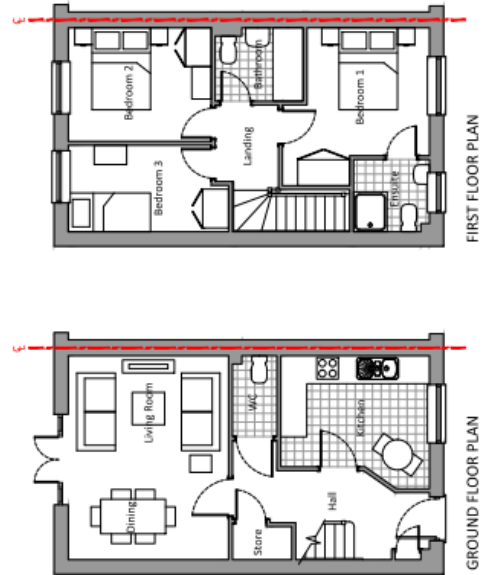
A3 Residential Development At Bedworth Road, Bulkington



SIDE ELEVATION

REAR ELEVATION

FRONT ELEVATION



FIRST FLOOR PLAN

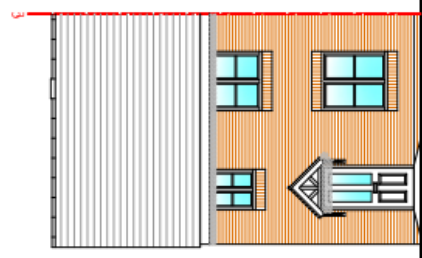
GROUND FLOOR PLAN

<p>Taylor Wimpey 115544830 015464811 www.taylorwimpey.co.uk</p>	
<p>Project: Residential Development At Bedworth Road, Bulkington</p>	
<p>Drawing: Flatford House V2 Type Planning Drawing</p>	
<p>Scale: 1:100</p>	
Date:	Dec 2018
Drawn by:	CC
Checked by:	2968
Project No.:	PA33-2
Rev. No.:	C
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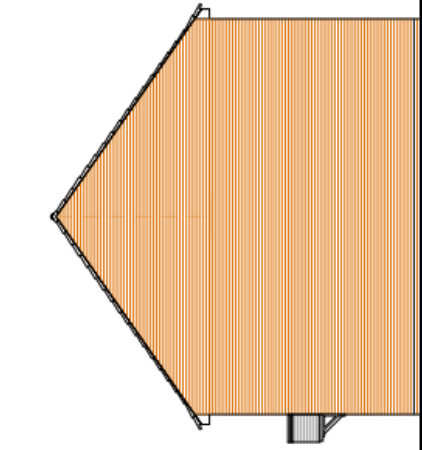
Flatford V2 House Type

House Type – Flatford V2

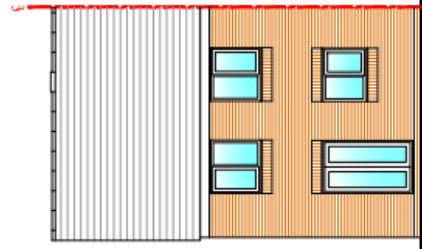
A3 Residential Development At Bedworth Road, Bulkington



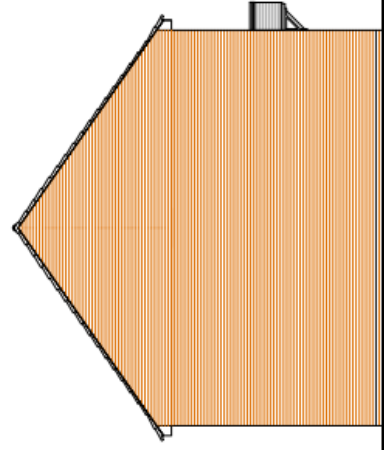
FRONT ELEVATION



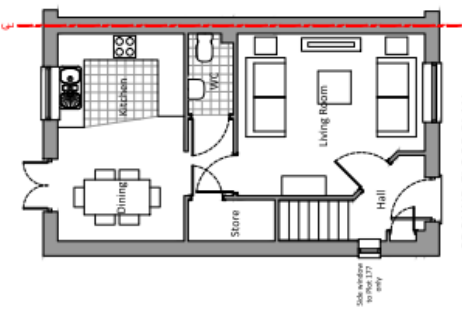
SIDE ELEVATION



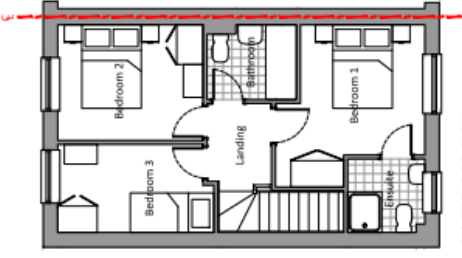
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



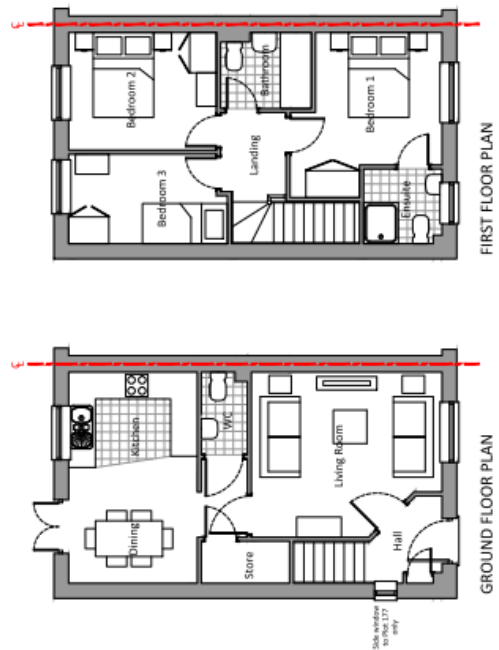
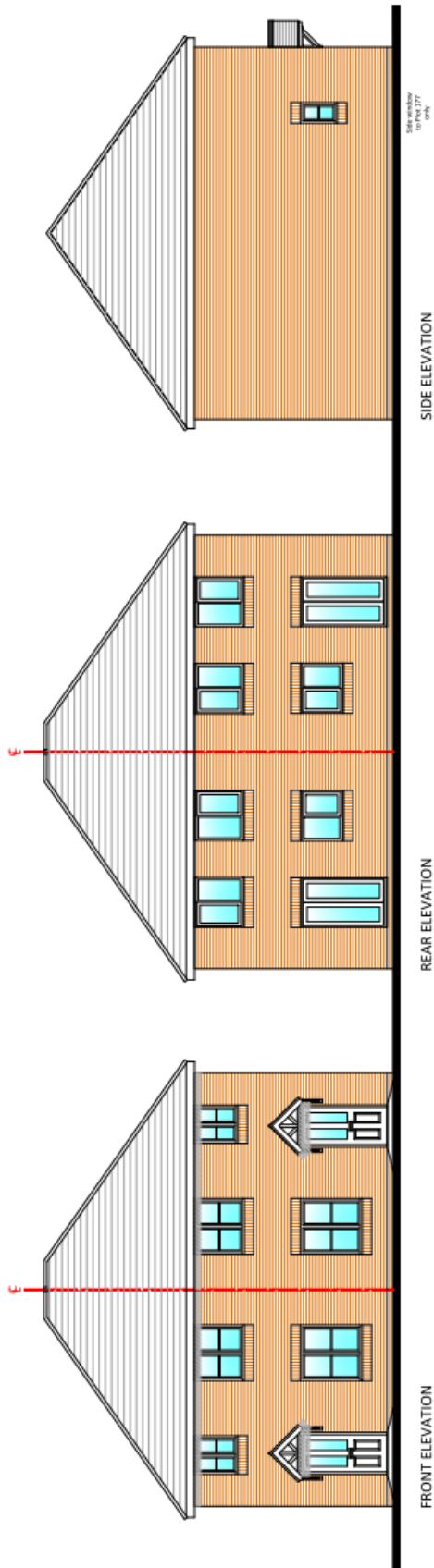
FIRST FLOOR PLAN

<p>Taylor Wimpey 115-117 High Street Chislehurst Kent DA7 1JG Tel: 0181 709 2200 www.taylorwimpey.co.uk</p>	
Project:	Residential Development At Bedworth Road, Bulkington
Living:	Gosford V1 House Type
Scale:	1:100
Planning Drawing:	
Drawn:	CC
Checked:	2968
Approved:	PA34
Date:	Dec 2018
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Gosford V1 House Type

House Type – Gosford V1

A3 Residential Development At Bedworth Road, Bulkington



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 Telford Way
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 Chase House
 Park Plaza
 Leamington Spa
 Warwick
 CV35 9EF
 Telephone: 01927 552220
 www.taylorwimpey.co.uk

Project: Residential Development A1
 Bedworth Road, Bulkington

Drawing: Gosford V2 House Type
 Planning Drawing

Scale: 1:100

Client: CC

Project No: 2968

Revision No: PA34-2

Rev: C

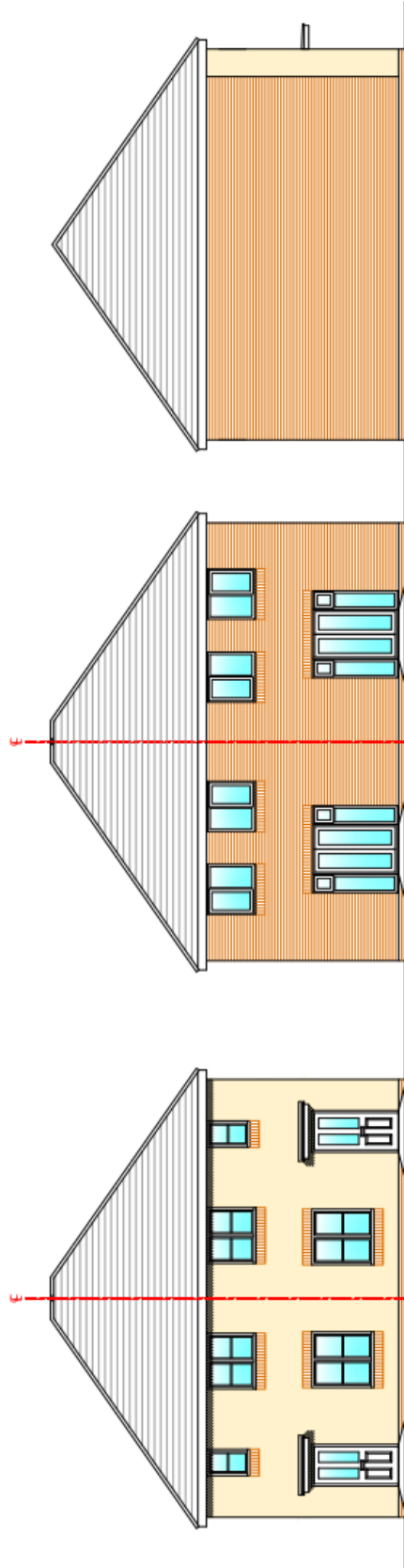
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Gosford V2 House Type

House Type – Gosford V2

A3

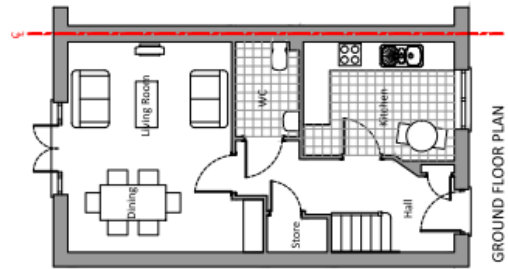
Residential Development At Bedworth Road, Bulkington



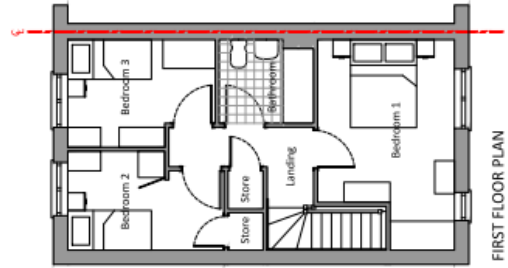
FRONT ELEVATION

REAR ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

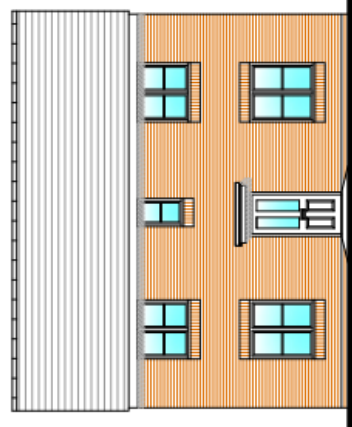
Taylor Wimpey	
Taylor Wimpey 11551 48200 North Midlands F1552 48211 www.taylorwimpey.co.uk	
Project: Residential Development At Bedworth Road, Bulkington	
Drawing: Benford House Type Planning Drawing	
Scale: 1:100	
Drawn: CC	Project no: 2968
Date: Dec 2018	Revision: NA30 C
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Benford House Type

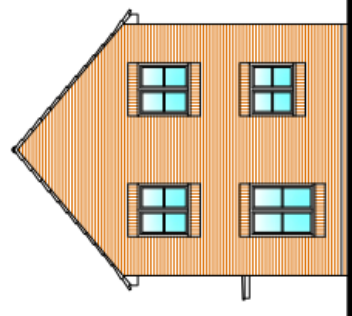
House Type - Benford

A3

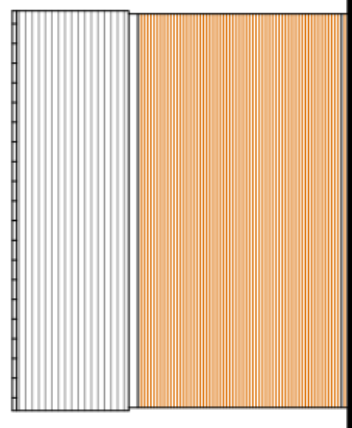
Residential Development At Bedworth Road, Bulkington



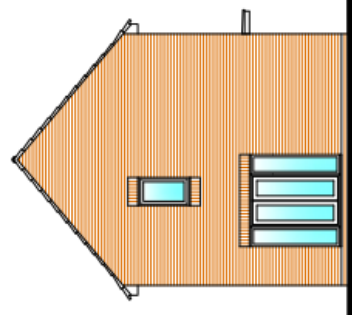
FRONT ELEVATION



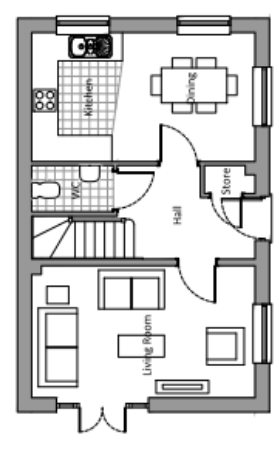
SIDE ELEVATION



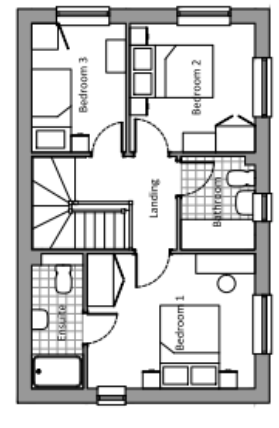
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

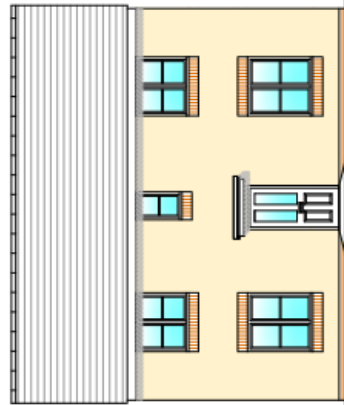
<p>Taylor Wimpey 11553 0400 01545 488101 www.taylorwimpey.co.uk</p>	
<p>Project: Residential Development At Bedworth Road, Bulkington</p>	
<p>Drawing: Easedale V1 House Type Planning Drawing</p>	
<p>Scale: 1:100</p>	
Drawn: CC	Project No: 2968
Date: Dec 2018	Revision No: PT36
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Easedale V1 House Type

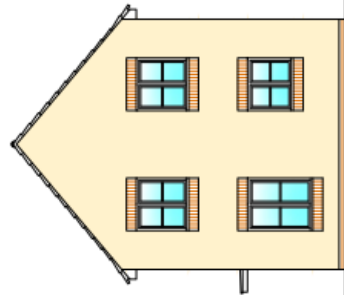
House Type – Easedale V1

A3

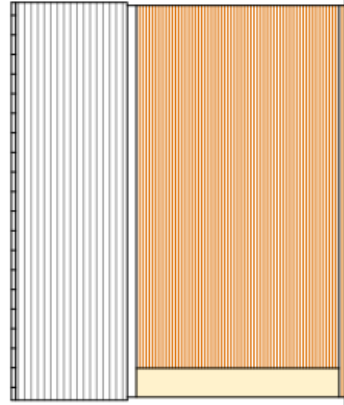
Residential Development At Bedworth Road, Bulkington



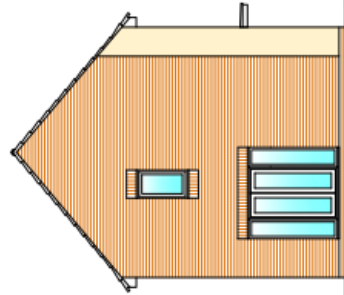
FRONT ELEVATION



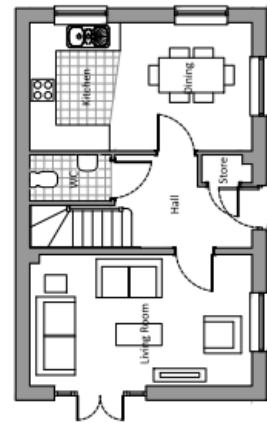
SIDE ELEVATION



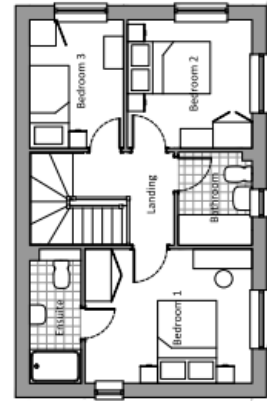
REAR ELEVATION



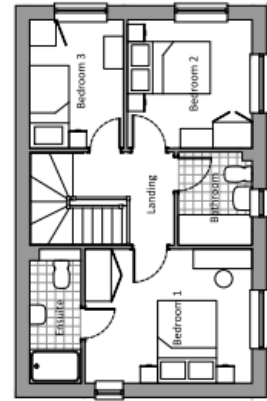
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



Easedale V2 House Type

Taylor Wimpey

Taylor Wimpey
1155448200
North Midlands
Chase House
1st Floor
Newbold
Leicestershire
Leicestershire

Substation BS12 2DQ

Project: Residential Development At
Bedworth Road, Bulkington

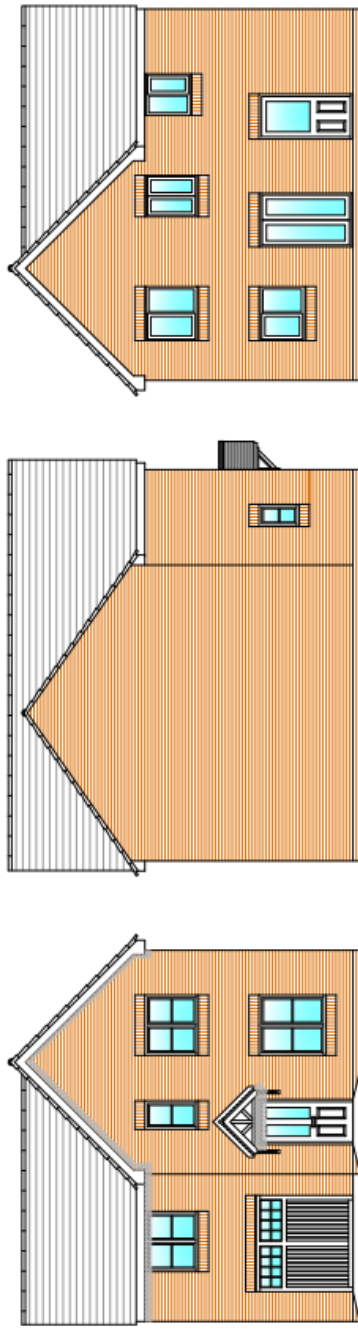
Location: Easedale V2 House Type Issue: 1:100
Planning Drawing

Drawn: CC
Project no: 2968
Quantity no: P136-2

Date: Dec 2018
Rev: C

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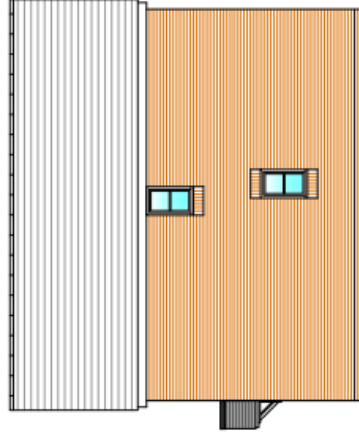
A3 Residential Development At Bedworth Road, Bulkington



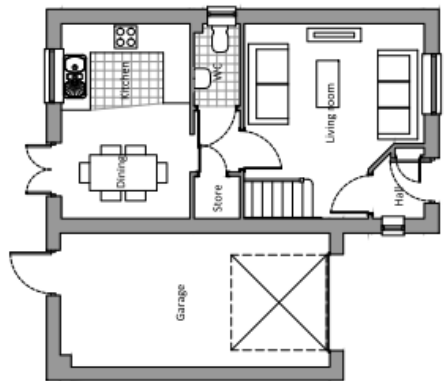
FRONT ELEVATION

SIDE ELEVATION

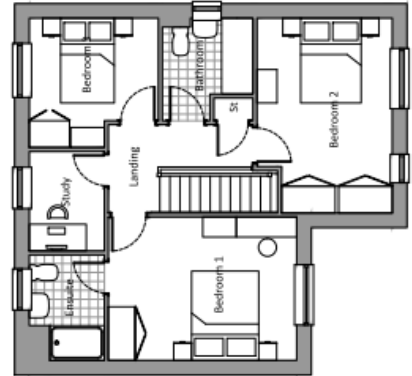
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Taylor Wimpey
 Taylor Wimpey
 North Midlands
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Subsidiary 0512 202

Project: Residential Development At
 Bedworth Road, Bulkington

Drawing: Amersham House Type
 Planning Drawing

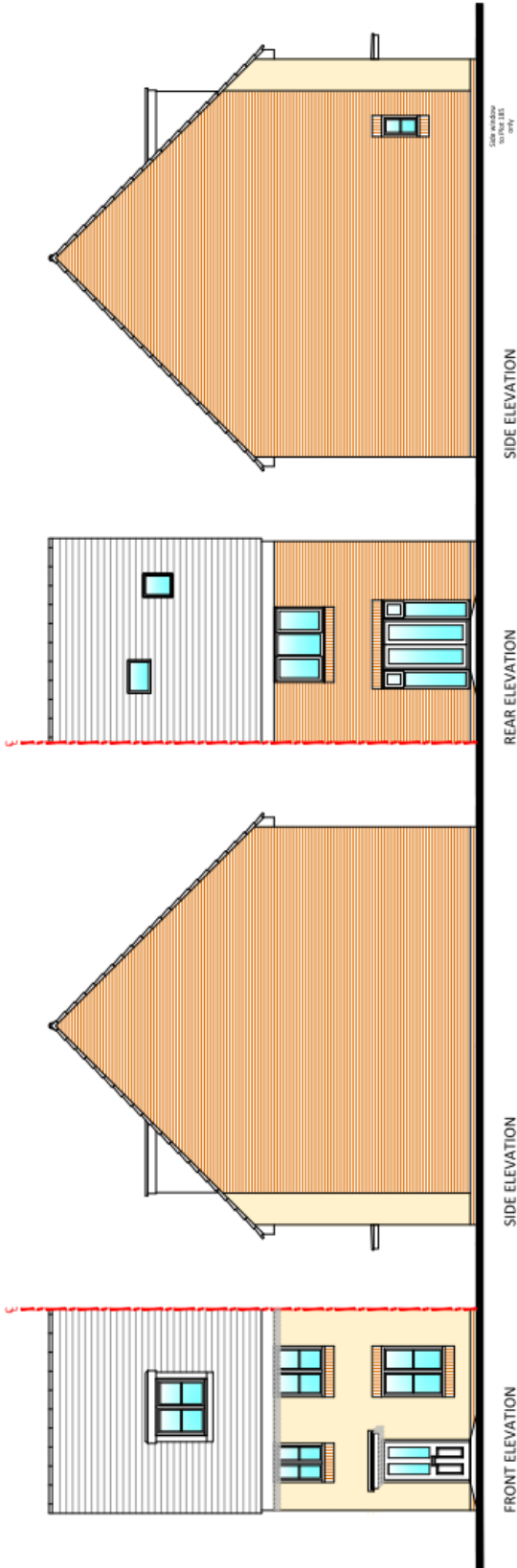
Scale: 1:100
 Date: Dec 2018
 Drawn: CC
 Project no: 2968
 Drawing no: PD30

Rev: C
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Amersham House Type

House Type – Amersham

A3 Residential Development At Bedworth Road, Bulkington

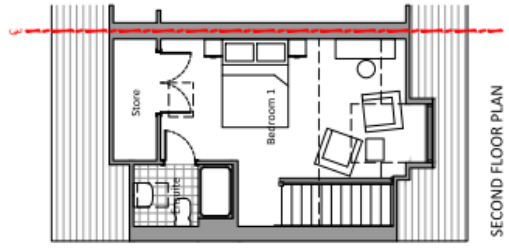


SIDE ELEVATION

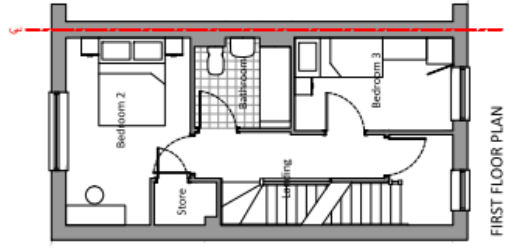
REAR ELEVATION

SIDE ELEVATION

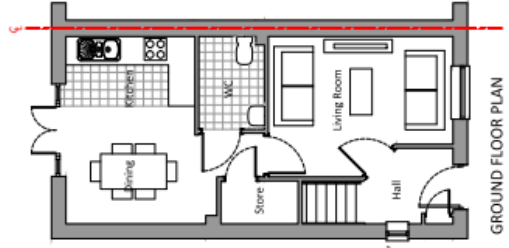
FRONT ELEVATION



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

<p>Taylor Wimpey 115414830 The Quadrant Chislehurst Kent DA7 1JH www.taylorwimpey.co.uk</p>	
Project:	Residential Development At Bedworth Road, Bulkington
Drawing:	Braxton House Type Planning Drawing
Scale:	1:100
Drawn:	CC
Date:	Dec 2018
Project No:	2968
Drawn No:	NB31 C
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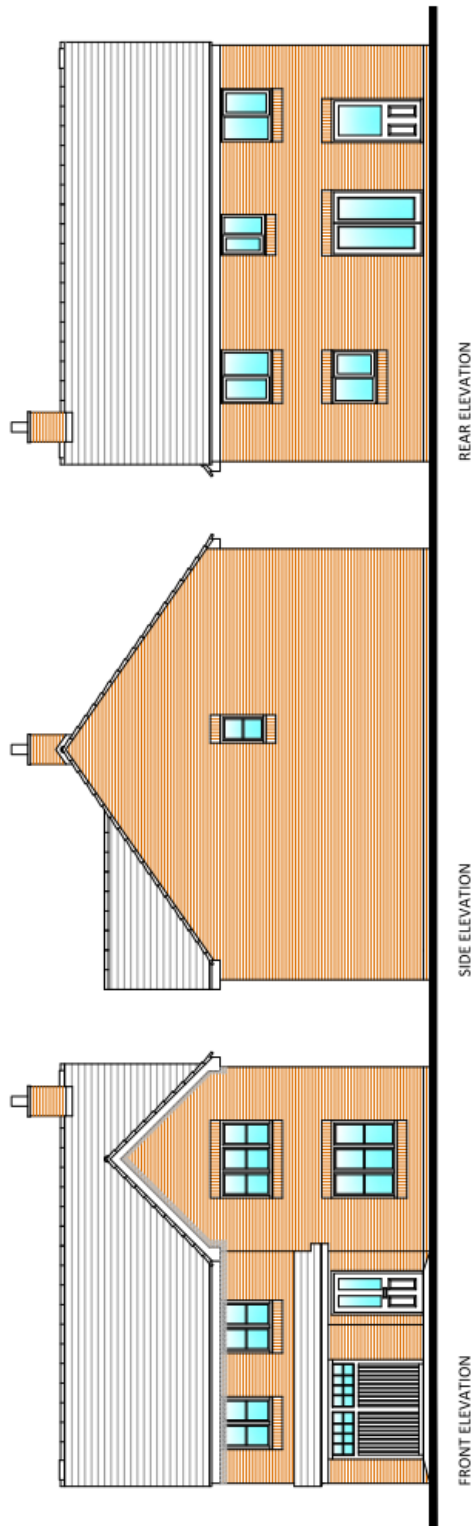
Braxton House Type

House Type – Braxton



House type – Lydford

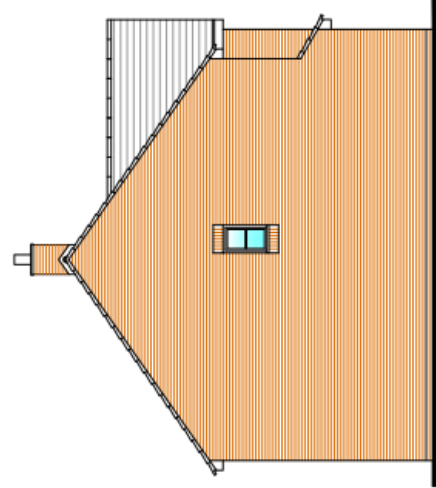
A3 Residential Development At Bedworth Road, Bulkington



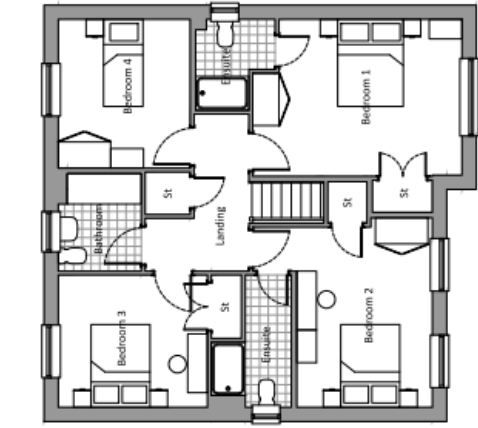
FRONT ELEVATION

SIDE ELEVATION

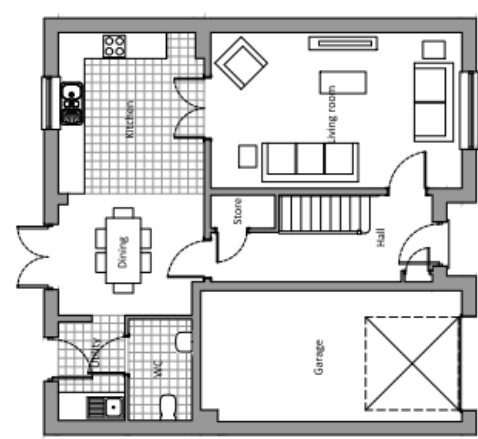
REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

Taylor Wimpey
 Taylor Wimpey
 115-117 A6300
 The Gateway
 Charn Hall
 Park Place
 Harrogate
 Yorkshire HG2 0DQ

Project: Residential Development At
 Bedworth Road, Bulkington

Planning: Wortham V1 House Type Scale: 1:100
 Planning Drawing

Date: Dec 2018

Project No: 2968

Drawings No: ND43

Rev: C

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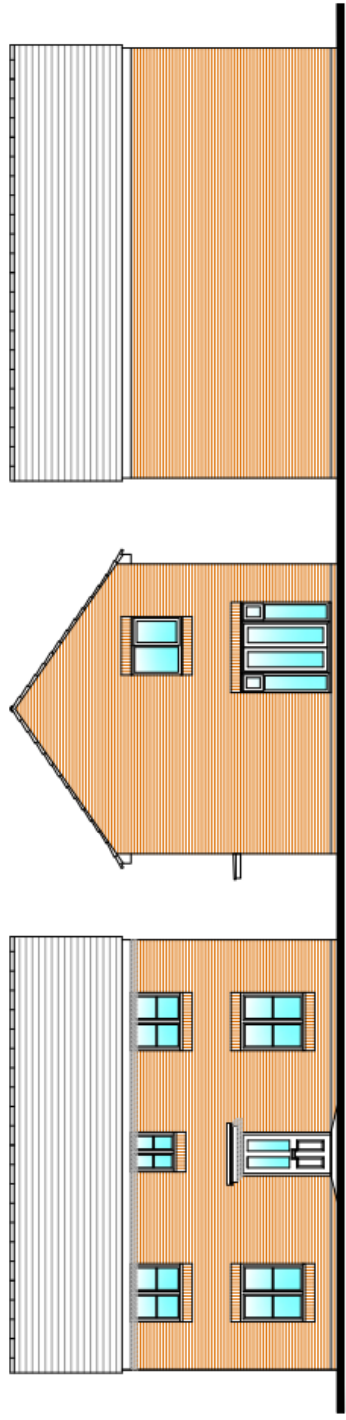
Wortham V1 House Type

House Type – Wortham V1



House Type – Worham V2

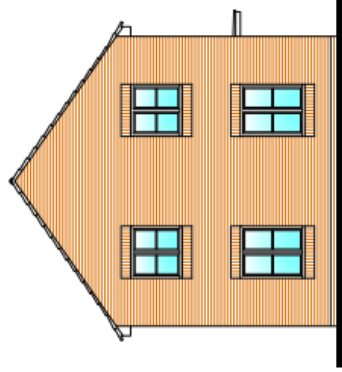
A3 Residential Development At Bedworth Road, Bulkington



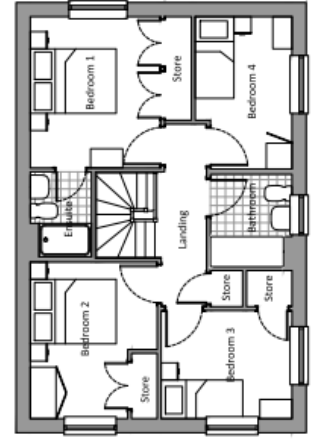
FRONT ELEVATION

SIDE ELEVATION

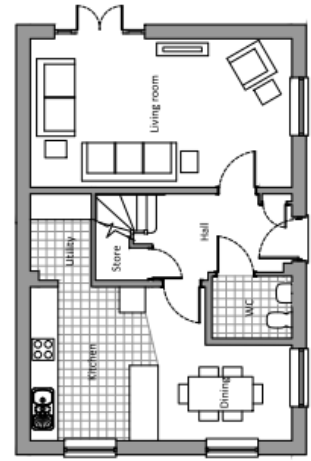
REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

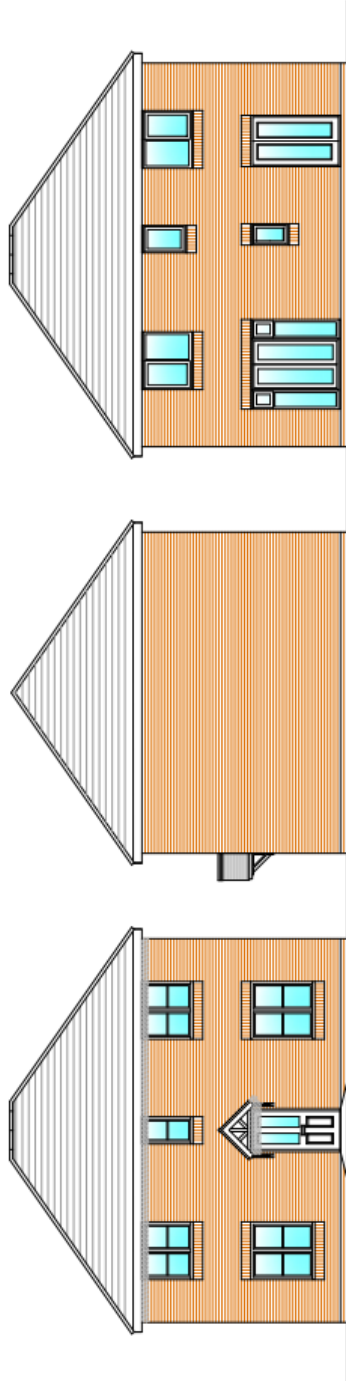
<p>Taylor Wimpey 71 HIGH STREET CHICHESTER PO1 1AA West Sussex</p>		<p>Project No: 2968</p>		<p>Project Name: NT41</p>	
<p>Project: Residential Development At Bedworth Road, Bulkington</p>		<p>Drawing: Trusdale House Type Planning Drawing</p>		<p>Scale: 1:100</p>	
<p>Date: Dec 2018</p>		<p>Drawn by: CC</p>		<p>Checked by: CC</p>	

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Trusdale House Type

House Type – Trusdale

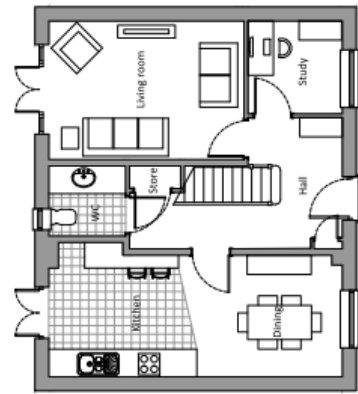
A3 Residential Development At Bedworth Road, Bulkington



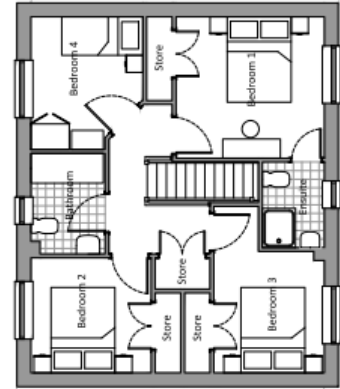
FRONT ELEVATION

SIDE ELEVATION

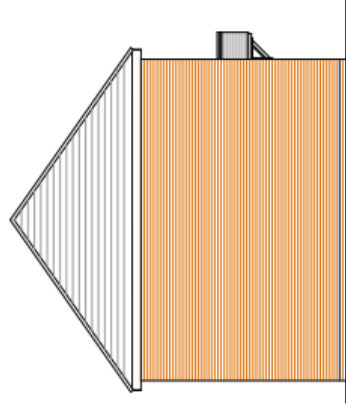
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



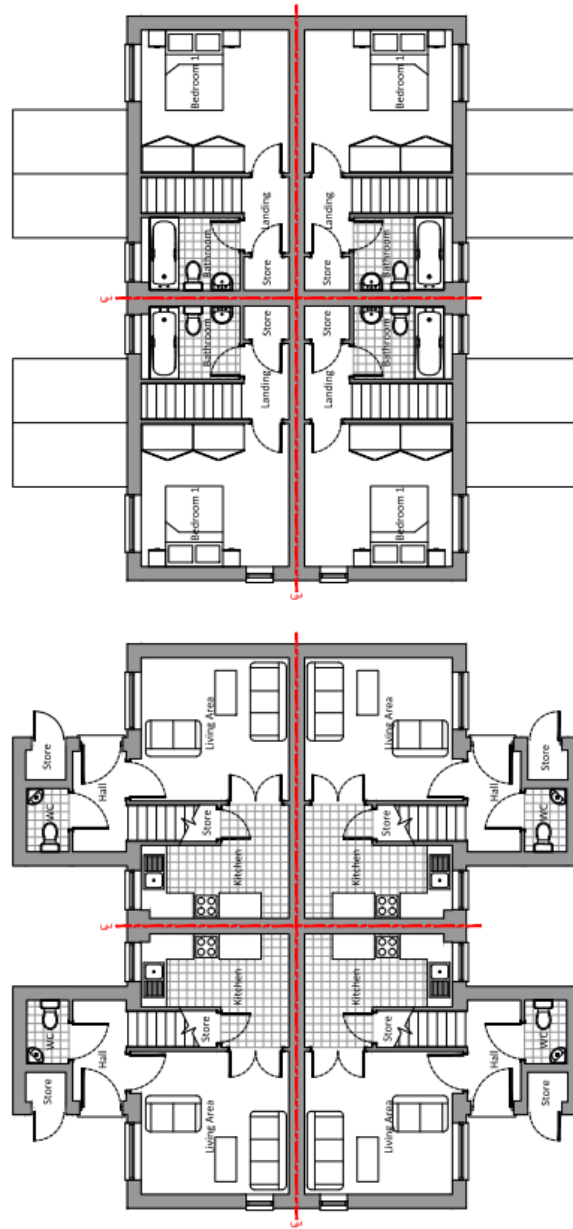
SIDE ELEVATION

Taylor Wimpey North Midlands Charnock Road Park Road Heath Hayes Cannock Staffordshire ST10 2DD	
Telephone: 01827 525000 Fax: 01827 525001 Website: www.taylorwimpey.co.uk	
Project: Residential Development At Bedworth Road, Bulkington	
Drawing: Lanford House Type Planning Drawing	
Scale: 1:100	
Drawn: CC	Checked by:
Date: Dec 2018	Project no: 2968
Drawing no: NA43	
Rev: C	
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Lanford House Type

House Type – Lanford

A3 Residential Development At Bedworth Road, Bulkington



FIRST FLOOR PLAN

GROUND FLOOR PLAN

Bayswater House Type

Taylor Wimpey

Taylor Wimpey
1154-1670
F0304881
Oxford Road
PA1 1QA
Hull 151A
Substation BS12 3DQ

Project: Residential Development At
Bedworth Road, Bulkington

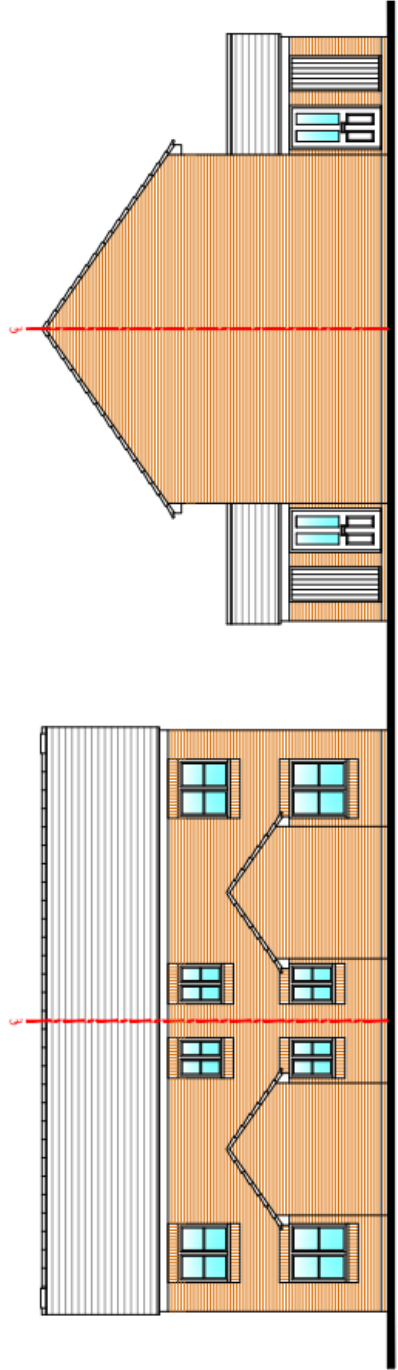
Drawing: Bayswater House Type
Planning Drawing - Plans
Scale: 1:100

Client: CC
Date: Dec 2018
Project No: 2968
Drawing No: BAY1 C

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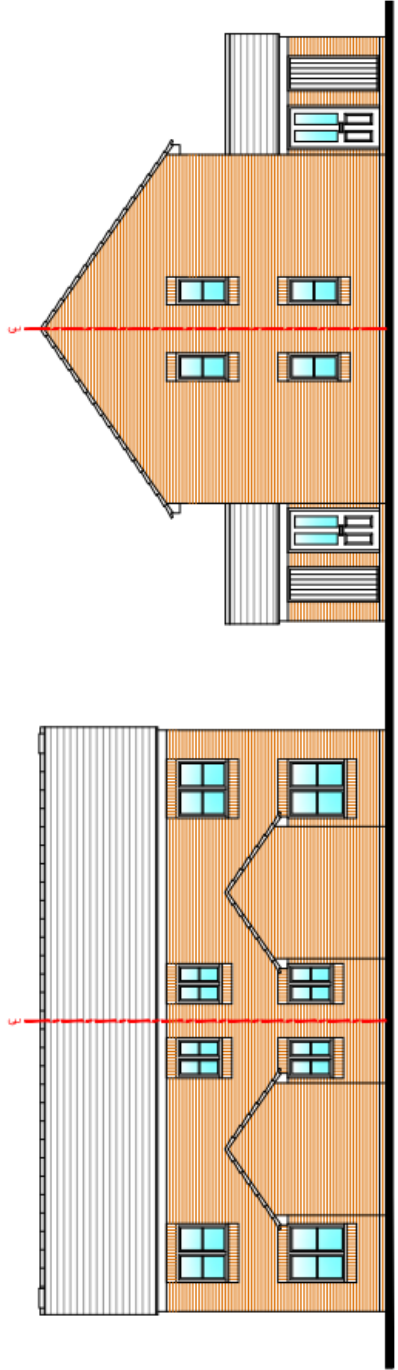
House type – Bayswater

A3 Residential Development At Bedworth Road, Bulkington



FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION

Bayswater House Type

Taylor Wimpey

Taylor Wimpey
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High Street
Coventry
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Subsidiary: 0512 220

Project: Residential Development At
Bedworth Road, Bulkington

Drawing: Bayswater House Type
Planning Drawing - Elevations

Scale: 1:100

Drawn: CC
Date: Dec 2018

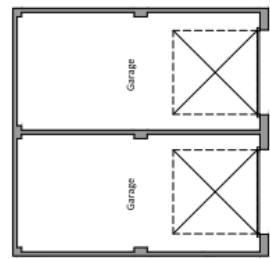
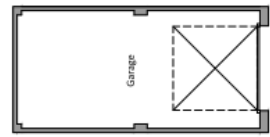
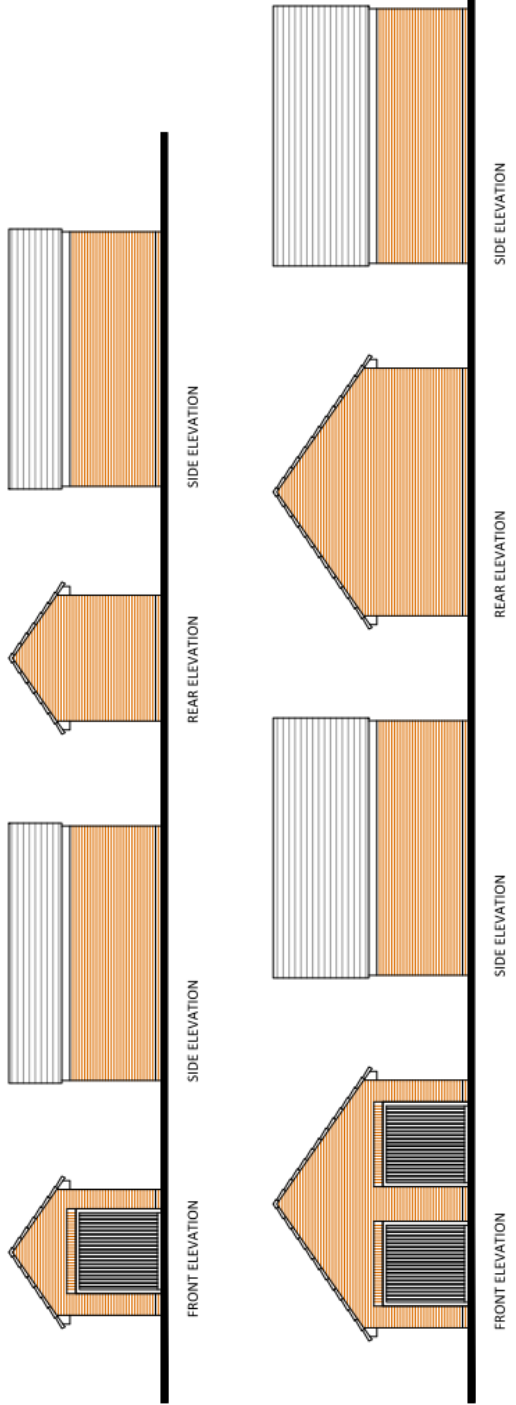
Project No: 2968
Drawing No: BAY2
Rev: C

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House Type – Bayswater

A3

Residential Development At Bedworth Road, Bulkington



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 NN1 1JG
 UK
 01603 250000
 www.taylorwimpey.co.uk

Project: Residential Development At
 Bedworth Road, Bulkington
 Drawing: Garages
 Planning Drawing
 Scale: 1:100

Client: CC
 Project no.: 2968
 Drawing no.: GAR
 No.: C

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Single And Double Garages

PLANNING APPLICATIONS

Item No. 2.

REFERENCE No. 036687.

Site Address: 99 Woodlands Road, Bedworth, Warwickshire, CV12 0AD.

Description of Development: Erection of 9 dwellings including associated infrastructure.

Applicant: Mr A Cartwright.

Ward: SL.

RECOMMENDATION:

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

INTRODUCTION:

The proposal is for the erection of 9 dwellings including associated infrastructure at 99 Woodlands Road, Bedworth, Warwickshire, CV12 0AD.

The site is a roughly rectangular parcel of land which fronts on to Woodlands Road, Bedworth. The site encompasses the domestic curtilage of 99 Woodlands Road; the land to the side and the parcel of land to the rear. The first part of the site is accessed via a relatively narrow access, which becomes slightly more open as the side of the track widens to the side of number 99. Further in to the site the next parcel of land is gated off with a five bar gate. Beyond the gate there appears to be a small area of hardstanding and some vehicles parked at the time of the site visit.

To the north and east are open agricultural fields, and most notably to the east and south east (as well as on the site) is an area of ridge and furrow field system. To the west is Woodlands Road and beyond this more fields.

Woodlands Road itself is a busy arterial route which runs roughly south-north before it meets Bedworth Lane. At this point of the road the settlement pattern is primarily linear ribbon style development. There are a mixture of house types, ages and styles but there are some prominent Victorian terraces, some inter-war semi-detached properties, and some more recent housing. The feel of this part of Woodlands Road is transitional as it represents the subtle change from the more urban town to the more rural countryside.

The nearby terraced housing which fronts on to Woodlands Road are numbers 97, 95 and 91 Woodlands Road. These are relatively traditional, two storey terraced properties which back on to the site. There is a mix of materials here and in the rest of the street with brick colours mostly being darker red and browns, and some render.

BACKGROUND:

Notwithstanding the objections received, this application is being presented to Planning Committee at the request of Councillor Kyle Evans.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - DS2 – Settlement Hierarchy and Roles
 - DS3 – Development Principles
 - DS4 – Overall Development Needs
 - DS5 – Residential Allocation
 - SA1 – Development on Strategic Sites
 - BE3 – Sustainable design and construction
 - BE4 – Valuing and conserving historic environment
 - HSG4 – Woodlands Strategic Housing Site
 - H1 – Range and Mix of Housing
 - H2 – Affordable Housing
 - NE1 – Green Infrastructure
 - NE2 – Open Space
 - NE3 – Biodiversity and geo diversity
 - NE4 – Managing Flood Risk
 - NE5 – Landscape Character
 - HS1 – Delivery of Infrastructure
 - HS2 – Strategic Accessibility and Sustainable Transport
- Sustainable Design and Construction SPD 2020.
- Concept Plans for Strategic Allocations: HSG4, Woodlands SPD 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

The Bedworth Society, The Environment Agency, George Eliot Hospital Trust, Natural England, NBBC Housing, NBBC Sports Development, NBBC Parks, NBBC Planning Policy, NBBC Refuse, NHS Property, Severn Trent Water, Warwickshire Archaeology, Warwickshire Police, Warwickshire Wildlife Trust, WCC Flood Risk, WCC Highways and WCC Infrastructure,

CONSULTATION RESPONSES:

Objection from:

Warwickshire Wildlife Trust, WCC Highways and NBBC Planning Policy.

No objection subject to conditions from:

Warwickshire Archaeology, Warwickshire Fire and Rescue, WCC Flood Risk and Severn Trent Water.

No objection from:

Natural England, NBBC Environmental Health, Highways England, NBBC Refuse, Ramblers Society and Warwickshire Police.

No comment from:
Environment Agency.

Comment from;
George Eliot Hospital Trust, NBBC Housing, NBBC Sports Development, and WCC Infrastructure.

No response from:
Bedworth Society, NBBC Parks and NHS Property.

NEIGHBOURS NOTIFIED:

Woodlands Road Farm, 89, 91, 95, 97, 152-164 (even) Woodlands Road; Norwood Farm, Woodlands Farm, Woodlands Lane; Nicholas Chamberlaine Hospital & Sermon Trust.

Neighbouring properties were sent letters notifying them of the proposed development on the 27th September 2019 with additional amended plans letters sent out on the 13th January 2020 (to the original consultees and to those who had made representations). A site notice was erected on street furniture on the 27th September 2019 and the application was advertised in The Nuneaton News on the 16th October 2019.

NEIGHBOUR RESPONSES:

There have been 24 objections from 15 addresses and a petition of objection with 47 signatures. The comments are summarised below;

1. Impact on highway safety and traffic movements, and visibility issues.
2. Would increase on street car parking.
3. Flaws in the consultation process.
4. Contrary to emerging Council policy (Concept plans).
5. Concept Plans show site as informal open space.
6. Impact on flooding and surface water drainage.
7. There is no pedestrian footpath within the site.
8. Adverse impact on pedestrian movements and safety.
9. Impact on existing infrastructure.
10. Would cause light pollution.
11. The proposal would not retain ridge and furrow.
12. The site is currently used to graze cattle.
13. The hedge could become owned residentially thus increasing the chances of its removal.
14. Could cause safety issues through a lack of emergency service access.
15. Impact on loss of wildlife and habitat.
16. Impact on flooding.

APPRAISAL:

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

1. The Principle of Residential Development.
2. Impact on a Non-designated Heritage Asset.
3. Impact on Residential Amenity.
4. Impact on Visual Amenity.

5. Ecology and Habitat.
6. Impact on Highway Safety.
7. Impact on Flood Risk and Drainage.
8. Planning Obligations.
9. Conclusion.

1. The Principle of Residential Development

The site falls within the HSG4 Strategic Housing Allocation Boundary and fronts on to Woodlands Road. The allocation in the Borough Plan states that the site will be developed for a mix of residential and community uses with approximately 689 dwellings delivered within the entire allocation. This policy sets out the development principles and infrastructure requirements for the allocation. The Key Development Principles (KDP) set out for HSG4 are:

1. Provision of approximately 689 dwellings in a mix of dwelling types and sizes.
2. Provision of a local centre including community facilities.
3. Potential on-site GP surgery or financial contribution to new GP or expanded surgery in western Bedworth area (Goodyers End, Newdigate, Bedworth Woodlands).
4. Play and open space to be provided in central position linking together existing local wildlife sites with appropriate management and maintenance arrangements.
5. Provision of on-site park and play facilities.
6. Financial contribution towards the upgrading of play facilities at the park on Heath Road / Newtown Road, and financial contribution towards facilities at Miners Welfare Park in Bedworth, a destination park within the Council's Open Space Strategy.
7. New 1 form entry primary school.
8. Financial contribution towards secondary level education in order to expand existing secondary provision in the area to an additional 3.5 form entry.
9. 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.
10. Transport improvements/upgrades required along Woodlands Lane, Woodlands Road, Bedworth Lane, Newtown Road, Heath Lane and surrounding streets as a result of the development.
11. Financial contributions towards borough-wide strategic highway infrastructure works identified within the Bedworth area.
12. Provision of a footway/cycleway on the site, linking through to the cycle path adjacent to the former mineral railway line to Newdigate Colliery.
13. Financial contribution towards provision of footway/cycleway leading to Bedworth Town Centre, running parallel to the former mineral railway line to Newdigate Colliery, and then utilising the further connection via Rectory Drive.
14. Potential local sewage network improvements in order to improve biological treatment capacity to accommodate the development.
15. Financial contributions towards sport and physical activity.

It is appreciated that this application is for only 9 dwellings, and occupies only a relatively small, peripheral site when compared to the Allocation as a whole. As such many of these higher level aspirations are not feasible, and nor are any financial contributions for these given that the site is a minor application of less than 10 dwellings as contributions can only be requested with 10 or more dwellings.

That said, paragraph 7.90 of the Borough Plan states it is important that:

“...all landowners see the value in working together to bring the site forward in a comprehensive and integrated manner. It is essential that landowners come to a voluntary agreement based on sharing the cost of off-site and on-site infrastructure requirements”.

The applicant has submitted information advising that they have attempted to correspond with other land owners throughout the HSG4 Allocation, however during this correspondence, both other parties have confirmed that they are not willing to enter into discussions with the Applicant nor indeed with each other which is obviously disappointing. It is considered that it would be harsh to penalise the current Applicant for the apparent lack of engagement from other land owners, despite their best attempts.

Concept Plans

The Council recently adopted a Concept Plan for HSG4 to act as guidance to help shape the entire allocation. The Concept Plan for HSG4 shows, in figure 5, the majority of this planning application site to be earmarked for informal open space. This was principally driven by the ECUS Heritage Assessment which was carried out as part of the evidence base of the Borough Plan. The Heritage Assessment stated that the Strategic Allocation contains high quality ridge and furrow which should be retained where possible. The Concept Plan supporting text states:

“...Policy HSG4 of the Borough Plan requires that high quality areas of ridge and furrow should be retained where possible. The Heritage Assessment notes that there may also be potential for archaeological remains across the site” (Para 2.9.3).

The Non-designated Heritage Asset status of the ridge and furrow will be dealt with later in this report.

Figure 6 within the Concept plan shows the rear part of this site as residential, and the front part as informal open space. As mentioned this was driven by the quality of the ridge and furrow features across the entire Strategic Allocation. It is important to state that Warwickshire Archaeology have been consulted and have no objection to this small site and its impact on the ridge and furrow stating that;

“The proposed development lies within an area of archaeological potential, within an area of ridge and furrow earthworks suggesting that it may have been in agricultural use during the medieval and later periods. While there is an absence of other known archaeological sites from the immediate vicinity of this site prior to this period, this may be due to a lack of previous archaeological investigations across this area, rather than an absence of activity during the pre-medieval periods. There is therefore a potential for previously unknown archaeological deposits, pre-dating the medieval and later agricultural use of this site, to survive across this area. Any such features are likely to be impacted upon by the proposed development. Although I do not wish to object to the principle of development, I do consider that some archaeological work should be required if consent is forthcoming. I would envisage this work taking a phased approach, the first element of which would include trial trenching, in advance of any development on the site.”

It is recommended that a condition is added to ensure that the correct archaeological work is carried out prior to development.

Additionally the applicant has commissioned a site specific, and up-to-date report analysing the ridge and furrow on this application site prepared by Cotswold Archaeology. The conclusion to this report stated;

“The earthworks within the Site comprise a series of parallel ridges, aligned broadly south-east to north-west. There are approximately three ‘strips’ or ‘lands’ extending across the Site for a maximum length of 25m and surviving to a maximum height of 0.3m. These remains are fragmentary but are likely to have formed part of a furlong which extended into the field to the north of the Site and also to the south-west of Woodlands Road. The remains have been truncated through the construction of Woodlands Road, present by the mid-19th century and the residential development in the early 20th century along the eastern and western extents of Woodlands Road which has severed the remains within the Site from the western extent of the furlong.

The ridge and furrow earthworks within the Site have been assessed in accordance with the criteria contained in ‘Turning the Plough’, and due to their low score and fragmentary nature the remains are not considered to comprise a non-designated heritage asset, and therefore do not warrant consideration in the context of paragraph 197 of the NPPF.

It is a finely balanced consideration, but it is considered that the comments from Warwickshire Archaeology and from the applicant’s commissioned Assessment provides up to date, site specific assessment of this archaeological feature. Subsequently it is felt that this supersedes the earlier advice which informed the more general assessment which in turn informed the Borough Plan and the Concept Plan. So in essence, this small part of HSG4 does not have sufficiently significant ridge and furrow to necessitate the Concept Plan’s insistence that this land is retained for informal open space.

It is important to mention that the Concept Plan is adopted guidance, and sets out at Paragraph 1.2.3:

“Alternative solutions and land use arrangements may come forward as part of the planning application process, but the concept plans should be viewed as fundamental principles for the site, and any significant differences in approach would need to be justified at the planning application stage.”

It is considered that the use of this site beyond the use as ‘informal open space’ principally for the retention of the ridge and furrow has been adequately justified.

2. Impact on a Non-designated Heritage Asset

As mentioned above, Paragraph 197 of the NPPF relates to Non-designated Heritage Assets. Policy BE4 of the Borough Plan also sets out how to protect the historic environment.

The Heritage Assessment submitted with the scheme by Cotswold Archaeology attempts to justify the loss of the ridge and furrow land on the site. It states, as mentioned above, that;

“The ridge and furrow earthworks within the Site have been assessed in accordance with the criteria contained in Turning the Plough, and due to their low score and fragmentary nature the remains are not considered to comprise a non-designated heritage asset, and therefore do not warrant consideration in the context of paragraph 197 of the NPPF.”

Additionally, as also mentioned above, Warwickshire Archaeology services were consulted and they have requested that a condition for trial trenching prior to development to log any archaeological finds.

Some residents have pointed out the high quality ridge and furrow, and their comments have been weighed in the assessment of this material consideration.

The policy BE4 states that harm to any heritage asset must be fully justified, and on this occasion it is considered to be so, and development would result in the partial loss of the asset and/or its setting, the applicant will be required to secure a programme of recording and analysis of the asset, ensuring the publication of the record to an appropriate standard. This would be adequately covered by the condition recommended by the Warwickshire Archaeology Team, which is deemed to meet the tests of planning conditions and could be added to any approval.

3. Impact on Residential Amenity

The development site is to the rear of some of the existing dwellings on Woodlands Road, namely 99, 97, 95 and 91 (which is a double width property, presumably having subsumed 93, which no longer exists as an address at some point in the past). The impact on these dwellings in regard to amenity will be assessed here.

Impact on 99 Woodlands Road

99 Woodlands Road is set back from the road compared to its attached neighbours. It has a two storey flat roof section to the rear attached to the main two storey house which has a gabled roof.

The rear facing windows in this two storey element are considered not to be original to the dwelling and as later additions they are not protectable by the Sustainable Design and Construction Supplementary Planning Document (SDC 2020).

The new property in closest proximity to number 99 is plot 1, which is a bungalow and as such there are no concerns of overlooking from any first floor windows. The bungalow is also set away from the boundary with 99 by around 3m so it is not considered that the bungalow would enclose the rear garden of number 99.

A boundary treatment condition could be added to help protect the amenity of the neighbouring rear garden at 99 Woodlands Road.

Impact on 97 Woodlands Road

Number 97 Woodlands Road is an attached terraced property which is two-storey. There are some rear facing windows within a large two-storey flat roofed element, which is a later addition (approved in 1984), and a rear facing window in the original rear of the house.

The proposed bungalow at plot 1 is set 11m from the rear of this two-storey element. The windows in it are serving a kitchen but cannot be protected by the SDC 2020 since they are not original. The original rear window is well over the required 12m separation distance (actually 13.4m) set out in the SDC 2020 between windows and blank elevations.

The bungalow at plot 1 is to be set at its closest just under 3m from the rear boundary of the garden of number 97 Woodlands Road. The new plot will be orientated so as to have the side gable facing the rear garden, albeit at an angle. The

ridge height is to be 5.4m and the eaves 2.1m. It is considered that this 3m separation distance, and the angled siting of the bungalow, should help to mitigate any impact on the rear garden to an extent where it is not significantly enclosed by the bungalow.

Impact on 95 Woodlands Road

Number 95 Woodlands Road, similarly to 97 Woodlands Road, is a two storey mid-terraced property. It also has a two-storey extension to the rear (also approved in 1984) the windows in this are not considered to be original so cannot be protected by the SDC 2020.

The rear garden on number 95, similarly to 97 is within 3m of the newly proposed bungalow at Plot 1. Again given the separation and the distance of nearly 3m the impact on the rear garden is not considered to be significant.

Overall it is considered that there would be no significant impact on the residential amenity of the nearby, existing residential properties and this accords with the guidance set out in the SDC 2020.

Within the Development

Within the development the distance standards are generally met across the entire site. There are a few points worth mentioning however and these are discussed here.

Plot 7 follows the curve of the new road and as such is set slightly further back than Plot 6. This means that the house runs, at two storey, for longer than the 3m suggested by the SDC 2020. It runs for 3.5m along the side of the rear garden of Plot 6, however this 0.5m breach is considered acceptable given that the new occupier will purchase any property in full knowledge of this small infringement and consequently it is considered that it is not significant enough to warrant a refusal of the scheme.

Elsewhere on the site the garages to Plot 2 and Plot 5 are arranged so as to run along the gardens of their neighbouring properties for 6m. Again though, it is considered that this kind of infringement is a case of 'buyer beware'.

4. Impact on Visual Amenity

The site is accessed from Woodlands Road, next to the established cottages which front the highway. These cottages are terraced, and two storey in character and back on to the development site.

Number 99 is set back from the road when compared to 97 and 95, which are together in a row. This part of the road has a somewhat transitional feel and is sited on the edge of the settlement before one travels to more rural countryside further along Woodlands Road.

The properties will be mainly arranged on the south side of the new access road and as such views when travelling north along Woodlands Road will be minimal until one is alongside the development. When travelling south along Woodlands Road the properties would be more prominent and visible within the street scene but as plans show the existing boundary hedge is to be retained (and this could be enforced by condition) views will again be somewhat limited.

The site is large enough to have a character of its own and is typified by relative large detached properties. This is at odds to the general street scene of this part of Woodlands Road, but as said the site is large enough to have its own character rather than having to obey that of the existing built form.

There is limited development in depth along this part of Woodlands Road, but Missing Oak Close and the slightly further away Dove Close do exist close to the development. As such it is not considered that the ribbon development of the 19th Century part of Woodlands Road would have such a strong linear character so as to have concern over the development of these 9 dwellings.

The design of the proposed dwellings exhibit traditional elements such as brick and render with soldier coursing, brick courses, bow windows, and brick cills. All the properties show gabled roofs, some with their front roof slope facing the road, and others with gable features facing the road, and a mix of the two elements. One house type also has a decorative arch over the front door, and low side eaves, and is handed as a pair next to each other.

Plots 1 and 7 will be bungalows which is a little out of the ordinary in a development of mainly two-storey properties, but they are sited at the beginning and end of the longest row of new properties so it will add interest to the row.

Overall the proposal will have only a limited effect on the visual amenity and character of the area. Any approval could include conditions relating to the submission of details of the external building materials.

5. Ecology and Habitat

Warwickshire Wildlife Trust (WWT) have objected, although this objection is principally concerned with the fact that this small scheme is not part of a comprehensive development across the whole Strategic Allocation. They also have concerns that the scheme does little to relate to the existing vernacular and the character of the area. They have concerns that the site could be developed in a piecemeal way but it is considered that given the Applicant has shown an effort to liaise with other landowners but has been ignored by them, that it would be unfair to refuse on this basis.

In regard to ecology and habitat creation, the WWT have stated that if the Council are minded to approve the scheme then regard should be had to the hedgerows on site as habitats for protected species and foraging and commuting spaces. The plan shows the retention of the hedge on the northern boundary of the site and a condition relating to its retention could be included on any approval. This condition would be adequate to deal with the concerns over the hedge since it will protect it in perpetuity. The WWT have concerns over management of the hedge going forward, but it would be difficult to include details of hedge trimming and the regularity of this, other than preventing its total loss and removal, via the condition already mentioned.

The Applicant has responded to these comments to say that the proposed development will have bat and bird boxes, and following comments from WWT they have incorporated 'Waney Edge' Cladding to some house types (which aids bats and small birds). The fencing (which will be reserved by condition) will include 'hedgehog streets' to allow movement for habitat and foraging.

The Ecological Appraisal which accompanied the application stated that the likelihood of habitat for:

- Bats:
 - Low within the existing house and outbuildings.
 - No trees or hedges had obvious signs of bat habitat.
 - North south and east hedgerows are likely to be used by foraging bats and be important for commuting bats.

- Other Mammals:
 - Potential use of the site is deemed to be low.
 - Possible presence of small mammals and passing badgers.

- Birds
 - Nest material was recorded within the roof structure of the existing house on site.
 - New development should provide nesting opportunities for birds.

- Reptiles
 - Small areas of potential habitat.
 - No further surveys recommended due to the very limited areas of habitat and low potential.

- Amphibians
 - The site provides potential amphibian habitat in the form of tall ruderal and scatters scrub habitats, but the majority of the site is short grassland and is unlikely to provide a permanent habitat.
 - There are two ponds within 250m, pond 1 recorded a rating of 'below average' and pond 2 rated as excellent.
 - Further survey work is required in relation to Great Crested Newts in these nearby ponds (20m and 80m respectively) and their presence or absence can be determined in a single DNA visit.
 - Natural England's Great Crested Newt Rapid Risk Assessment identified that the proximity of these potential newt habitats means that there is a potential risk of an offence occurring during site clearance, etc.

Overall it is considered that the addition of bat and bird boxes and the 'hedgehog street' mentioned by the applicant could all be included in conditions on any approval. The fact Great Crested Newts (GCN) are likely to be nearby means that prior to clearance work the developer would be bound by other legislation to ensure that they do not harm a protected species (such as GCN). This could not be conditioned since the habitats are not on the site itself, but would be added as a note to advise the developer of this (on any approval).

6. Impact on Highway Safety

WCC Highways were consulted and initially responded with an objection to the scheme. Over the course of the application the plans were amended several times and each time the Highways Authority objected, latterly indicating that a Stage 1 Road Safety Audit was necessary. The latest set of plans elicited this response from the Highways Authority:

"Drawing no: 19/38 07M has been submitted for consideration and a letter from ADC Infrastructure dated 25 February 2020, which includes a Stage 1 Road Safety Audit carried out by TMS.

The Road Safety Audit raised 7 issues, all of which the designer agreed with. The Audit was reviewed by the Highway Authority's Road Safety Team who also agreed with the conclusions of the Audit and raised no further concerns.

So, all is well and good. However, elements of the audit and the design of the access are based on the road not being narrowed. According to the ADC statement there will be no change to the width of Woodlands Road. Measured on site the width of the carriageway was over 5.8 metres. The drawing submitted show a carriageway width of 5.3 metres. Either of the measurements could be wrong. This is a situation which will not be resolved without another site visit or site meeting where all parties can agree on-site conditions. If the Highway Authority is incorrect, apologies. But it is something that will need to be addressed post lockdown.

Regarding point 3 the statement says that during a site visit the flow and speeds of vehicles were observed. It does not state how the speeds or flows were recorded, or at what time of day the visit occurred. When the site was initially visited it was before AM peak on the network. Crossing the road was not simple and vehicle speeds appeared higher than 30mph, based on the number of vehicles catching up with the site visit when the site was passed several times.

But again, visibility splays are dependent on the measurement of the road width fronting the site.

Woodlands Road is used as a rat-run. Certain times of the day the road is busy.

Queues can be seen entering and leaving Woodlands Road at the junction with Newtown Road and Heath Road. Vehicles using the road include commercial vehicles.

Point 5 refers to the internal layout of the site. The site is very unlikely to be adopted as public highway, so it will be the planning authority's responsibility to ensure the road layout and parking arrangements are suitable.

Visibility splays within the site are a concern. No obstruction higher than 600mm is proposed on the frontages of properties. How will this be maintained? Especially as visibility splays go over adjacent parking spaces. Vehicles will obstruct splays.

Parking areas are also being debated. Clearly, on the south-western corner of the parking area for Plot 1 the width is restricted by the boundary of an adjacent property.

The parking for Plot 7 is not considered suitable. Swept paths are compromised, as is visibility, both pedestrian and vehicular.

And parking for the houses opposite the proposed access on Woodlands Road does not appear to have been overcome. Vehicles are parking on-street fronting the proposed access, with no provision for off-street parking."

The Highways Authority have summed up their objection on three grounds; these are;

1. It has not been demonstrated that the access to the site from the public highway can be constructed in accordance with the drawing submitted including visibility splays.
2. Existing parking concerns along Woodlands Road, which could detrimentally affect access to the site, do not appear to have been addressed.
3. It is not clear how the site will be serviced by refuse and recycling collection vehicles.

Subsequently the Applicant stated that they were happy to carry out further work to attempt to satisfy the Highways Authority. However the Highways Authority stated that would be very difficult given that any surveys carried out during the Covid-19 Pandemic would likely not be representative of the true picture. Nevertheless the Agent intended to carry these out and submit them. At the time of writing these are yet to be received (and obviously there has been no change in the Highways Authority's objection without these details).

Consequently it is considered that it has not be adequately demonstrated, despite the several attempts at overcoming the Highway's objection, that the scheme would not have a severe impact on highway safety. This is especially so given that it has not been demonstrated that the site access, and internal layout, will not have a severe detriment to highway safety.

This is therefore contrary to paragraph 109 of the NPPF which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be **severe**.

Policy HS2 in the adopted Borough Plan also requires that where a development is likely to have transport implications, it is required to clearly demonstrate how the following issues are addressed:

- 1. How the development ensures adequate accessibility in relation to all principal modes of transport.*
- 2. Whether the development identifies suitable demand management measures.*
- 3. The impact on air quality and measures proposed to ensure impact is not exacerbated. The council would support measures such as the provision and integration of infrastructure which may help to deal with the issues of air quality, such as electric vehicle charging points.*
- 4. The connectivity of the development to strategic facilities.*
- 5. How the development delivers sustainable transport options in a safe way that link to the wider transport network.*
- 6. Whether the proposal will meet acceptable levels of impact on existing highways networks and the mitigation measures required to meet this acceptable level."*

In particular reference to point 6 here, it has not been adequately demonstrated that the impact on the existing highway network would be acceptable.

On this occasion, despite several rounds of amended plans, it has not been adequately demonstrated that there would be no severe harm to highway safety as a result of the scheme.

The Applicant has submitted a letter prepared by ADC Infrastructure which attempts to overcome the reasons for objection, this has been forwarded to WCC Highways. At the time of writing this report however, no updated response from WCC Highways has been received.

7. Impact on Food Risk and Drainage

WCC Flood Risk Management Team were consulted and they originally objected to the scheme. Since then several iterations of the drainage to the site has been proposed by the Developer and there have been a long series of negotiations with the Flood Team. This culminated in them removing their objection subject to conditions which state that no development shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Council in liaison with the County Flood Team (as the Lead Local Flood Authority).

Additionally the site is located in Flood Zone One which is statistically the least likely to flood, and as such the Environment Agency were not consulted.

8. Planning Obligations

The original scheme was for over 10 dwellings, and as such the relevant bodies were consulted for their request for planning obligations. Since the application was then amended to reduce the number of dwellings below the threshold of 10, down to 9 dwellings no planning obligations can be sought.

The relevant bodies have been included in the consultee responses section and added as they made a 'comment' although the requests cannot be acted upon now.

This is in accordance with adopted policy and national guidance.

9. 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.

In conclusion there are clearly benefits to the scheme, not least the addition of small amount of housing on a Strategically Allocated site to which great weight is given. The harm to the visual amenity and residential amenity to neighbours is minimal, the impact on wildlife and ecology is not significant, nor is the impact on flood risk.

However, there is an outstanding objection from the Highways Authority.

So, on balance while there are clear considerations which weigh in favour of the proposal, it is considered that the potential for severe impact on highway safety and the harm that creates, outweighs those positive points.

REASONS FOR REFUSAL:

Refusal is recommended due to the following Policies:

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

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

Urban character

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

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

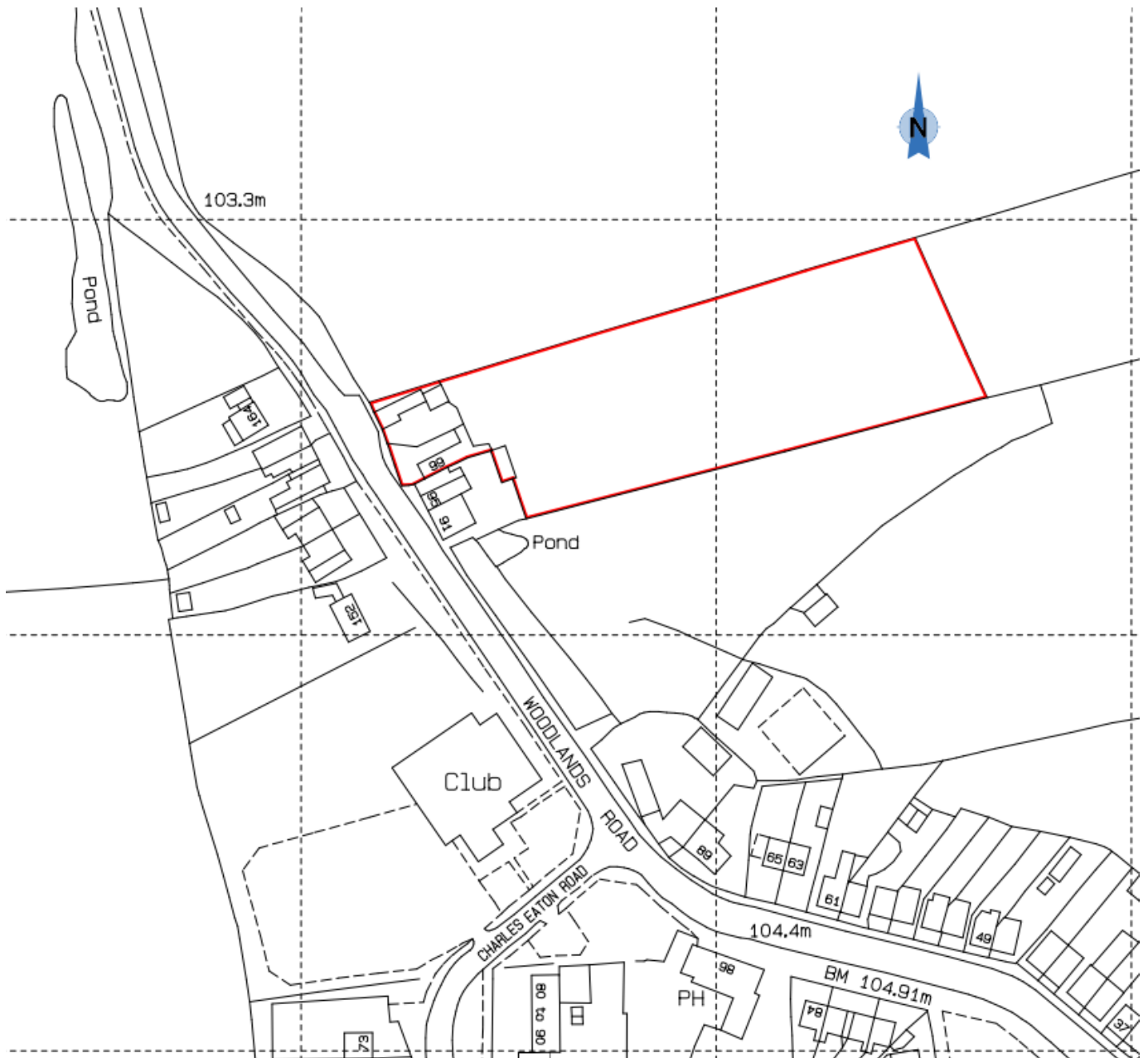
Supplementary Planning Documents

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

2. Policy HS2 of the Nuneaton & Bedworth Borough Plan 2019 states (in part):-
Where a development is likely to have transport implications, planning applications are required to clearly demonstrate how the following issues are addressed:
 1. *How the development ensures adequate accessibility in relation to all principal modes of transport.*
 2. *Whether the development identifies suitable demand management measures.*
 3. *The impact on air quality and measures proposed to ensure impact is not exacerbated. The council would support measures such as the provision and integration of infrastructure which may help to deal with the issues of air quality, such as electric vehicle charging points.*
 4. *The connectivity of the development to strategic facilities.*
 5. *How the development delivers sustainable transport options in a safe way that link to the wider transport network.*
 6. *Whether the proposal will meet acceptable levels of impact on existing highways networks and the mitigation measures required to meet this acceptable level.*
3. Paragraph 109 of the NPPF states;
“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

The recommended reason for refusal is:

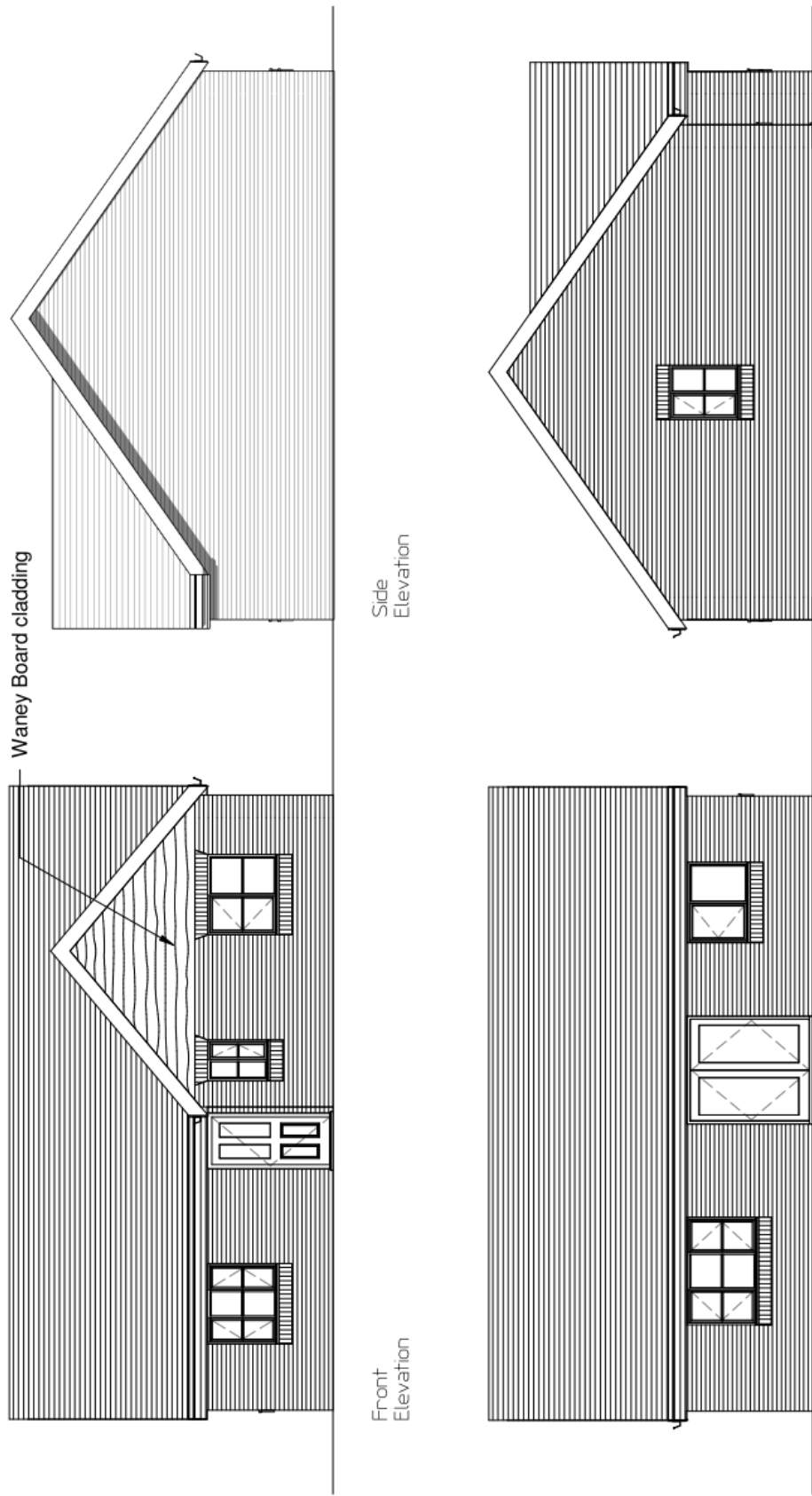
- (i) The proposal is contrary to this policy in that it has not been adequately demonstrated that the required visibility splays along Woodlands Road from the proposed access can be achieved. The proposal therefore does not minimise conflicts between traffic and cyclists or pedestrians and would have a severe, detrimental impact on highway safety. (Contrary to Guidance contained in Paragraph 109 of the NPPF, BE3 and HS2 of the Borough Plan 2019 and the guidance contained within Manual for Streets 2007).



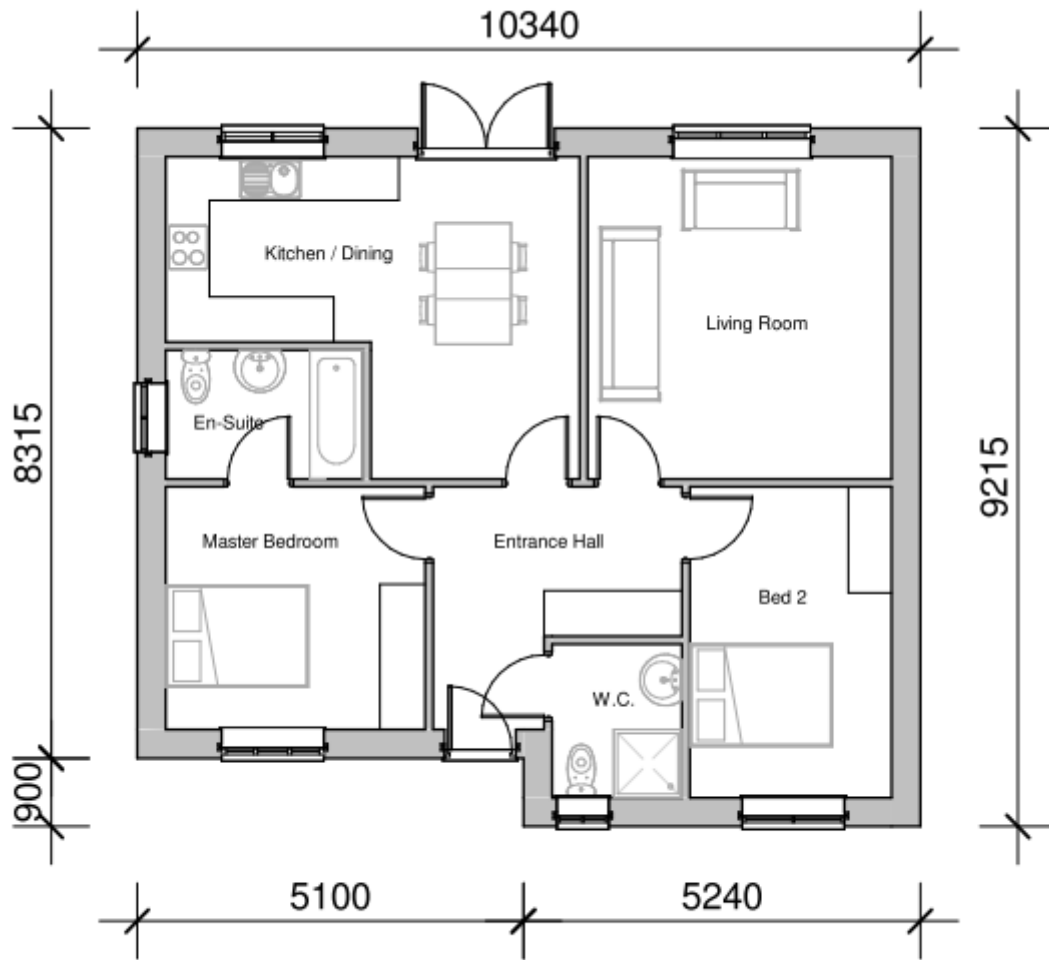
Site Location Plan



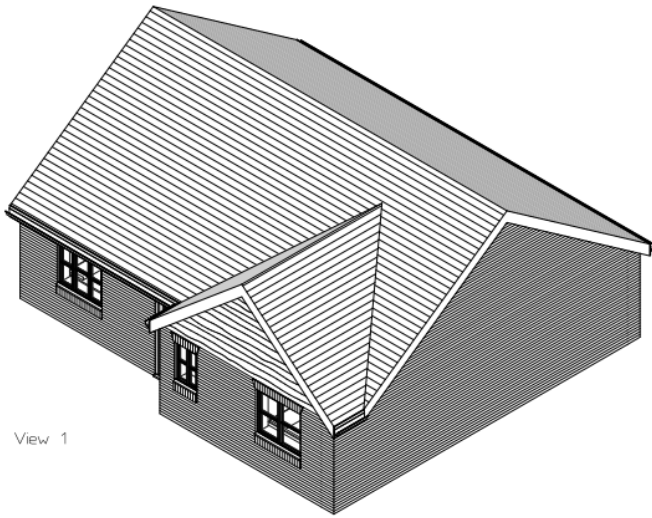
Site Layout Plan



Plots 1 & 7 - Proposed Elevations

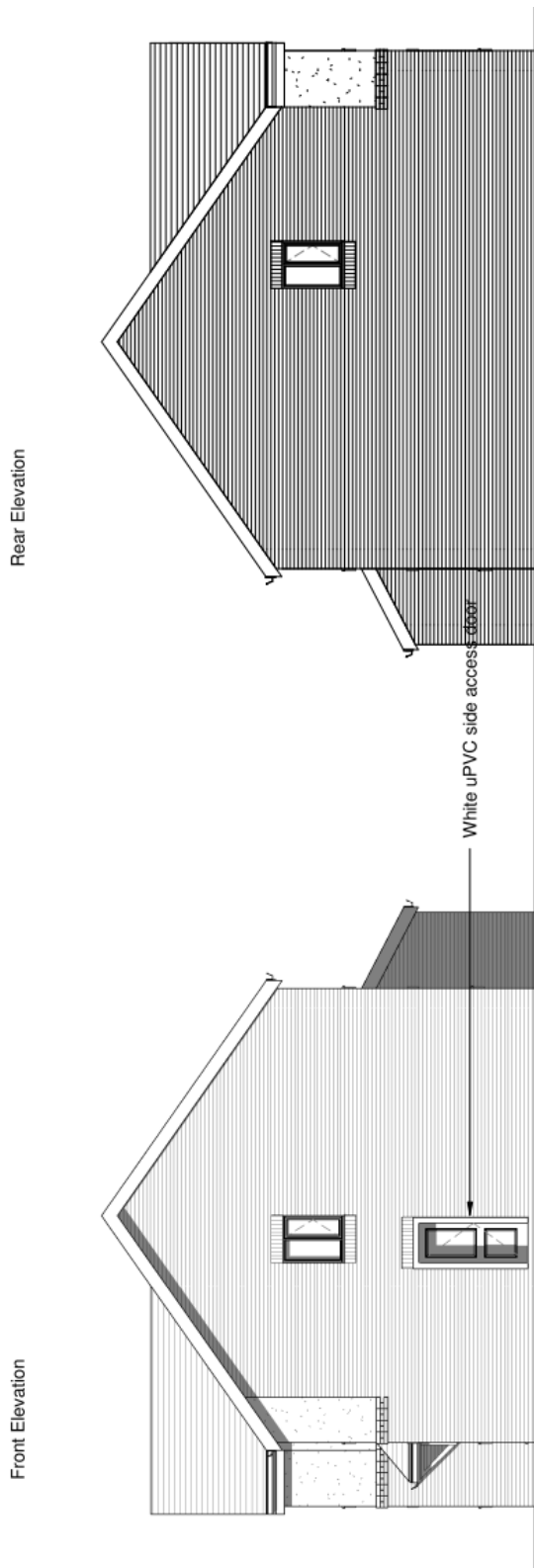
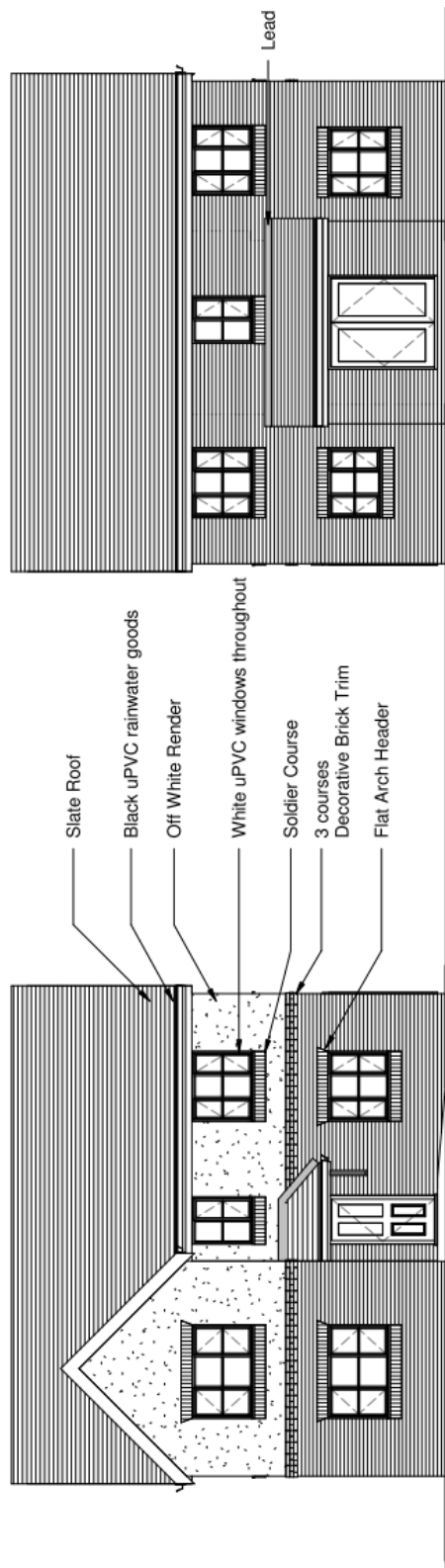


Ground Floor Plan

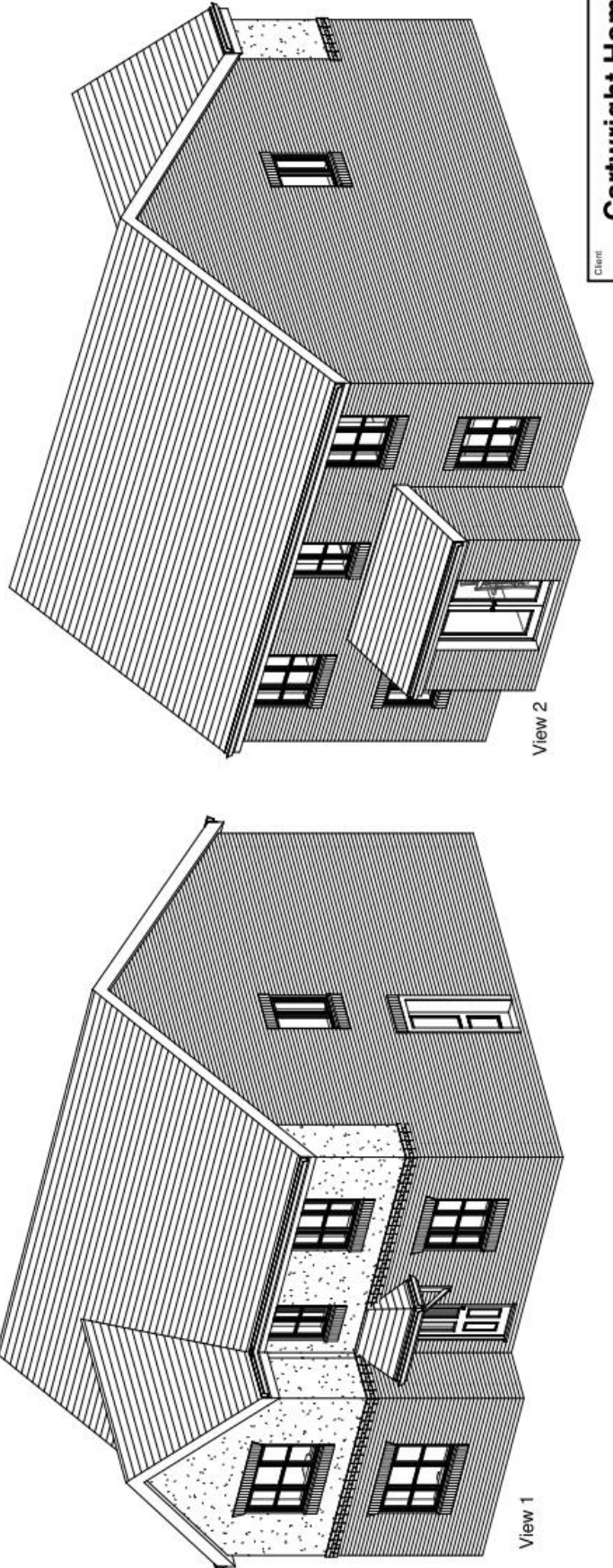


View 1

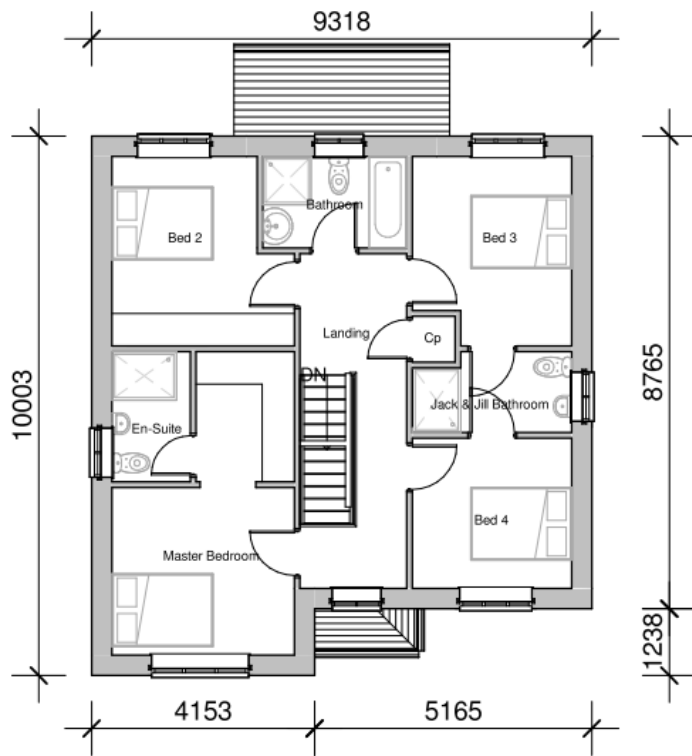
Plot 1 – Proposed Floor Plan and Isometric view



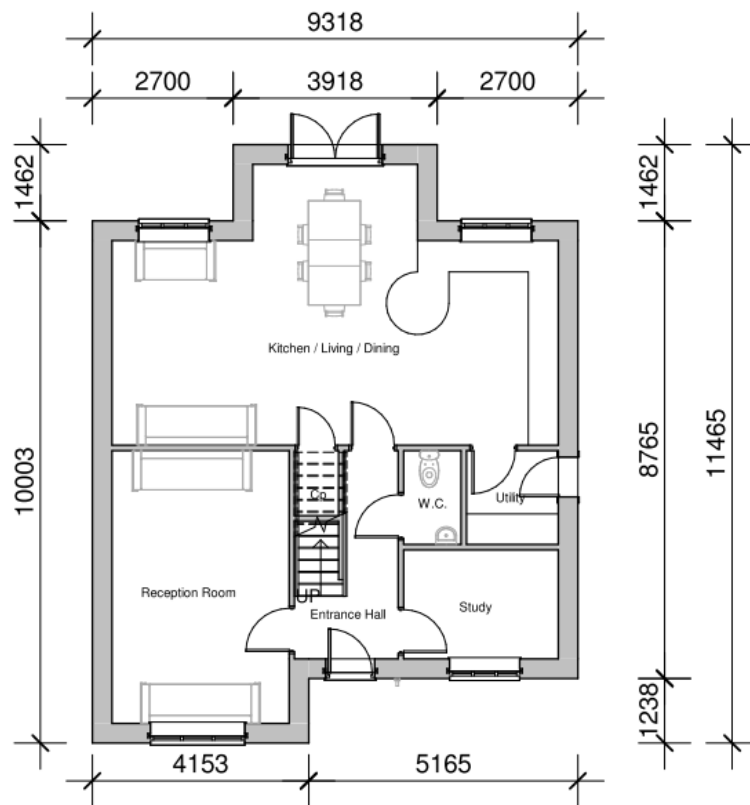
Plot 2 – Proposed Elevations.



Plot 2 – Proposed Isometric views

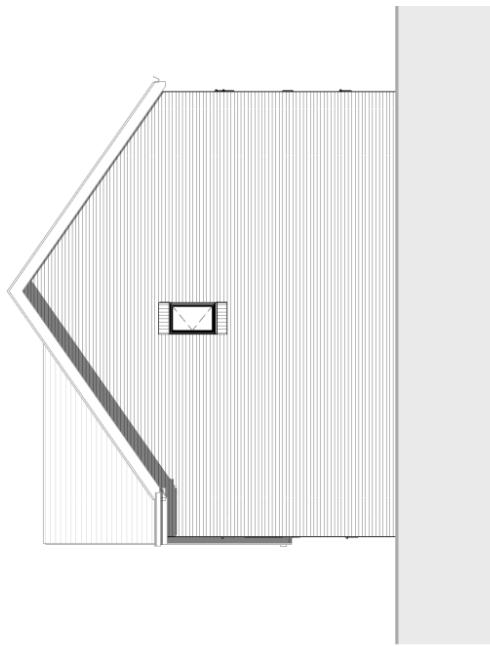


First Floor Plan

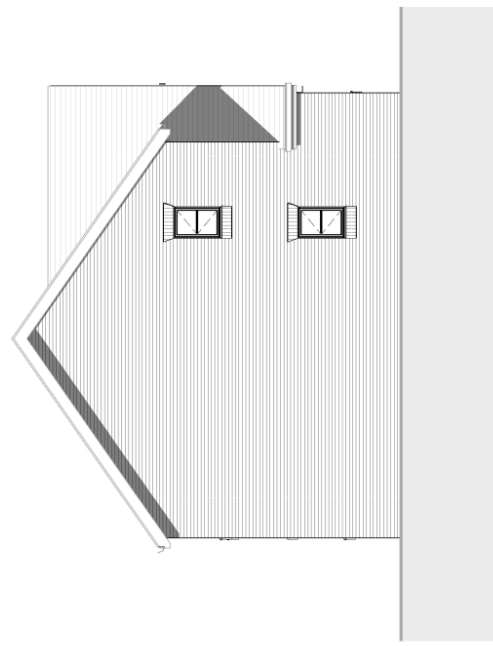


Ground Floor Plan

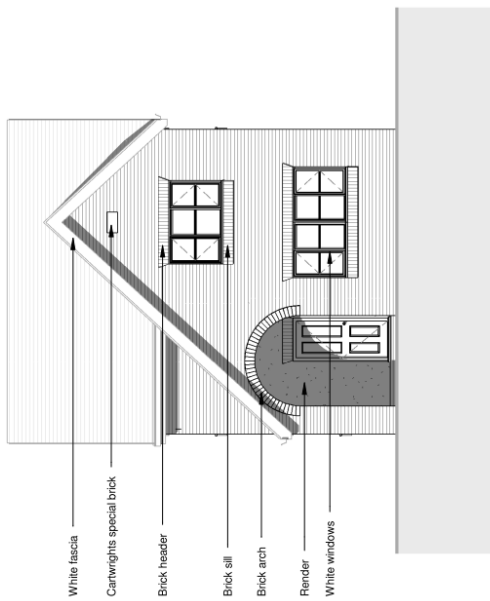
Plot 2 – Proposed Floor Plans.



Side Elevation

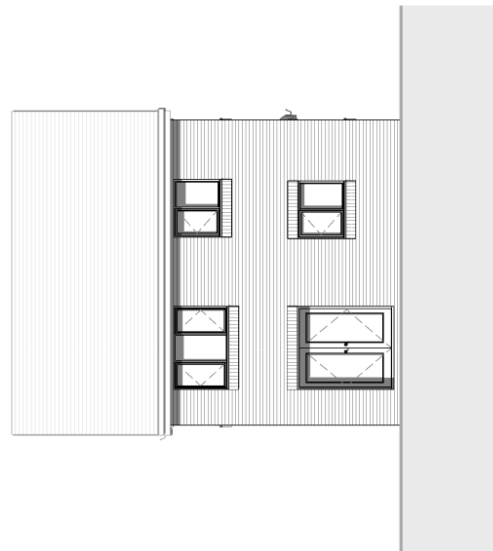


Side Elevation



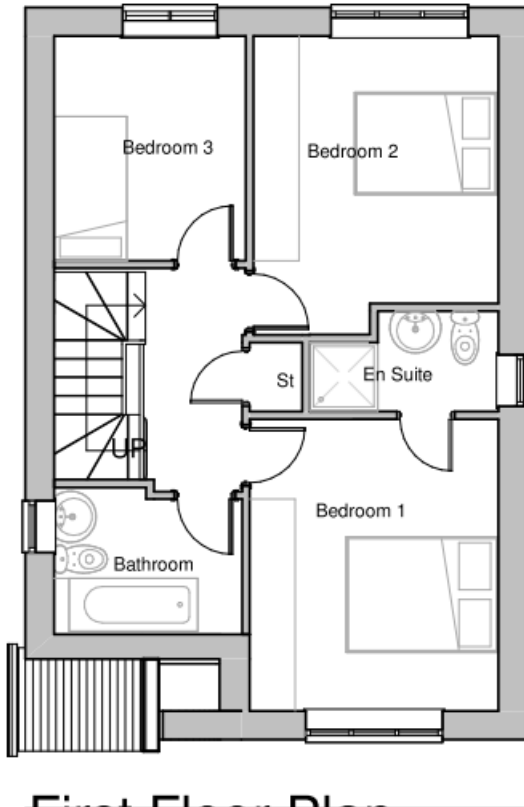
Front Elevation

- White fascia
- Cartwrights special brick
- Brick header
- Brick sill
- Brick arch
- Render
- White windows

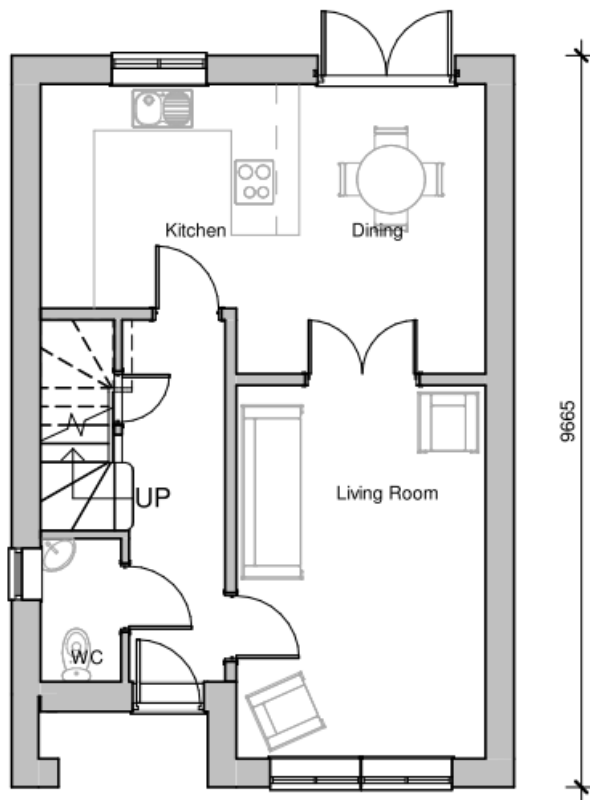


Rear Elevation

Plots 3 and 6 – Proposed Elevations

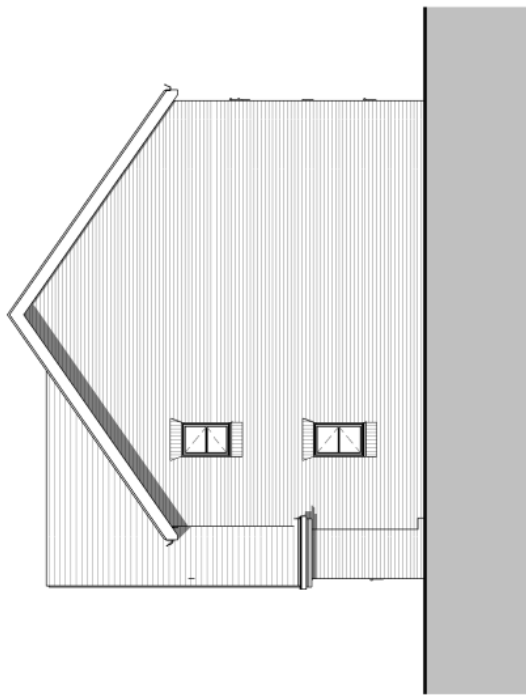


First Floor Plan

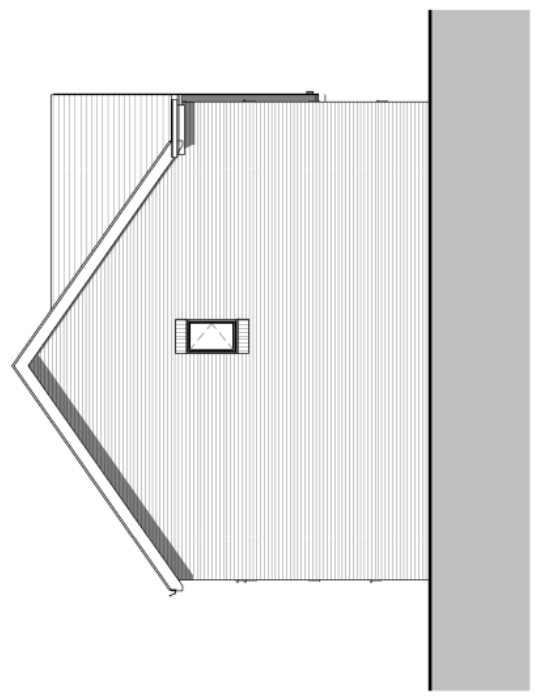


Ground Floor Plan

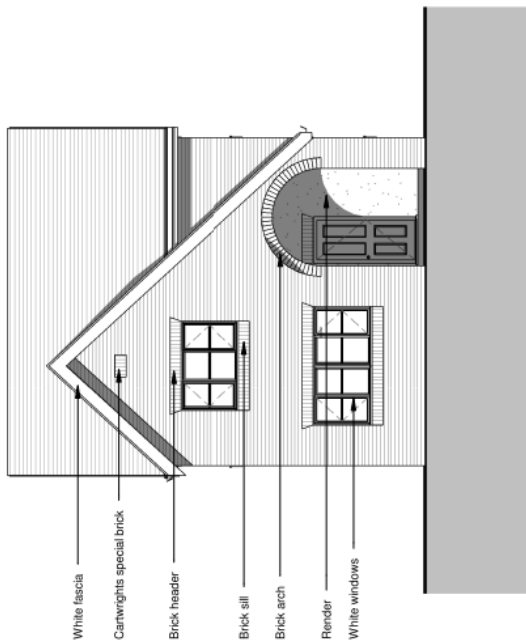
Plots 3 and 6 –Proposed Floor Plans



Side Elevation

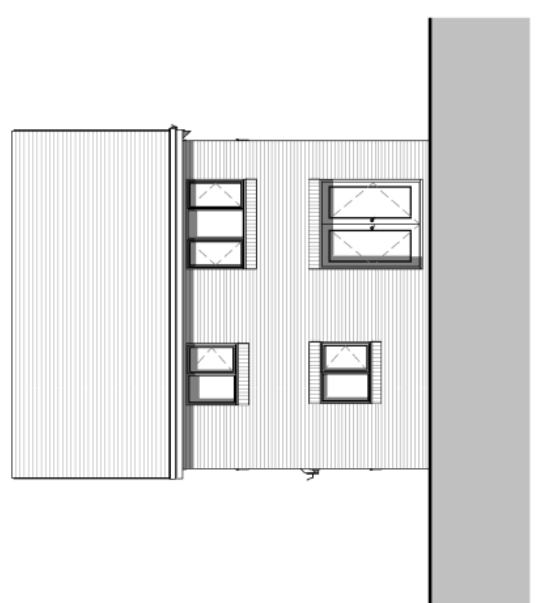


Side Elevation



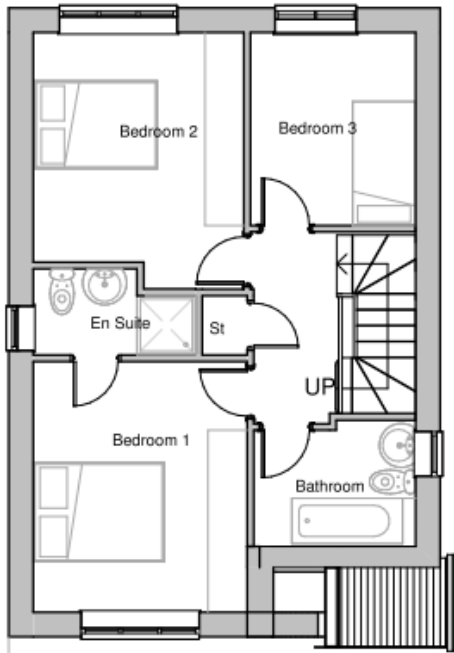
- White fascia
- Carwrights special brick
- Brick header
- Brick sill
- Brick arch
- Render
- White windows

Front Elevation

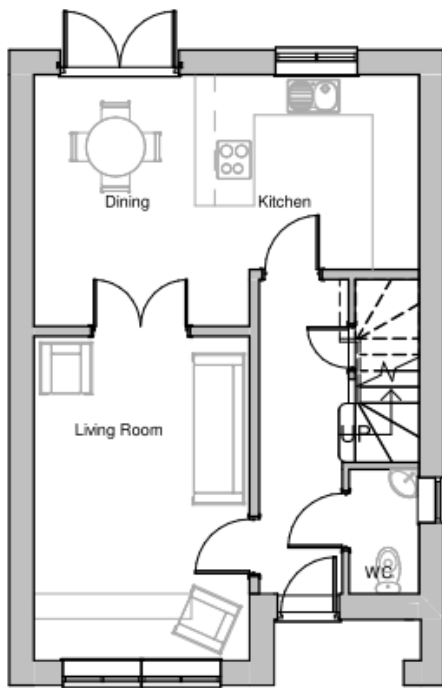


Rear Elevation

Plot 4 - Proposed Elevations

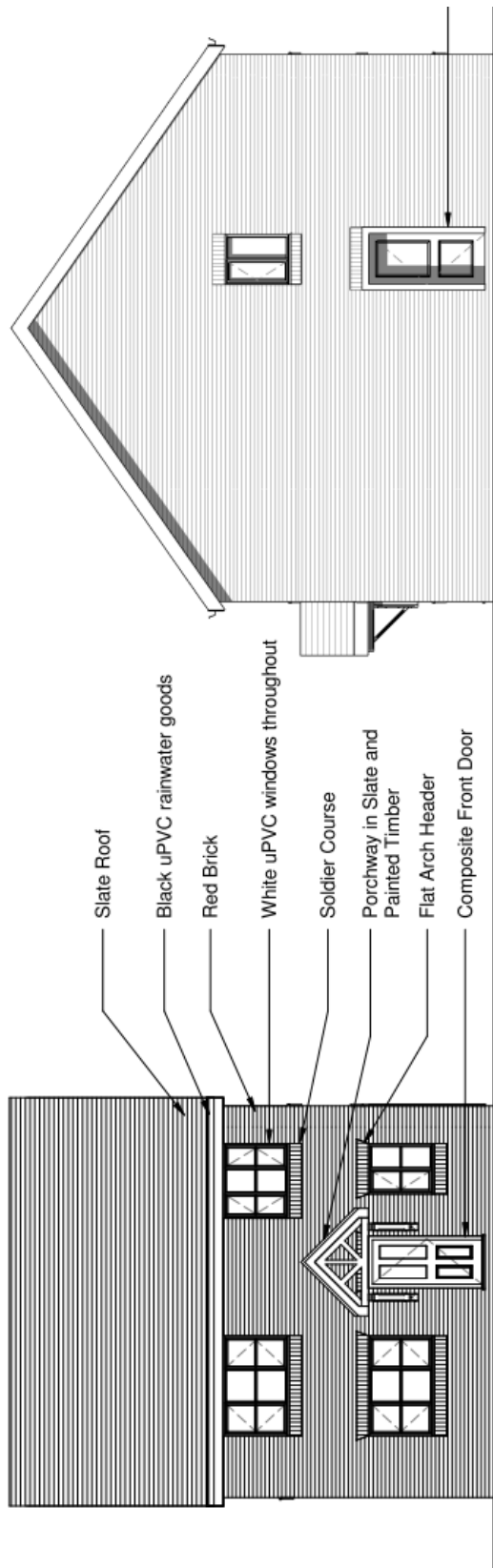


First Floor Plan



Ground Floor Plan

Plot 4 – Proposed Floor Plans



Slate Roof

Black uPVC rainwater goods

Red Brick

White uPVC windows throughout

Soldier Course

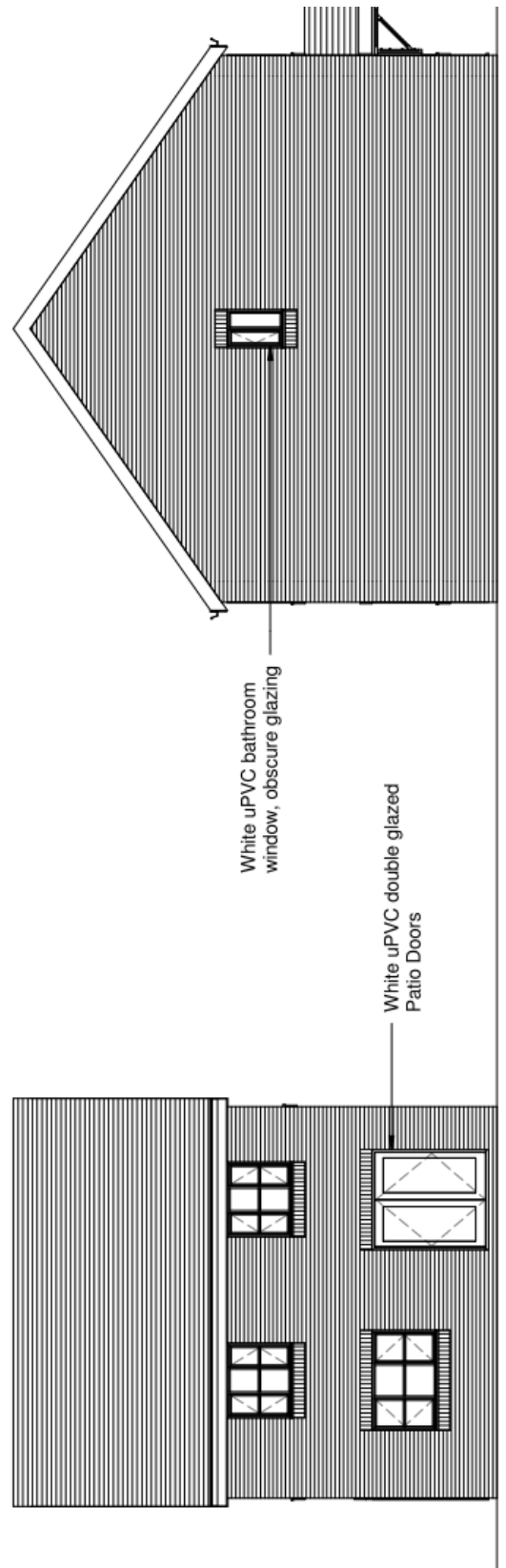
Porchway in Slate and Painted Timber

Flat Arch Header

Composite Front Door

Front Elevation

Side Elevation



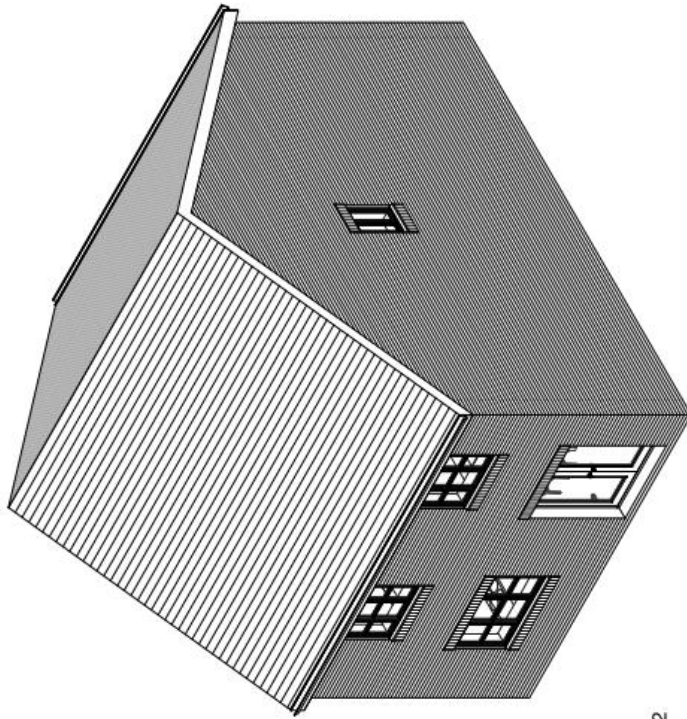
White uPVC bathroom window, obscure glazing

White uPVC double glazed Patio Doors

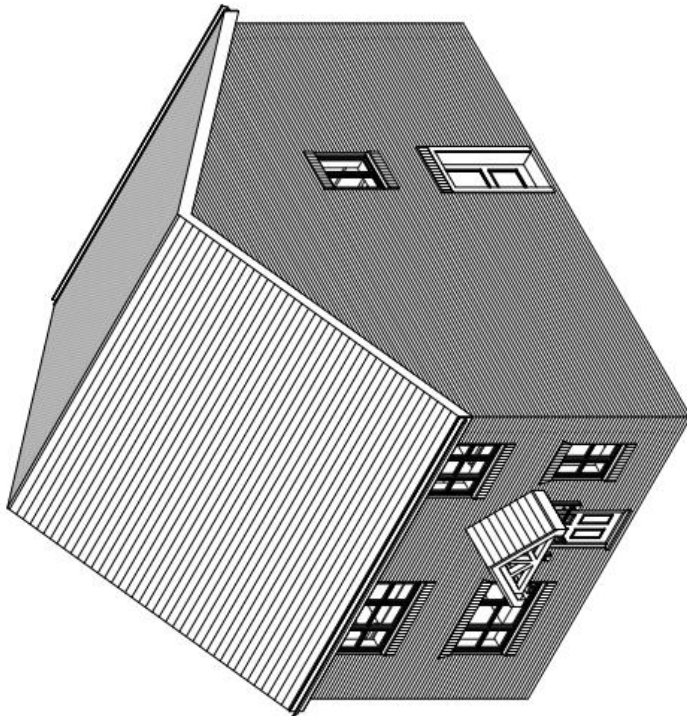
Rear Elevation

Side Elevation

Plot 5 – Proposed Elevations.

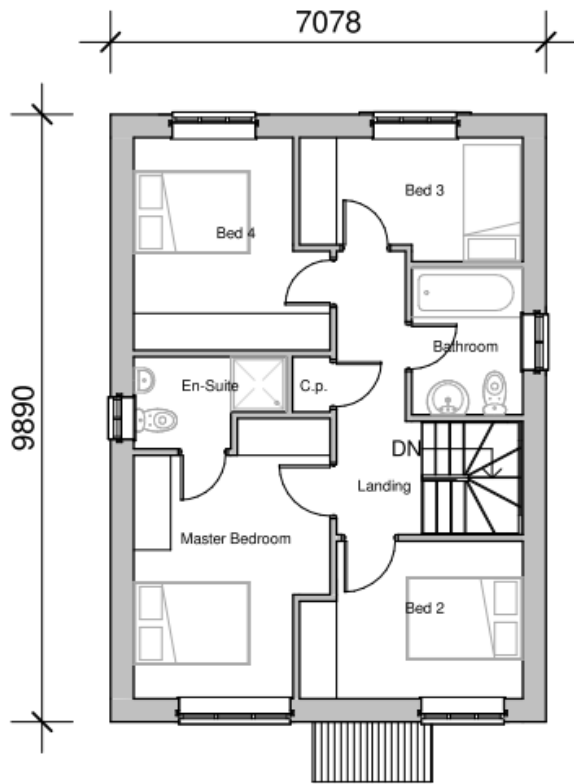


View 2

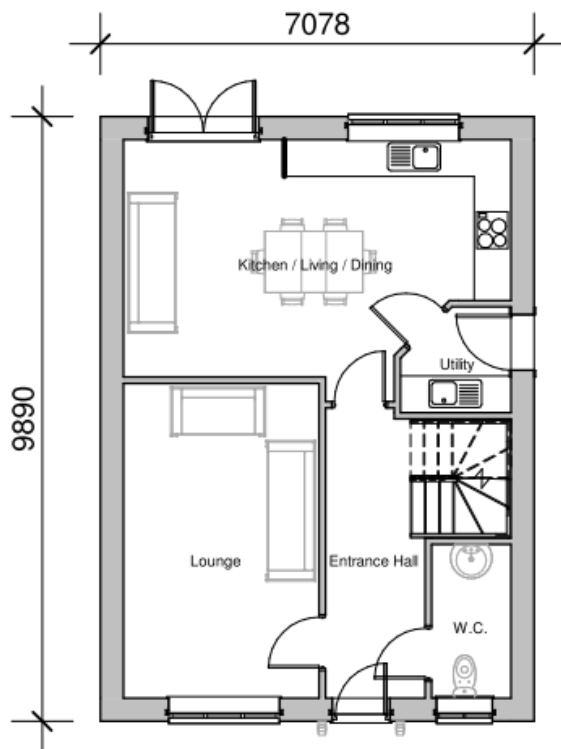


View 1

Plot 5 – Proposed Isometric Views.

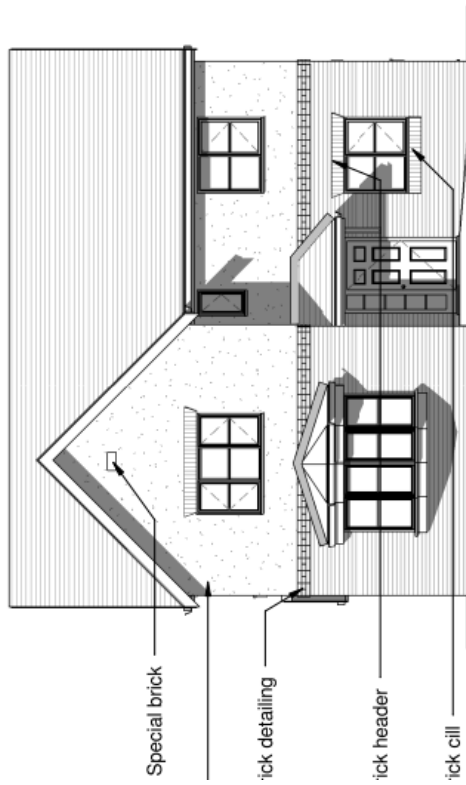


First Floor Plan

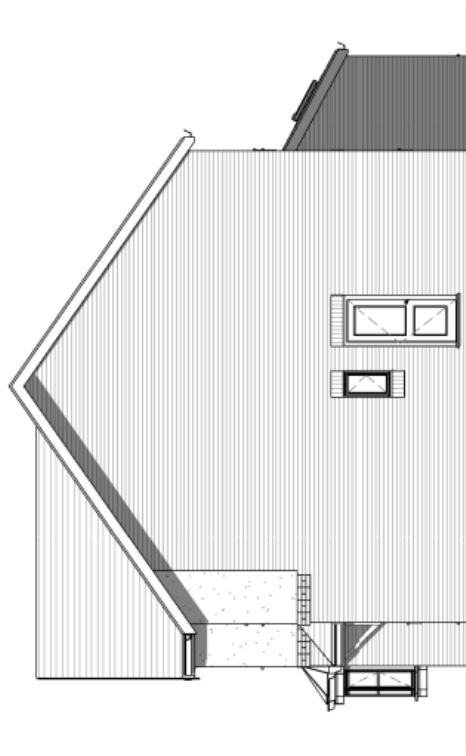


Ground Floor Plan

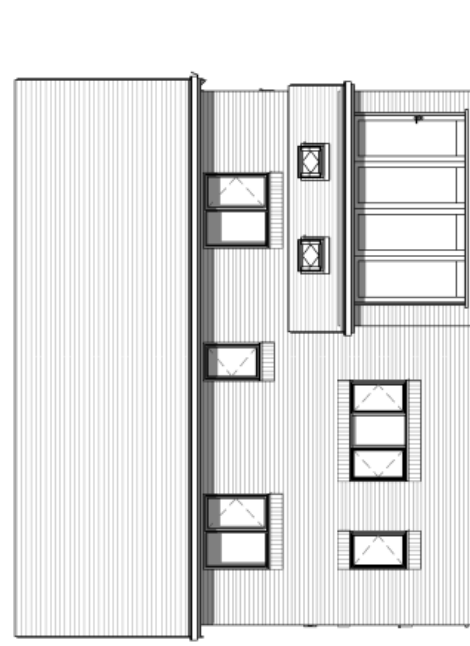
Plot 5 – Proposed Floor Plans



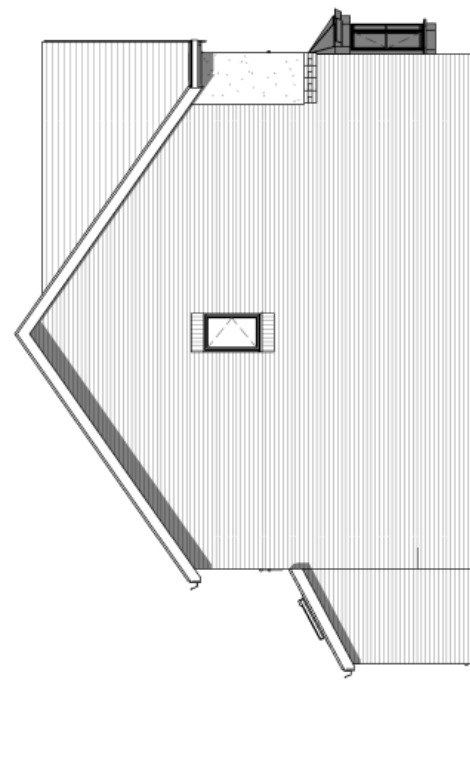
front elevation



side elevation

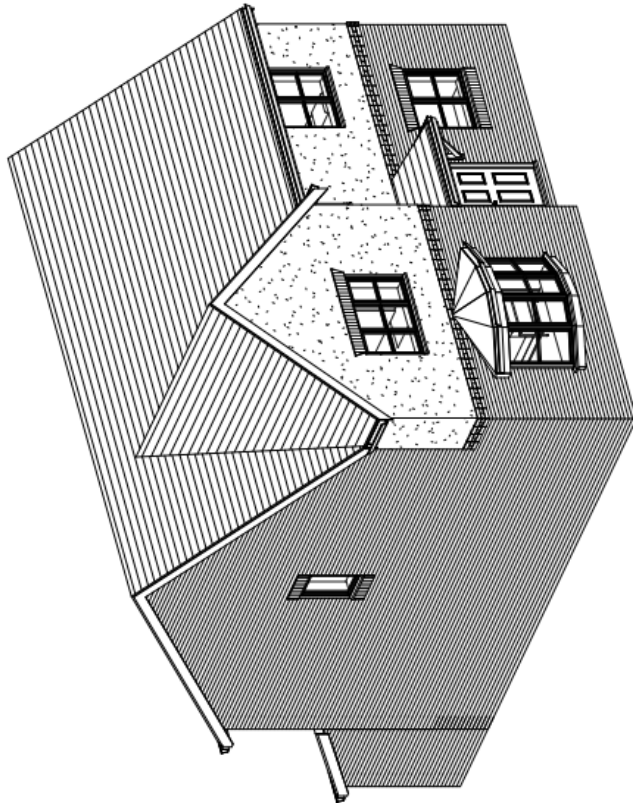
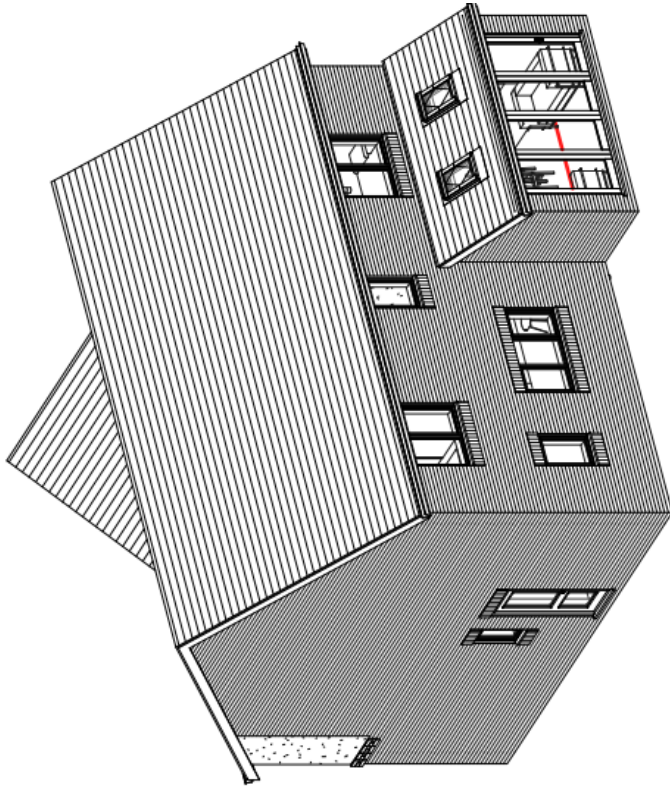


rear elevation



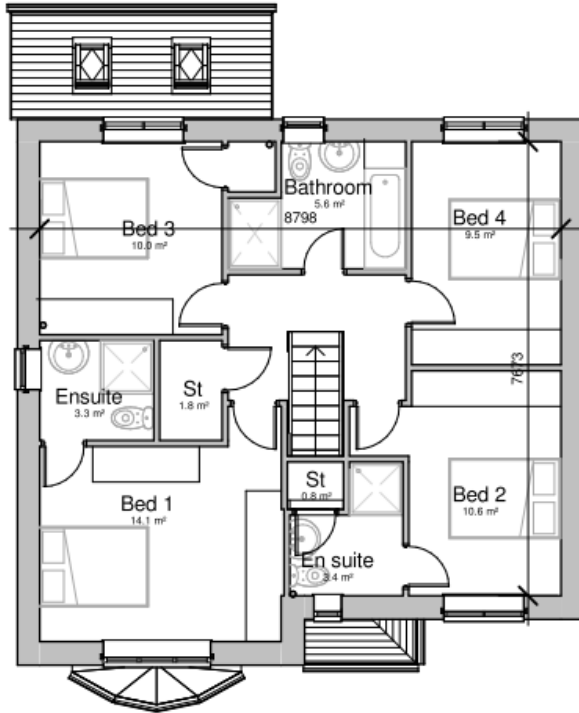
side elevation

Plot 8 – Proposed Elevations

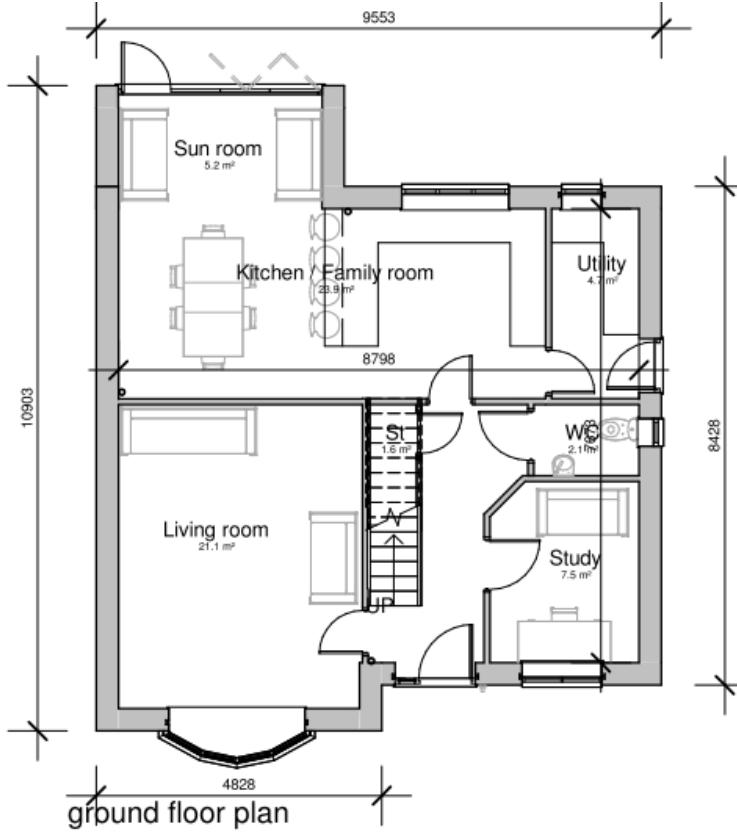


3D Views

Plot 8 – Isometric Views



first floor plan



ground floor plan

Plot 8 – Proposed Floor Plans



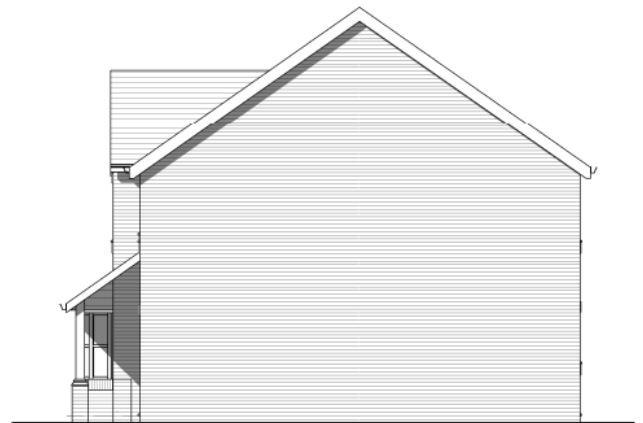
Front elevation



Rear elevation



Side elevation

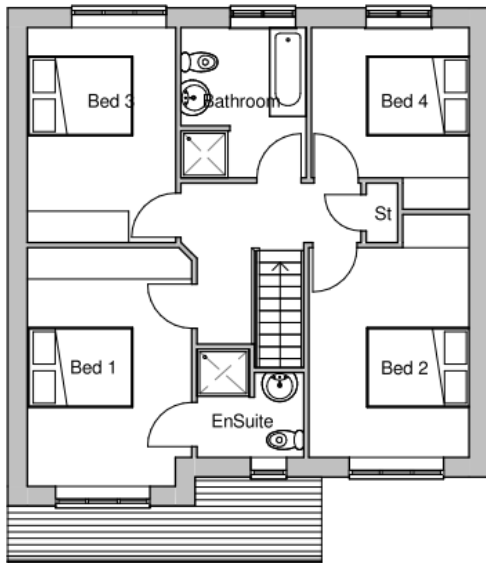


Side elevation

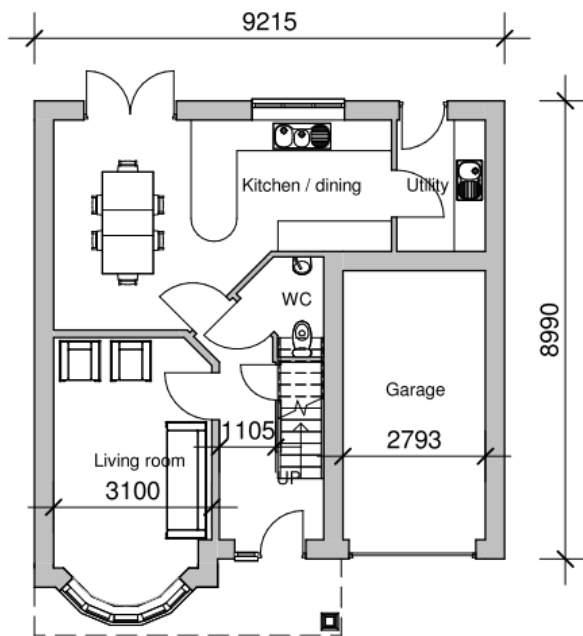
Plot 9 - Proposed Elevations



Plot 9 – Isometric View.

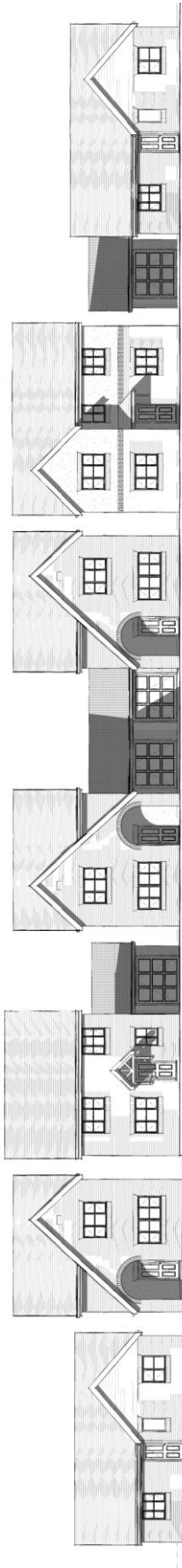


First floor plan



Ground floor plan

Plot 9 – Proposed Floor Plans



Proposed Street Scene.

REFERENCE No. 036981.

Site Address: 33 Copsewood Avenue, Nuneaton, CV11 4TQ.

Description of Development: Two storey extension to front, side and rear, new roof over whole dwelling.

Applicant: Mr Jas Basra.

Ward: WH.

RECOMMENDATION:

Approval subject to conditions.

INTRODUCTION:

The proposal is for a two storey extension to the front, side and rear and a new roof over the whole dwelling. The front element will project off the original front elevation by 1.5 metres and be 3.3 metres wide. It will have a dual pitch roof with an eaves height of 4.8 metres and a ridge height of 5.2 metres. It will be sited in the centre of the front elevation of the property as extended.

The side element will project off the original side elevation by 4.1 metres and project back 11.8 metres although the last 2 metres drop to a single storey element. The new roof will be over the original dwelling and part of the side element. Compared to the original dwelling it has been turned through 90 degrees and increased in height by 500mm meaning it has an eaves height of 4.8 metres and a ridge height of 7.5 metres.

To the rear the two storey element will have a dual pitch roof with an eaves height of 4.8 metres and a maximum height of 7.5 metres. The single storey element will have a mono-pitch roof with an eaves height of 2.5 metres and a maximum height of 3.1 metres. The drawing also shows the driveway to be extended however permeable material is to be used meaning planning permission is not required for this element.

The application property is a two storey detached house with a pitched roof. It is set within the Whitestone area of Nuneaton this part of which was built in the 1970s. It is a typical design of that era and occupies a regular shaped plot on Copsewood Avenue. Generally the area boasts a variety of house types and design. To the rear are properties on Barne Close.

BACKGROUND:

This application is being reported to Committee because objections have been received from 6 local residents.

RELEVANT PLANNING HISTORY:

- None.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development.
 - BE3 – Sustainable Design and Construction.
- Sustainable Design and Construction Supplementary Planning Document 2020.

CONSULTEES NOTIFIED:

WCC Highways.

CONSULTATION RESPONSES:

WCC Highways:

Objected to the original scheme on the basis of:

1. Proposed 1.3 metre high wall will cause restricted visibility for both pedestrians and motorists to the detriment of highway safety.
2. Not clear how many onsite parking spaces are available which could result in on street parking to the detriment of highway safety.

An amended scheme omitted the proposed wall and County Highways withdrew their objections.

NEIGHBOURS NOTIFIED:

31, 35, 40, 42 & 44 Copsewood Avenue, 30 Barne Close Nuneaton.

Neighbouring properties were sent letters notifying them of the application on the 27th February 2020. A second letter was sent notifying them of an amended scheme on the 24th June 2020.

NEIGHBOUR RESPONSES:

There were two objections from two addresses: The comments are summarised below;

1. Changed appearance of property will be out of keeping with other properties in the area.
2. Size of property will result in the need for more car parking which cannot be accommodated onsite meaning parking on the road.
3. Extended property will have seven bedrooms meaning it could be used for multi tenanted purposes.
4. Loss of light to hallway and bathroom.
5. Loss of light and privacy to garden.
6. Submitted plans do not meet National Validation requirements.

A petition from eight addresses of thirteen signatories were received citing objections on the grounds of:

1. Visual Impact – Street scene is made of similar designs and appearance in a fairly uniform building line. The proposal will dominate the street scene.
2. Intensity of Development – Proposal is a 7 bedroom property which will generate a greater demand for parking and will not be met on site and increase street parking on a narrow road. To the detriment of amenities of adjoining properties and public safety.
3. Concerned that the house could be converted in the future to a multiple tenanted property inappropriate to the location.
4. If minded to approved request that a condition is added to ensure the house is used for a single family household and not for multiple occupation or commercial uses.

As a result of an amended scheme being submitted seven properties withdrew their objections but three properties maintained their objections.

APPRAISAL:

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

1. The impact on Visual Amenity.
2. Design.
3. The impact on Residential Amenity.
4. Conclusion.

1. The impact on Visual Amenity

The Sustainable Design and Construction Supplementary Planning Document 2020 (SDC 2020) contains guidance within section 13.0 which aims at guiding the design and aesthetics of residential development within the Borough.

The extensions are to the front and side and the main roof is being replaced meaning the development will be visible from the street. However the property, even as altered, does not project in front of the two neighbouring properties and is set back from the footpath by a minimum of 9 metres. This being the case, the extension will not detract from the character of the area; appear intrusive or dominate the existing property and is therefore acceptable under Paragraph 13 of the SDC 2020.

2. Design

By turning the roof through 90 degrees and widening the property its appearance will be changed quite significantly. However other properties in the area are of a similar appearance.

The scheme is to be finished in facing brick and render in keeping with the area.

It is considered that the proposal is acceptable in design terms.

3. The impact on Residential Amenity

Section 11 of the SDC 2020 contains guidance which aims to protect the residential amenity of existing and proposed residential properties.

As the proposal is to the front, side and rear the properties either side Nos 31 & 35 Copsewood Avenue; the properties on the opposite side of the road Nos 42 & 44 Copsewood Avenue and the property to the rear No 30 Barne Close are likely to be impacted upon.

Impact on No 31 Copsewood Avenue.

No 31 Copsewood Avenue is the unattached neighbour to the west. This property has been extended to the side nearest to the Applicants property and this extension also extends beyond part of the original rear elevation. It has four windows in the side elevation facing No 33, three at ground floor and one at first floor. Of the three at ground floor two serve the garage and the other is to the extension added in 1974 meaning none cannot be protected. The one at first floor is also part of the extension meaning it also cannot be protected.

Drawing a 45 and 60 degree line from the centre of the original front and rear facing habitable windows show that no original windows are infringed by the proposal.

The proposed extension finishes roughly in line with this neighbours own extension so it is considered there will be no impact to rear private amenity space.

Therefore as there is no effect on any original windows to habitable rooms and no effect on the rear garden it is considered that there will be no detrimental impact on this property.

Impact on No 35 Copsewood Avenue

No 35 Copsewood Avenue is the unattached neighbour to the east. It has a two storey rear extension which was added in two phases, the ground floor in 1978 and the first floor in 2000. This means that none of the windows in the existing rear elevation are original and therefore cannot be protected.

The side elevation facing No 33 contains one window which is at ground floor. This is set 6 metres away from the rear elevation and so will not be affected.

Drawing a 45 and 60 degree line from the centre of the original front facing windows of habitable rooms show no front facing windows are infringed.

In terms of the impact to this neighbour's rear garden, the proposal will project approximately 2.8 metres from the nearest part of this neighbour's rear elevation. This therefore complies with paragraph 11.9 of the SDC 2020 which states that even if the two properties are immediately adjacent to one another the maximum projection for a two storey extension is 3 metres for two storeys and 4 metres for a single storey extensions.

Therefore as the proposal complies with the SDC 2020 in relation to this property it is considered that the proposal is acceptable to this neighbour.

Impact on Nos 42 & 44 Copsewood Avenue

These two properties are on the opposite side of the road with a separation distance of 27 metres meaning there is no detrimental impact on either of these properties. The SDC 2020 paragraph 11.4 states that the window to window distance should be at least 20 metres and in fact paragraph 11.5 states that the distances can be shortened across roads.

Impact on No 30 Barne Close

No 30 Barne Close is to the rear and has a single storey rear extension that was added in 2008. As a result there is no effect on any original rear facing ground floor windows to habitable rooms.

There will be a separation distance between the rear elevation of the two storey element of the proposal and the boundary between the two properties of 9 metres, this complies with paragraph 11.6 of the SDC 2020 which recommends a minimum distance of 7 metres.

There is a separation distance between the rear elevation of the two storey element and the original rear of No 30 Barne Close of 19.2 metres. In this situation paragraph 11.4 of the SDC 2020 recommends a minimum of 20 metres. However it is considered that it would be unreasonable to refuse permission in relation to No. 30 and difficult to defend on appeal because of a shortfall of 800mm.

There are to be roof lights to the two storey rear extension and which are to new rooms, (landing and en-suite). However, the window cill heights of these windows are 3 metres so there will be no views from these windows.

It is therefore considered that the application is acceptable under Paragraph 11 of the SDC 2020 in relation to the neighbouring properties.

4. 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 proposed extension is not considered to have a detrimental impact on the residential amenity of the surrounding neighbours; the visual amenity of the surrounding area or on highway safety. The proposed extension is therefore considered acceptable.

REASONS FOR APPROVAL:

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

SCHEDULE OF CONDITIONS:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

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

Plan Description	Plan No.	Date Received
Scheme drawing	1101-02 Revision G	7 th August 2020

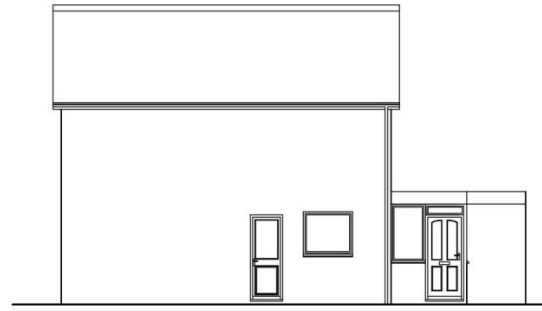
3. No external materials shall be used in the development other than of the same type, texture and colour as those used in the existing building.



Location Plan



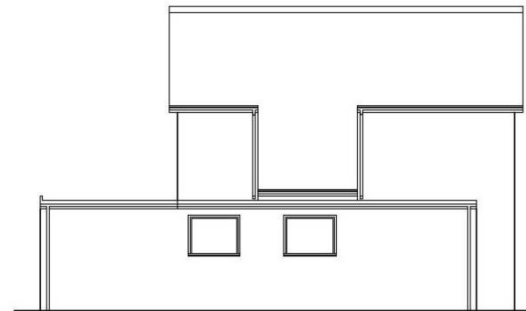
1 : 100 Front Elevation



1 : 100 Side Elevation

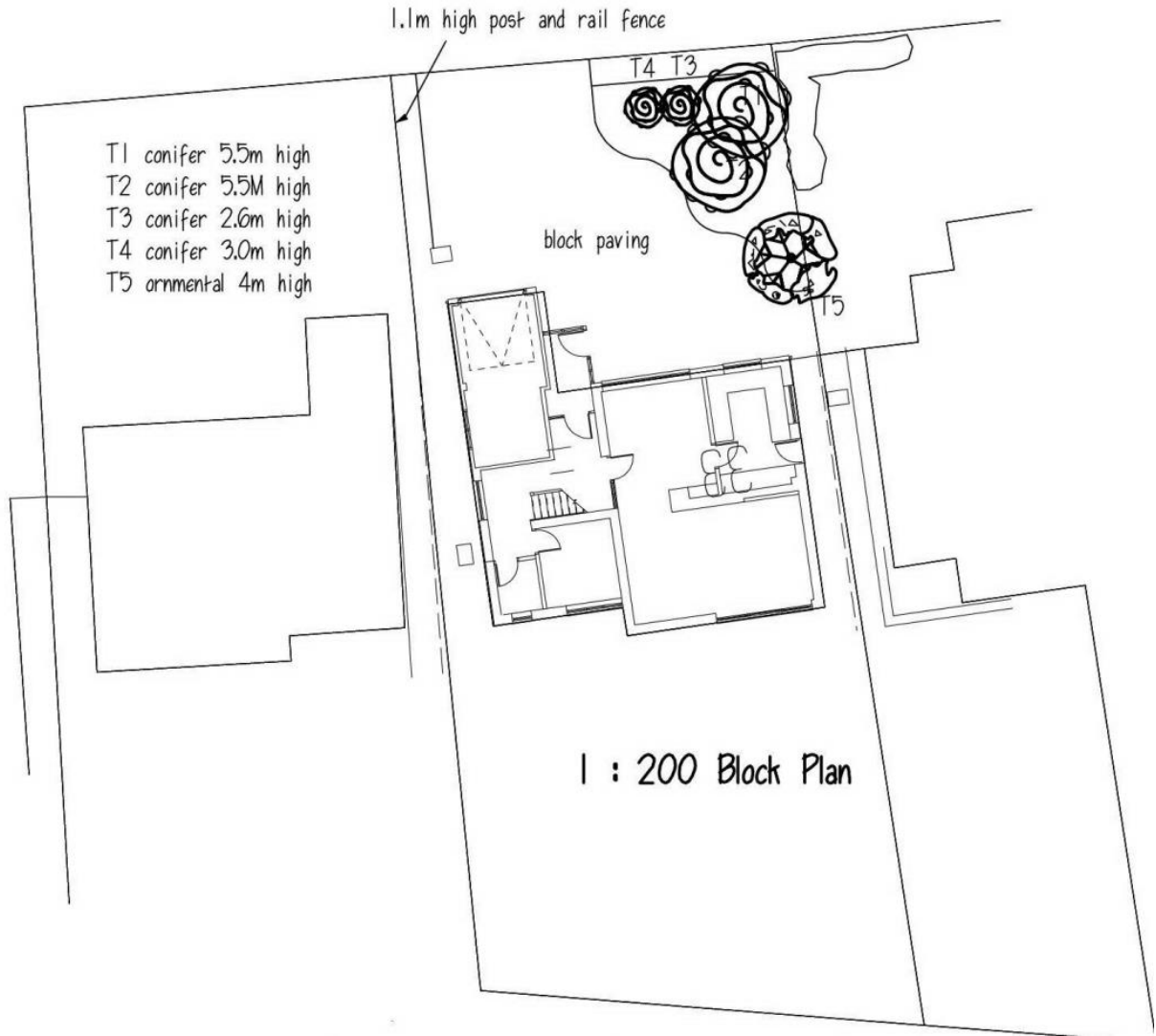


1 : 100 Rear Elevation

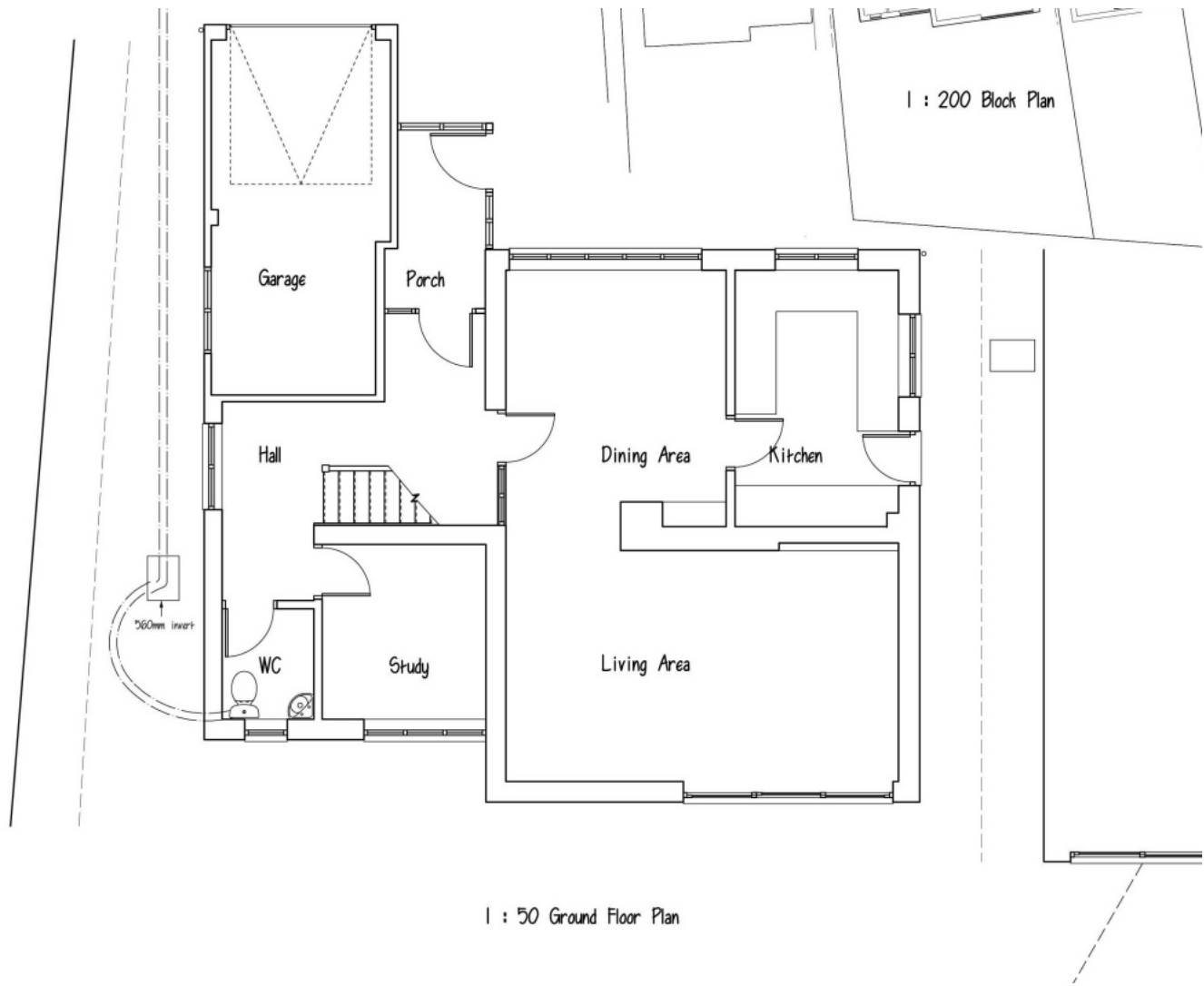


1 : 100 Side Elevation

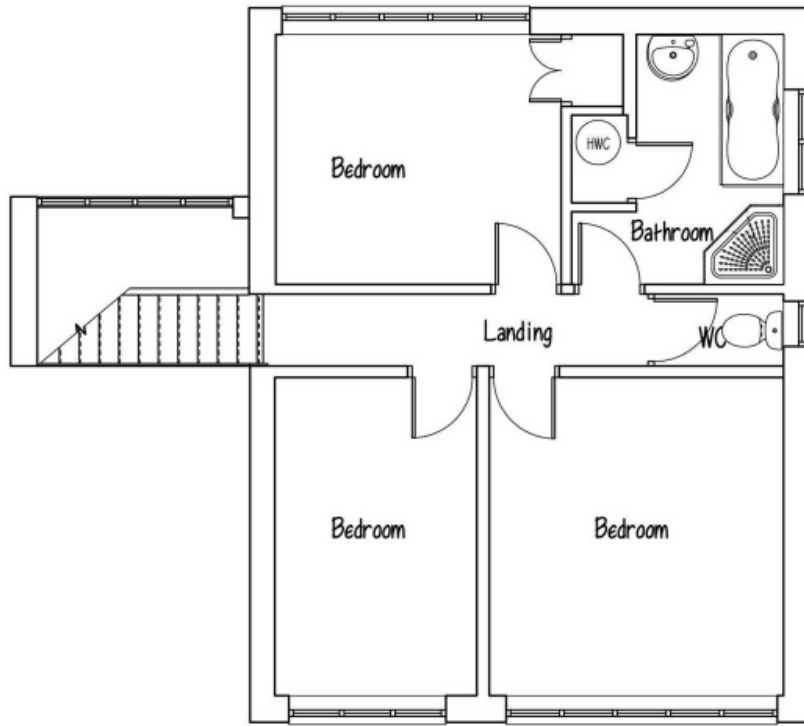
Existing Elevations.



Existing Block Plan



Existing Ground Floor Plan



1 : 50 First Floor Plan

Existing First Floor Plan





1 : 100 Front Elevation

facing brickwork to match
existing as closely as possible



1 : 100 Side Elevation

facing brickwork to match
existing as closely as possible

facing brickwork to match
existing as closely as possible

Proposed Front and Side Elevations



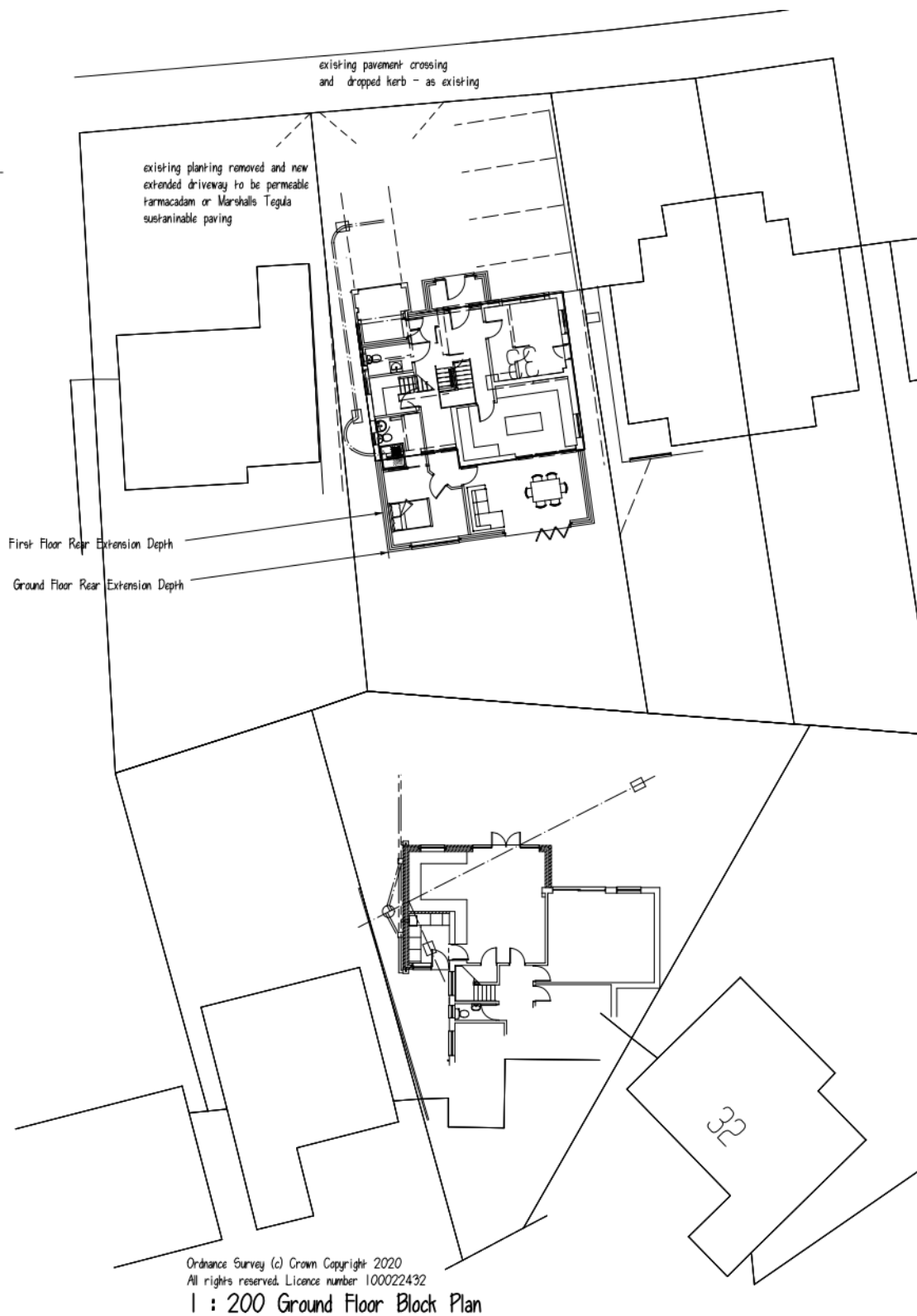
1 : 100 Rear Elevation



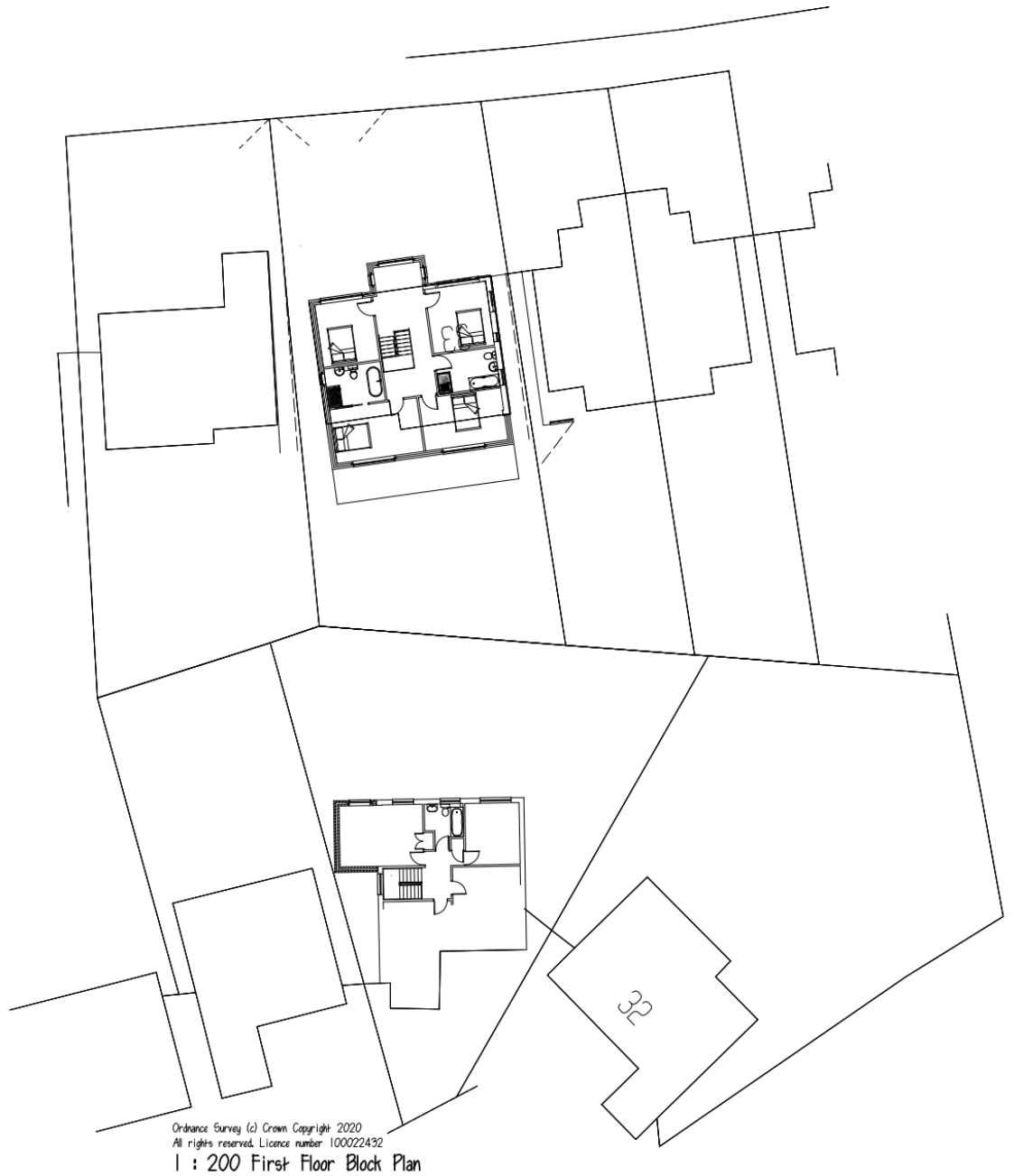
1 : 100 Side Elevation

facing brickwork to match existing as closely as possible

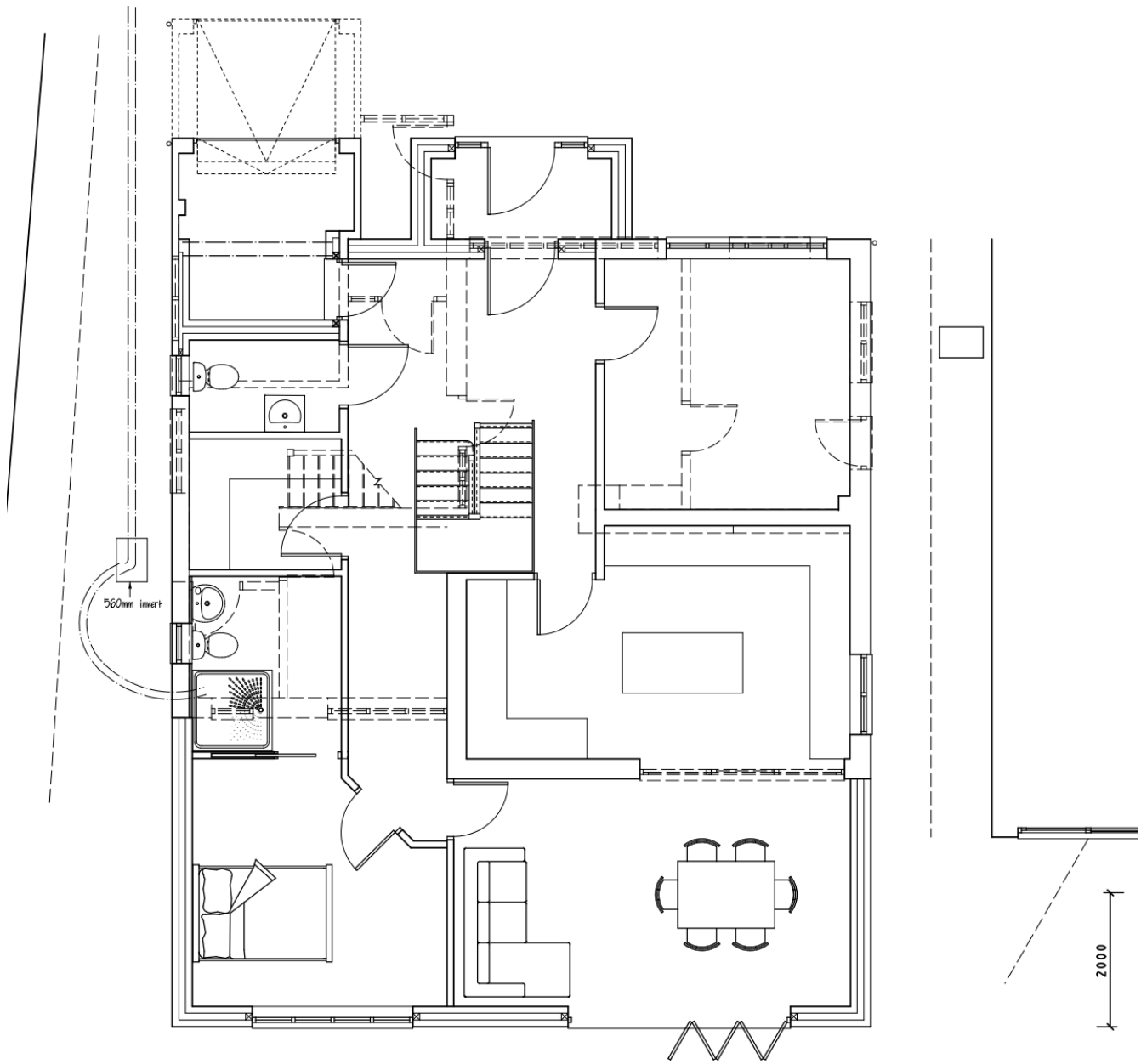
Proposed Rear and Side Elevations



Proposed Ground Floor Block Plan

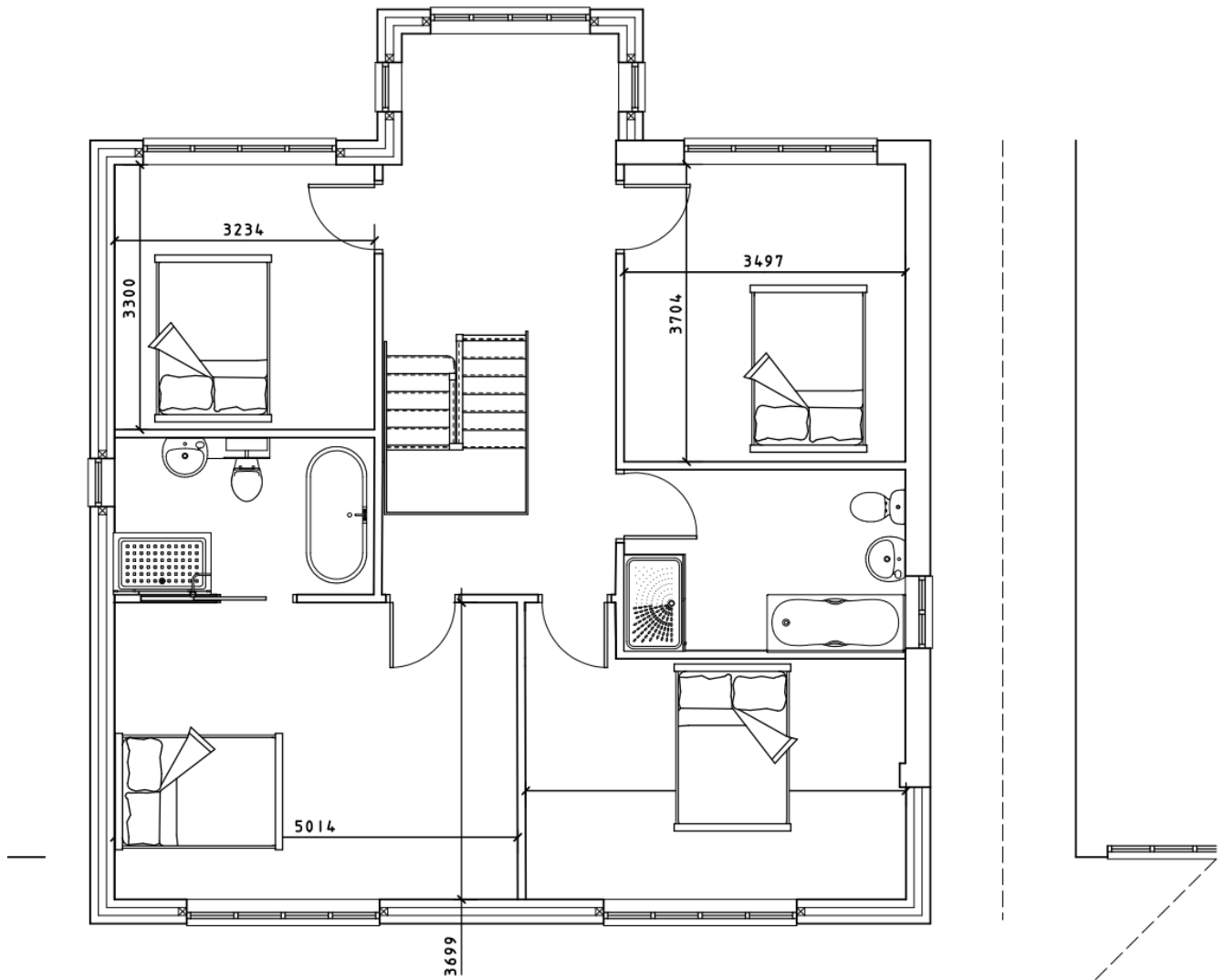


Proposed First Floor Block Plan



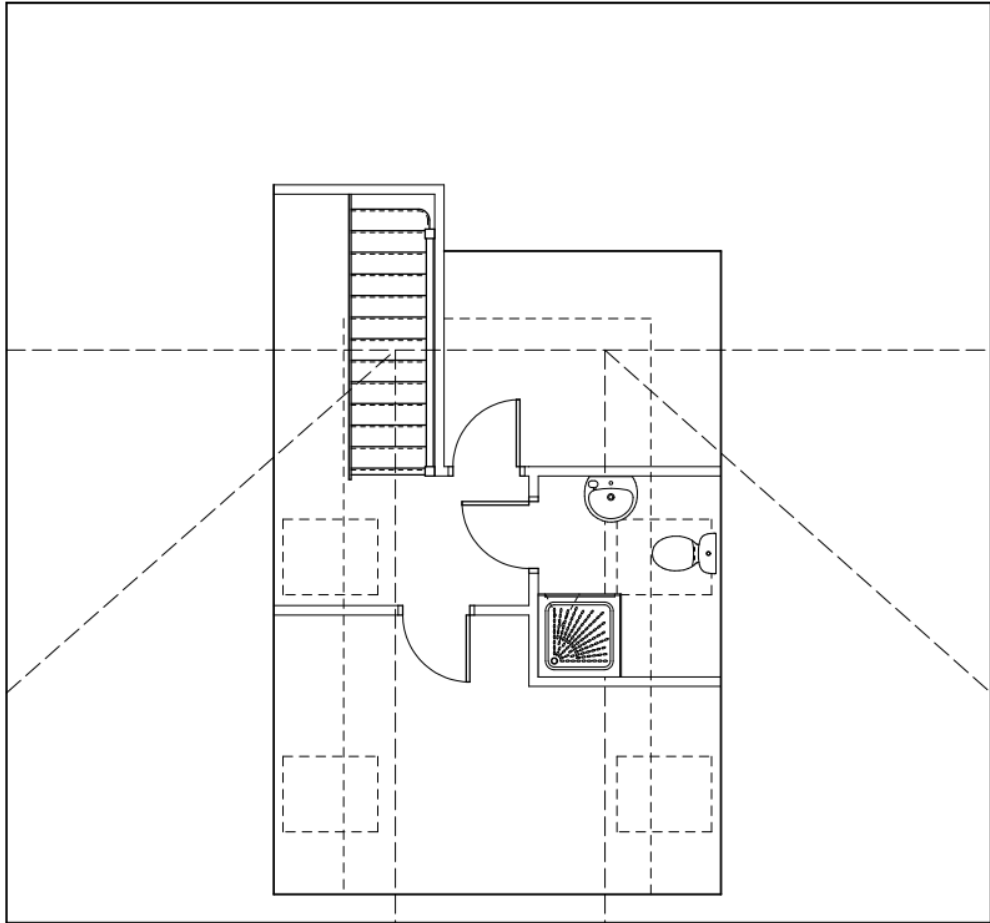
1 : 50 Ground Floor Plan

Proposed Ground Floor Plan



1 : 50 First Floor Plan

Proposed First Floor Plan



Proposed Second Floor Plan (rooms in the roof)

Item No. 4.

REFERENCE No. 037108.

Site Address: 31 - 33 Collyhurst House, Nuneaton Road, Bedworth, CV12 8AN.

Description of Development: Extension of building to create 2 additional rooms.

Applicant: Mr B Kuncewicz.

Ward: BE.

RECOMMENDATION:

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

INTRODUCTION:

Extension of building to create 2 additional rooms at 31 - 33 Collyhurst House, Nuneaton Road, Bedworth, CV12 8AN.

Collyhurst House is a care home for the elderly. The property currently provides 34 rooms. The building has been substantially extended throughout the years, including two storey extensions to the side and rear of the original building. In the rear of the site there is a detached building containing 4 of the bedrooms, a lounge, kitchen and bathroom. There is also a parking area and landscaped garden.

The proposed development seeks to add two additional rooms to the rear of the property, on the north elevation of an existing single storey rear extension. Both rooms will be en-suite served by a septic tank. To accommodate for the difference in land levels between the car park and building level a gabion wall will be erected to keep the extension on the same level as the existing building.

RELEVANT PLANNING HISTORY:

- 035778 Proposed conservatory to the rear, granted in September 2018.
- 033659 New roof to detached annex to rear, and creation of a covered area. Approved October 2015.
- 030957 First floor extension to create en-suites, a creation of a covered area to the side of ground floor lounge and pitched roof over lounge and new covered area, all to rear. This was refused at committee in September 2011, an appeal was made and this was dismissed in January 2012.
- 030899 Extension to rear annex to form a physiotherapy treatment room, laundry room, WC, lobby and larger conservatory (resubmission following refusal for 030573). This was withdrawn in June 2011
- 030573 Two storey extension to rear annex to form physiotherapy treatment room, office/laundry room and larger conservatory. This was refused at committee in December 2010

- 030443 First floor extension to rear (resubmission following refusal 030100). This was refused in October 2010. An appeal was made and was dismissed in April 2011).
- 030100 First floor extension to rear. This was refused at committee in June 2010. An appeal was made and dismissed in December 2010.
- 012777 Side extension to form bin store enclosure. This was refused at committee in November 2008. An appeal was made and allowed in July 2009.
- 012758 Retention of storage building to the rear. This was refused at committee in November 2011, an appeal was made and allowed in July 2009.
- 012757 Retention application to continue to use the site as a residential care home without complying with conditions (8) (bin storage areas), (12) (use of access for emergencies only) and (13) (use of door on southern elevation) attached to approval 011114. (To allow the additional use of a bin store covered by a separate application reference 012777 and the additional use of door for access to a bungalow annex and for the removal of clinical waste). This was refused at committee in November 2008, an appeal was made and allowed in July 2009.
- 012617 Three illuminated signs (amended scheme following withdrawal of 12417). This was approved in August 2008.
- 012417 Two illuminated wall signs and one non-illuminated free standing sign. This was withdrawn in June 2008.
- 011114. Two and three storey extension to care home to include demolition of Nos 35, 37 and 39 Nuneaton Road. Elevational alterations to existing care home. This was conditionally approved in January 2007.
- 010853 Single storey extension to care home to include demolition of Nos 35, 37 and 39 Nuneaton Road. This was refused at committee in August 2006.
- 010651 Single storey rear extension to care home and provision of wall, railings and gates to front, raise rear garden ground level by approx. 1.5 metres, demolition of No 35 Nuneaton road (resubmission following refusal of 10097). This was refused at committee in August 2006.
- 010097 Single storey rear extension to care home, raise rear garden ground level by approximately 1.5 metres. This was refused at committee in October 2005, an appeal was made and dismissed in September 2006.
- 028817 / TP/0247/88. Installation of windows in east elevation (variation of condition 3 on permission 880447). Approved October 1989.
- 025905 Change of use from residential to shop. Refused in January 1987
Change of use from residential to shop. Refused in August 1986.
- 025791 Change of use from residential to shop. Refused in May 1986.
- 025028. Alterations to front elevation, approved November 1984.

RELEVANT PLANNING POLICIES:

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

CONSULTEES NOTIFIED:

WCC Highways.

CONSULTATION RESPONSES:

No objection from:
WCC Highways.

NEIGHBOURS NOTIFIED:

1, 2 & 4 Newman Close, 29 Nuneaton Road, 14, 22 & 24 Orchard Street.

Neighbouring properties were sent letters notifying them of the proposed development on the 6th May 2020, a further letter was sent to Collycroft Residential Association on the 27th May 2020.

NEIGHBOUR RESPONSES:

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

1. Site is already over-developed.
2. The septic tank is of concern for noise and smell impacts.
3. Overcrowding of the communal spaces.

APPRAISAL:

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

1. Impact on Residential Amenity.
2. Impact on Visual Amenity.
3. Impact on Highway Safety.
4. Conclusion.

1. Impact on Residential Amenity

The closest residential neighbour to the development site is 29 Nuneaton Road. This neighbour is located to the south of the property and is the first house of a row of terraced properties. This neighbour is located on the opposite side of the building to the location of the proposed extension. This means that the proposed extension will not be visible from the house or garden of this property. Therefore it is not considered that the proposed extension will have any impact on the light, privacy or aspect of this neighbour.

To the north of the application site is 4 Newman Close and to the north east is 1 and 2 Newman Close. All three of these properties are over 20 metres from the north elevation of the proposed extension, under paragraph 11.4 of the Sustainable Design and Construction Supplementary Planning Document 2020 (SDC 2020) this distance is considered acceptable for protecting privacy.

Similarly the neighbours to the rear of the property along Orchard Street are well over the 20 metres guidance and it is considered that the proposed extension will have a minimal impact on their residential amenity.

The objectors have stated that the proposed development would be an over development of the site. From the planning history of the site it is clear there have been a number of extensions to the original property. However the proposed extension is single storey and will only accommodate for two additional bedrooms.

This amount is considered a small scale addition and is not considered to cause over development on the existing facilities of the care home.

In regard to the impact from the septic tank the agent has stated that there is no cess-pit on site. There is however an underground pumping station which pumps directly into the main drainage system in the public highway, and therefore there is no emptying to be carried out on site. Therefore the issues raised by the objectors in relation to noise and smell from the septic tank are not considered to be an issue for the proposed development.

The proposed extension is considered to be acceptable under paragraph 11 of the SDC 2020, and will not have a significant detrimental impact on the residential amenity of the surrounding neighbours.

2. Impact on Visual Amenity

The proposed extension is located on the rear of the property and is not visible from Nuneaton Road. The proposed materials of the extension will seek to match the existing materials on the building including, brick walls, flat felted roof and white UPVC windows. This is considered acceptable under paragraph 13.10 of the SDC 2020.

The form of the proposed building is considered simplistic, given it will only be single storey with a flat roof. However as the proposed extension is located at the rear of the property it will not have any impact on the street scene. Additionally as it will be adjoining the existing single storey section which also has a flat roof it will not have a detrimental impact on the character of the building.

The design and materials are considered acceptable under paragraph 13 of the SDC 2020.

3. Impact on Highway Safety

WCC Highways were consulted on the application. Their response was one of no objection to the proposed development. Their reasoning for this was that based on the proposal no extra staff are proposed, and the current used standards state that 1 parking space should be provided per 4 residents of C2 use class. Given that the proposal only seeks to include two additional rooms both provided for single occupancy, this would only require 0.5 additional parking space. It is considered that proposal therefore would not have a severe impact on the number of vehicular movements on the site.

4. 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 proposed extension is not considered to have a detrimental impact on the residential amenity of the surrounding neighbours; the visual amenity of the surrounding area or on highway safety. The proposed extension is therefore considered acceptable.

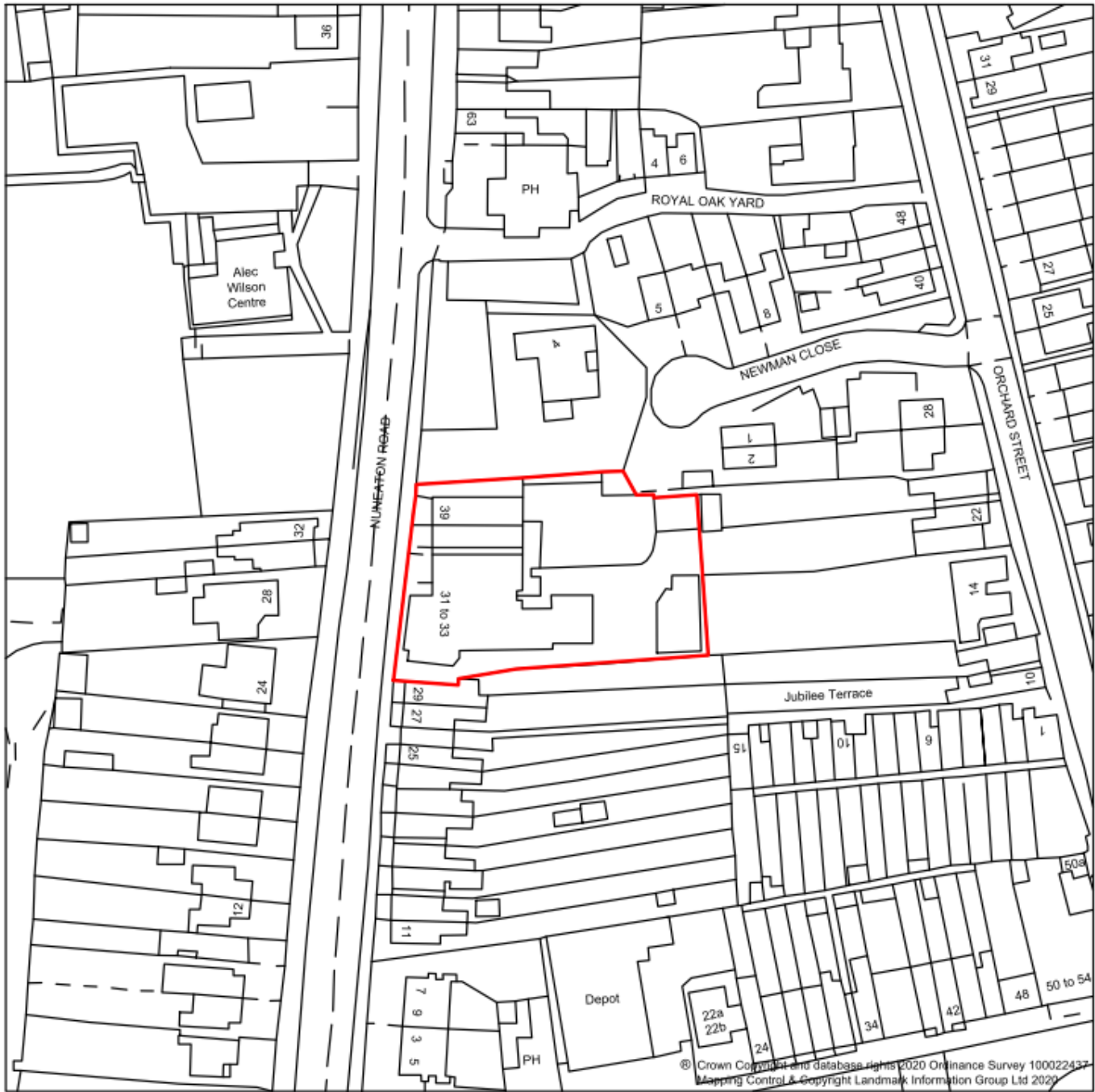
REASONS FOR APPROVAL:

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

SCHEDULE OF CONDITIONS:

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

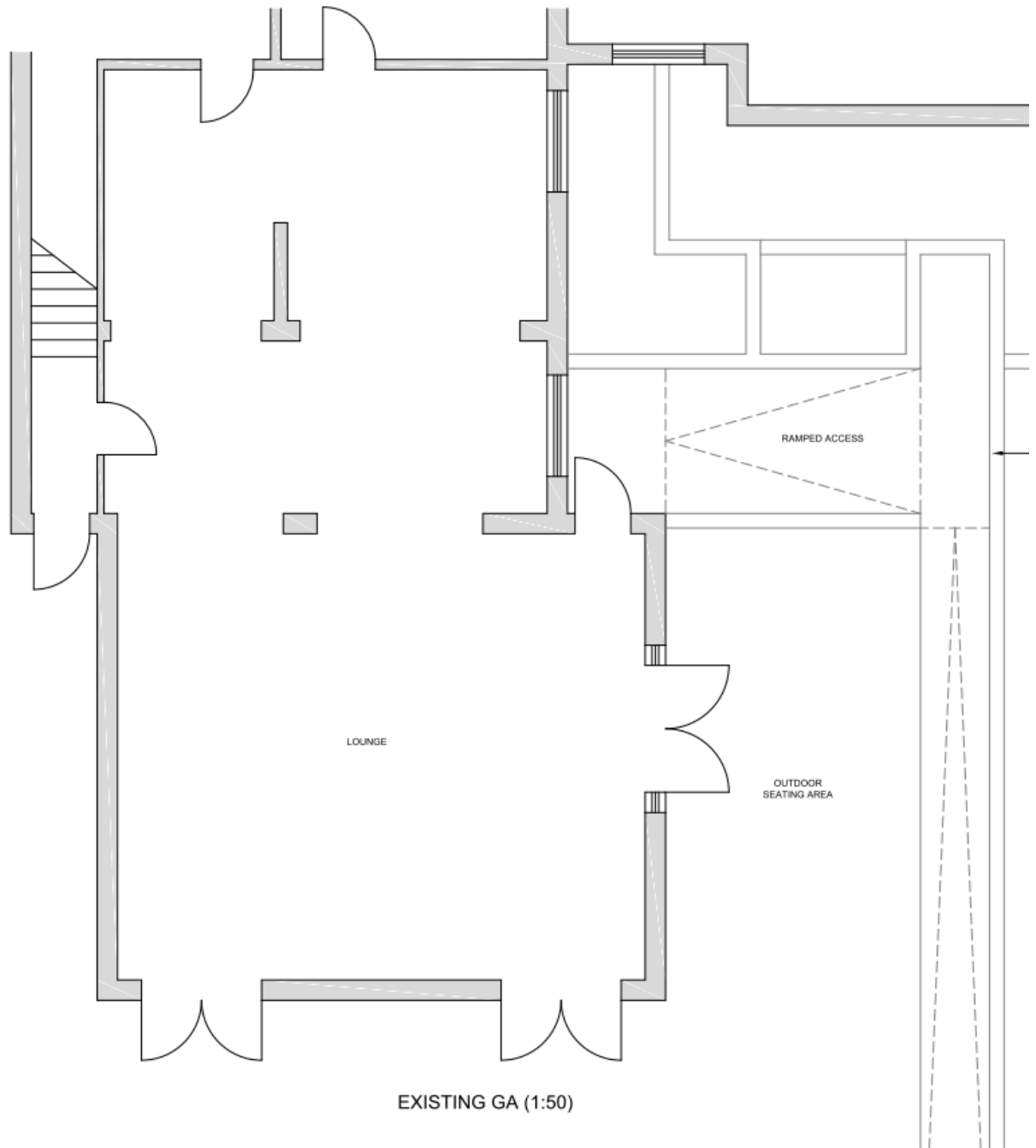
Plan Description	Plan No.	Date Received
Existing Plans and Location Plan	PA 01-01	23 rd April 2020
Proposed Floor Plans	PA 01-02	23 rd April 2020
Proposed Elevations	PA 01-03	23 rd April 2020



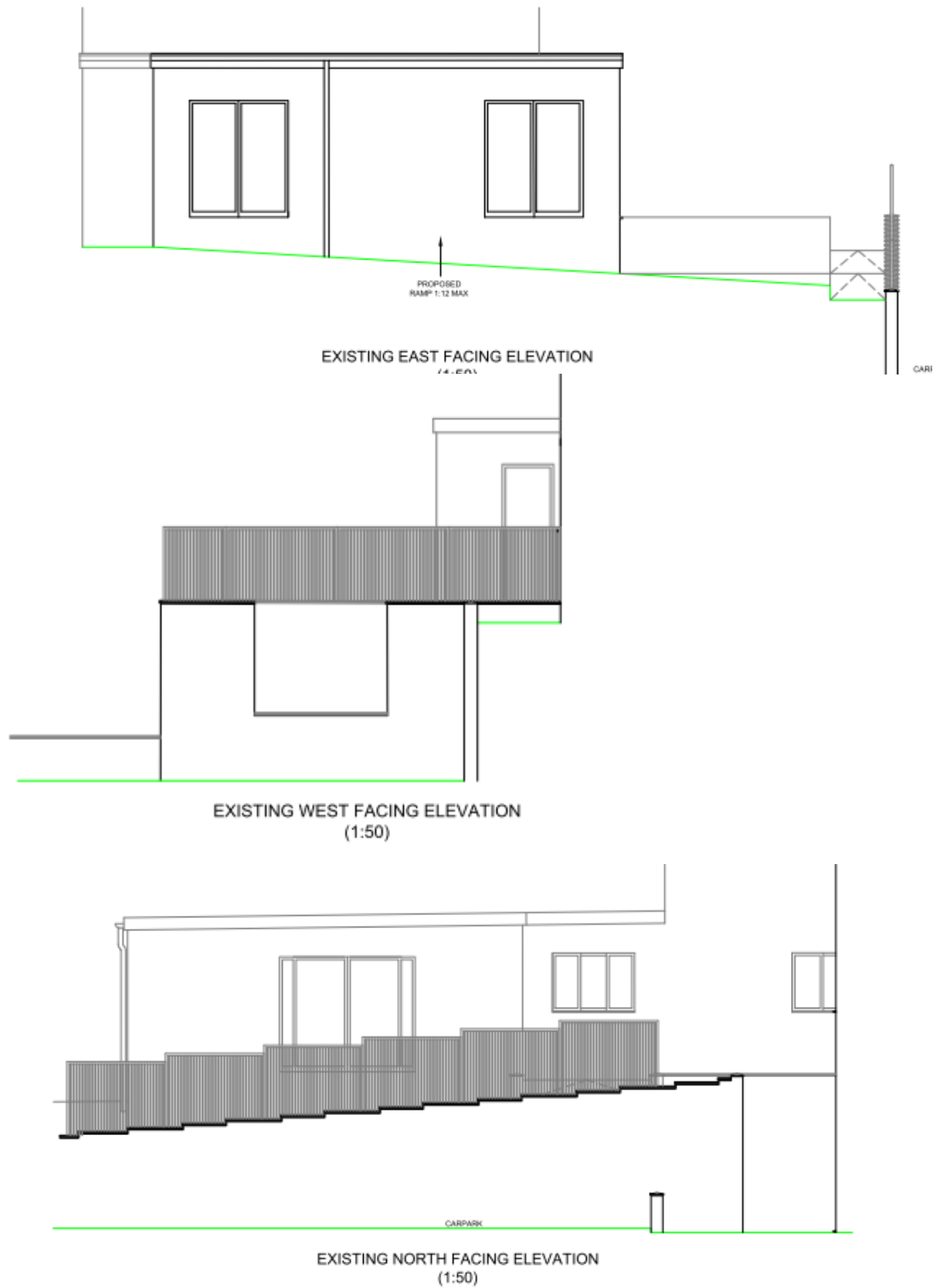
Location Plan



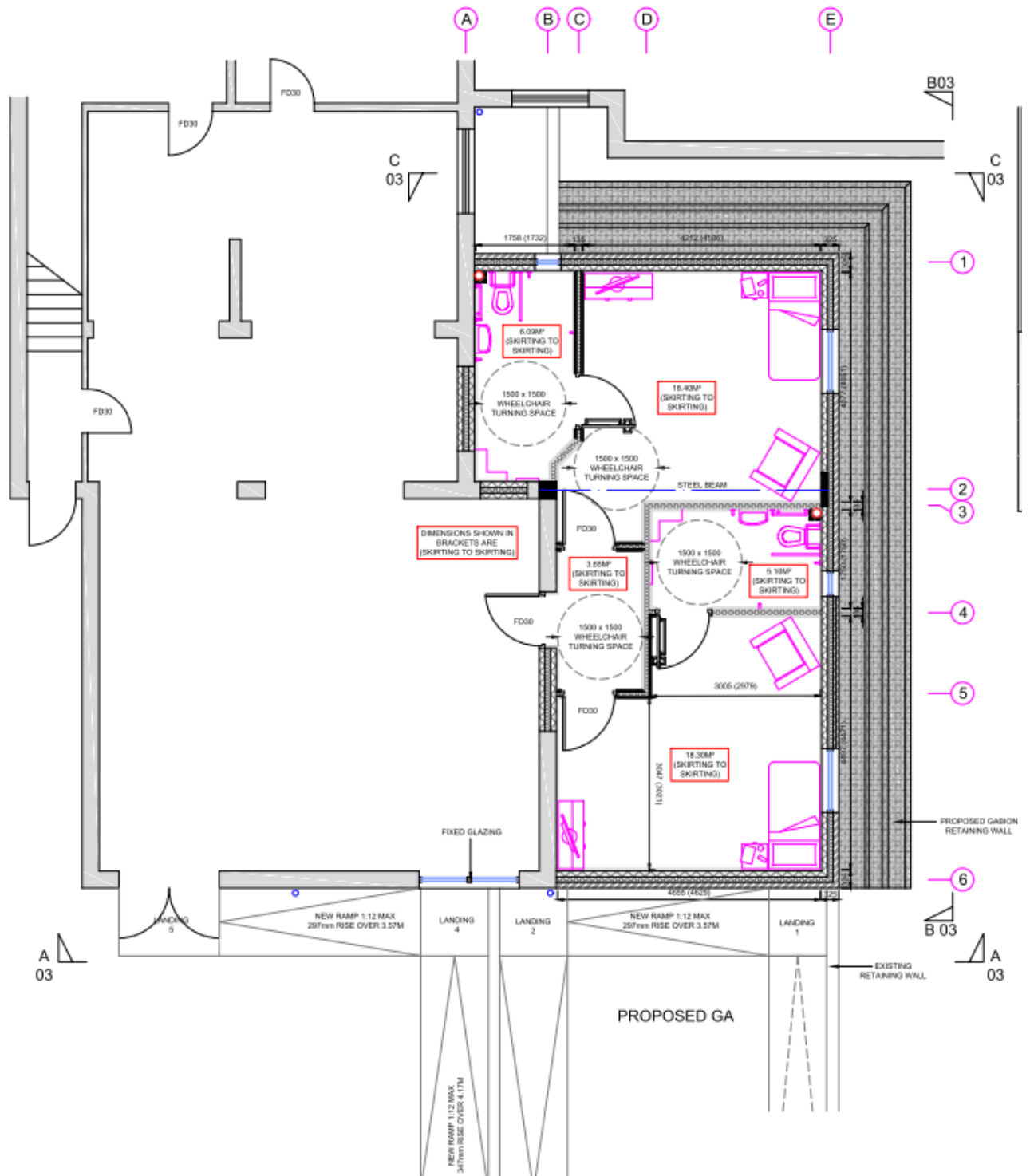
Proposed Site Plan



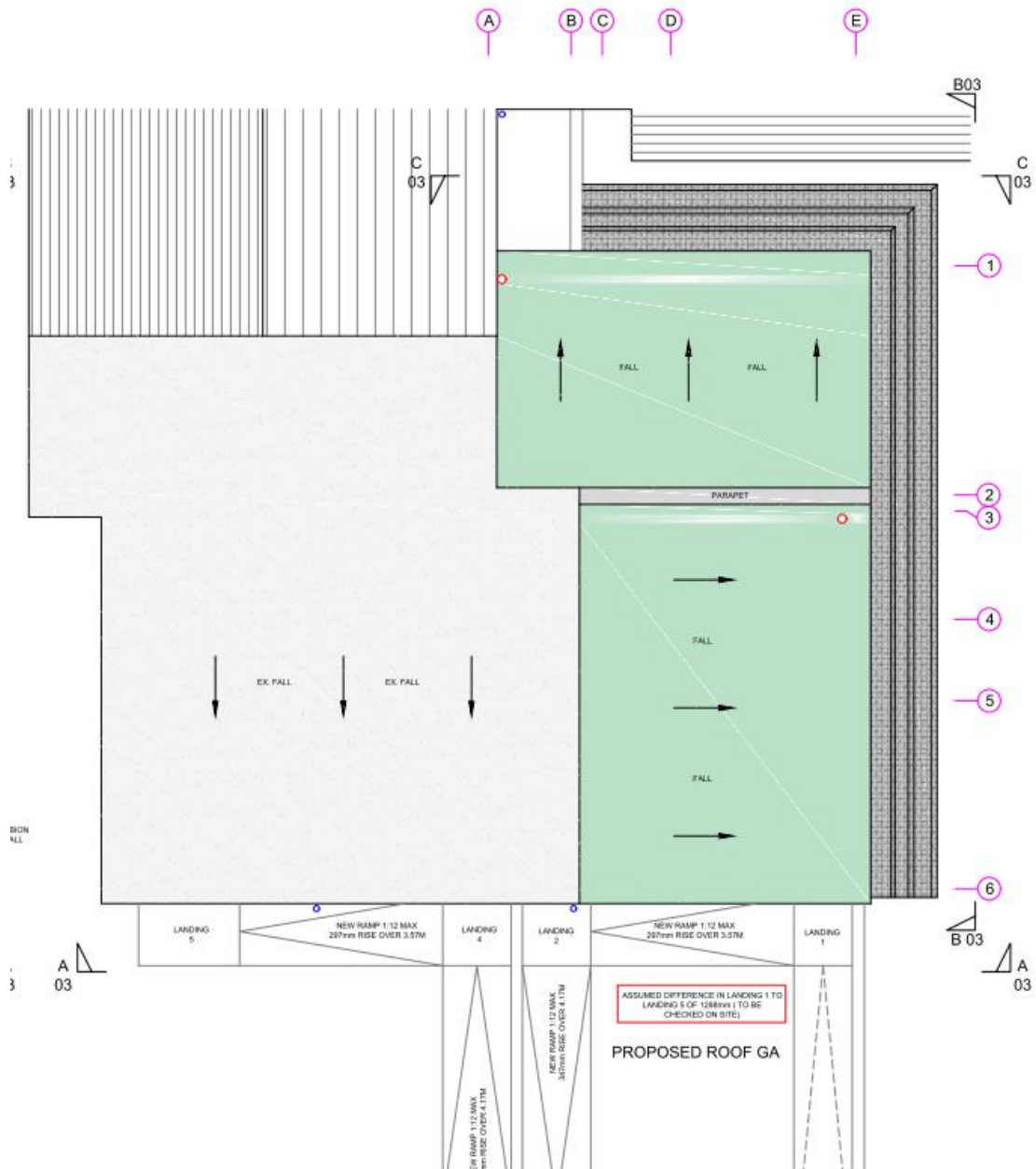
Existing Ground Floor Plan



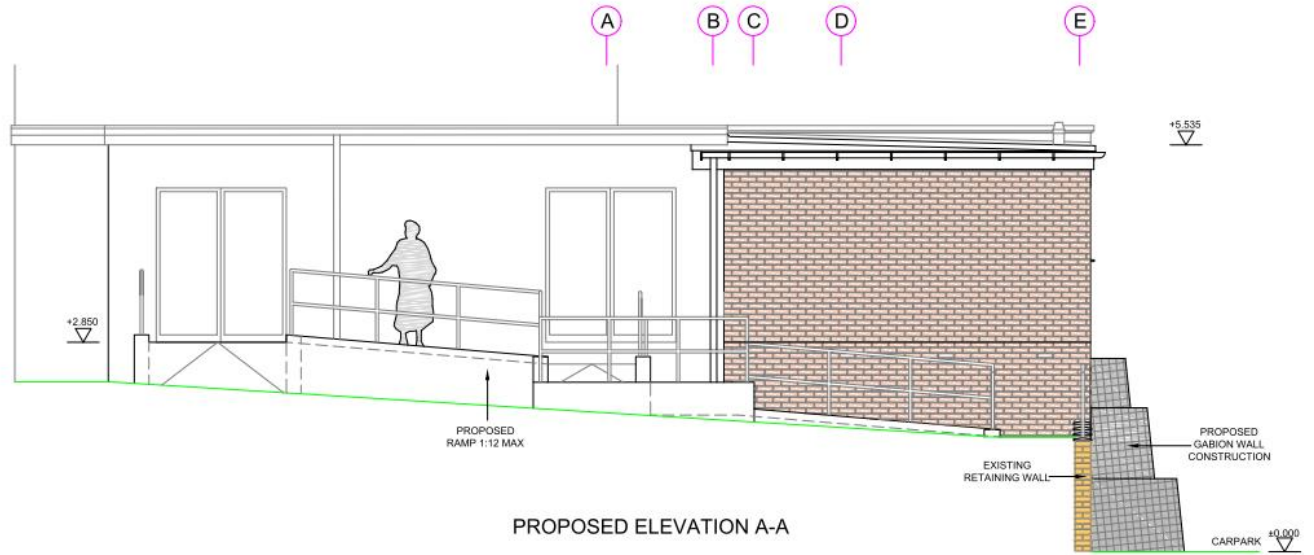
Existing Elevations



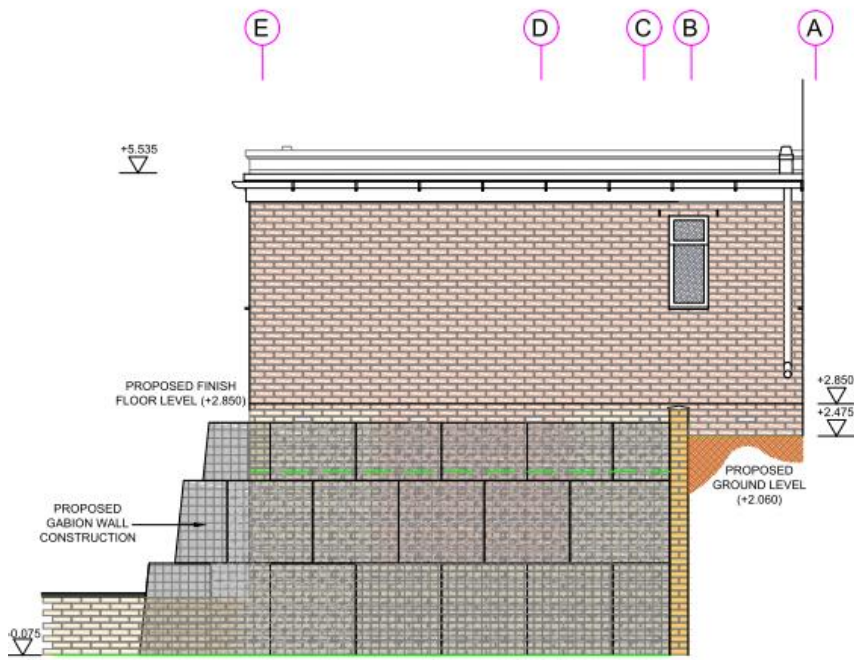
Proposed Ground Floor Plan.



Proposed Roof Plan



Proposed Elevations



PROPOSED ELEVATION C-C

Proposed Elevation.

REFERENCE No. 037029

Site Address: The Olde Vicarage, School Road, Bulkington. CV12 9JB.

Description of Development: Proposed single storey rear extension.

Applicant: Mr Tony Minhas.

Ward: BU

RECOMMENDATION:

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

INTRODUCTION:

The application seeks approval for an already built single storey rear extension which projects 3.7 metres from the side boundary and 4.9 metres from the rear elevation of the previously approved (and now built) gymnasium (application reference 032136). The extension that this current application refers to has a flat roof.

The application site is an 8 bedroom detached dwelling, located at the rear of the vicarage and church. The existing dwelling has a gated driveway set well back from the street frontage and accessed via a side road. The dwelling is characterised by white render. The property has a garage and driveway providing parking for up to 5 cars. The property has a unique character.

West of the site exists Bulkington Sports Pavilion, which is located 52 metres away. South East of the site exists Greenfield land.

To the North East are the rear gardens and properties of 1 to 4 Barbridge Close, which are four terraced single storey bungalows characterised by buff brick. The extension backs onto the rear gardens of these properties, but is not visible due to a laurel hedge which is taller than the flat roofed extension. This hedge provides privacy to all the properties and means the extension cannot be viewed from these neighbouring properties.

South East of the site is The Vicarage and South West is the Church grounds, which is about 16 metres away from the boundary of the site.

The application site is an isolated property which is not visible from School Road. The garden of the application site extends up to 52 metres surrounding the property to the west at its widest part and 16 metres to the South at its narrowest part.

RELEVANT PLANNING HISTORY:

- 032136 Proposed increase of roof height above the garage to provide rooms in the roof which includes two new dormers to the front. Single storey extension to the rear. Conditional Approval 09/09/2013.
- 010785 Consent to fell trees in Conservation Area. Tree works agreed. 13/09/2006
- 021933 (800173) change of Use of Vicarage to Residential home for elderly and infirm (Glebe Cottage to remain residential for owner). Conditional Approval 24/03/1980.

RELEVANT PLANNING POLICIES:

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

CONSULTEES NOTIFIED:

WCC Highways, NBBC Environmental Health and NBBC Parks.

CONSULTATION RESPONSES:

No objection from:

NBBC Environmental Health and WCC Highways.

Comment from NBBC Parks:

Parks had no objection to the extension however recommended the applicant consult with an arborist about the retention or removal of an Oak tree which is 60 metres away near to the church, due to its existing condition and its potential for damage and harm.

NEIGHBOURS NOTIFIED:

1 – 6 (inclusive) Barbridge Close and St James Vicarage School Road.

The neighbouring vicarage was sent a letter on the 21st April 2020. Additional neighbour letters were sent to Barbridge Close on the 28th May 2020, and further addressed in Barbridge Close on the 22nd June 2020.

A site notice was erected on the 15th May 2020.

NEIGHBOUR RESPONSES:

There has been one response of objection received from one address. The comments are summarised below:

1. Nuisance with the hedge which overhangs other properties and cannot be trimmed from the Applicants garden due to the extension.

A petition of eight signatories from six addresses was also received. The comments are summarised below:

1. Proposal is too close to boundary fence.
2. Two extensions already built on the property causing noise and loss of privacy.
3. Already noise issue from the property causing mental stress and lack of privacy
4. Leylandi were replaced with Laurel which is now too high and needs reducing.
5. Existing extension too close to hedge so it cannot be trimmed.
6. Existing extension put up without planning permission.

APPRAISAL:

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

1. Impact on Residential Amenity.
2. Impact on Visual Amenity.
3. Impact on Highway Safety.
4. Conclusion.

1. Impact on Residential Amenity

The way in which the buildings relate to each other, their orientation and separation distances, must protect the acceptable levels of amenity for both existing and future residents. The Council's Sustainable Design and Construction Supplementary Planning Document 2020 (SDC 2020) chapter 11 deals with residential amenity.

Impact on the Vicarage Church

As this is a church there is no residential amenity to protect. Notwithstanding this, the extension is located over 20 metres away from this building and is separated from the application site by trees which are over 2 metres in height therefore the privacy of any visitors to the grave yard of the church would not be affected by the proposal. In addition to this, due to the distance from the extension to the church, there will be no overshadowing or loss of light as a result of this extension to this building.

Impact on 1-4 Barbridge Close

The SDC 2020 sets out at paragraph 11.7 that:

"11.7 In the interests of protecting aspect and light, the blank wall of an extension directly facing the window of a habitable room of the same height shall be a minimum 12 metres apart."

In this case the blank elevation of the single storey extension faces directly opposite the rear windows of 1 and 2 Barbridge Close. The proposal is only 10m away from the rear facing windows of these bungalows so there is a shortfall of 2m to the guidance. These rear facing windows of these neighbouring properties are habitable windows and are in relatively close proximity and directly opposite the extension. The extension is flat roofed which means the impact is not as severe as an extension having a pitched roof and is currently obscured from the bungalows by a laurel hedge. However, hedgerows can die or be removed and therefore cannot be used as a reason for accepting such a significant shortfall of a 2m infringement of distance and therefore the extension has to be considered as if the hedgerow was not in place. If the hedge was removed, the extension would be detrimental to the residential amenity of these neighbouring properties.

2. Impact on Visual Amenity

The extension is not visible from the street scene. Notwithstanding this, the materials are matching the original house and therefore do not negatively impact visual amenity of the house or surrounding street scene.

The windows in the extension are in line with the rest of the house creating symmetry and the extension is subservient to the existing dwelling although the roof of the extension varies from the existing roof of the property as the rest of the property has a pitched roof. However, the property is unique in its character and the character of the surrounding houses vary, therefore the proposed extension is not going to appear visually obtrusive in comparison to the other properties.

Although this application is for a further extension beyond an already approved extension, the property itself is larger than the average detached dwelling in the surrounding area, therefore, on balance, the single storey extension will match the unique character of the existing house.

3. Impact on Highway Safety

The proposal does not include new bedroom spaces but for a gym to be used ancillary to the dwelling and therefore the existing spaces for car parking is considered acceptable. After clarification that the use of the proposal was ancillary and for the purposes of the dwelling WCC Highways removed their objection and there is adequate parking within the property.

In conclusion, it is considered that the extension does not impact on highway safety.

4. Conclusion

The development is considered to relate satisfactorily to the original property and is unlikely to cause harm to visual amenity and there are no issues in relation to highway safety or parking.

While there are objections which have been received the majority of these concerns are related to the tree overhang and existing noise concerns. The Council's Tree Officer and Environmental Health did not raise any concerns.

However, it is considered that there could be demonstrable harm to the residential amenity to the rear facing windows of 1 and 2 Barbridge Close (if the hedge was removed or died). This is because the extension is only 10m away from the rear facing windows of these neighbouring bungalows and which contradicts paragraph 11.7 of the SDC 2020 which requires a distance of 12m. These rear facing windows of 1 and 2 Barbridge Close are habitable windows, therefore on balance, the proposed extension does have an unacceptable impact on the residential amenity of the surrounding properties and should be refused.

REASONS FOR REFUSAL:

Refusal is recommended due to the following Policies:

1 (i) Policy BE3 – Sustainable design and construction (in part):

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:

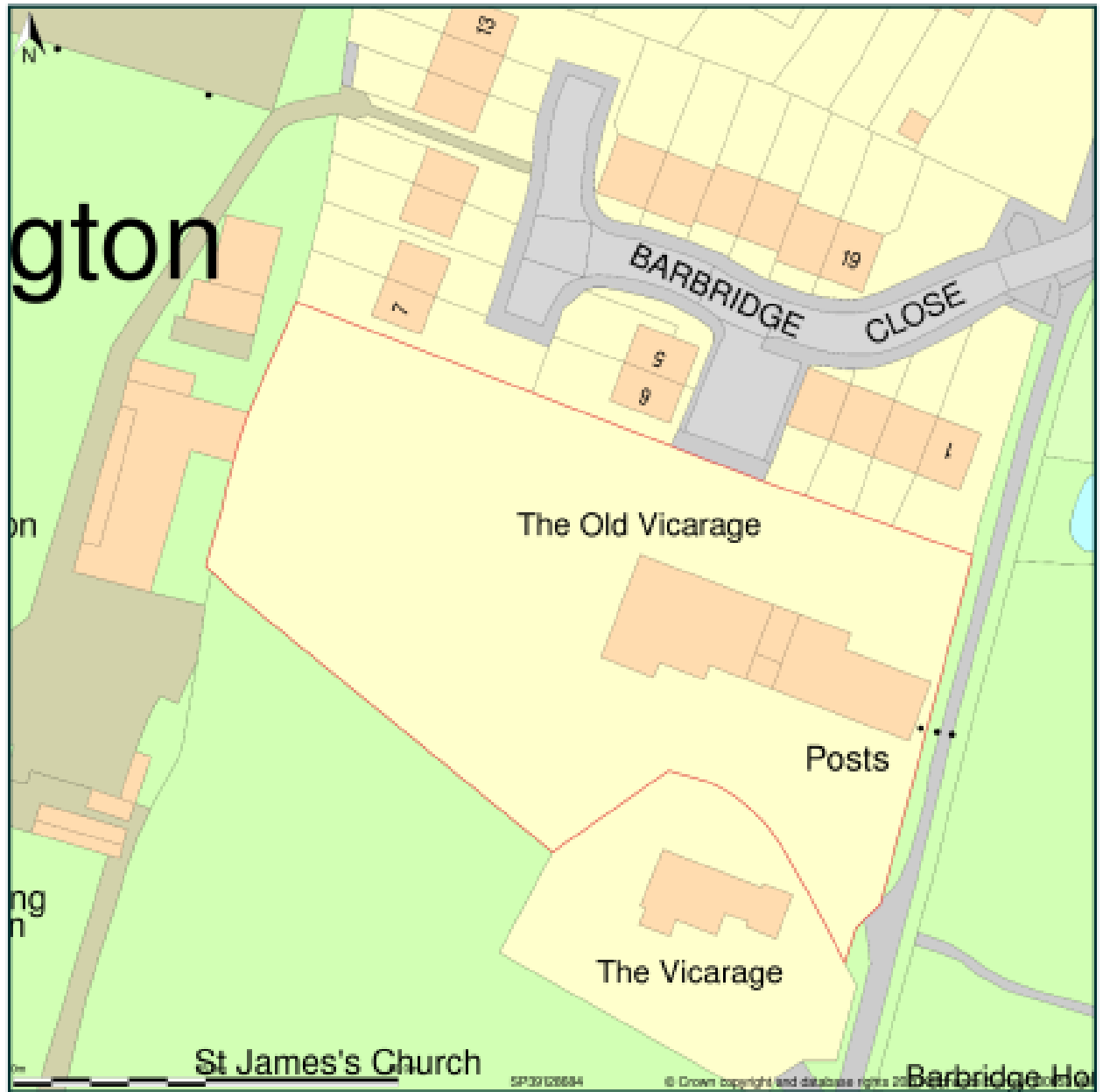
- 1. Current use of buildings*
- 2. Ownership/tenure*
- 3. Street layout*
- 4. Patterns of development*
- 5. Residential amenity*
- 6. Plot size and arrangement*
- 7. Built form*

Supplementary planning documents:

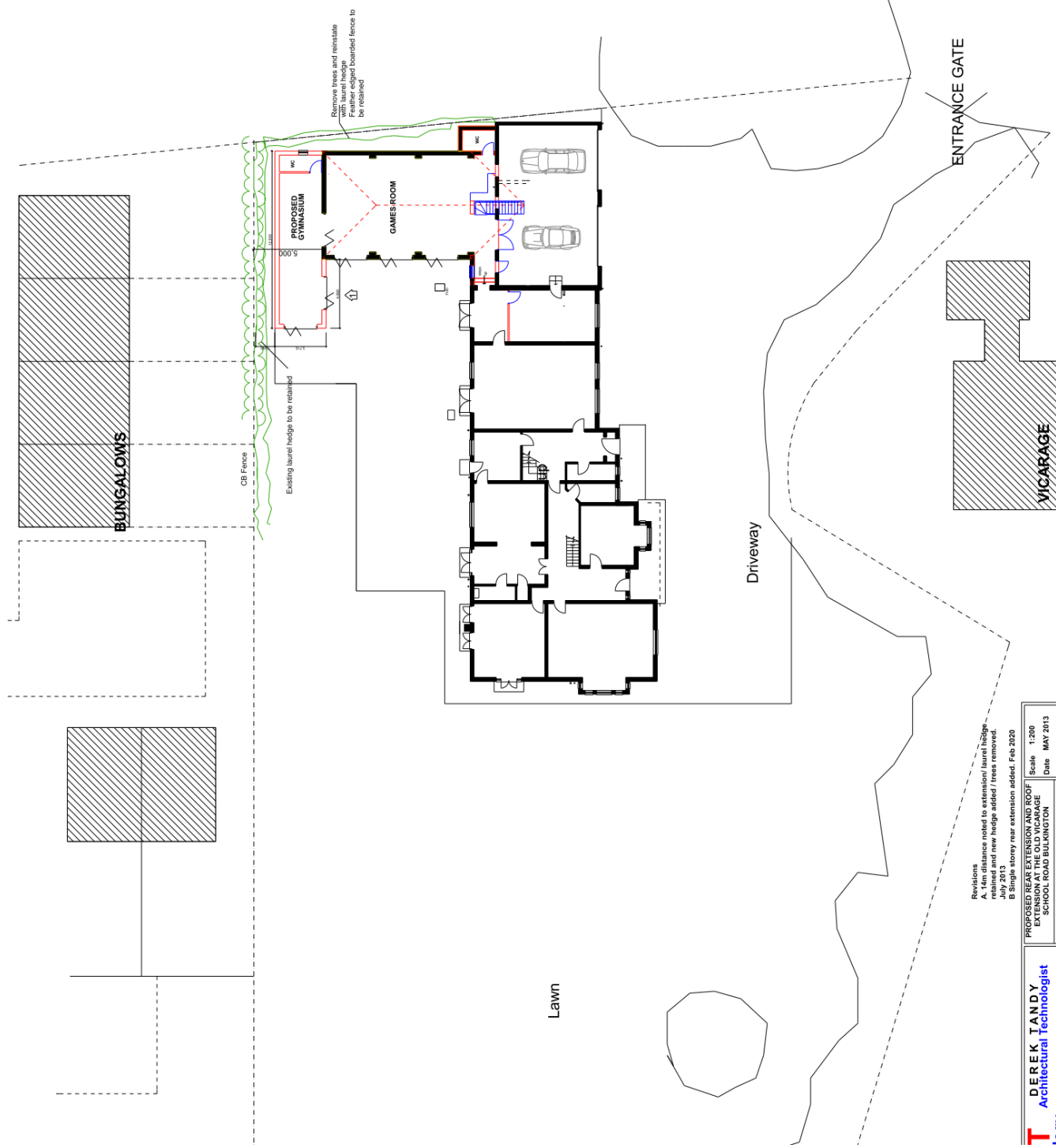
Detailed information to help developers comply with this policy will be set out in the Sustainable Design and Construction supplementary planning document.

The recommended reason for refusal is:

(i) The proposal is contrary to this policy in that the single storey rear extension could have a significant impact on the rear facing windows of numbers 1 and 2 Barbridge Close (if the existing boundary landscaping was removed or died). The blank elevation of the single storey extension is directly opposite these windows, and in close proximity to them. This could be detrimental to the residential amenity of these neighbouring properties if the boundary landscaping was removed. (The distance is contrary to guidelines contained in paragraph 11.7 of the Council's Sustainable Design and Construction Supplementary Planning Document 2020).



Location Plan



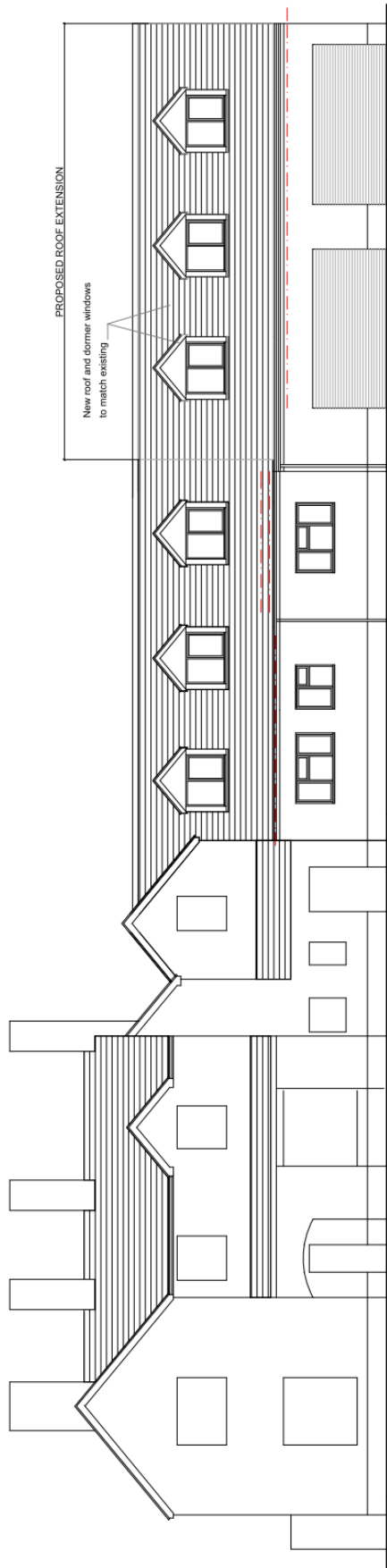
Block Plan

Revisions
 A: Changes noted to structural drawings retained and new hedge added / trees removed. July 2013
 B: Single storey rear extension added. Feb 2020

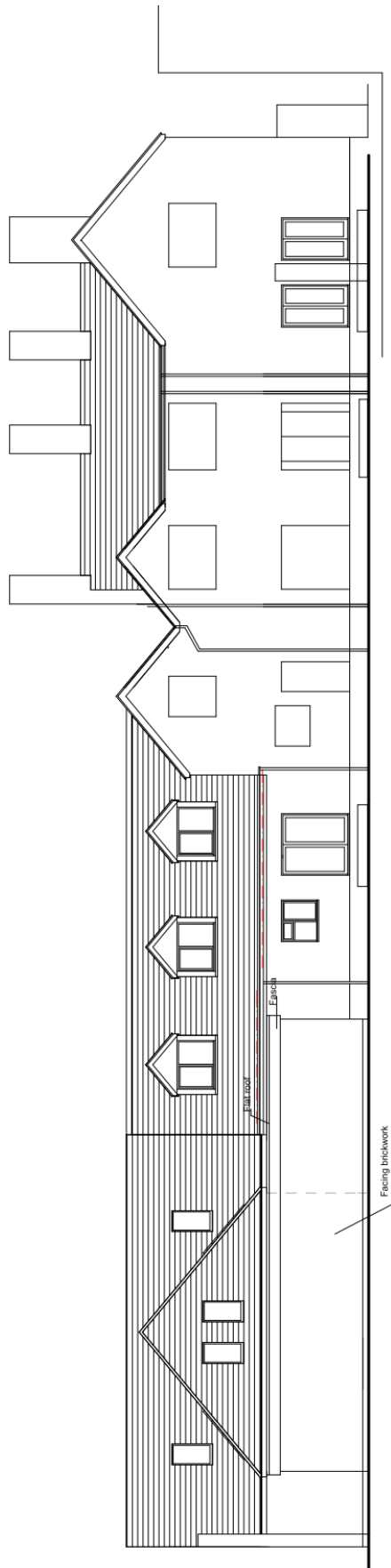
PROPOSED REAR EXTENSION AND ROOF EXTENSION AT THE OLD VICARAGE SCHOOL, ROAD, BULLINGTON

Scale 1:200
 Date MAY 2013

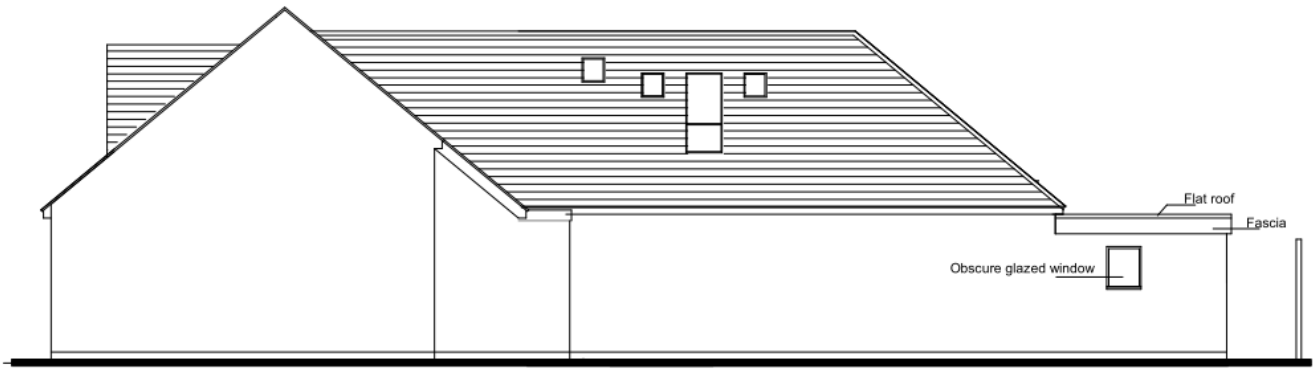
T DEREK TANDY
 Architectural Technologist



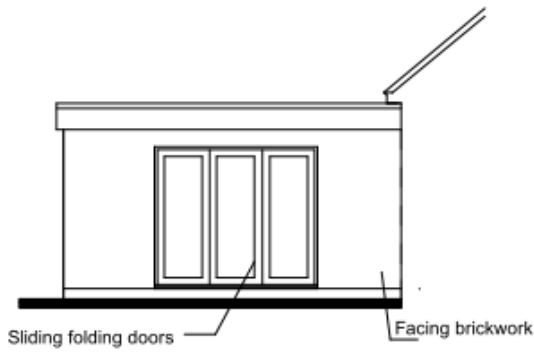
Front Elevation



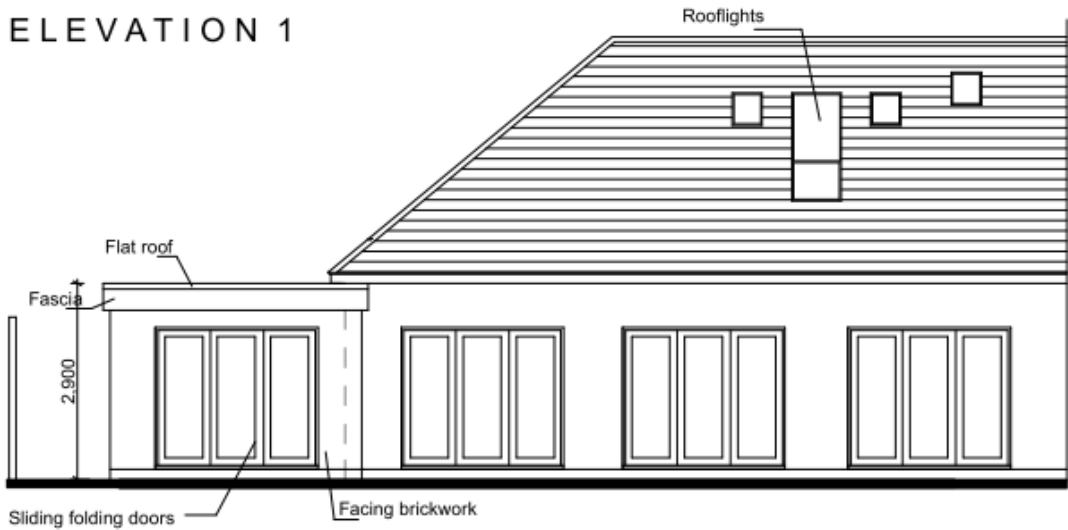
Rear Elevation



PROPOSED WEST / SIDE ELEVATION



ELEVATION 1



PROPOSED EAST / SIDE ELEVATION

Side Elevations



PROPOSED FIRST FLOOR PLAN

Ground Floor Plan

WORKS TO TREES APPLICATION

Item No. 6.

REFERENCE No. 037160.

Site Address: 3 Ribbonbrook Nuneaton Warwickshire CV11 4LN.

Description of Development: Fell Lime Tree known as T1 of Tree Preservation Order 11/97.

Applicant: Mrs Hannah Field.

Ward: AT.

RECOMMENDATION:

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

INTRODUCTION:

Fell Lime Tree known as T1 of Tree Preservation Order 11/97 located in the rear garden of the property for 3 Ribbonbrook, and to not provide a replacement tree.

The tree is large, and is visible from both the street scene and Public Park at the rear of property.

BACKGROUND:

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

RELEVANT PLANNING HISTORY:

- No relevant history.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - BE3 – Sustainable design and construction.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Parks (Tree Officer).

CONSULTATION RESPONSES:

Objection from:
NBBC Parks (Tree Officer).

NEIGHBOURS NOTIFIED:

2 and 4 Ribbonbrook.

Neighbouring properties were sent letters notifying them of the proposed development on the 3rd June 2020. A site notice was erected on street furniture on the 3rd June 2020.

NEIGHBOUR RESPONSES:

There have been no letters of support or objection for the application.

APPRAISAL:

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

1. Impact on Visual Amenity.
2. Conclusion.

1. Impact on Visual Amenity

The tree in question along with the neighbouring trees at the rear of the properties on Ribbonbrook were covered by a Tree Preservation Order (TPO) in 1997. To create a TPO the trees must be assessed as being an important landscape feature which offers significant amenity to the wider public.

When assessing proposed works to a tree covered by a TPO the following are taken into account; the tree's public amenity (visibility to the public); its condition; age; remaining life-expectancy; its function within the landscape and ultimately its importance to the local environment.

The advice from the National Planning Practice Guidance (NPPG) on Tree Preservation Orders and trees in Conservation Areas is that the Local Authority should assess the impact of the proposal on the amenity of the area and whether the proposal is justified, having regard to the reasons and additional information put forward in support of it.

The TPO covers five Lime trees in Ribbonbrook, four of which are located in the rear gardens of 3, 6, 8 and 11 Ribbonbrook. The tree at the rear of 8 Ribbonbrook has been subject to previous applications for felling which were refused. However, a further application in 2018 for the felling of this neighbouring tree was recommended by Officers for refusal but was approved by Committee subject to the provision of a replacement tree. However, a replacement tree could not be agreed upon and a subsequent application was submitted to fell the tree and not to provide a replacement. This was recommended by Officers for approval due to the previous recommendation of Committee and was subsequently approved by Committee in 2019.

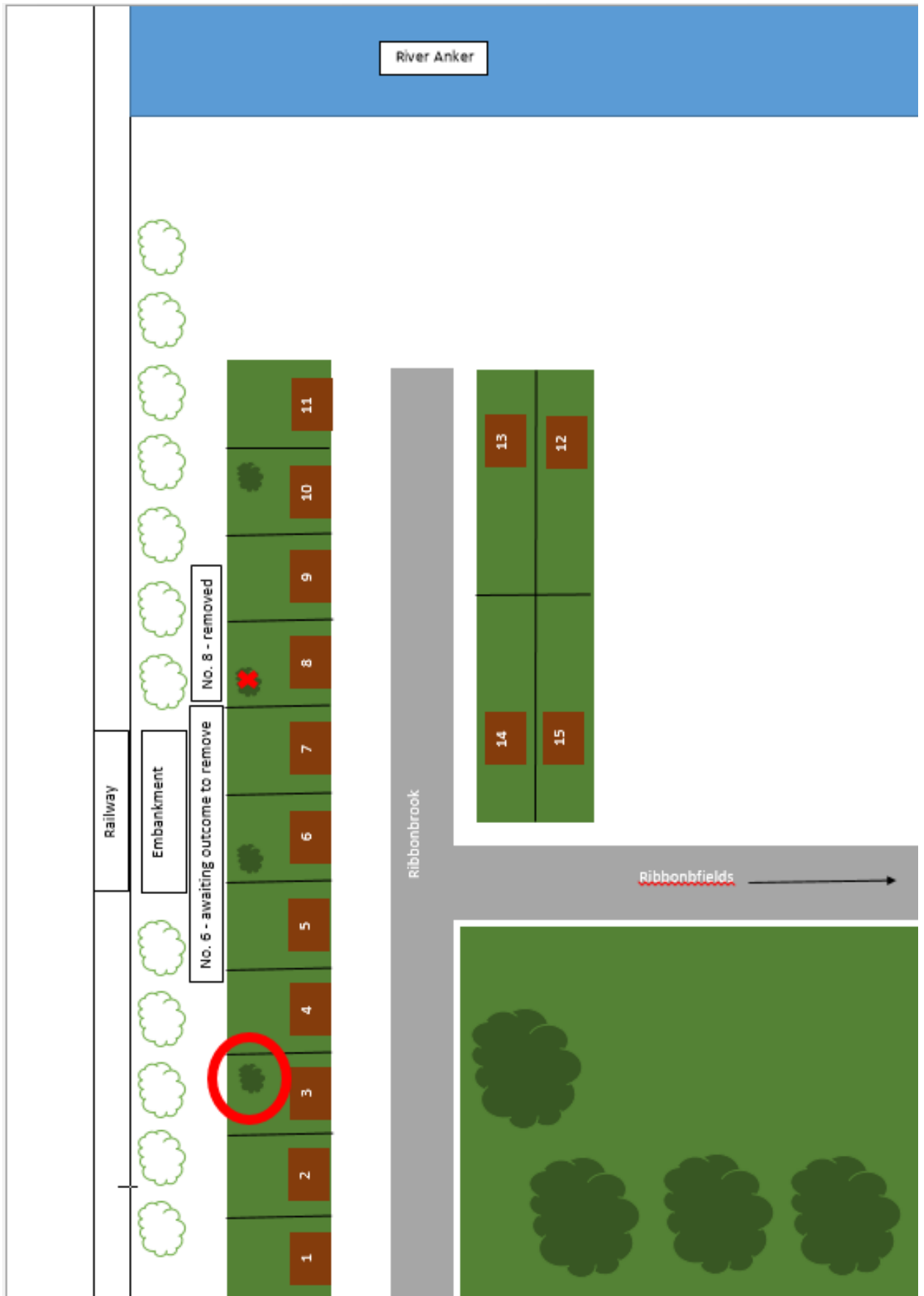
Similarly an application to fell the tree at 6 Ribbonbrook with no replacement was taken to Committee with a recommendation of refusal, but this was granted by Committee. However, it is not considered that a precedent for the removal of the surrounding trees has been set.

The Council's Tree Officer was consulted as part of the application process. The recommendation received was one of refusal due to no technical evidence being provided that suggests the health of the tree is compromised to warrant felling it or for significantly reducing the size or for pollarding the tree. Additionally the Tree Officer added that there is no evidence that the tree is causing a legal nuisance and the tree itself still provides amenity value to the local landscape.

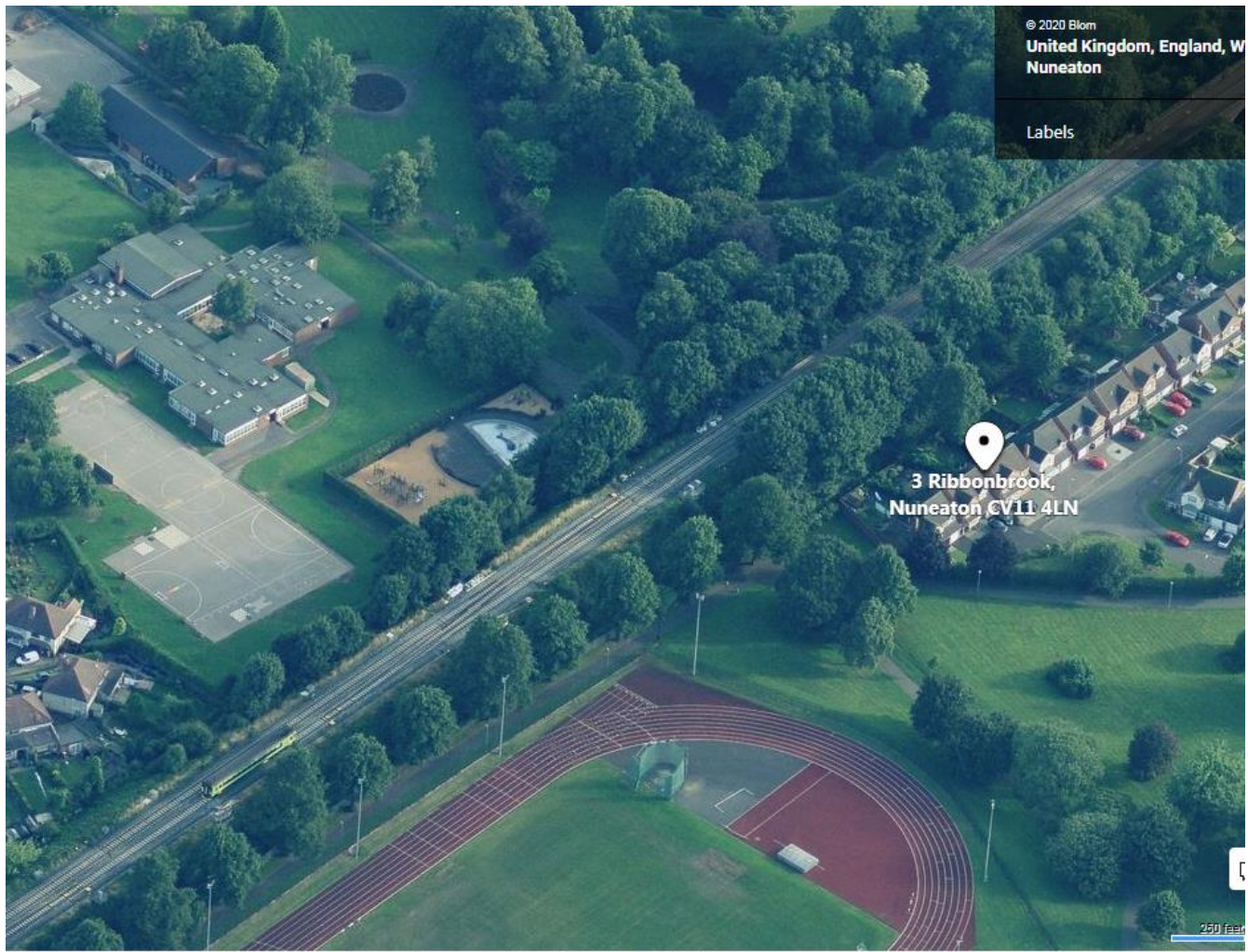
These comments were passed on to the applicant who stated that their biggest concern is the leaves dropping. However, in law, it is reasonable to expect a tree to drop leaves as this is part of a tree's natural physiological process, and this is not a sufficient reason to warrant a recommendation to fell the tree.

REASONS FOR REFUSAL:

It has not been adequately demonstrated that the tree is no longer worthy of a Tree Preservation Order. There is no technical evidence to suggest the health of the tree is compromised and it was assessed that the tree still provides amenity value to the local landscape.



Location of Tree



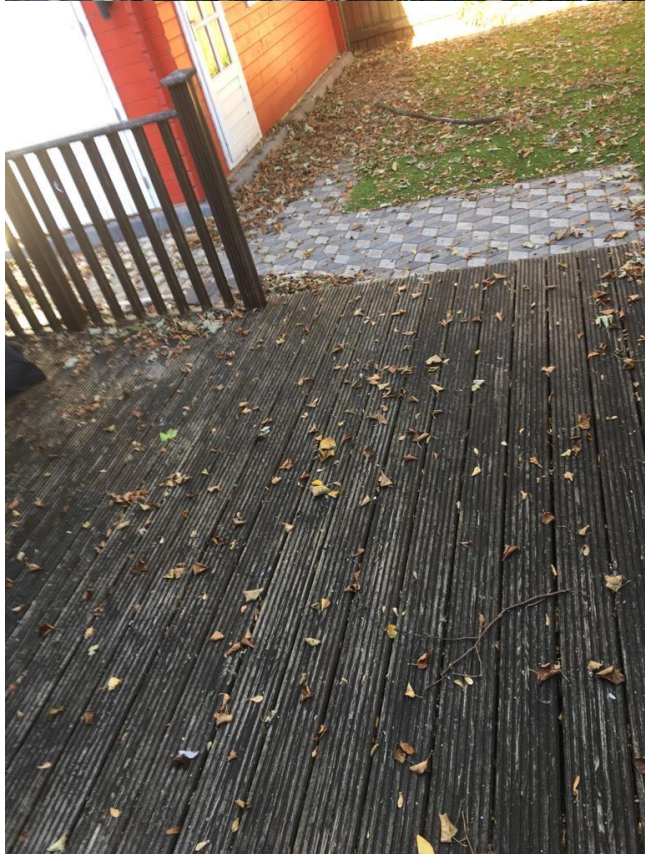
Aerial View



View of tree from rear garden



Debris from tree



Fallen leaves and branches

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

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

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

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