

Enquiries to:  
Wendy Bolton

Telephone Committee Services: 024 7637 6000

Direct Email:  
committee@nuneatonandbedworth.gov.uk

Date: 15th May, 2020

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held on **Tuesday, 26th May, 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.youtube.com/user/NBBOnline](http://www.youtube.com/user/NBBOnline)

**Public participation will be by written submissions only.** Contributors are asked to submit their comments, questions or representations electronically, in writing, to [planning@nuneatonandbedworth.gov.uk](mailto:planning@nuneatonandbedworth.gov.uk) by no later than 12 noon on the day before the date of the meeting. All submissions should be no longer than 3 minutes and will be read out by an officer of the Council.

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

Yours faithfully,

BRENT DAVIS

Executive Director - Operations

To: All Members of the Planning  
Applications Committee

Councillor W.J. Hancox (Chair).  
Councillor K. Wilson (Vice-Chair).  
Councillors J. Beaumont, S. Gran,  
A. Llewellyn-Nash, I Lloyd,  
B. Longden, B. Pandher, M. Rudkin,  
A. Sargeant, J. Sheppard, R. Smith  
and C. Watkins.

## AGENDA

### PART I - PUBLIC BUSINESS

#### 1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Yorkshire Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

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

Chair to advise the meeting if all or part of the meeting will be recorded for future broadcast.

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

#### 3. MINUTES - To confirm the minutes of the meeting held on 10<sup>th</sup> March, 2020 (attached). **(Page 5)**

#### 4. DECLARATIONS OF INTEREST

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

#### Declaring interests at meetings

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

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda **(Page 11)**. Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

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

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

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

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

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

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

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

5. DECLARATIONS OF CONTACT

Members are reminded that contacts about any Planning Applications on this agenda must be declared before the application is considered

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE SUBMITTED WRITTEN REPRESENTATIONS TO THE COMMITTEE  
– the report of the Head of Development Control, attached (**Page 14**).

7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE NOT SUBMITTED WRITTEN REPRESENTATIONS TO THE COMMITTEE - the report of the Head of Development Control attached (**Page 14**).
  
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**10<sup>th</sup> March, 2020**

A meeting of the Planning Applications Committee was held in the Council Chamber of the Town Hall, Nuneaton on Tuesday, 10<sup>th</sup> March, 2020.

**Present**

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

Councillors J.B. Beaumont, K. Evans (Substitute for Councillor A. Llewellyn-Nash), S. Gran, B. Longden, B. Pandher, M. Rudkin, A. Sargeant, J. Sheppard, R. Smith and C. Watkins.

Apologies: Councillor A. Llewellyn-Nash.

PLA77 **Chair's Announcements**

The meeting was being recorded for future broadcast to the public via the Council's website.

PLA78 **Minutes**

The Chair announced an amendment to the minutes of the meeting held on 18<sup>th</sup> February 2020, as follows:

“Apologies: Councillors A. Llewellyn-Nash and A. Sargeant.”

**RESOLVED** that the minutes of the meeting held on the 18<sup>th</sup> February 2020, as amended above, be confirmed and signed by the Chair.

PLA79 **Declarations of Interest**

Councillor K. Evans declared that he was now employed by the House of Commons.

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

PLA80 **Declarations of Contact**

The Chair declared that all Members of the Planning Applications Committee had received an email from Councillor D. Gissane in regards to Planning Application No 036784.

**IN PUBLIC SESSION**

PLA81 **Planning Applications**

**(Note: Names of the members of the public who spoke are recorded in the Schedule)**

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

PLA82 **Any Other Business**

None

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Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND  
RELATED MATTERS REFERRED TO IN MINUTE PLA81 OF THE  
PLANNING APPLICATIONS COMMITTEE ON 10<sup>th</sup> March 2020

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036784: Site 46a010 – Tunnel Road, Nuneaton, CV10 9NW

Approval of a Reserved Matter, relating to landscape, following outline approval  
of 033601 for up to 14 dwellings

Applicant: Mr Andrew Cartwright

**Speakers:**

**DECISION**

Planning Permission be granted, subject to the conditions printed in the agenda  
and addendum.

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**Planning Applications Committee  
Schedule of Declarations of Interests – 2019/2020**

|  | <b>Name of Councillor</b>                                                        | <b>Disclosable Pecuniary Interest</b> | <b>Other Personal Interest</b>                                                                                                                                                                                                                                                                       | <b>Dispensation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--|----------------------------------------------------------------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | 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"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul> |
|  | J. Beaumont                                                                      |                                       | Board member of Bulkington Community Library CIC in addition to an unpaid Manager of the library.<br>Board member of Bulkington Village Centre<br><br>Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Older People's Forum</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|  | S. Gran                                                                          |                                       | Member of Warwickshire County Council                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|  | W.J. Hancox                                                                      |                                       | Unite the Union<br><br>Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Building Control Partnership Steering Group</li> <li>• Hammersley Smith &amp; Orton Charity</li> </ul>                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|  | A. Llewellyn-Nash                                                                | Employee of BMI Healthcare            | Treasurer of Exhall Multi-cultural Group<br>Governor at Newdigate Primary and Nursery School, Bedworth                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|  | 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"> <li>• Nuneaton &amp; Bedworth Sports Forum</li> <li>• Camp Hill Urban Village and Pride in Camp Hill</li> <li>• Poor's Piece Charity</li> <li>• Committee of Management of Hartshill &amp; Nuneaton Recreation Group</li> </ul>                                                                                                                       |              |
|  | B.J. Longden       |                                   | Daughter and son-in-law work in the NHS<br>Member of the Stockingford Community Centre<br>Ex-Officiate of the Veterans Contact Point Board<br>Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• George Eliot Hospital NHS Trust – Public/User Board</li> <li>• George Eliot Hospital NHS Foundation Trust Governors</li> <li>• Armed Forces Covenant Meeting</li> <li>• Astley Charity</li> </ul> |              |
|  | B. Pandher         |                                   | Member of Warwickshire County Council<br>Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple;<br>Coordinator of Council of Sikh Temples in Coventry;<br>Secretary of Coventry Indian Community;<br>Trustee of Sikh Monument Trust<br>Vice Chair Exhall Multicultural Group                                                                                                                                                           |              |
|  | M. Rudkin          | Employee of Coventry City Council | Unite the Union<br>Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Bedworth Neighbourhood Watch Committee</li> </ul>                                                                                                                                                                                                                                                                            |              |
|  | A. Sargeant        |                                   | Member of Warwickshire County Council<br>Chairman of The Nook (Nuneaton) Residents Association.<br>Chair of Attleborough Community Matters group. Volunteer at Volunteer Friends Bulkington.<br>Member of Nuneaton Carnival Committee<br>Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Advice Rights</li> </ul>                                                                               |              |
|  | J. Sheppard        |                                   | Partnership member of the Hill Top and Caldwell Big Local.                                                                                                                                                                                                                                                                                                                                                                               |              |

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

**Planning Applications Committee  
Schedule of Declarations of Interests – 2019/2020**

|  | <b>Name of Councillor</b>                                                        | <b>Disclosable Pecuniary Interest</b> | <b>Other Personal Interest</b>                                                                                                                                                                                                                                                                       | <b>Dispensation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--|----------------------------------------------------------------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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|  | S. Gran                                                                          |                                       | Member of Warwickshire County Council                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|  | W.J. Hancox                                                                      |                                       | Daughter holds employment position within NBBC<br><br>Unite the Union<br><br>Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Building Control Partnership Steering Group</li> <li>• Hammersley Smith &amp; Orton Charity</li> </ul>                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|  | A. Llewellyn-Nash                                                                | Employee of BMI Healthcare            | Treasurer of Exhall Multi-cultural Group<br>Governor at Newdigate Primary and Nursery School, Bedworth                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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

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

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

**Planning Applications**

| Item No. | Reference | Address                                | Page No. |
|----------|-----------|----------------------------------------|----------|
| 1.       | 036491/BU | Site 97c001 Bedworth Road, Bulkington. | 15.      |

**Works to Trees**

|    |           |                          |     |
|----|-----------|--------------------------|-----|
| 2. | 036712/AT | 6 Ribbonbrook, Nuneaton. | 67. |
|----|-----------|--------------------------|-----|

| 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 |    |               |

# PLANNING APPLICATIONS

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## 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

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### **RECOMMENDATION:**

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

### **INTRODUCTION:**

The application is 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.

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.

The land is currently vacant and was previously farmed. 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.

## **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.
  - Supplementary Planning Guidance / Supplementary Planning Documents.
- Affordable Housing SPD 2007.
- Residential Design Guide 2004.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

## **CONSULTEES NOTIFIED:**

Cadent Gas, 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.

Neighbouring properties were sent letters notifying them of the proposed development on the 25<sup>th</sup> June 2019. Following receipt of amended plans a further letter was sent to neighbours on the 7<sup>th</sup> November 2019 and subsequent to some minor changes nine of the properties previously consulted were consulted again on the 25<sup>th</sup> February 2020.

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

### **NEIGHBOUR RESPONSES:**

There were 17 objections from 11 addresses and 2 anonymous objectors following the original consultation. 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 wont 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 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.

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 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 that this site is suitable for residential development.

Since the Plan's adoption, the principle of this site for housing land has been somewhat 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 and the Concept Plans will not be adopted until at least April this year. Therefore only limited weight can be given to the Concept Plan. Notwithstanding this, the Concept Plan is just that and is there to inform and initiate pre application discussions when considering the design.

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 3.4.2 states there should be an overall density of around 28 dwellings per hectare. The site proposes 30

dwelling per hectare. As previously stated, the Concept Plan was created after the submission of the application and currently only carries limited weight. In addition the Concept Plan states 'around' 28 dwellings per hectare and it is not a maximum amount. 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 Residential Design Guide.

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 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 the requirement. The latest available five year housing land supply information (April 2019) calculated a five year supply figure of 5.83 years (using the Liverpool method) and delivery of the residential strategic allocated sites will contribute to the supply.

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

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

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

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: 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 and it is considered that this provides an even distribution of affordable units. 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 (RDG paragraph 9.3) 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 window sill 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 window sill height. 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 RDG (Paragraph 9.4). 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 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 RDG (paragraph 9.1) 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 RDG. 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 (paragraph 9.5) 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 RDG 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 an impact to existing residential properties it is considered acceptable and largely in compliance with the RDG and where it is not, there are mitigating circumstances.

The distance standards within the site are largely met, where they are not this is normally across a road and the RDG (paragraph 9.3) states that the distance can be



reduced in these circumstances. Other minor infringements as explained above are mitigated by site 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.

Plots 114 -117 are set further back than the neighbouring property number 113 by 4m. The acceptable maximum step-back would normally be 3m set out in the RDG (paragraph 9.6). However, the 3m distance is where both properties are immediately against 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 (paragraph 9.5) 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 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 Residential Design and where it is not there are mitigating circumstances.

#### **4. Impact on Visual Amenity.**

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.

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. The one existing hedgerow to the edge of the site (to Mill Lane) is to be retained

It is therefore considered that the layout will protect the landscape character of the area as much as possible.

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'.

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

## **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 surface 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.

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.

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 Buffers, Allotments, Open and Play space, Ecology and Biodiversity**

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 Concept Plan for HSG8 due to be adopted in April states:

3.2.3 *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.*

3.2.6 *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.*

3.2.11 *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.*

3.2.13 *A linear greenspace will be created, adjacent to the railway line, along the western edge of HSG8...*

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 3.2.4 of the 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 points 20 and 27 of Policy HSG8 and 3.2.6, 3.2.11 and 3.2.13 of the 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 point 22 and 25 which requires 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.

The Council's Policy Team have commented on the fact that the boundaries with Severn Road are not to be planted and a buffer provided as required under point 25 of HSG8 which requests planting of woodland and trees to all site boundaries. However Officers consider that this refers to external boundaries rather than boundaries with existing residential development. It is only with the creation of the Concept Plan (refer to 3.2.3 above) that this now appears to include buffers to existing properties including that to Severn Road. As stated this Concept Plan was not created at the time the application was submitted and is indeed not yet adopted and therefore carries little weight. It is therefore considered that refusal on this basis would be difficult to defend at Appeal especially bearing in mind that the distance standards within the RDG are there to protect residential amenity and are largely complied with.

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 could 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 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.

There is one further minor advantage of the removal of the allotments on the site which is the removal of a pinch point of the proposed new pathway onto Mill Lane. As the buffer can be increased in this area it has meant that two trees to this boundary that were originally to be removed and which were objected to by neighbours can now be retained.

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 practicable 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 come 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 for facilities off site.

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. The Parks Team have no objection to the layout and landscaping plans subject to conditions and a 106 off site contribution towards play and open space.

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 specific 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 next 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. 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. None of these trees are 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 largely in compliance with the Concept Plan which in any case only has limited weight due to its non-adopted status.

## **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 13<sup>th</sup> and 15<sup>th</sup> 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.

| <b>Organisation</b>                | <b>Request For</b>                                                                                                                                                                                                                                                                                                        | <b>Contribution and notes</b>                                                                                                                                                                          |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NHS Joint Health request</b>    | Bedworth's Primary Care Network. For more consulting rooms including clinical and non-clinical support.                                                                                                                                                                                                                   | Total £53,879<br>Agreed with Applicant.                                                                                                                                                                |
| <b>Bulkington Village Centre</b>   | Car park extension; improved WC facilities to the north block and construction of a new function room.                                                                                                                                                                                                                    | £82,793.32<br>Agreed with Applicant.                                                                                                                                                                   |
| <b>George Eliot Hospital Trust</b> | Provision of healthcare at George Eliot Hospital                                                                                                                                                                                                                                                                          | £127,438.00<br>Agreed with Applicant.                                                                                                                                                                  |
| <b>NBBC Sports and Leisure</b>     | 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<br>Agreed with Applicant.                                                                                                                                                                     |
| <b>NBBC Parks and Open Space</b>   | Provision and maintenance of off-site play and open space. 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. Community Park – Bulkington Recreation ground. Teenage play | Total £235,160.71<br>(excluding fees if adopting local park on site)<br>Split as:<br>-Capital Total<br>£170,115.10.<br>-Maintenance Total<br>£48,034.10 (excluding on site land local community park). |

|                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|                                  | <p>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>-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>                                                                                                                                                                                                                                                              |
| <b>NBBC Parks and Open Space</b> | <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>                                                                                                                                                                                                                                                                                                                                   |
| <b>NBBC Housing</b>              | <p>Affordable housing provision at 25% of total housing number. 26% intermediate/74% social and affordable rent.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Agreed with Applicant.</p>                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>WCC Infrastructure</b>        | <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>                                                                                                                                                                                                                                                                                                                                       |
| <b>WCC Infrastructure</b>        | <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>                                                                                                                                                                                                                                                                                                                                                                      |
| <b>WCC Infrastructure</b>        | <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>                                                                                                                                                                                                                                                                                                                                            |
| <b>WCC Infrastructure</b>        | <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> <ul style="list-style-type: none"> <li>• Raised bus boarding area (hard-standing, paving and kerbs);</li> <li>• Provision of a Bus shelter;</li> <li>• Re-positioning of existing bus stop pole;</li> <li>• Rejuvenation of the bus stop clearway box markings within the existing lay-by;</li> </ul> | <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 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</p> |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|  | <ul style="list-style-type: none"> <li>• Provision of a 'No Parking' sign to be attached to the existing bus stop pole; and</li> </ul> <p>B. Bus Stop on Bedworth Road opposite junction with Severn Road:</p> <ul style="list-style-type: none"> <li>• Raised bus boarding area (hard-standing, paving and kerbs);</li> <li>• Provision of a Bus shelter;</li> <li>• Re-positioning of existing bus stop pole;</li> <li>• Rejuvenation of the bus stop clearway box markings within the existing lay-by;</li> <li>• Provision of a 'No Parking' sign to be attached to the existing bus stop pole; and</li> <li>• Excellent pedestrian connectivity to each bus stop should also be in place.</li> </ul> <p><b>Note:</b> 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><i>2. Real Time Information:</i></p> <p>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 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.</p> <p>Provision of a RTI should cost £12,000 per display covering hardware,</p> | <p>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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|                           | communications and electrical connections.                                                                                                                                                                                                                |                                                                                                                                                                                                            |
| <b>WCC Infrastructure</b> | The construction of drops kerb pedestrian crossing points from the site to Arden Forest School.                                                                                                                                                           | £30,000<br>Agreed with Applicant.                                                                                                                                                                          |
| <b>WCC Infrastructure</b> | 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).<br>If the payment of the £66,660 is required this is to be deducted from cycleway or highway network .<br>Agreed with Applicant. |
| <b>WCC Highways</b>       | 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)<br>Agreed with Applicant.                                                                                                                             |
| <b>WCC Highways</b>       | 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<br>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 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. Similarly does the provision of 25% affordable homes. The site is deliverable and already has an agreed developer and it is anticipated that the site can be brought forward relatively soon to assist with the provision of the five year land supply.

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 comply largely with the Residential Design Guide 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.

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 no objection to the layout and to the loss of the hedgerow in the middle of the site. They also consider that biodiversity and ecology is acceptable within the site subject to conditions and have no objection to the landscape buffers that have been provided. Whilst the Concept Plan and Policy HSG8 required allotments on this site, the Parks Team requested that money was paid instead towards improving existing services. In addition the site will provide a small children's play area which is over and above what is required on the site. The Concept Supplementary Planning Document (SPD) also requires a buffer to Severn Road which has not been provided. However the SPD is not yet formally adopted so carries limited weight.

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

## **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 <sup>th</sup> June 2018  |
| Site Layout                                       | 003 Rev S       | 27 <sup>th</sup> March 2020 |
| Planning Layout                                   | 101 Rev D       | 27 <sup>th</sup> March 2020 |
| Boundary Treatments Layout                        | 005 Rev K       | 27 <sup>th</sup> March 2020 |
| Acoustics Upgrades Layout                         | 008 Rev G       | 27 <sup>th</sup> March 2020 |
| Materials Layout                                  | 004 Rev I       | 27 <sup>th</sup> March 2020 |
| Swept Path Analysis<br>Vehicle and Large van      | 108-1 Rev C     | 13 <sup>th</sup> March 2020 |
| Swept Path analysis Fire Appliance<br>& Fire hose | 108- 2 rev A    | 24 <sup>th</sup> Feb.2020   |
| Swept Path analysis – MPV                         | 108-3 Rev B     | 24 <sup>th</sup> Feb. 2020  |
| Detailed Soft Landscape Proposal<br>POS sheet 1   | 7323-L-01 Rev H | 17 <sup>th</sup> March 2020 |
| Detailed Soft Landscape Proposal<br>POS sheet 2   | 7323-L-02 Rev H | 17 <sup>th</sup> March 2020 |

|                                                                                                              |                                                  |                                  |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------|----------------------------------|
| Detailed Soft Landscape Proposal on plot sheet 1                                                             | 7323-L-03 Rev H                                  | 16 <sup>th</sup> March 2020      |
| Detailed Soft Landscape Proposal on plot sheet 2                                                             | 7323-L-04 Rev H                                  | 16 <sup>th</sup> March 2020      |
| Detailed Soft Landscape Proposal on plot sheet 3                                                             | 7323-L-05 Rev H                                  | 16 <sup>th</sup> March 2020      |
| Detailed Soft Landscape Proposal on plot sheet 4                                                             | 7323-L-06 Rev H                                  | 16 <sup>th</sup> March 2020      |
| Archaeological Desk Based Assessment                                                                         | Nov. 2017 (updated Nov. 2018) Rev v.1.1 Nov 2018 | 18 <sup>th</sup> June 2018 final |
| Archaeological Evaluation Report A Written Scheme of Investigation For an Archaeological Evaluation          | Sept 2019 V1                                     | 2 <sup>nd</sup> October 2019     |
| A Written Scheme of Investigation For an Archaeological Excavation                                           | August 2019 V1.                                  | 20 <sup>th</sup> August 2019     |
| Health Impact Screening Assessment                                                                           | Feb 2020 Issue 3.                                | 18 <sup>th</sup> Feb.2020        |
| Ecological Appraisal                                                                                         | Feb. 2020 Final Issue 1                          | 20 <sup>th</sup> Feb.2020        |
| Appendix E Bat Survey Report                                                                                 | May 2019 Rev F                                   | 18 <sup>th</sup> June 2018       |
| Flood Risk Assessment With Foul Drainage Proposals (Excluding outfall from site for surface water discharge) | May 2019 Rev C                                   | 18 <sup>th</sup> June 2018       |
| Email from applicant ref S104                                                                                | June 2019 6190/R1_rev-                           | 18 <sup>th</sup> June 2018       |
| Report on Existing Noise & Vibration Climate (excluding appendix 1)                                          | 8378981_dated 09/03/2020                         |                                  |
| Phase 1 Geo-environmental Assessment (Desk Study)                                                            | Rev 2                                            | 18 <sup>th</sup> June 2018       |
| Phase 2 Geo-environmental Assessment (Site Investigation)                                                    | July 2017 6190/R1                                | 18 <sup>th</sup> June 2018       |
| Transport Assessment                                                                                         | Dec 2017 6190/R2                                 | 18 <sup>th</sup> June 2018       |
| House Type –Willow                                                                                           | May 2019 Rev 4                                   | 18 <sup>th</sup> June 2018       |
| House Type –Janford                                                                                          | AA31 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Canford                                                                                          | NA49 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Flatford V1                                                                                      | PA25 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Flatford V2                                                                                      | PA33 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Gosford V1                                                                                       | PA33-2 Rev C                                     | 13 <sup>th</sup> March 2020      |
| House Type –Gosford V2                                                                                       | PA34 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Bentford                                                                                         | PA34-2 Rev C                                     | 13 <sup>th</sup> March 2020      |
| House Type –Easedale V1                                                                                      | NA30 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Easedale V2                                                                                      | PT36 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Amersham                                                                                         | PT36 – 2 Rev C                                   | 13 <sup>th</sup> March 2020      |
| House Type –Braxton                                                                                          | PD30 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Lydford                                                                                          | NB31 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Wortham V1                                                                                       | PA42 Rev D                                       | 13 <sup>th</sup> March 2020      |
| House Type –Wortham V2                                                                                       | ND43 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Trusdale                                                                                         | ND43 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Lanford                                                                                          | NT41 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Bayswater (Floor Plans)                                                                          | NA43 Rev C                                       | 13 <sup>th</sup> March 2020      |
| House Type –Bayswater (Elevations)                                                                           | BAY1 Rev C                                       | 13 <sup>th</sup> March 2020      |
| Single and Double Garages                                                                                    | BAY2 Rev C                                       | 13 <sup>th</sup> March 2020      |
|                                                                                                              | GAR Rev C                                        | 13 <sup>th</sup> 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 S. No access shall be used other than for site clearance until a bound all weather surface suitable for two way traffic 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, shall commence until the programme of archaeological fieldwork 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 has been undertaken.

Following completion of the agreed programme of archaeological fieldwork required above, 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 2<sup>nd</sup> 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.

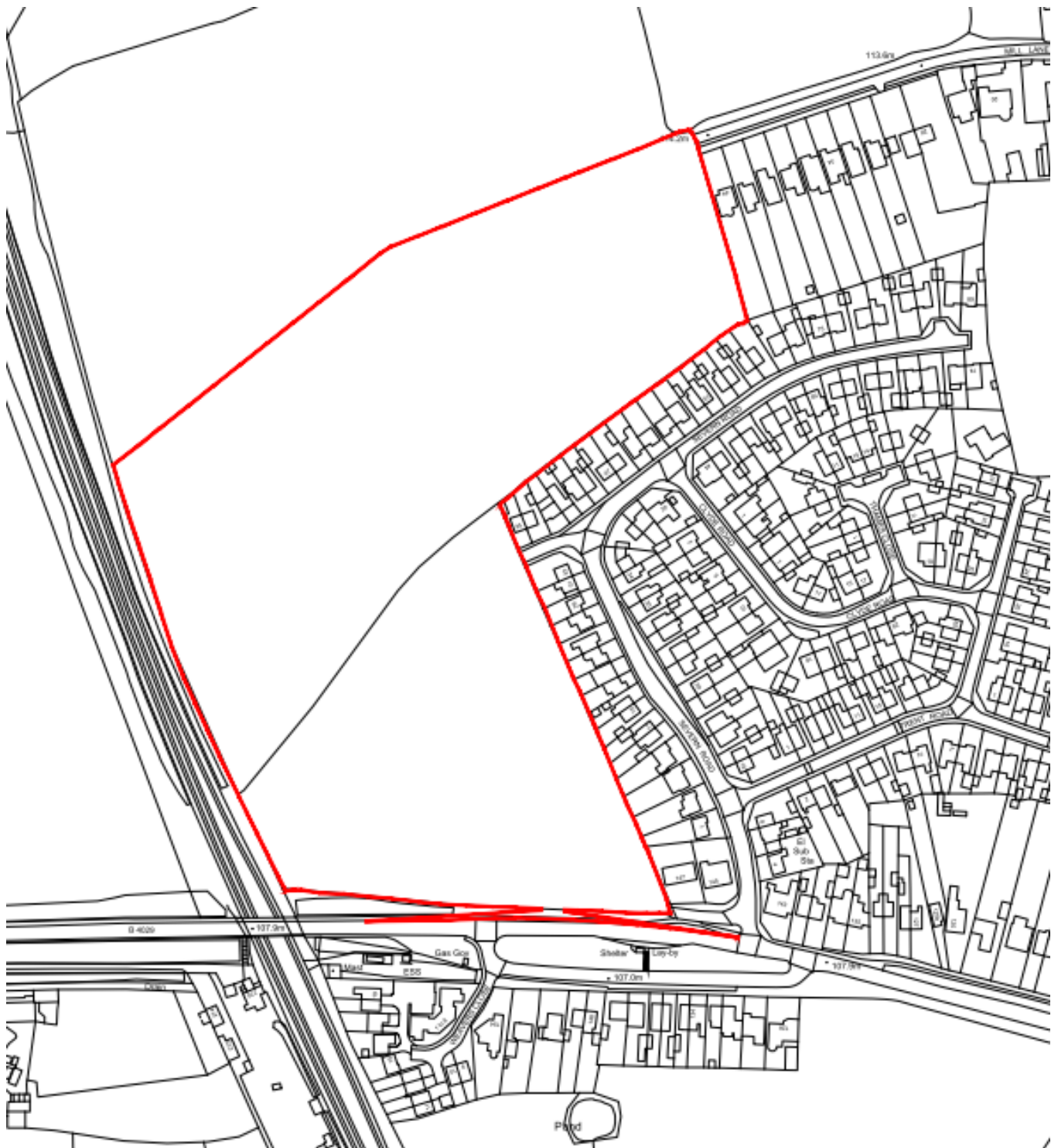
26. No dwelling shall be occupied until the visibility splays from the vehicular access to that plot, passing through the limits of the site, adjacent properties fronting the highway and the highway, have been provided in accordance with the approved plans. No structure, tree or shrub shall be erected, 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

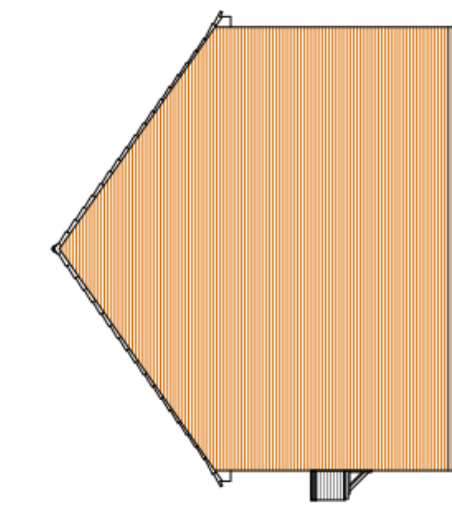
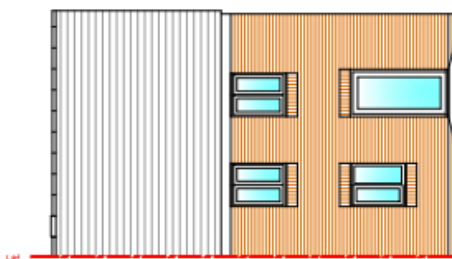
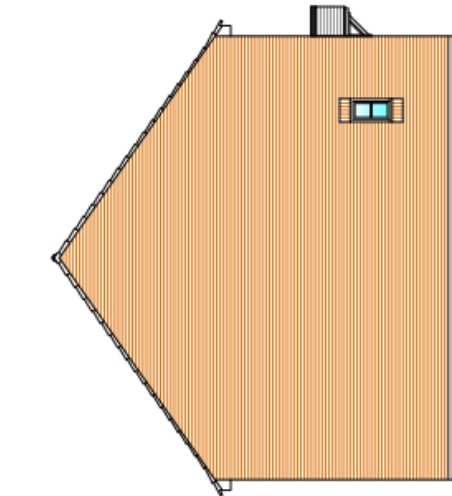
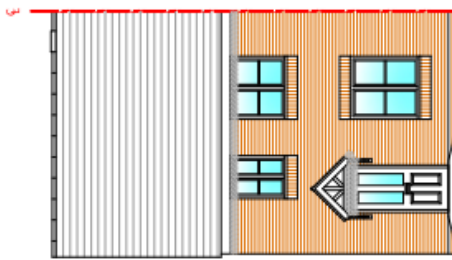
| TYPE      | REF  | STOREY | BEDS | SQFT | PLOTS |
|-----------|------|--------|------|------|-------|
| Bayswater | BAY  | 2      | 1    | 520  | 4     |
| Canford   | PA25 | 2      | 2    | 689  | 28    |
| Flatford  | PA33 | 2      | 3    | 866  | 13    |
| Gosford   | PA34 | 2      | 3    | 866  | 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



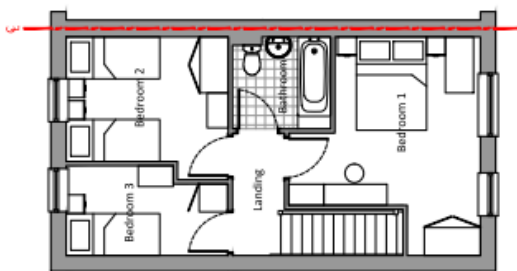
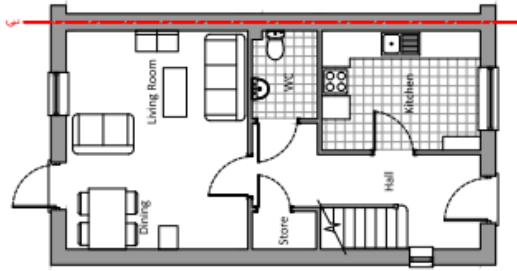
FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION

Side window  
to Plot 120  
& 121 only



Side window  
to Plot 120  
& 121 only

## Willow House Type

Responsible:

**Taylor Wimpey**  
 1154148700  
 North Midlands  
 Chase House  
 Park Hall,  
 Leek, Staffordshire  
 CV18 3JH

Project: Residential Development At  
 Bedworth Road, Bulkington

Drawing: Willow House Type  
 Planning Drawing

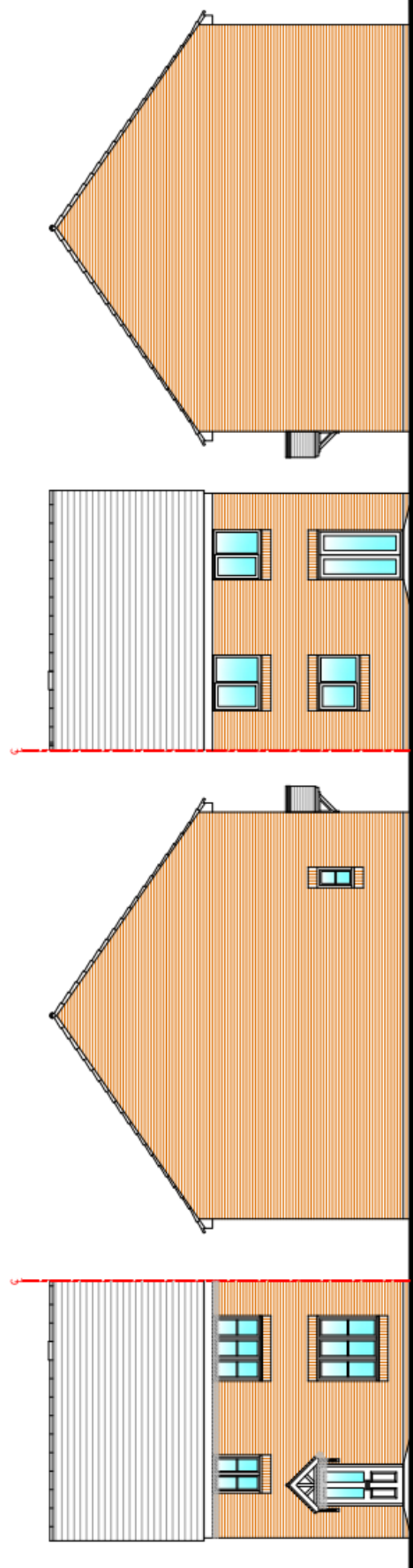
Scale: 1:100

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| Drawn: CC      | Project no: 2968 | Drawing no: AA31C | Rev: |
| Date: Dec 2018 |                  |                   |      |

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House Type – Willow.

# A3 Residential Development At Bedworth Road, Bulkington

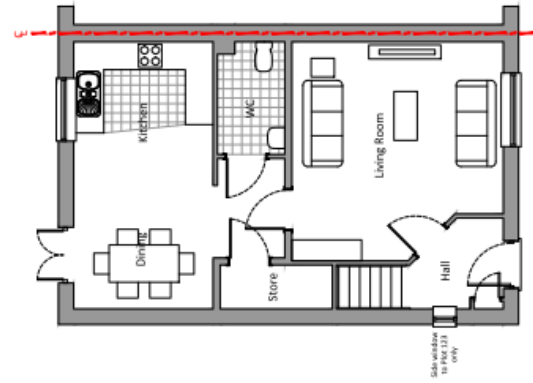


FRONT ELEVATION

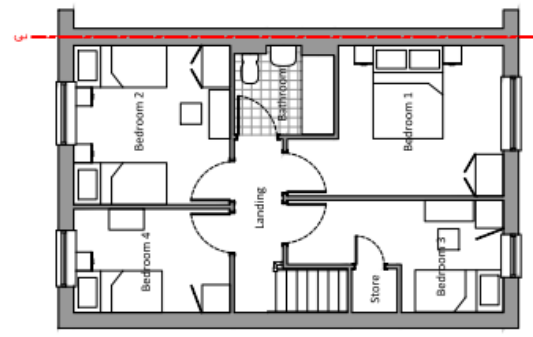
SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

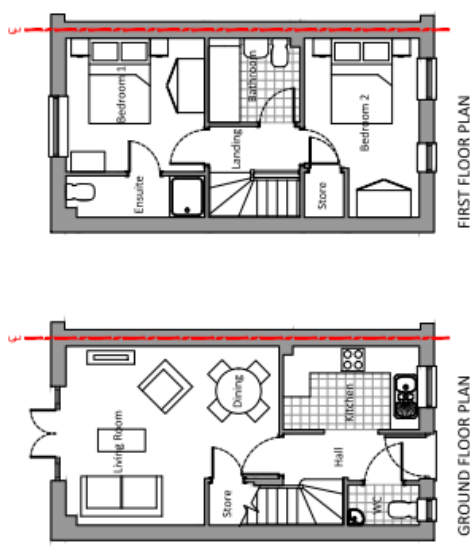
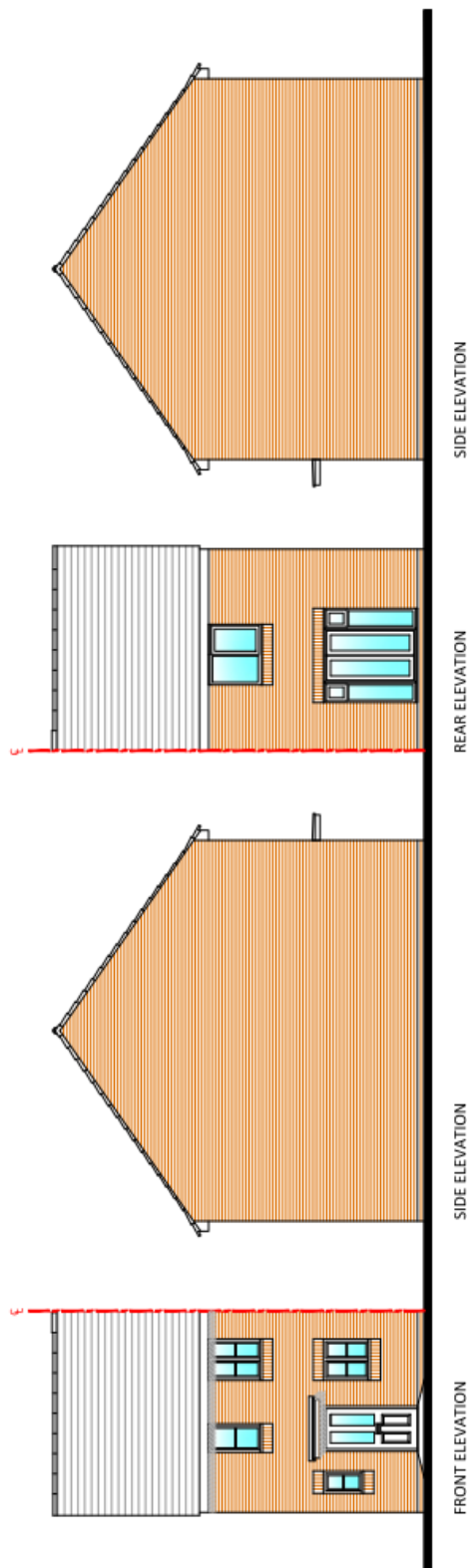
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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------|---------------------------------------------------------|-------------|--------|
| <p>Taylor Wimpey<br/>111545 40770<br/>111545 40770<br/>www.taylorwimpey.co.uk</p>                                                                                                                                                                                                                                                                                                                                                     |          | Project     | Residential Development At<br>Bedworth Road, Bulkington | Scale       | 1:100  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                       |          | Drawing     | Janford House Type<br>Planning Drawing                  | Drawn       | CC     |
| Date                                                                                                                                                                                                                                                                                                                                                                                                                                  | Dec 2018 | Project no. | 2968                                                    | Drawing no. | NA49 C |
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## Janford House Type

House Type - Janford



# A3 Residential Development At Bedworth Road, Bulkington



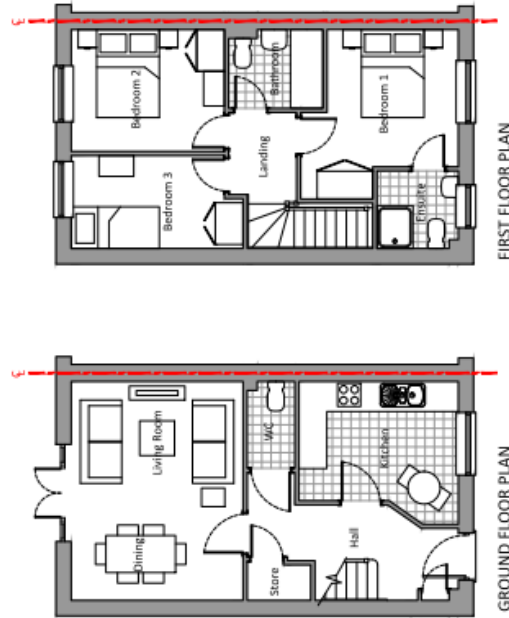
**Taylor Wimpey**  
 Taylor Wimpey  
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## Canford House Type

House Type - Canford

A3

# Residential Development At Bedworth Road, Bulkington



**Taylor Wimpey**  
 Taylor Wimpey 11850148700  
 North Midlands F 11545 48781  
 Chase House www.taylorwimpey.co.uk  
 Park Plaza  
 East Midlands  
 Leicestershire  
 Loughborough

Project: Residential Development At  
 Bedworth Road, Bulkington  
 Drawing: Flatford V1 House Type Scale: 1:100  
 Planning Drawing

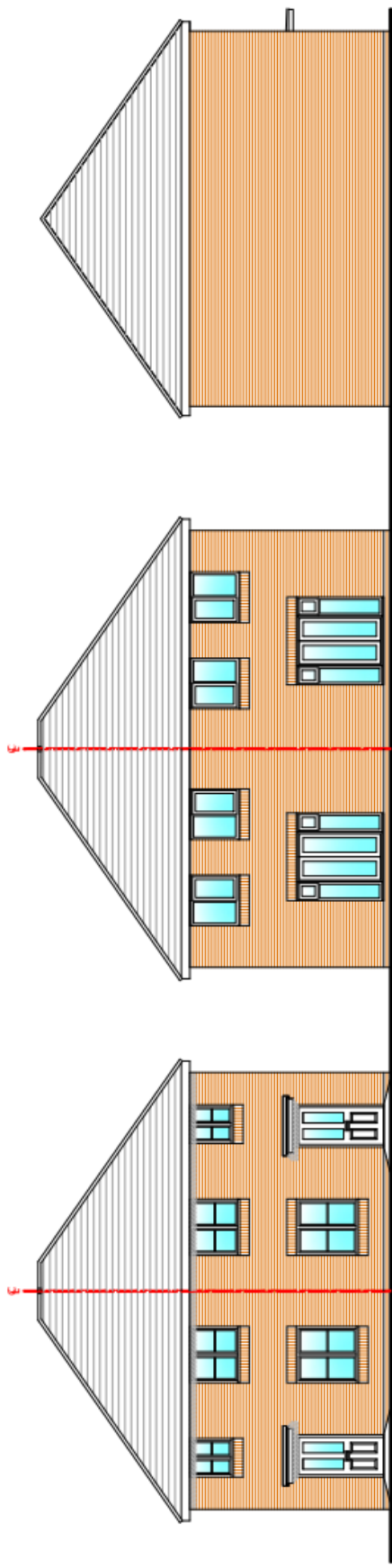
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| Drawn: CC      | Project no: 2968 | Drawing no: PA33 | Rev: C |
| Date: Dec 2018 |                  |                  |        |

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## Flatford V1 House Type

House Type – Flatford V1

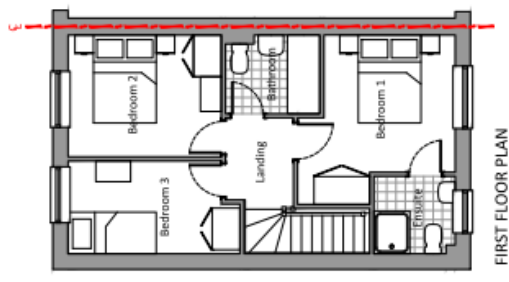
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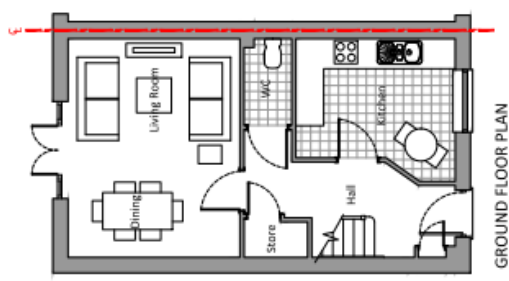
FRONT ELEVATION

REAR ELEVATION

SIDE ELEVATION



FIRST FLOOR PLAN



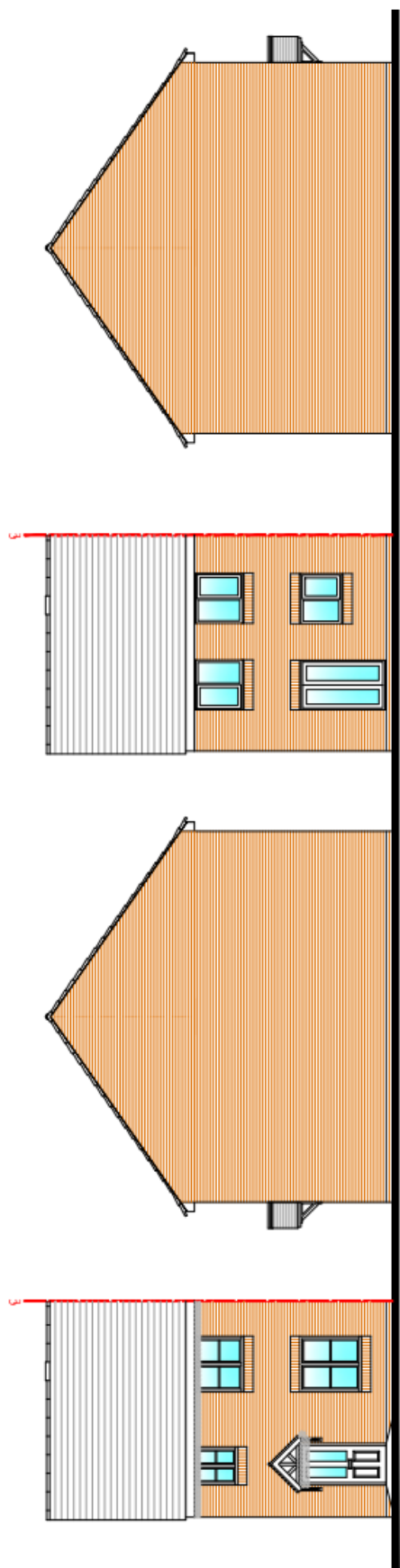
GROUND FLOOR PLAN

|                                                                                                                                                                                                                                                                            |                         |                                                                                                                                                                                             |               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <p><b>Taylor Wimpey</b><br/>         Taylor Wimpey<br/>         North Midlands<br/>         Chester House<br/>         100, Victoria<br/>         Hall Street<br/>         Cannock<br/>         Staffordshire BS12 2DQ</p>                                                 |                         | <p><b>Project:</b> Residential Development At<br/>         Bedworth Road, Bulkington<br/> <b>Drawing:</b> Flatford House V2 Type<br/>         Planning Drawing<br/> <b>Scale:</b> 1:100</p> |               |
| <p>Drawn: CC</p>                                                                                                                                                                                                                                                           | <p>Project No: 2968</p> | <p>Working No: PA33-2</p>                                                                                                                                                                   | <p>Rev: C</p> |
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## Flatford V2 House Type

House Type – Flatford V2

# A3 Residential Development At Bedworth Road, Bulkington

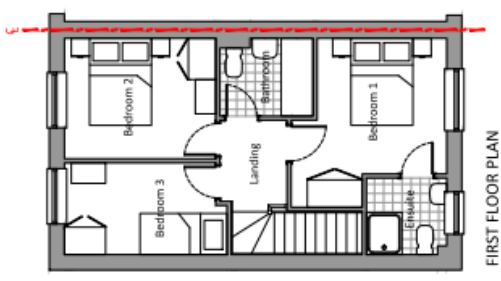


FRONT ELEVATION

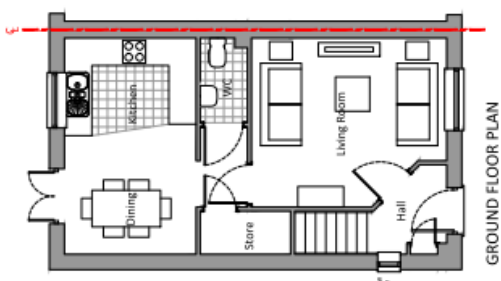
SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

Side window to No. 137 only

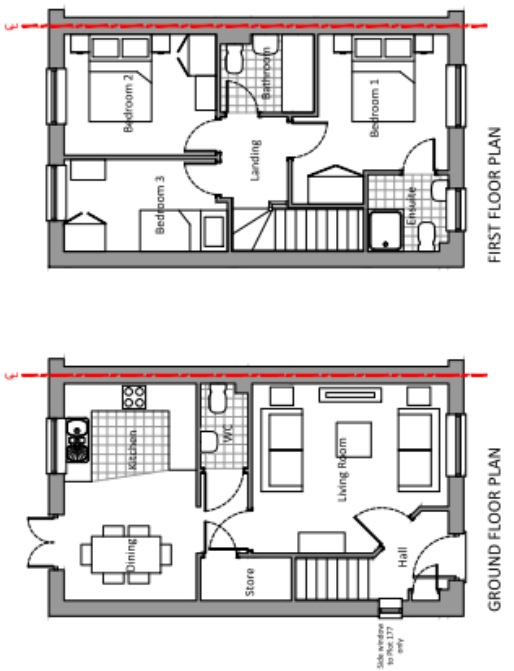
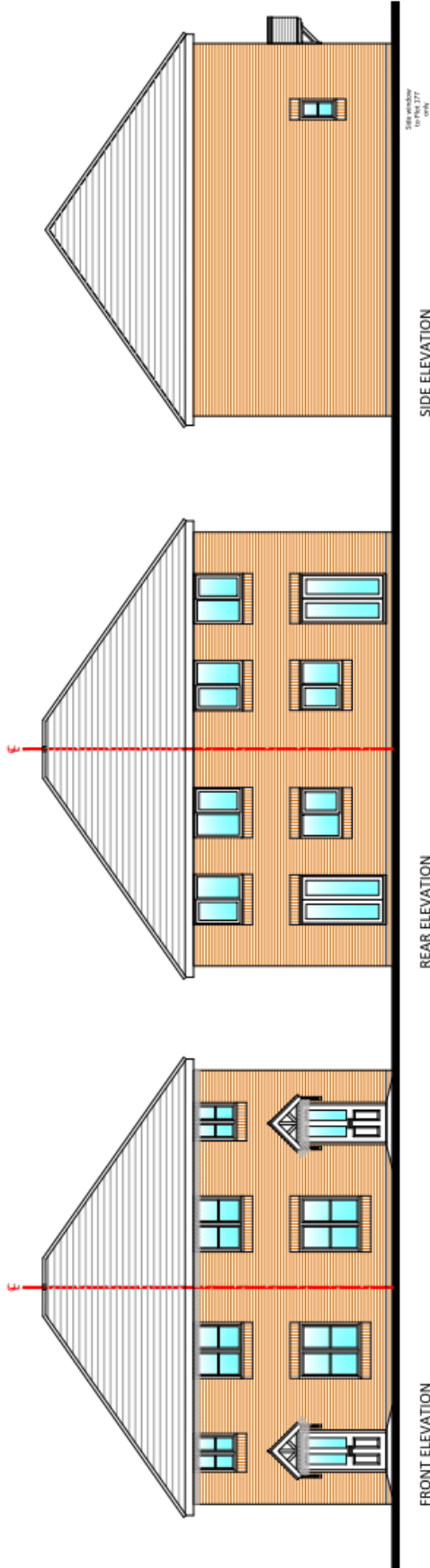
|                                                                                                                                                                                                                                                                                            |                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| <p>Taylor Wimpey<br/>1155-14870<br/>North Midlands<br/>Chase House<br/>1st Floor<br/>High Street<br/>Coventry<br/>Subsidiary BS2 2DQ</p>                                                                                                                                                   |                         |
| <p>Project: Residential Development At<br/>Bedworth Road, Bulkington</p>                                                                                                                                                                                                                   |                         |
| <p>Drawing: Gosford V1 House Type<br/>Planning Drawing</p>                                                                                                                                                                                                                                 |                         |
| <p>Scale: 1:100</p>                                                                                                                                                                                                                                                                        |                         |
| <p>Client: CC</p>                                                                                                                                                                                                                                                                          | <p>Project No: 2968</p> |
| <p>Date: Dec 2018</p>                                                                                                                                                                                                                                                                      | <p>Rev: PA34 C</p>      |
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## Gosford V1 House Type

House Type – Gosford V1

A3

# Residential Development At Bedworth Road, Bulkington



**Taylor Wimpey**  
 Taylor Wimpey  
 North Midlands  
 Chasen House  
 100, THE HILLS,  
 BURNLEY, BLDG  
 CA20 3JH

Tel: 01554 466700  
 Fax: 01554 466711  
 www.taylorwimpey.co.uk

Project: Residential Development At  
 Bedworth Road, Bulkington

Drawing: Gosford V2 House Type  
 Planning Drawing

Scale: 1:100

Date: Dec 2018

Period no: 2968

Planning no: PA34-2

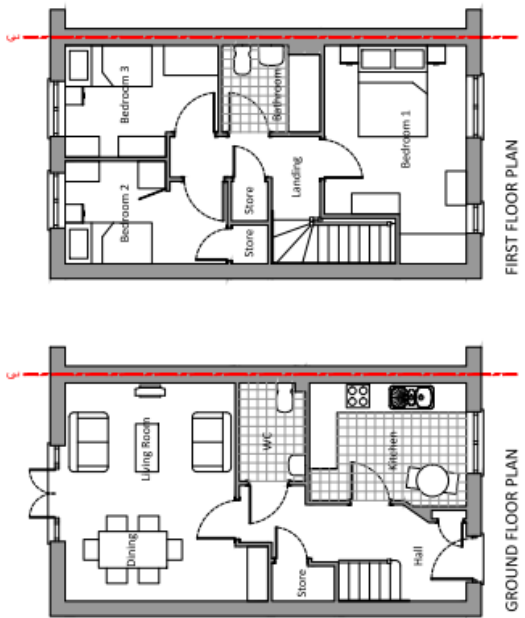
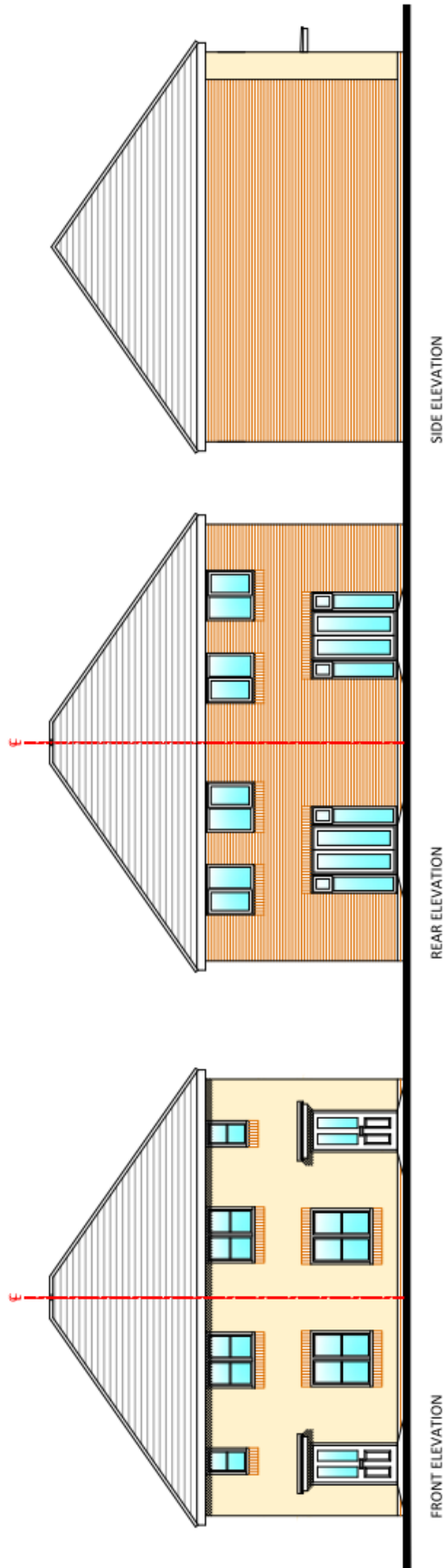
Rev: C

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## Gosford V2 House Type

House Type – Gosford V2

# A3 Residential Development At Bedworth Road, Bulkington



**Taylor Wimpey**  
 Taylor Wimpey  
 115-119 Bedford  
 Chase House  
 Park Plaza  
 Halliwell  
 Calverley  
 Leeds LS22 2DQ

Project: Residential Development At  
 Bedworth Road, Bulkington

Drawing: Benford House Type  
 Planning Drawing

Scale: 1:100

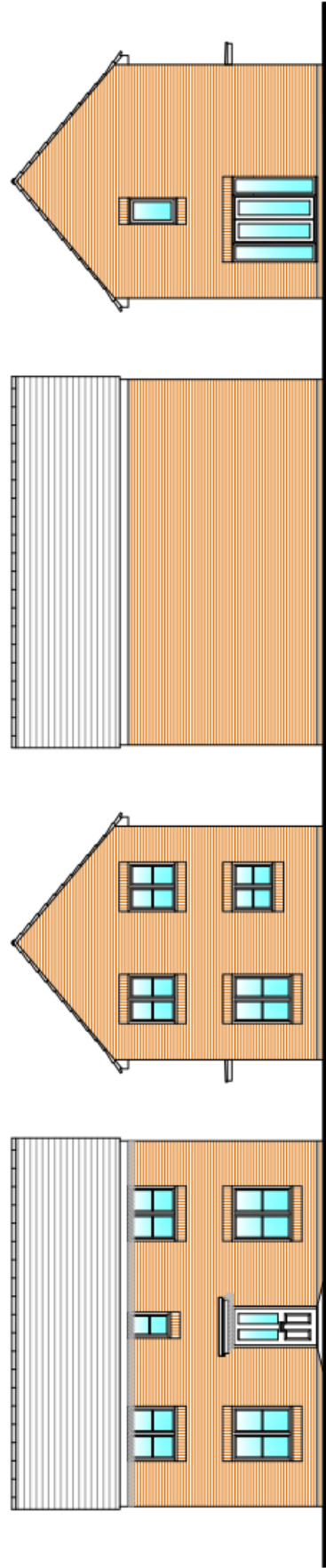
Drawn: CC  
 Date: Dec 2018  
 Project no: 2968  
 Drawing no: NA30  
 Rev: C

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## Benford House Type

House Type - Benford

# A3 Residential Development At Bedworth Road, Bulkington

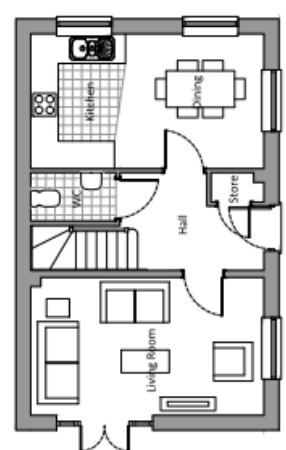


FRONT ELEVATION

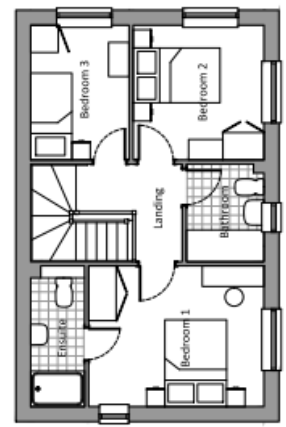
SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

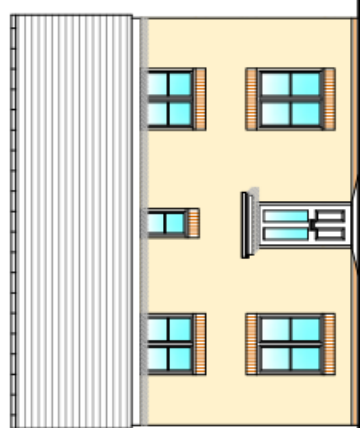
|                                                                                                                                                                                                                 |                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Taylor Wimpey</b>                                                                                                                                                                                            |                   |
| Taylor Wimpey<br>115-117 A630<br>North Midlands<br>Chase House<br>115-117 A630<br>Bedworth<br>Leicestershire<br>CV82 2JQ                                                                                        |                   |
| Project: Residential Development A1<br>Bedworth Road, Bulkington                                                                                                                                                |                   |
| Drawing: Easedale V1 House Type<br>Revision: 1:100<br>Planning Drawing                                                                                                                                          |                   |
| Client: CC                                                                                                                                                                                                      | Project No: 2968  |
| Date: Dec 2018                                                                                                                                                                                                  | Revision No: PT36 |
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## Easedale V1 House Type

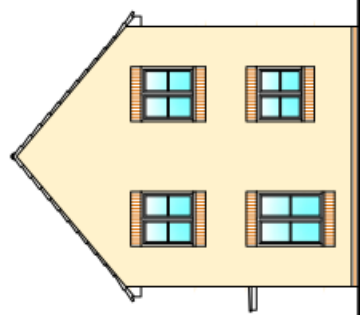
House Type – Easedale V1

A3

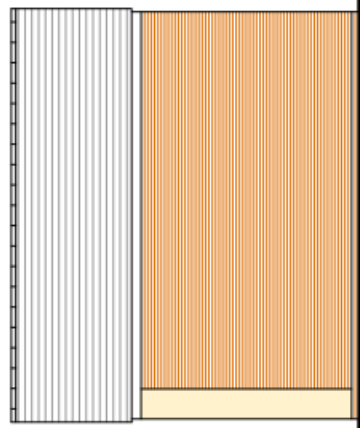
# Residential Development At Bedworth Road, Bulkington



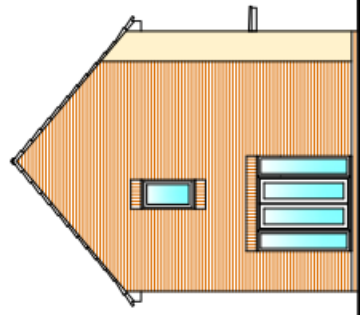
FRONT ELEVATION



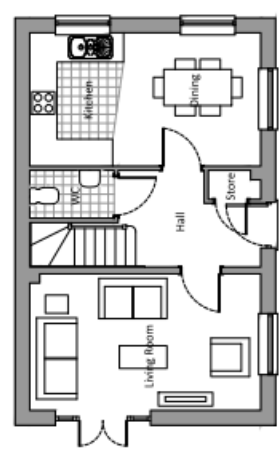
SIDE ELEVATION



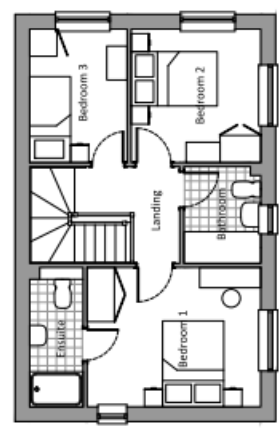
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

## Easedale V2 House Type

**Taylor Wimpey**  
 Taylor Wimpey  
 Mill Lane  
 Chislehurst  
 Kent  
 DA7 1JH  
 Tel: 01474 881111  
 Fax: 01474 881112  
 www.taylorwimpey.co.uk

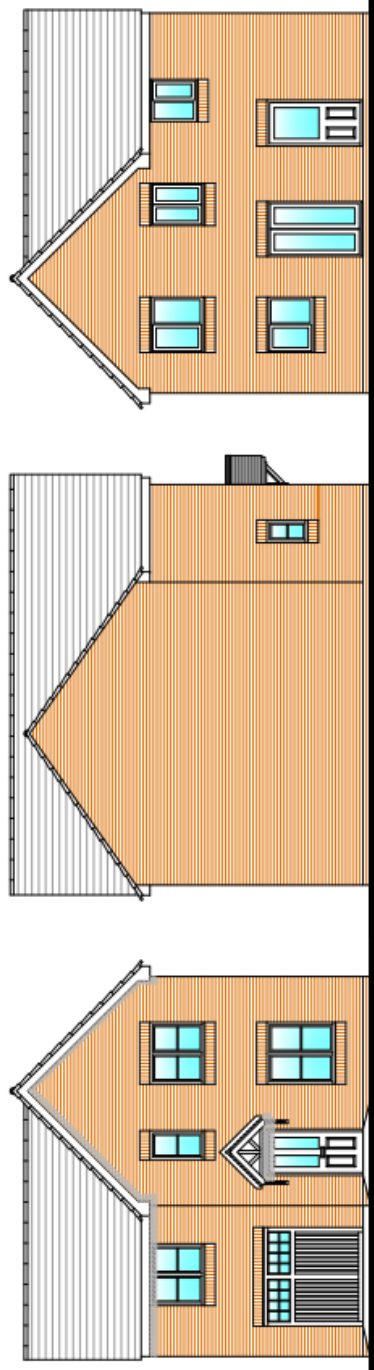
Project: Residential Development At  
 Bedworth Road, Bulkington  
 Drawing: Easedale V2 House Type Scale: 1:100  
 Planning Drawing

|                |                  |                   |        |
|----------------|------------------|-------------------|--------|
| Drawn: CC      | Project no: 2968 | Change no: PT36-2 | Rev: C |
| Date: Dec 2018 |                  |                   |        |

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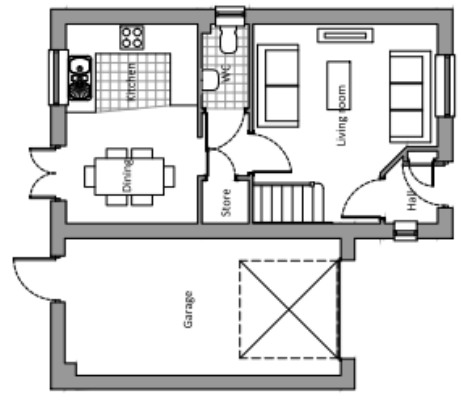
**A3 Residential Development At Bedworth Road, Bulkington**



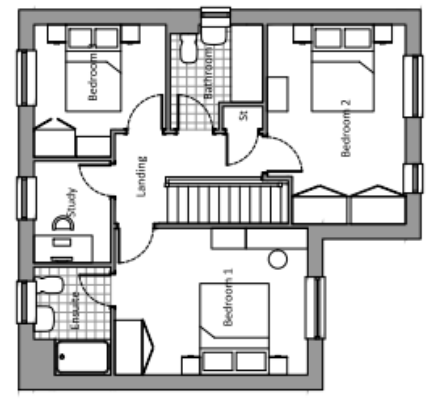
FRONT ELEVATION

SIDE ELEVATION

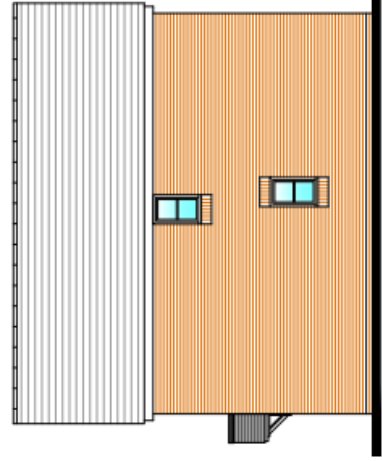
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION

**Taylor Wimpey**  
 Taylor Wimpey  
 Mark Wainwright  
 Chris Hulse  
 Paul Pidd  
 Huw Hyatt  
 11000  
 11155  
 11155  
 www.taylorwimpey.co.uk

|                                                                  |             |                  |              |        |
|------------------------------------------------------------------|-------------|------------------|--------------|--------|
| Project: Residential Development At<br>Bedworth Road, Bulkington |             | Drawing no. PD30 |              | Rev. C |
| Scheme: Amersham House Type                                      |             | Project no. 2968 | Scale: 1:100 |        |
| Drawn: CC                                                        | Checked: CC | Date: Dec 2018   | Rev. C       |        |

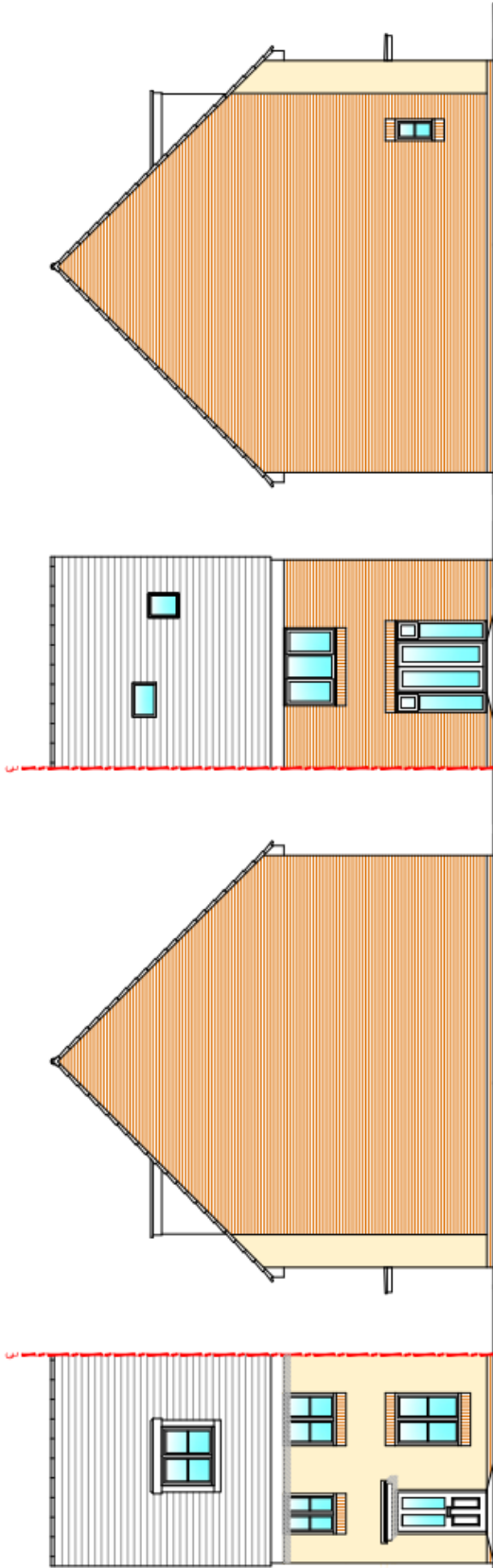
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**Amersham House Type**

House Type – Amersham

A3

# Residential Development At Bedworth Road, Bulkington



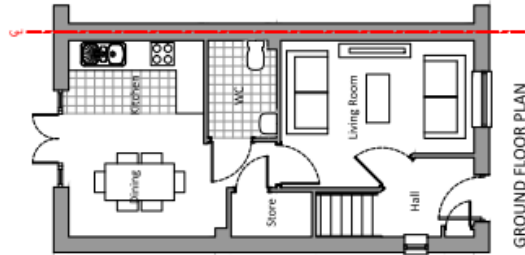
FRONT ELEVATION

SIDE ELEVATION

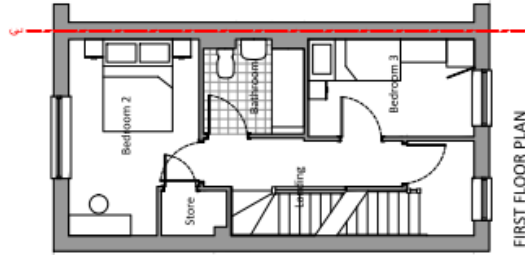
REAR ELEVATION

SIDE ELEVATION

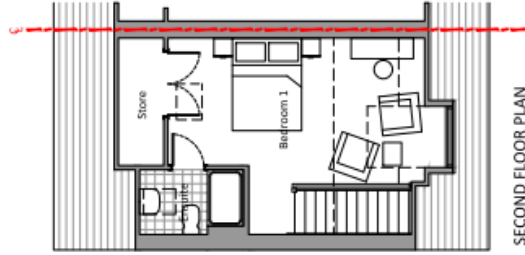
Scale as shown  
10/100/125  
1:50



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

|                                                                                                                                                                               |                  |                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Taylor Wimpey<br/>111651 48780<br/>111652 48781<br/>www.taylorwimpey.co.uk</p> <p>Chase House<br/>Park Plaza<br/>Hullu Hays<br/>Salford, Greater Manchester<br/>M6 2PU</p> |                  | <p>Project: Residential Development At<br/>Bedworth Road, Bulkington</p> <p>Drawing: Braxton House Type<br/>Planning Drawing</p> <p>Scale: 1:100</p> |
| Drawn: CC                                                                                                                                                                     | Project no: 2968 | Check no: NB31                                                                                                                                       |
| Date: Dec 2018                                                                                                                                                                | Project no: 2968 | Rev: C                                                                                                                                               |

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## Braxton House Type

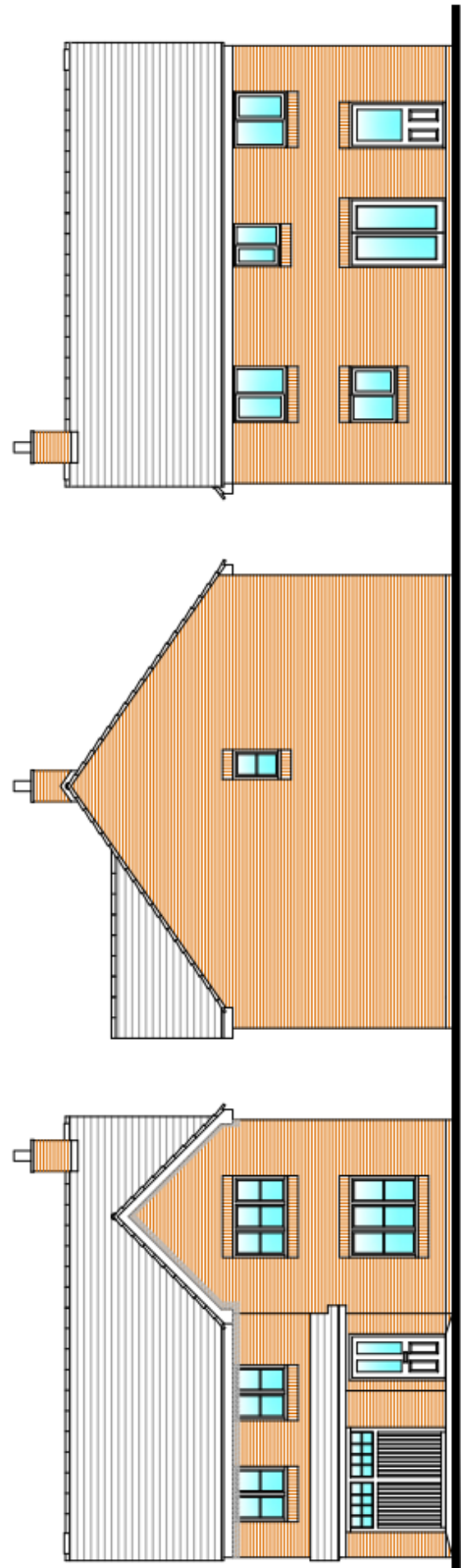
House Type – Braxton



House type – Lydford

A3

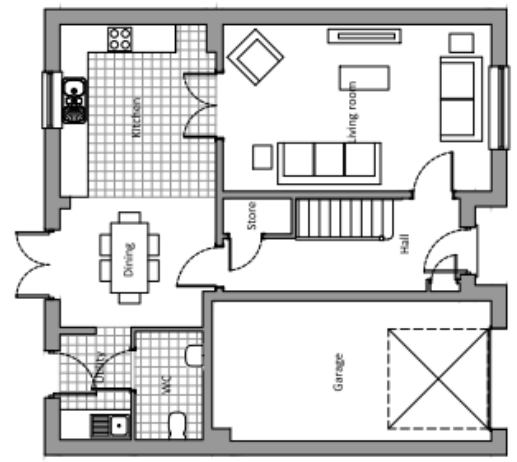
# Residential Development At Bedworth Road, Bulkington



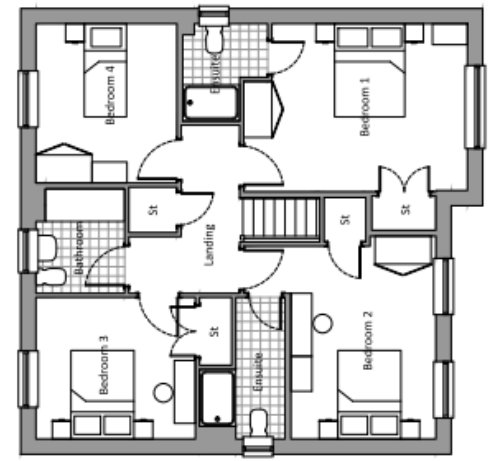
FRONT ELEVATION

SIDE ELEVATION

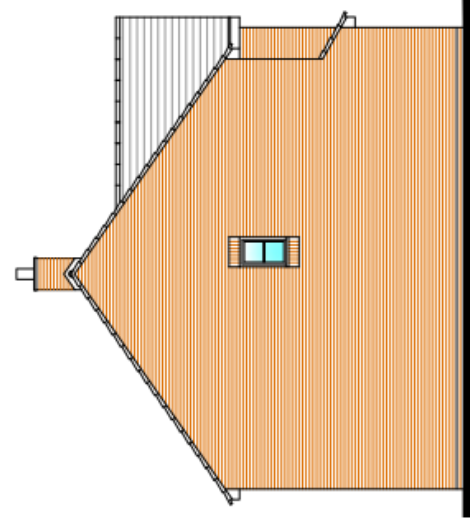
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION

**Taylor Wimpey**  
 Taylor Wimpey  
 North Midlands  
 Planning Department  
 Park Road  
 Heath Hayes  
 Cannock

Subsidiary No: 11/200

Project: Residential Development At Bedworth Road, Bulkington

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

|                |                  |                 |        |
|----------------|------------------|-----------------|--------|
| Drawn by: CC   | Project No: 2968 | Number of: ND43 | Rev: C |
| Date: Dec 2018 |                  |                 |        |

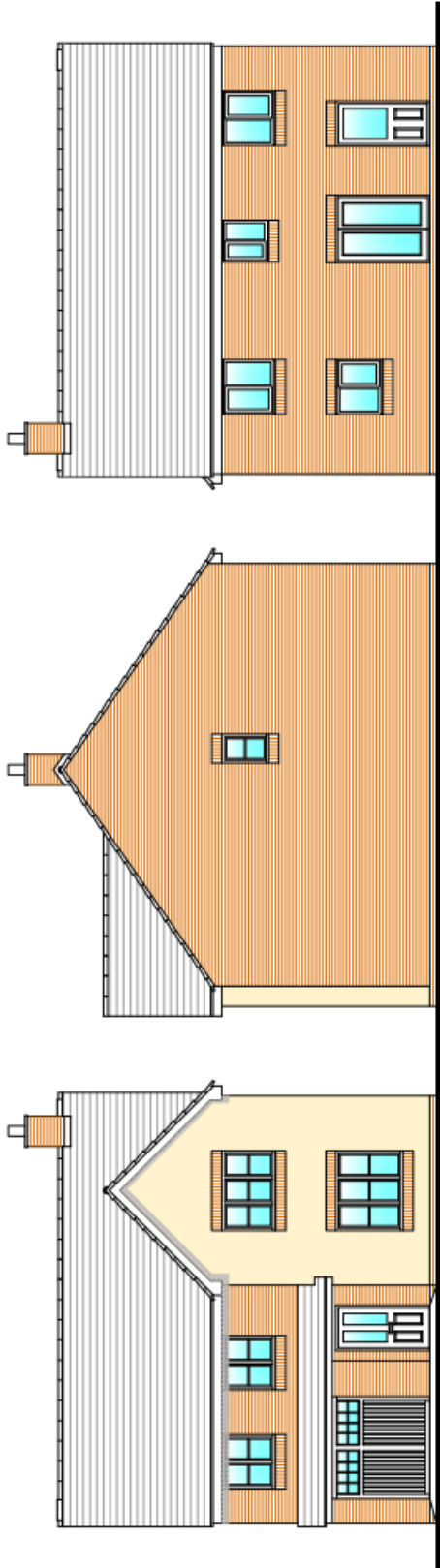
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## Wortham V1 House Type

House Type – Wortham V1

A3

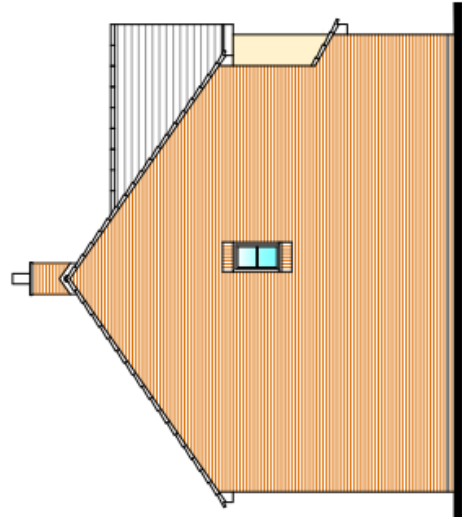
# Residential Development At Bedworth Road, Bulkington



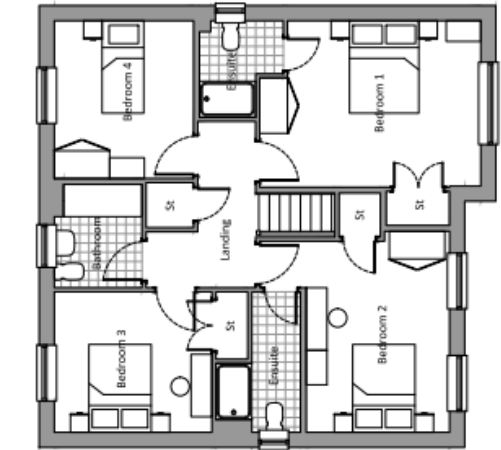
REAR ELEVATION

SIDE ELEVATION

FRONT ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

**Taylor Wimpey**  
 TISSAURETO  
 F 01545 4831  
 www.taylorwimpey.co.uk

Taylor Wimpey  
 North Midlands  
 Chase House  
 Park Plaza  
 Leamington Spa  
 Warwick  
 CV35 9EF

Project no: **2968** Drawing no: **ND43-2 C**  
 Date: **Dec 2018**

Project: **Residential Development At Bedworth Road, Bulkington**  
 Drawing: **Worham V2 House Type** Scale: **1:100**  
 Planning Drawing

Drawn: **CC** Project no: **2968** Drawing no: **ND43-2 C**  
 Date: **Dec 2018**

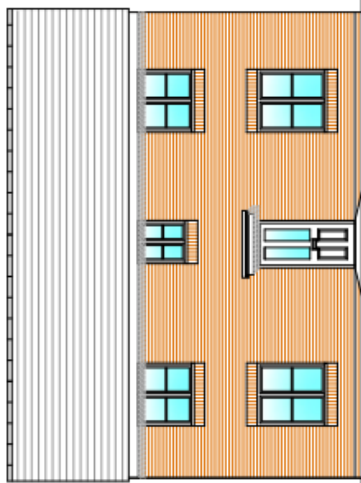
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## Worham V2 House Type

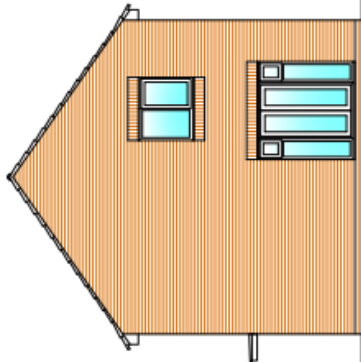
House Type – Worham V2

A3

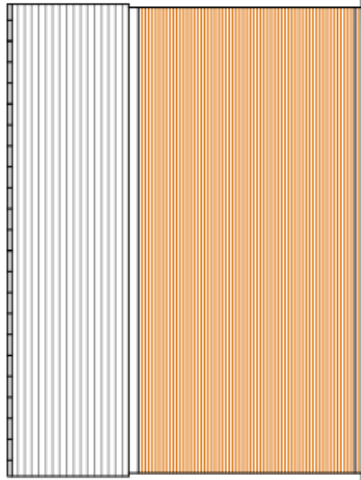
# Residential Development At Bedworth Road, Bulkington



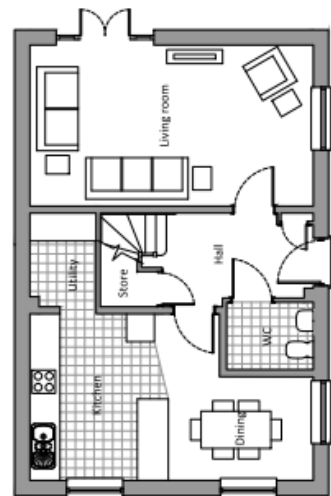
FRONT ELEVATION



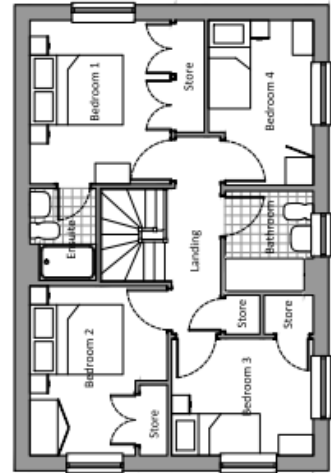
SIDE ELEVATION



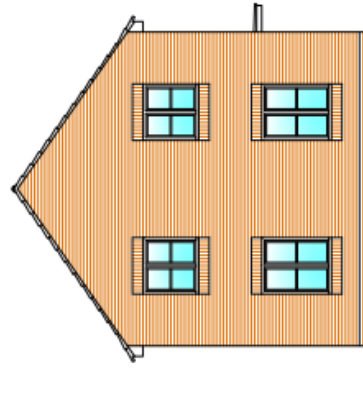
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION

Dimensions:

**Taylor Wimpey**  
 Taylor Wimpey  
 115-117 High Street  
 Chester House  
 Park Plaza  
 Heath Hayes  
 Cheshire  
 SB46 1BN

**Residential Development At  
 Bedworth Road, Bulkington**

Project no: **2968** Scale: **1:100**

Client: **Trusdale House Type  
 Planning Drawing**

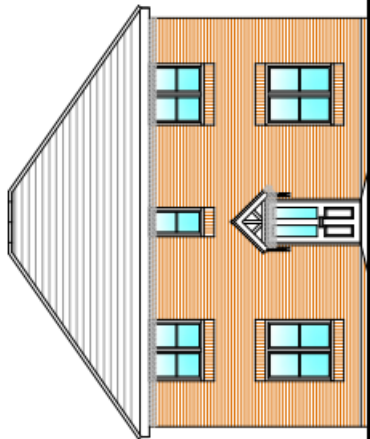
Drawn: **CC** Date: **Dec 2018** Project no: **2968** Drawing no: **NT41** Rev: **C**

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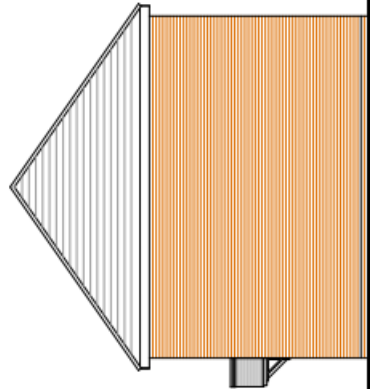
## Trusdale House Type

House Type – Trusdale

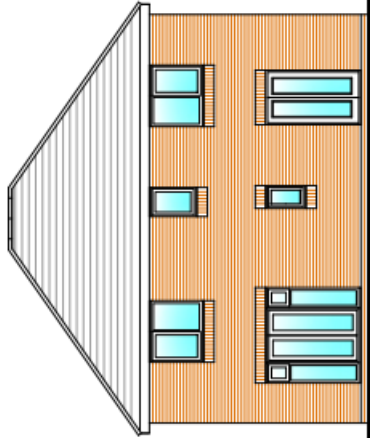
# A3 Residential Development At Bedworth Road, Bulkington



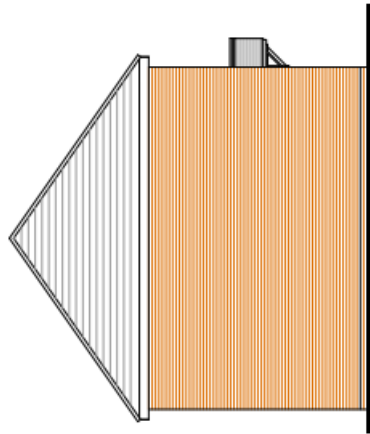
FRONT ELEVATION



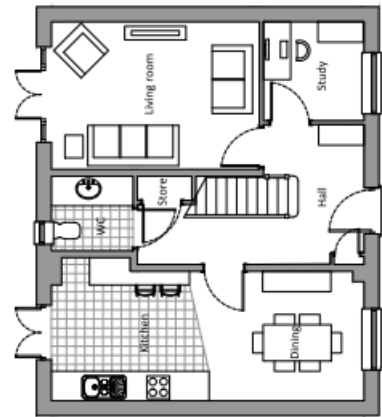
SIDE ELEVATION



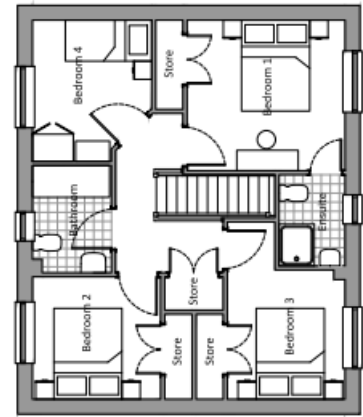
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



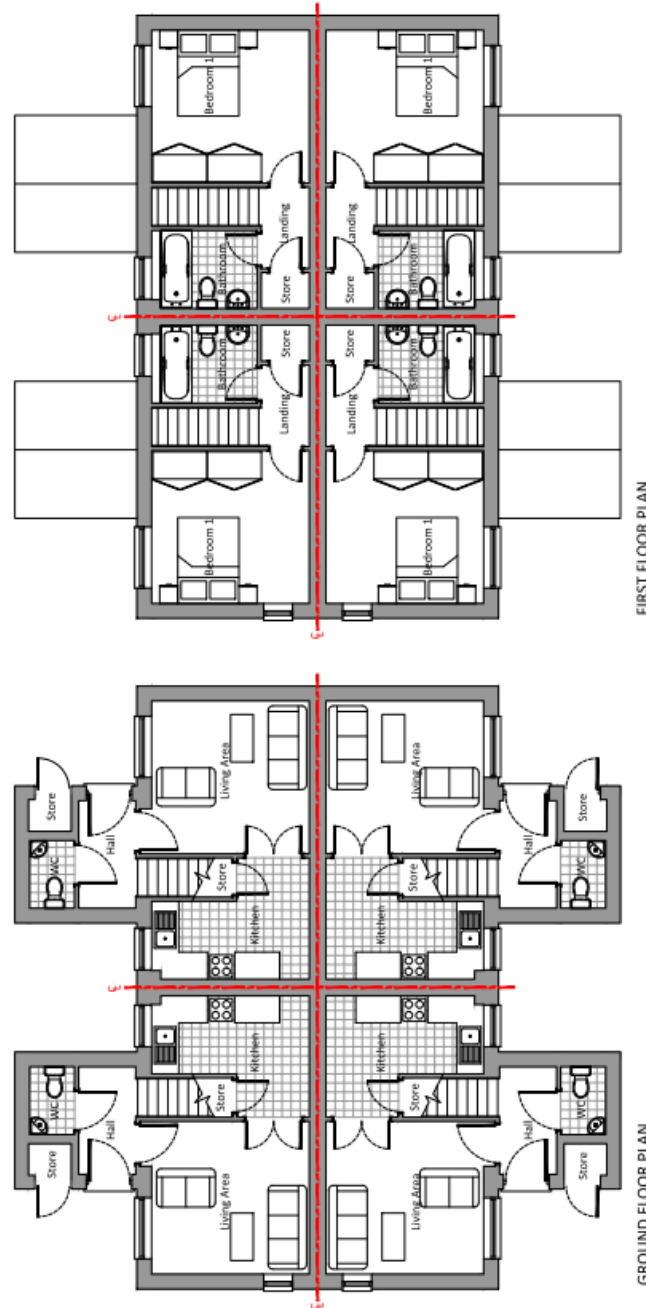
FIRST FLOOR PLAN

|                                                                                                                                                                                                                                                                                                                                                                       |                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <p>Taylor Wimpey<br/>1 FISH LANE<br/>NORTH MILDEN<br/>CHESHIRE<br/>M13 9PL<br/>0161 276 0000<br/>www.taylorwimpey.co.uk</p>                                                                                                                                                                                                                                           |                                                         |
| Project:                                                                                                                                                                                                                                                                                                                                                              | Residential Development At<br>Bedworth Road, Bulkington |
| Drawing:                                                                                                                                                                                                                                                                                                                                                              | Lanford House Type<br>Planning Drawing                  |
| Scale:                                                                                                                                                                                                                                                                                                                                                                | 1:100                                                   |
| Client:                                                                                                                                                                                                                                                                                                                                                               | CC                                                      |
| Date:                                                                                                                                                                                                                                                                                                                                                                 | Dec 2018                                                |
| Drawing No.:                                                                                                                                                                                                                                                                                                                                                          | 2968                                                    |
| Rev.:                                                                                                                                                                                                                                                                                                                                                                 | NA43                                                    |
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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

Residence:

**Taylor Wimpey**

Taylor Wimpey  
115054830  
150000000  
Chase House  
Park Plaza  
Hull City  
Council

Substance: BS12320

Project: Residential Development At  
Bedworth Road, Bulkington

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

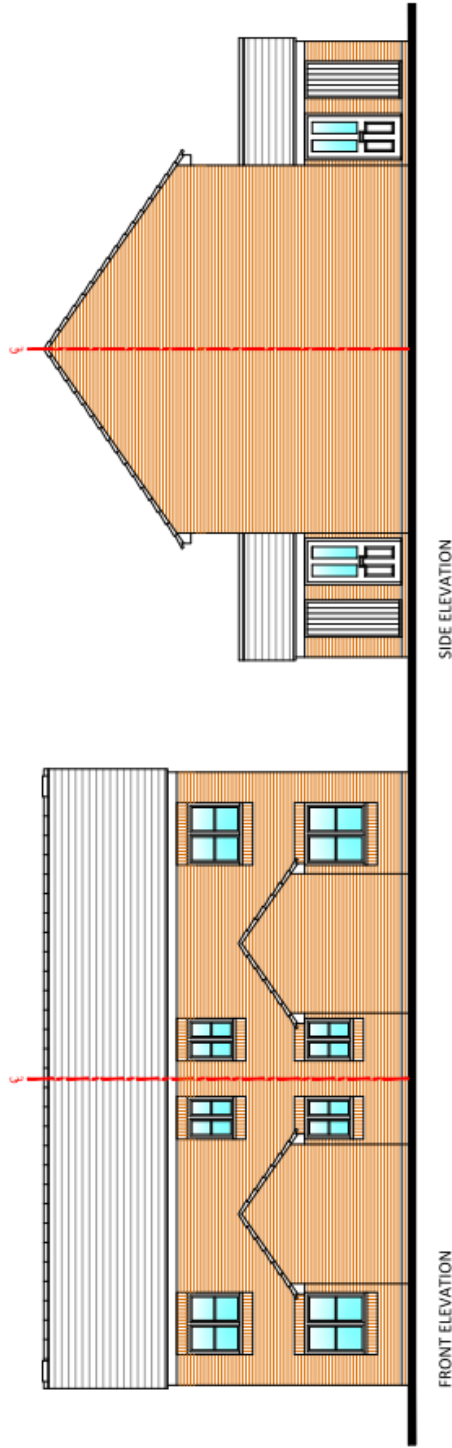
|                |             |             |      |
|----------------|-------------|-------------|------|
| Drawn: CC      | Project no: | Drawing no: | Rev: |
| Date: Dec 2018 | 2968        | BAY1        | C    |

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House type – Bayswater

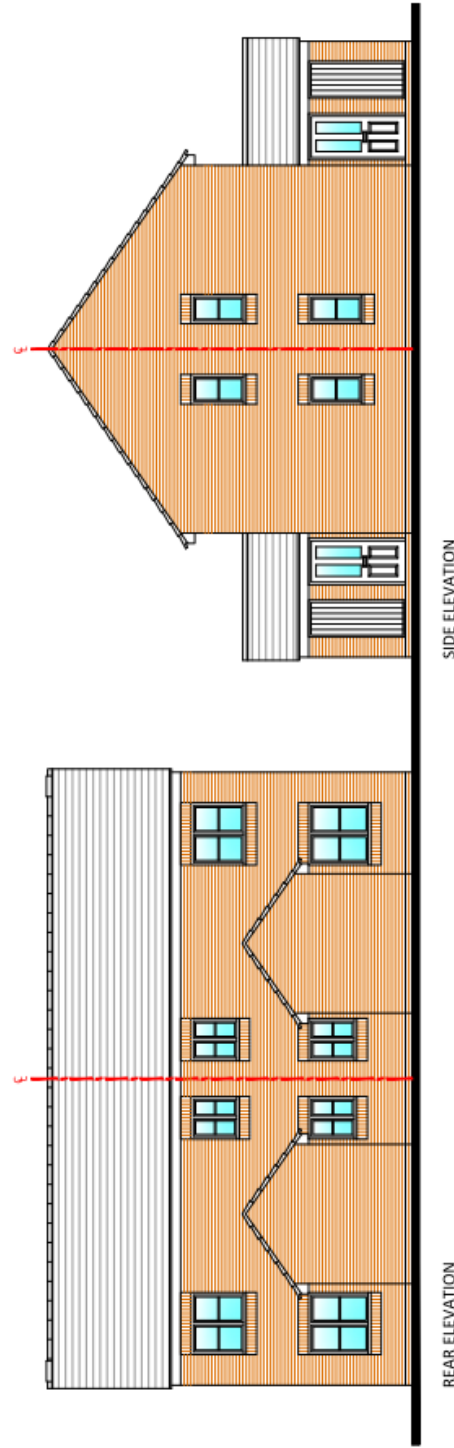


**A3 Residential Development At Bedworth Road, Bulkington**



FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION

**Bayswater House Type**

**Taylor Wimpey**  
 Taylor Wimpey  
 New Mills  
 Chase House  
 Park Plaza  
 Hale, Bury  
 Greater Manchester  
 M33 2DQ  
 T: 0161 487800  
 F: 0161 487811  
 www.taylorwimpey.co.uk

Project: Residential Development At  
 Bedworth Road, Bulkington  
 Drawing: Bayswater House Type  
 Planning Drawing- Elevations  
 Scale: 1:100

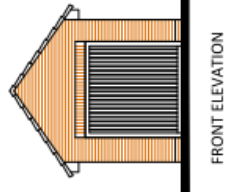
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| Drawn: CC      | Project no: 2968 | Drawing no: BAY2 | Rev: C |
| Date: Dec 2018 |                  |                  |        |

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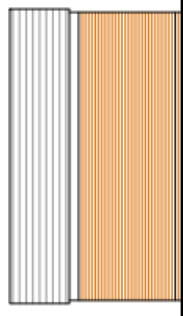
House Type – Bayswater

A3

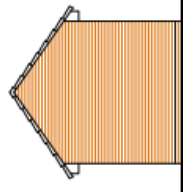
# Residential Development At Bedworth Road, Bulkington



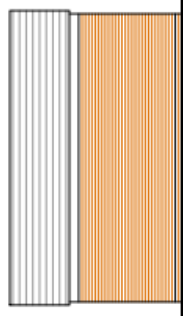
FRONT ELEVATION



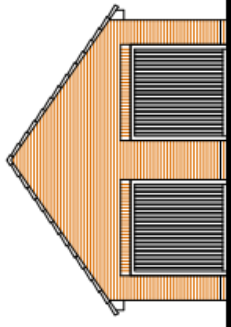
SIDE ELEVATION



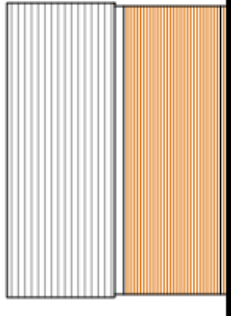
REAR ELEVATION



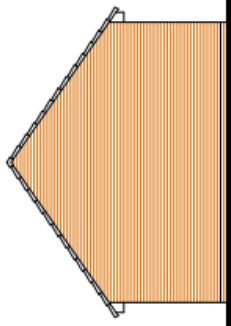
SIDE ELEVATION



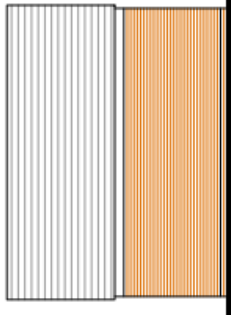
FRONT ELEVATION



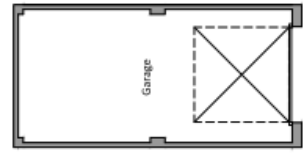
SIDE ELEVATION



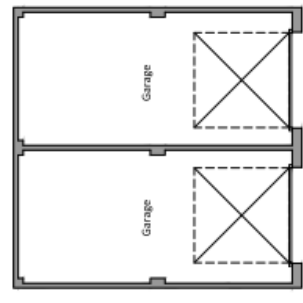
REAR ELEVATION



SIDE ELEVATION



SINGLE GARAGE PLAN



DOUBLE GARAGE PLAN

Reference:

|                                                                                                                                                                                                                                 |          |                                                                                                                                                                 |      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
|                                                                                                                                                                                                                                 |          | Taylor Wimpey<br>North Midlands<br>Chas House<br>Park Road<br>Cannock<br>Staffordshire ST10 2DD<br>T: 01545 460338<br>F: 01545 460301<br>www.taylorwimpey.co.uk |      |
|                                                                                                                                                                                                                                 |          | Project: Residential Development At<br>Bedworth Road, Bulkington<br>Drawing: Garages<br>Planning Drawing<br>Scale: 1:100                                        |      |
| Client:                                                                                                                                                                                                                         | CC       | Project no.:                                                                                                                                                    | 2968 |
| Date:                                                                                                                                                                                                                           | Dec 2018 | Drawn by:                                                                                                                                                       | GAR  |
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## Single And Double Garages

Single and Double Garages

## WORKS TO TREES

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### Item No. 2

**REFERENCE No.** 036712

**Site Address:** 6 Ribbonbrook Nuneaton Warwickshire CV11 4LN

**Description of Development:** Fell Lime Tree known as T2 of Tree Preservation Order 11/97

**Applicant:** Mr Peter Beasley

**Ward:** AT

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### **RECOMMENDATION:**

Planning Committee is recommended to refuse the tree works, for the reasons as printed.

### **INTRODUCTION:**

The applicant has proposed to fell the Lime Tree (known as T2 of Tree Preservation Order 11/97) located in the rear garden of the property for 6 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 the property.

### **BACKGROUND:**

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

### **RELEVANT PLANNING HISTORY:**

- 032973 – re-pollard lime tree covered by TPO 11/97 – approved October 2014

### **RELEVANT PLANNING POLICIES:**

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- BE3 of the Borough Plan 2019

### **CONSULTEES NOTIFIED:**

NBBC Parks and Countryside

### **CONSULTATION RESPONSES:**

Objection from:  
NBBC Parks and Countryside

### **NEIGHBOURS NOTIFIED:**

5 and 7 Ribbonbrook

Neighbouring properties were sent letters notifying them of the proposed development on 15<sup>th</sup> October 2019. A site notice was erected on street furniture on 16<sup>th</sup> October 2019.

## **NEIGHBOUR RESPONSES:**

There has been 1 letter of support from 1 address. The comments are summarised below;

1. Tree causes damage to neighbouring garden
2. Tree does not enhance the neighbourhood
3. Tree at number 8 was felled

## **APPRAISAL:**

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

1. Impact on visual amenity

### **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 visibility to the public, its condition, age and 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. However, it is not considered that a precedent for the removal of the surrounding trees has been set.

The NBBC Parks Officer was consulted on the application, initial comments received stated that the reasons given for felling the tree; light entry; scale in relation to the property and detritus that falls from the tree, are not factors which justify as reasons for the removal of a tree. There was also no further information or indication within the initial application that the tree is diseased or susceptible to significant breakage, and although it was requested, no further technical evidence was provided on the application. The Council's Tree Officer also advised that:

*“Regarding amenity value: if maintained as mature trees the garden trees can be viewed by the public from Ribbonbrook Road and do contribute aesthetically despite being partially obscured by the housing. However, viewed from the Nuneaton's adjacent destination park the garden lime trees can be seen by a large volume of the public and contribute significantly towards breaking up the converging artificially*

*straight lines (of housing and fencing) that surround them and, as such, I believe a significant visually detrimentally discordant and dissonant scene would be created by the removal of these trees, at least those nearest the park (which would include this tree).*

*For the reasons above I cannot recommend removal.”*

The above response was argued by the applicant who stated that:

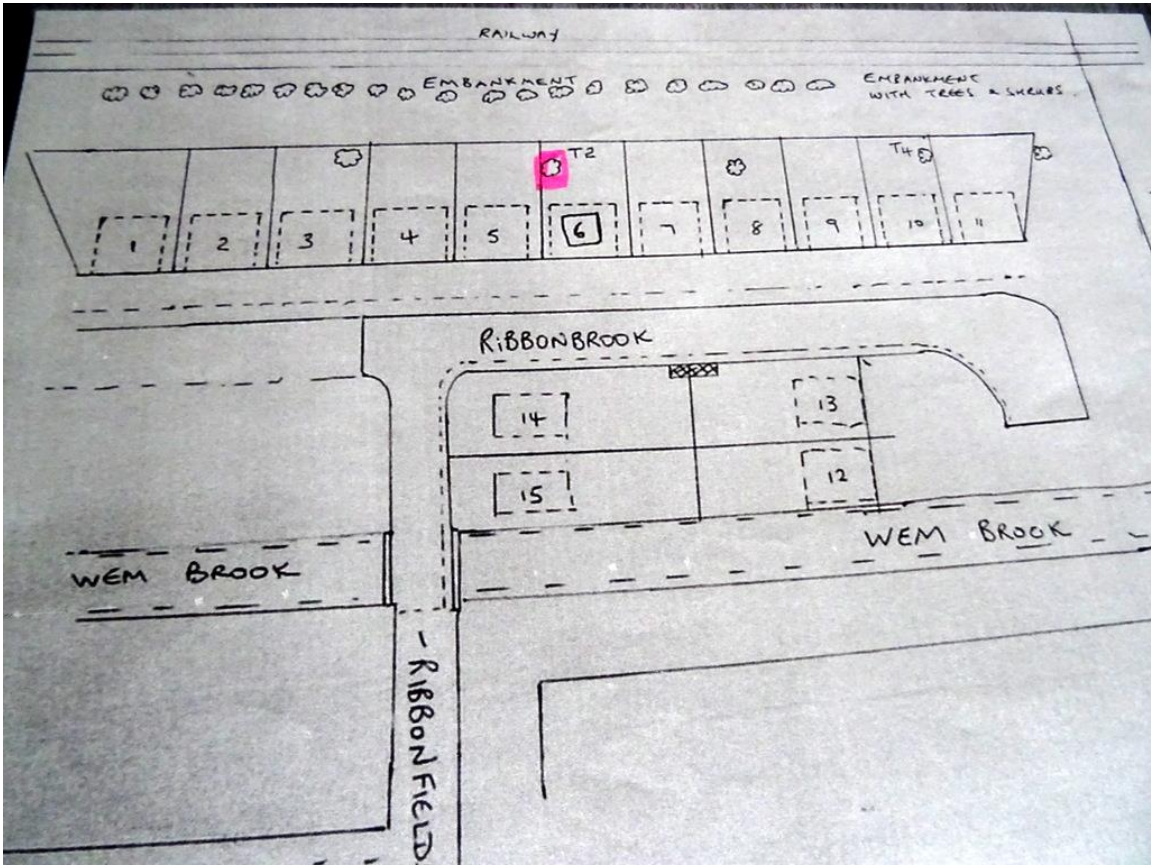
*“I would like to point out a number of inaccuracies in the report made by your Tree Officer. This tree cannot be seen by people walking in the park. The reason being is that it is obscured from view by the railway embankment, a fact clearly seen if your officer had been to view the tree. Ribbonbrook is a cul de sac, not a through road, there are no passing pedestrians to view the tree, which would only be visible by looking down the side path. Therefore the amenity value is very low.”*

Within the assessment of the application to fell the tree at 8 Ribbonbrook it was stated that:

*“the loss of the individual tree may not have significant harm...this could lead the way to the loss of the whole row, which cumulatively would lead to a detriment of the overall visual amenity of the area”.*

### **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.



Position of tree



View from rear garden



View from Ribbonbrook

# Guide to Use Classes Order in England (from 25 May 2019)

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| Use Class                                     | Use                                                                                                                                                                                           | Permitted Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A1</b> 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 <a href="#">A2, A3, B1, public library, exhibition hall, museum, clinic or health centre</a> (interchangeable with notification)</p> <p><a href="#">Permitted change of A1 or mixed A1 and dwellinghouse to C3</a> (subject to prior approval) (see also <a href="#">2018 Order</a>)</p> <p><a href="#">Permitted change to A2</a> (see also <a href="#">2016 Order</a>)</p> <p><a href="#">Permitted change to A3</a> (subject to prior approval) (see also the <a href="#">2018 Order</a>)</p> <p><a href="#">Permitted change to B1(a) offices</a> (subject to prior approval)</p> <p><a href="#">Permitted change to D2</a> (subject to prior approval)</p> <p><a href="#">Permitted change from A1 to mixed use (A1 or A2 &amp; up to 2 flats); and from mixed use (A1 &amp; up to 2 flats) to A1 or A2</a></p>                                                            |
| <b>A2</b> 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 <a href="#">A1, A3, B1, public library, exhibition hall, museum, clinic or health centre</a> (interchangeable with notification)</p> <p><a href="#">Permitted change from A2 or mixed A2 and dwellinghouse to C3</a> (subject to prior approval)</p> <p><a href="#">Permitted change to A3</a> (subject to prior approval)</p> <p><a href="#">Permitted change to B1(a) offices</a> (subject to prior approval)</p> <p><a href="#">Permitted change to D2</a> (subject to prior approval)</p> <p>Where there is a display window at ground floor level, permitted change from <a href="#">A2</a> or mixed use (<a href="#">A2 &amp; up to 2 flats</a>) to mixed use (<a href="#">A1 &amp; up to 2 flats</a>) or <a href="#">A1</a></p> <p><a href="#">Permitted change from A2 to mixed use (A2 &amp; up to 2 flats); and from mixed use (A2 &amp; up to 2 flats) to A2</a></p> |
| <b>A3</b> Food and drink                      | Restaurants and cafes                                                                                                                                                                         | <p><a href="#">Permitted change to A1 or A2</a></p> <p>Temporary permitted change (3 years) to <a href="#">A1, A2, B1, public library, exhibition hall, museum, clinic or health centre</a> (interchangeable with notification)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>A4</b> Drinking establishments             | Public houses, wine bars or other drinking establishments                                                                                                                                     | <a href="#">Permitted change to or from a use falling "within Class A4 with a use falling within Class A3" ("drinking establishments with expanded food provision")</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>A5</b> Hot food takeaways                  | For the sale of hot food for consumption off the premises                                                                                                                                     | <p><a href="#">Permitted change to A1, A2 or A3</a></p> <p>Temporary permitted change (3 years) to <a href="#">A1, A, A3, B1, public library, exhibition hall, museum, clinic or health centre</a> (interchangeable with notification)</p> <p><a href="#">Permitted change to B1(a) offices</a> (subject to prior approval)</p> <p><a href="#">Permitted change to C3</a> (subject to prior approval)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| Use Class                                  | Use                                                                                                                                                                                                                                                                                                                                                                                                                   | Permitted Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>B1</b> Business                         | <ol style="list-style-type: none"> <li>Office other than a use within Class A2</li> <li>Research and development of products or processes</li> <li>For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)</li> </ol>                                                                                                                      | <p><a href="#">Permitted change to B8</a></p> <p><a href="#">B1(a) office permitted change to C3</a> (see <a href="#">2015</a> and <a href="#">2016</a> orders)</p> <p>Temporary permitted change (3 years) to <a href="#">A1, A2, A3, public library, exhibition hall, museum, clinic or health centre</a> (interchangeable with notification)</p> <p><a href="#">Permitted B1 change to state-funded school or registered nursery (and back to previous lawful use)</a> (subject to prior approval)</p> <p><a href="#">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)</a></p> |
| <b>B2</b> General industry                 | Industrial process other than that falling within Class B1                                                                                                                                                                                                                                                                                                                                                            | <a href="#">Permitted change to B1 and B8</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>B8</b> Storage or distribution          | Use for storage or as a distribution centre                                                                                                                                                                                                                                                                                                                                                                           | <a href="#">Permitted change to B1</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>C1</b> Hotels                           | Hotels, boarding and guest houses (where no significant element of care is provided)                                                                                                                                                                                                                                                                                                                                  | <a href="#">Permitted change to state-funded school or registered nursery (and back to previous lawful use)</a> (subject to prior approval)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>C2</b> Residential institutions         | Residential accommodation and care to people in need of care, residential schools, colleges or training centres, hospitals, nursing homes                                                                                                                                                                                                                                                                             | <a href="#">Permitted change to state-funded school or registered nursery (and back to previous lawful use)</a> (subject to prior approval)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>C2a</b> 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                                                                                                                                                                                                            | <a href="#">Permitted change to state-funded school or registered nursery (and back to previous lawful use)</a> (subject to prior approval)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>C3</b> 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> | <a href="#">Permitted change to C4</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>C4</b> Houses in multiple occupation    | Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation' (HMO)<br>NB: Large HMOs (more than 6 people) are unclassified therefore sui generis                                                                                                                                                                                                                                                       | <a href="#">Permitted change to C3</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



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| Use Class                              | Use                                                                                                                                                                                                | Permitted Change                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>D1</b> 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 | <a href="#">Temporary permitted change (3 years)</a> to <a href="#">A1, A2, A3, B1</a> (interchangeable with notification)                                                                                                                                                                                                                      |
| <b>D2</b> 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 | <a href="#">Permitted change to state-funded school or registered nursery</a> (and back to previous lawful use) (subject to prior approval)<br><br><a href="#">Temporary permitted change (3 years)</a> to <a href="#">A1, A2, A3, B1, public library, exhibition hall, museum, clinic or health centre</a> (interchangeable with notification) |

## NB:

[Any building](#) in any Use Class and any land within its curtilage, [except Class A4 or Class AA use](#) ("drinking establishments with expanded food provision"), can be used as a state-funded school [for up to 2 academic years](#) (with limitations and conditions).

[Certain vacant commercial land](#) (with all buildings demolished) may be developed to provide temporary school buildings, and the land used as a state-funded school for up to 3 academic years, subject to prior approval, and with limitations and conditions, including that the building must be removed at the end of the third academic year.

Where planning application made after 5 December, 1988, permitted development rights allow the use to be changed to another use granted permission at the same time for a period of ten years from the date of planning permission, unless consisting of a change of use to a betting office or pay day loan shop: [GPD0 \(2015\) Schedule 2 Part 3 Class V](#).

| Use Class                                                                             | Use                                                                                                                                                                                                                                                                                                                                                  | Permitted Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SUI GENERIS</b><br>(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 | <a href="#">Casino to A3</a> (subject to prior approval)<br><a href="#">Casino to D2</a><br><a href="#">Amusement centre or casino to C3</a> (subject to prior approval) (see also <a href="#">2018 Order</a> )<br><br><a href="#">Betting office or pay day loan shop to A1, A2, A3, D2</a> (subject to prior approval)<br><br><a href="#">Betting office or pay day loan shop to mixed use A1 and up to 2 flats</a> (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<br><br><a href="#">Betting office, pay day loan shop or launderette to B1(a) offices</a> (subject to prior approval)<br><br><a href="#">Betting office, pay day loan shop or launderette to C3</a> (subject to prior approval)<br><br><a href="#">Mixed use betting office, pay day loan shop or launderette and dwellinghouse to C3</a> (subject to prior approval)<br><br><a href="#">Mixed use betting office or pay day loan shop and up to two flats to A1</a> (if a display window at ground floor level), <a href="#">A2, betting office or payday loan shop</a><br><br><a href="#">Temporary permitted change (3 years)</a> from betting office or pay day loan shop to <a href="#">A1, A2, A3, B1, public library, exhibition hall, museum, clinic or health centre</a> (interchangeable with notification) |
| <b>OTHER CHANGES OF USE</b>                                                           | Agricultural buildings                                                                                                                                                                                                                                                                                                                               | <a href="#">Permitted change to C3</a> (subject to prior approval) (the <a href="#">provisions of the 2015 Order</a> must be read with the <a href="#">provisions of the 2018 Amendment Order</a> and <a href="#">2019 Amendment Regulations</a> )<br><br><a href="#">Flexible changes to A1, A2, A3, B1, B8, C1, D2</a> (subject to limitations and prior approval process): <a href="#">new use is sui generis</a><br><br><a href="#">Permitted change to state-funded school or registered nursery</a> (subject to prior approval)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |