

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

Date: 19th October, 2020

Our Ref: KB

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held **on Tuesday, 27th October, 2020 at 5.00 p.m.** Due to Government guidance on social-distancing and the Covid-19 virus this meeting will be held **VIRTUALLY AND LIVE STREAMED**. Public and press can follow the decision making online at www.nuneatonandbedworth.gov.uk/live-meetings. Please note that meetings will be recorded for future publication on the Council's website.

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

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

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

Yours faithfully,

BRENT DAVIS

Executive Director - Operations

To: All Members of the Planning
Applications Committee

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

AGENDA

PART I - PUBLIC BUSINESS

1. ANNOUNCEMENTS

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

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

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

3. MINUTES - To confirm the minutes of the meeting held on 6th October, 2020 (attached). **(Page 4)**

4. DECLARATIONS OF INTEREST

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

Declaring interests at meetings

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

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

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

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

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

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

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

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

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

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

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

6th October, 2020

A meeting of the Planning Applications Committee was held on Tuesday, 6th October, 2020. Due to Government guidance on social-distancing and the Covid-19 virus this meeting was held virtually and live streamed.

Present

Councillor W. Hancox – Chair

Councillors J.B. Beaumont, S. Gran, J. Gutteridge (substitute for Councillor K.D Wilson), I. Lloyd, B. Pandher, M. Rudkin, A. Sargeant, J. Sheppard, R. Smith, J. Tandy, R. Tromans, and C.M. Watkins

Apologies: Councillor K.D. Wilson

PLA36 **Chair's Announcements**

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

PLA37 **Minutes**

RESOLVED that the minutes of the meeting held on the 15th September, 2020 be confirmed and signed by the Chair.

PLA38 **Declarations of Interest**

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes. In the addition the following was declared:

Councillor C. Watkins declared a non pecuniary interest in relation to agenda item 10 in that he had previously submitted a complaint regarding this address.

PLA39 **Declarations of Contact**

Councillor J. Tandy declared in relation to agenda item 10 that she had received an email of complaint but that it was dealt with as a complaint by the Council not by her personally.

IN PUBLIC SESSION

PLA40 **Planning Applications**

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

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

PLA41 **Exclusion of Public and Press**

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph 12 of Part I of the Schedule 12A to the Act.

PART 2: PRIVATE SESSION

PLA42 **Untidy Sites**

RESOLVED that the works be carried out in default at the addresses named in 5.1 and 5.2 of the report and the owners of the land be charged for the costs of the works. If necessary the costs to be recovered by the debt recovery route.

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA40 OF THE
PLANNING APPLICATIONS COMMITTEE ON 6th OCTOBER, 2020

037310: Site 39D034 – Land adj 23 (Garage Site), Aston Road, Nuneaton
Erection of one dwelling (including demolition of garages) (outline with all
matters reserved)

Applicant: Mr Keith Goode

Public Statements: Mr Keith Goode

DECISION

Planning permission be granted, subject to the conditions printed on the agenda with the additional condition of a construction management plan being produced detailing the hours of works and method of delivery for the materials

037163: Univar Ltd, St Georges Way, Nuneaton, Warwickshire, CV10 7JS
Application for extended consent for E1 and E2 substances (hazardous
substances consent)

Applicant: Mr J. Whitehurst, Univar Ltd

Public Statements: None

DECISION

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

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

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

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|--------------------|-----------------------------------|--|--|
| | | | Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton & Bedworth Sports Forum • Camp Hill Urban Village and Pride in Camp Hill • Poor's Piece Charity • Committee of Management of Hartshill & Nuneaton Recreation Group | |
| | B.J. Longden | | Daughter and son-in-law work in the NHS Member of the Stockingford Community Centre Ex-Officiate of the Veterans Contact Point Board Representative on the following Outside Bodies: <ul style="list-style-type: none"> • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • Armed Forces Covenant Meeting • Astley Charity | |
| | B. Pandher | | Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group | |
| | N.J. Phillips | | Member of: <ul style="list-style-type: none"> •A5 Sterling Group (Council Representative) •Nuneaton Labour CLP •The Fabian Society •The George Eliot Society •The PCS Union •Nuneaton Credit Union Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited. | NABCEL – to speak and vote on any matter where the Council or Cabinet is asked to approve any funding arrangement; grant; or other legal instrument with the company but this dispensation shall not apply where any Non-Executive Director benefits from the arrangements in a personal capacity. |
| | M. Rudkin | Employee of Coventry City Council | Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee | |

| | | | | |
|--|--------------|--|--|---|
| | A. Sargeant | | <p>Member of Warwickshire County Council Chairman of The Nook (Nuneaton) Residents Association. Chair of Attleborough Community Matters group. Chair of Attleborough Neighbourhood Watch Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Advice Rights | |
| | J. Sheppard | | <p>Partnership member of the Hill Top and Caldwell Big Local.</p> <p>Director of Wembrook Community Centre.</p> <p>Member of the Management Committee at the Mental Health Drop in.</p> <p>Champion for Safeguarding (Children & Adults)</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Local Government Superannuation Scheme Consultative Board • Warwickshire Direct Partnership • Warwickshire Waste Partnership • West Midland Employers • Nuneaton Neighbour Watch Committee | <p>Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre</p> |
| | R. Smith | | <p>Chairman of Volunteer Friends, Bulkington; Board of Directors at Bulkington Village Community and Conference Centre Trustee of Bulkington Sports and Social Club</p> | |
| | R.Tromans | | <p>Director of RTC Ltd</p> | |
| | C.M. Watkins | <p>Landlord of a privately rented property</p> | <p>Representative on the following outside bodies:</p> <ul style="list-style-type: none"> • Nuneaton and Bedworth Home Improvement Agency. • Nuneaton and Bedworth Safer and Stronger Communities Partnership. • Safer Warwickshire Partnership Board. • Warwickshire Housing Support Partnership. • Warwickshire Police and Crime Panel. | |

| | | | | |
|--|-------------|--------------------------------|---|--------------------------------|
| | K.D. Wilson | Employee of the Courts Service | Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited | Dispensation to speak and vote |
|--|-------------|--------------------------------|---|--------------------------------|

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

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| | S. Gran | | Member of Warwickshire County Council | |
| | W.J. Hancox | | Daughter holds employment position within NBBC Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group • Hammersley Smith & Orton Charity | |
| | I. Lloyd | | Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited. | Dispensation to speak and vote |

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
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| | | | Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton & Bedworth Sports Forum • Camp Hill Urban Village and Pride in Camp Hill • Poor's Piece Charity • Committee of Management of Hartshill & Nuneaton Recreation Group | |
| | B. Pandher | | Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group | |
| | N.J. Phillips | | Member of: <ul style="list-style-type: none"> •A5 Sterling Group (Council Representative) •Nuneaton Labour CLP •The Fabian Society •The George Eliot Society •The PCS Union •Nuneaton Credit Union Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited. | NABCEL – to speak and vote on any matter where the Council or Cabinet is asked to approve any funding arrangement; grant; or other legal instrument with the company but this dispensation shall not apply where any Non-Executive Director benefits from the arrangements in a personal capacity. |
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| | J. Sheppard | | Partnership member of the Hill Top and Caldwell Big Local. | |

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

Applications for Planning Permission etc.
Agenda Item Index

Planning Applications

| Item No. | Reference | Address | Page No. |
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| 1. | 037331/WH | 302 Lutterworth Road, Nuneaton. CV11 6PN. | 15 |
| 2. | 037370/PO | 64 North Avenue Bedworth. CV12 9EQ. | 23 |

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

REFERENCE No. 037331.

Site Address: 302 Lutterworth Road, Nuneaton. CV11 6PN.

Description of Development: Detached outbuilding in rear garden.

Applicant: Mr Ali Chaudry.

Ward: Whitestone.

RECOMMENDATION:

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

INTRODUCTION:

The proposal is for a detached outbuilding in the rear garden. It requires planning permission because it is over 2.5 metres in height and within 2 metres of the boundary with neighbouring properties. It has an L shaped footprint with a maximum length of 8 metres and a minimum length of 4 metres. It has a maximum width of 9 metres and a minimum width of 4 metres. The roof is dual pitched with an eaves height of 2.1 metres and a ridge height of 3 metres.

The proposed outbuilding is to be sited within the rear garden of number 302 Lutterworth Road, which is a two-storey detached house which was originally built in 1967/68 as one of a pair along with number 300 Lutterworth Road. It was a typical design of that era but has recently been extended and altered to give a more contemporary appearance. The site as a whole is a large, regular shaped plot on the corner of Lutterworth Road and Thornhill Drive. To the north, south, east and west are dwellings of varying age, type and design.

BACKGROUND:

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

RELEVANT PLANNING HISTORY:

- 037279 Two storey extensions to front side and rear, single storey extension to rear (Amendment to approval 035650 to show changes to fenestration and elevational treatment and a larger single storey rear extension). To be determined.
- 035650 Two storey extensions to front side and rear, single storey extension to rear. Approved by Committee on the 22nd August 2018.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction

- Sustainable Design and Construction Supplementary Planning Document (SPD) 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

Western Power Distribution.

CONSULTATION RESPONSES:

No response from:

Western Power Distribution: however, a note could be added to the decision notice advising that Western Power Distribution be contacted before any development commences due to the proximity of a substation.

NEIGHBOURS NOTIFIED:

291, 293, 295 and 300 Lutterworth Road, 62, 73, 75 and 77 Thornhill Drive, 1 Lavenham Close.

Neighbouring properties were sent letters notifying them of the application on the 13th August 2020.

NEIGHBOUR RESPONSES:

There were objections to the proposal from 2 residents from 2 addresses. The comments are summarised below:

1. Applicant should be asked for a method statement giving details of how building work is to be carried out in relation to construction traffic etc accessing the rear garden. Because of recent extensions to the main house the site is effectively land locked. The only way to access it is via the grass strip adjacent to the site which is County Highways land. Concern is a temporary access will be used and construction traffic will park on the grass verge and building materials will be stored on it.
2. Size and design of the building looks like it could be used as a bungalow. What measures will be put in place to prevent this?
3. Because of the large area being built on has the applicant undertaken any SUDS as part of the development.
4. During consideration of the previous application (35650) a detached garage was omitted from the scheme because of County Highway concerns.

APPRAISAL:

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

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

1. The impact on Visual Amenity

The Sustainable Design and Construction SPD 2020 contains guidance within section 13 which aims at guiding the design and aesthetics of residential development within the Borough.

Despite being in the rear garden, because number 302 occupies a corner plot the outbuilding will be visible from Thornhill Drive. However, it is set away from the footpath by 6 metres and the eaves height is only 2.5 metres. Also, the roof projects away at a very shallow angle to a maximum height of 3 metres, only 500mm over

what could be built under Permitted Development Rights (buildings not requiring planning permission).

It is considered that the impact on visual amenity is of an acceptable level and will not detract from the character of the area or appear intrusive or dominate the existing property and is considered acceptable under Paragraph 13 of the Sustainable Design and Construction SPD 2020.

2. The impact on Residential Amenity

Section 11 of the Sustainable Design and Construction SPD 2020 contains guidance which aims to protect the residential amenity of new and existing residential properties. As the proposal is in the rear garden, only the property to the side which is number 300 Lutterworth Road and the property to the rear number 62 Thornhill Drive are likely to be impacted upon.

Impact on number 300 Lutterworth Road.

Number 300 Lutterworth Road is the neighbour to the side (west) of the Applicants property. The side wall of the proposed building is adjacent to the end of this properties garden. There is a separation distance between the front of the proposed building and the back of number 300 of 22 metres. There will be no views from the proposed building directly onto this neighbouring property which in any case is extended to the rear so the rear of this neighbouring property cannot be protected.

Whilst the building will be above the fence line; due to its relatively low height, it is considered that it will not result in an oppressive or overbearing sense of enclosure to either the house or garden of number 300 and it is considered it will not have a detrimental impact on this property.

Impact on number 62 Thornhill Drive.

Number 62 Thornhill Drive is the neighbour to the rear (north), and which has a totally blank side elevation facing the rear of the proposed outbuilding so there will be no impact to any original habitable windows. It is considered that it will also not impact on the rear garden of this property. In conclusion, it is considered that there will be no detrimental impact on this property.

3. Conclusion

In conclusion the NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

The potential impacts of the proposed development in relation to residential amenity and visual amenity have been considered acceptable.

It is therefore considered that the application is acceptable under Section 11 and 13 of the Sustainable Design and Construction SPD 2020.

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> |
|-------------------------|-----------------|----------------------------|
| Proposed plan | Drawing No 1 | 31 st July 2020 |
| Proposed elevations | Drawing No 2 | 31 st July 2020 |

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

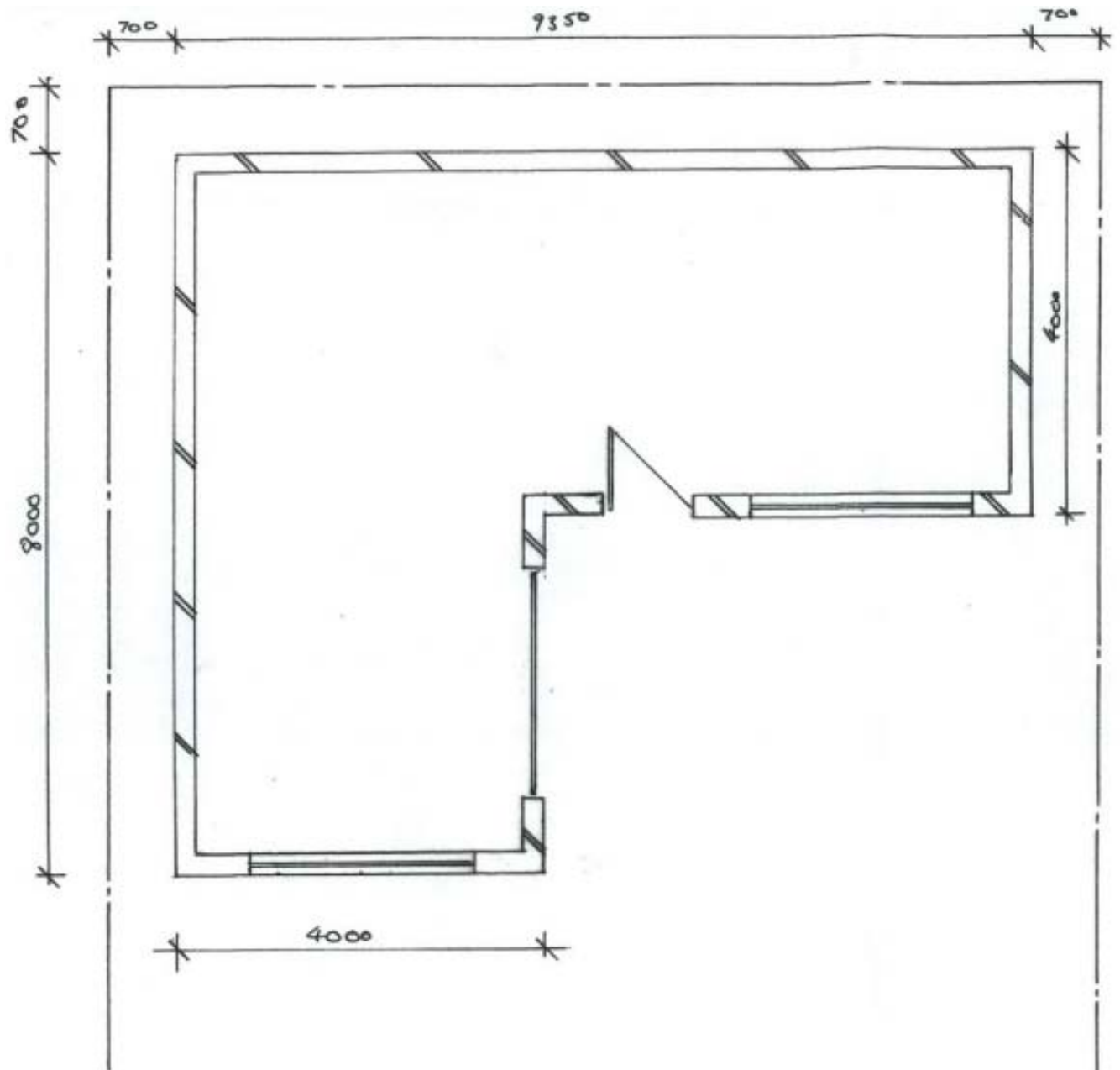
4. The outbuilding shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as 302 Lutterworth Road, Nuneaton.



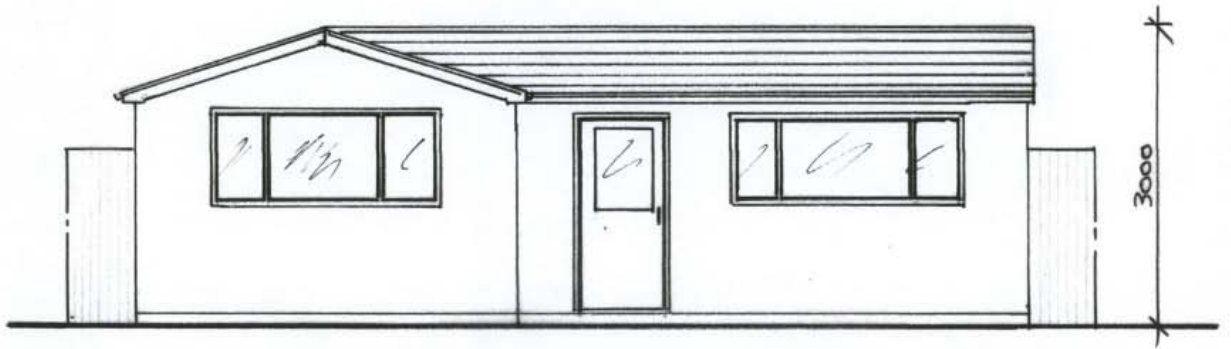
Location Plan



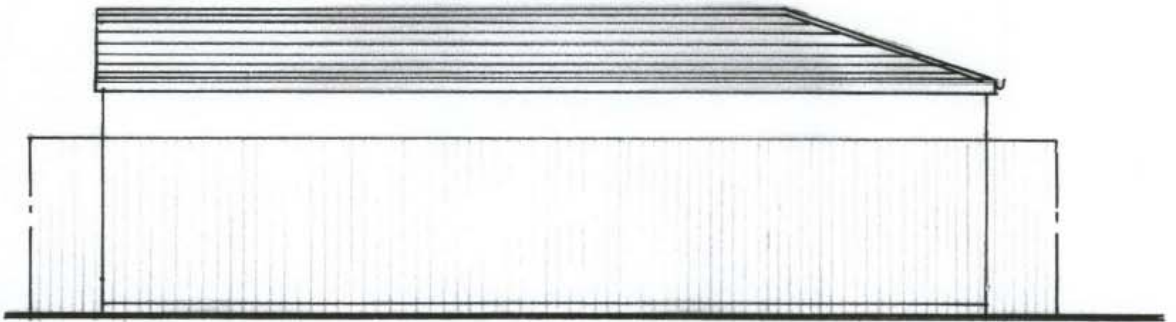
Block Plan



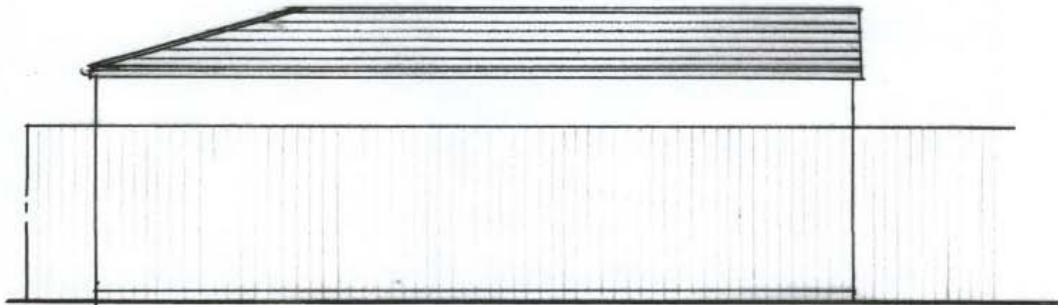
Proposed Floor Plan



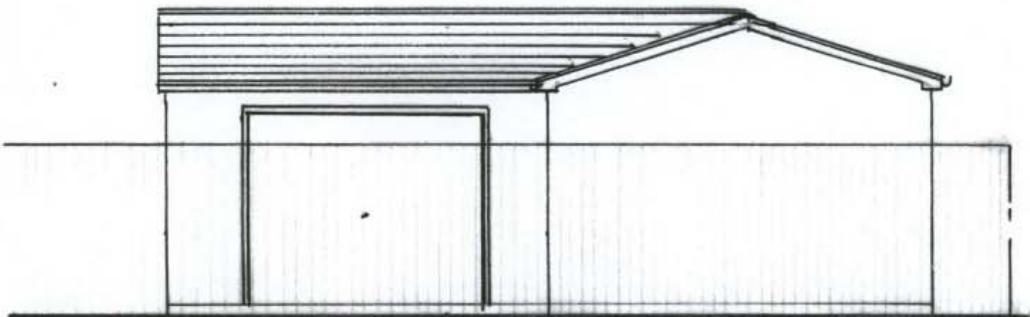
PROPOSED FRONT ELEVATION 1:50



PROPOSED REAR ELEVATION 1:50



PROPOSED SIDE ELEVATION 1:50



PROPOSED SIDE ELEVATION 1:50

Proposed Elevations

Item No. 2.

REFERENCE No. 037370.

Site Address: 64 North Avenue, Bedworth, Warwickshire, CV12 9EQ.

Description of Development: Two storey side extension and single storey front extension.

Applicant: Mr Adam McGuffie.

Ward: Poplar.

RECOMMENDATION:

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

INTRODUCTION:

This application is for a two storey side extension and single storey front extension at 64 North Avenue, Bedworth.

The property is a semi-detached house in a predominately residential area, which features a hipped roof and cream rendering. Generally the street scene features semi-detached and terraced housing and all the properties are of a similar size, scale and design.

The site currently features a detached brick outbuilding to the side and a single storey extension to the rear which was built under Permitted Development Rights (extension not requiring planning permission).

The house is located at an angle and forms part of a semi-circular row of houses. The property is located at the end of the row, so the side elevation of the house is partially facing the highway.

The front of the property is set back from the highway by 6 - 7 metres as there is a large grass verge separating the site and neighbouring properties from North Avenue.

BACKGROUND:

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

RELEVANT PLANNING HISTORY:

No previous planning history.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction

- Sustainable Design and Construction Supplementary Planning Document (SPD 2020).
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

None.

CONSULTATION RESPONSES:

None.

NEIGHBOURS NOTIFIED:

62 and 66 North Avenue, 35 and 37 Poplar Avenue.

Neighbouring properties were sent letters notifying them of the proposed development on the 7th September 2020.

NEIGHBOUR RESPONSES:

There have been no responses from neighbours.

APPRAISAL:

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

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

1. Residential Amenity

The way buildings relate to one another, their orientation and separation distance must provide and protect acceptable levels of amenity for both existing and future residents. These standards can be used flexibly, depending on house layout and on-site circumstances. The only potential impact of this proposal is on the neighbouring properties numbers 66 and 62 North Avenue and 35 and 37 Poplar Avenue.

Impact on number 66 North Avenue

66 North Avenue is the unattached neighbouring house to the west of number 62. The side elevation of this property would be directly facing the proposed two storey side extension and features two small windows serving a ground floor bathroom and a first-floor hallway. However, as these rooms are not classed as being habitable under section 11.3 of the Sustainable Design and Construction Supplementary Planning SPD (2020), they cannot be protected or considered.

The front elevation of 66 North Avenue features a ground floor window serving a lounge, which is considered to be a habitable room. However, the two-storey side extension and the first-floor front extension would have no detrimental impact on this window as the properties are angled away from one another. The proposed extensions would not infringe a 60 or a 45-degree line from the centre of the lounge window, as recommended in section 11.9 of the Sustainable Design and Construction SPD (2020).

Section 11.9 of the Sustainable Design and Construction SPD (2020) also recommends that in any event, near the boundary of an adjoining usable rear private

amenity space, a proposed single storey extension shall be less than 4 metres long and a two storey extension shall be less than 3 metres in length. The proposed two storey side extension projects close to the boundary with 66 North Avenue by over 4 metres; however the space that it projects against is not classed to be usable private space as it is currently used as a side walkway access into the rear garden. Therefore, the proposal is considered to be compliant in terms of residential amenity in relation to 66 North Avenue.

Impact on number 62 North Avenue

62 North Avenue is the neighbour attached to number 64 to the south-east. The proposed two storey side extension would have no detrimental impact on this property as it would not be visible because it is on the opposite side.

62 North Avenue features a ground floor front window serving a lounge, which is considered to be a habitable room. The proposed single storey front extension would not infringe at a 60-degree line from the centre of this window and therefore the proposed single storey front extension complies with section 11.9 of the Sustainable Design and Construction SPD (2020).

Therefore, the proposal is considered to be compliant in terms of residential amenity in relation to 62 North Avenue.

Impact on numbers 35 & 37 Poplar Avenue

The rear gardens of 35 and 37 Poplar Avenue back onto the rear garden of the application site. However, as the proposals are for front and side extensions, the proposals would have no additional impact on these properties and in any case the length of the gardens at approximately 33 metres means there is a large distance between the properties.

It is therefore considered there is no impact on these neighbouring properties.

2. Visual Amenity

The properties in North Avenue are all of a similar design and a hipped roof is a key characteristic of these properties. The proposed pitched roof above the proposed two storey side extension is not in keeping with the original hipped roof on the original house. This would be extremely visible from the street scene due to the location and positioning of the property and is in contrary to sections 13.8 and 13.9 of the Sustainable Design and Construction SPD (2020).

Whilst 60 and 62 North Avenue both feature two storey side extensions with pitched roofs, they are not as visible and noticeable from the street scene as the applicant's property because they are both angled and set away from the street. Therefore, it is not considered that this can be used to set a precedent, as these properties are significantly more concealed compared to the proposal at 64 North Avenue.

24 North Avenue is located further along the street and is located on a similar plot to 64 North Avenue. 24 North Avenue features a two-storey side extension with a pitched roof, and this is highly visible from the road. However, this extension was approved in 1989 and before the introduction of the Sustainable Design and Construction SPD (2020) which superseded previous guidance. It is therefore considered that this does not set a precedent, as it would likely be refused on the same grounds if it were to be applied for under current guidance.

In addition, the size of the two-storey extension would be overbearing and is not deemed to be in keeping with the scale of the original house and others in North Avenue. This, along with the proposed single storey front extension would mean that the property would be over dominant and incongruous in the street scene, as it would step forward of the principle elevation of 66 North Avenue and would be highly visible due to the location and positioning of the property. This is contrary to section 13.10 of the Sustainable Design and Construction SPD (2020).

These concerns were expressed to the Agent and Applicant and suggestions were given to step back the extension or reduce the height in order to lessen the impact and dominance, but this option was declined.

3. Highway Safety

It is considered there would be no detrimental impact on highway safety.

4. Conclusion

In conclusion the NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

The potential impacts of the proposed development in relation to residential amenity, visual amenity and highway safety have all been considered. The assessment has subsequently shown that there would be no adverse impacts on residential amenity of highway safety, however there would be adverse impacts on visual amenity.

The main argument for the development is that similar extensions can be seen along North Avenue, such as on 60, 62 and 24. However it should be considered that 60 and 62 North Avenue are positioned in a way that means that they are largely concealed from the street scene due to the grass verge and 24 North Avenue was approved before the introduction of residential design standards. Therefore, this argument holds minimal weight when compared to the potential detrimental impacts on visual amenity that the proposal presents.

In conclusion, the extensions do not meet design recommendations set within the Sustainable Design and Construction SPD (2020) and consequently the proposal is deemed to be incongruous and unsympathetic. Therefore, the application is recommended for refusal.

REASONS FOR REFUSAL:

Refusal is recommended due to the following Policies:

- 1 (i) The Nuneaton and Bedworth Borough Plan 2019 - Policy DS1 states:
Policy DS1 – Presumption in favour of sustainable development
When considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Borough Plan (and where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, then the council will grant permission unless material considerations indicate otherwise – taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the Framework that indicate development should be restricted.

- 1 (ii) The Nuneaton and Bedworth Borough Plan 2019 Policy BE3 (in part) states:
Policy BE3 - Sustainable design and construction
Development proposals must be:
1. Designed to a high standard.
 2. Able to accommodate the changing needs of occupants.
 3. Adaptable to, and minimise the impact of climate change.

Urban character

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

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

Supplementary planning documents

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

The recommended reason for refusal is:

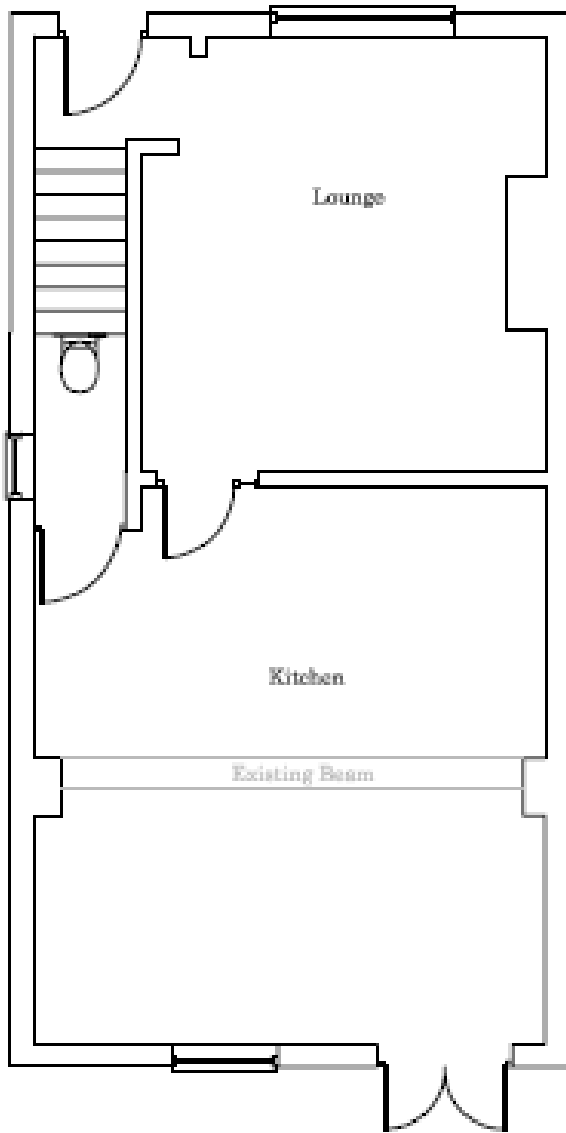
- (i) The proposal is contrary to these policies in that the design is out of keeping with the original property which is resulting in a development that is incongruous, out of character and over dominant within the area to the detriment of visual amenity within the locality (contrary to sections 13.9 and 13.10 of the Nuneaton and Bedworth Borough Council - Sustainable Design and Construction Supplementary Planning Document (2020).



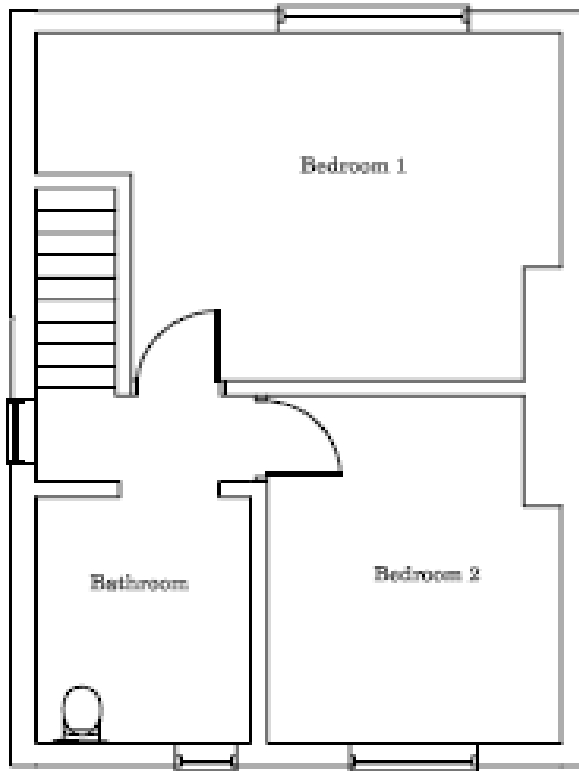
Site Location Plan



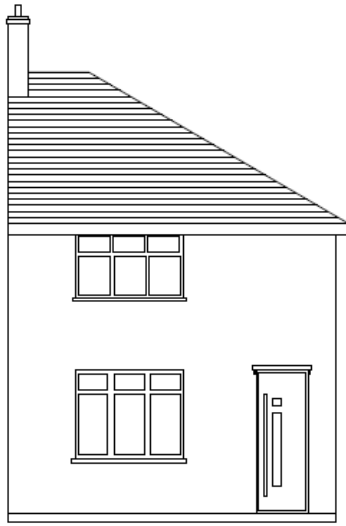
Block Plan



Existing Ground Floor Plan



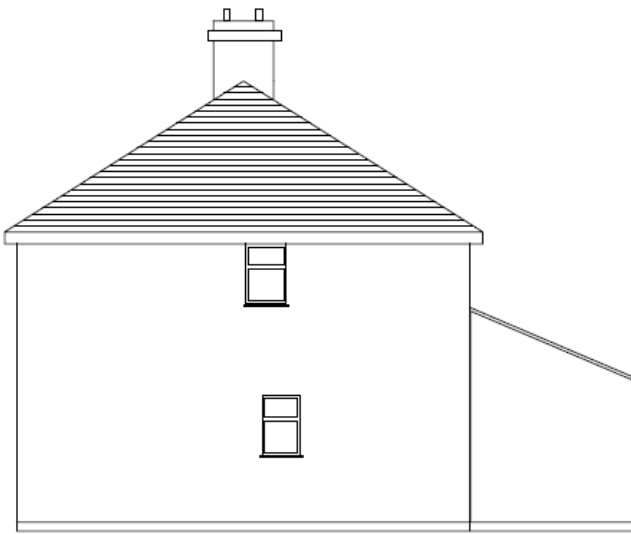
Existing First Floor Plan



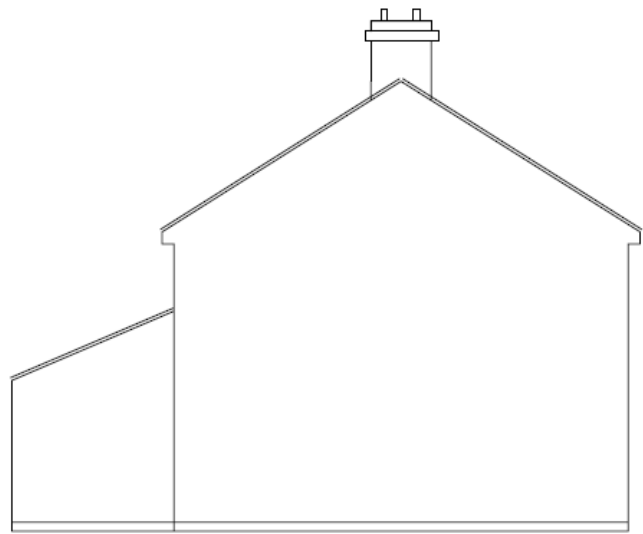
Existing Front Elevation



Existing Rear Elevation

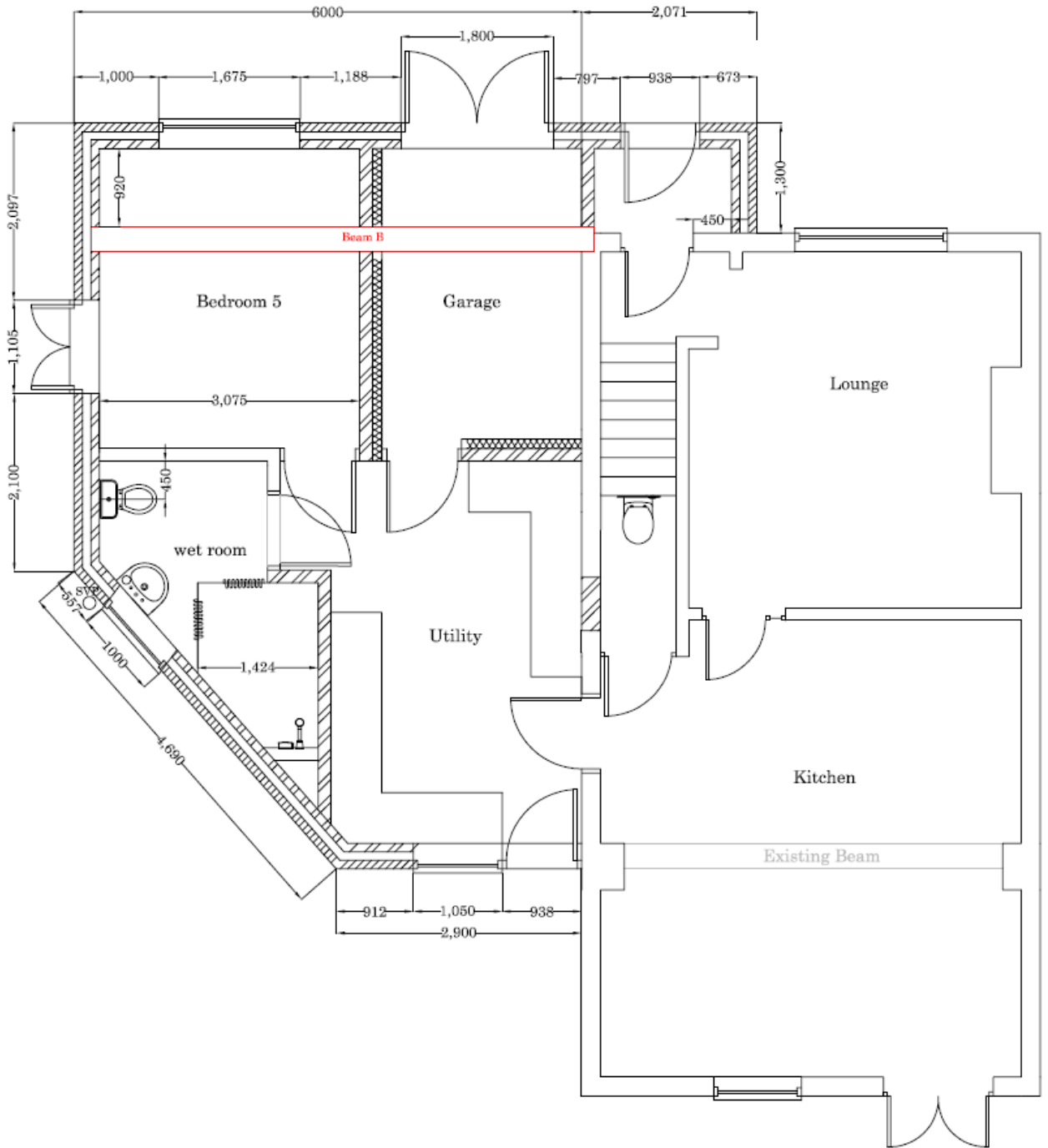


Existing Right Elevation

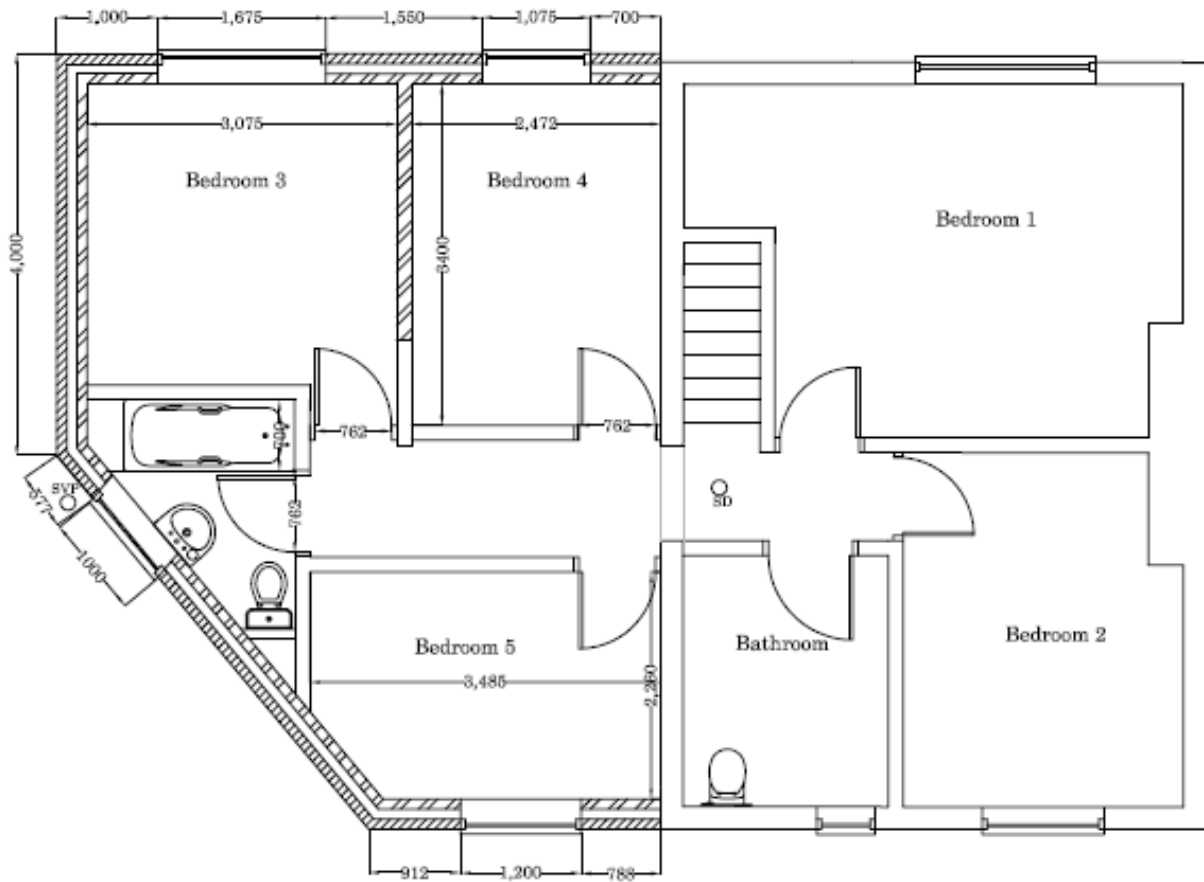


Existing Left Elevation

Existing Elevations



Proposed Ground Floor Plan



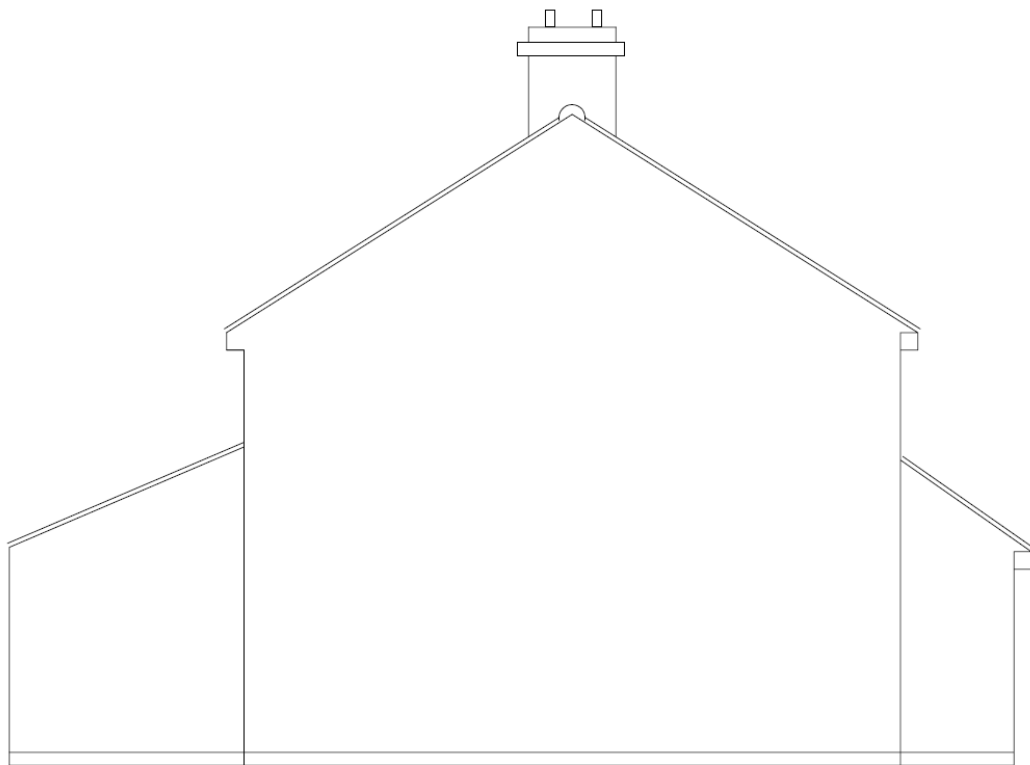
Proposed First Floor Plan



Proposed Rear Elevation



Proposed Front Elevation



Proposed Left Side Elevation



Proposed Right Side Elevation

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

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

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

Class E (Commercial, business and service uses),

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

Class F.2 (Local community uses)