

Enquiries to:
Wendy Bolton

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Direct Email:
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Date: 20th July, 2020

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held on **Tuesday, 28th July, 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.

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

Please note that meetings will be recorded for future publication on the Council's website.

Yours faithfully,

BRENT DAVIS

Executive Director - Operations

To: All Members of the Planning
Applications Committee

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

AGENDA

PART I - PUBLIC BUSINESS

1. ANNOUNCEMENTS

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

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

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

3. MINUTES - To confirm the minutes of the meeting held on 7th July, 2020 (attached). **(Page 4)**

4. DECLARATIONS OF INTEREST

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

Declaring interests at meetings

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

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda **(Page 10)**. Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

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

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

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

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

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

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

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

5. DECLARATIONS OF CONTACT
Members are reminded that contacts about any Planning Applications on this agenda must be declared before the application is considered
6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control attached. **(Page 13)**
7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK – the report of the Head of Development Control attached. **(Page 13)**
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

7th July, 2020

A meeting of the Planning Applications Committee was held on Tuesday, 7th July, 2020. Due to Government guidance on social-distancing and the Covid-19 virus this meeting was held virtually and live streamed.

Present

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

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

Apologies: None received.

PLA13 Chair's Announcements

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

The Chair requested a minute's silence in respect of three previous Councillors who had recently passed away: Bill Olnier, Michael McMahon and Richard Chattaway.

PLA14 Minutes

RESOLVED that the minutes of the meeting held on the 16th June, 2020 be confirmed and signed by the Chair.

PLA15 Declarations of Interest

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

PLA16 Declarations of Contact

The Chair declared that all Members had received a variety of correspondence in regards to Planning Application No 036873.

IN PUBLIC SESSION

PLA17 **Planning Applications**

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

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

PLA18 **Any Other Business**

None

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA17 OF THE
PLANNING APPLICATIONS COMMITTEE ON 7th July, 2020

036873: Site 42B001 - Land rear of 28-44 The Long Shoot Nuneaton
Warwickshire
Erection of 75 dwellings including public open space, associated earthworks
to facilitate surface water drainage, landscaping, car parking and other
ancillary works (Phase 3). Resubmission following refusal of 035623 and
036092
Applicant: Bellway Homes West Midlands Limited.

Public Statements: Mr S. Nestoruk
Councillor K. Kondakor
Mr R. Travis – Travis Baker
Ms D. Farrington, Cerda Planning

DECISION

Planning permission be granted, subject to a legal agreement and the conditions printed in the agenda and addendum.

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

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

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

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

**Planning Applications Committee
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	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group	
	M. Rudkin	Employee of Coventry City Council	Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	A. Sargeant		Member of Warwickshire County Council Chairman of The Nook (Nuneaton) Residents Association. Chair of Attleborough Community Matters group. Chair of Attleborough Neighbourhood Watch Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee	

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	C.M. Watkins	Landlord of a privately rented property	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Home Improvement Agency. • Nuneaton and Bedworth Safer and Stronger Communities Partnership. • Safer Warwickshire Partnership Board. • Warwickshire Housing Support Partnership. • Warwickshire Police and Crime Panel. 	
	K.D. Wilson	Employee of the Courts Service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote

Planning Applications Committee
28th July 2020

Applications for Planning Permission etc.
Agenda Item Index

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Planning Applications

1.	036903/SL	Site 95A002 Marston Lane, Bedworth	14.
2.	037017/BE	Johnson Road Recreation Ground, Johnson Road, Bedworth	26.

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		

Item No. 1

REFERENCE No. 036903

Site Address: Site 95A002 Marston Lane, Bedworth

Description of Development: Erection of stable block with 5 stables plus tack room and barn

Applicant: Mr Nicholson

Ward: SL

RECOMMENDATION:

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

INTRODUCTION:

This application is for the erection of a stable block which has 5 stables plus a tack room and a separate barn at land off Marston Lane, Bedworth.

This application seeks to develop two buildings, one creating five stables and the other creating a barn for storage. The barn is for use associated with the keeping of horses, ancillary to the stabling and grazing of horses. There will be hardstanding covering most of the site and a paddock of 430sqm closest to the residential properties.

The application site is situated in the West Midlands Green Belt. The site is to the rear of properties 162-180 Marston Lane, Bedworth. The site is currently brownfield land, which previously housed buildings for an abattoir. The buildings have since been demolished and left on the site is a mixture of the foundations, rubble and grass. The site also appears to have become a fly tipping site as well, as evidenced by rubbish.

The site is accessed through a small lane between 160 and 162 Marston Lane, which the adjacent stables also use as access. The site has a slope downwards towards the north, away from the residential properties, which creates a level difference of roughly 2 metres in height.

The western neighbour is the adjacent stables, and the paddocks for these create the neighbouring field to the north. To the east of the site is another field which appears to have an agricultural use, with some temporary structures. As mentioned above the southern neighbours to the site are residential properties. The most direct being 162-178 (even) Marston Lane. These are a row of terraced houses which are all two storey. There is also a passageway between the rear gardens of these neighbours and the fence surrounding this site, however this is also within the application site.

RELEVANT PLANNING HISTORY:

- TP/0896/03: Outline application for the erection of one dwelling: Refused 02/02/2004
- TP/0388/02: Outline application for the erection of one dwelling: Refused 31/07/2002

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - DS3 – Development Principles
 - DS7 – Green Belt
 - HS2 – Strategic Accessibility and Sustainable Transport
 - NE3 – Biodiversity and Geodiversity
 - BE3 – Sustainable design and construction
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Residential Design Guide 2004.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Planning Policy, WCC Highways.

CONSULTATION RESPONSES:

Objection from:
WCC Highways

No objection subject to conditions from:
NBBC Environmental Health

No objection from:
NBBC Planning Policy

NEIGHBOURS NOTIFIED:

160-180 (even), 180a Marston Lane

Neighbouring properties were sent letters notifying them of the proposed development on 29th January 2020. A site notice was erected on street furniture on 29th January 2020.

NEIGHBOUR RESPONSES:

There has been 1 letter of objection with no address. The objection raised the following points below;

1. Using the rear access to the neighbouring properties as part of the application site
2. Proximity of the site to residential will have health and safety implications for noise, noise from neighbouring stables is excessive

3. Site is too narrow for emergency vehicles, a worry for the materials stored in the barn
4. Increase in traffic, both domestic and commercial

There has been 1 petition of objection received with 17 Signatures. The petition raised the points below;

1. Overlook homes
2. Proposal may cause 24 hour noise

APPRAISAL:

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

1. The Principle of the Development in the Green Belt
2. Key Purposes of the Green Belt
3. Residential Amenity
4. Visual Amenity
5. Highway Safety
6. Conclusion

1. The Principle of the Development in the Green Belt

As mentioned the proposal site is situated in the Green Belt, paragraph 145 of the NPPF 2019 states that:

“A local planning authority should regard the construction of new building as inappropriate in the Green Belt. Exceptions to this are:

- a) Buildings for agriculture and forestry;
- b) The provision of appropriate facilities for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) Limited infilling in villages;
- f) Limited affordable housing for local community needs under policies set out in the development plan; and
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings.”

The creation of stables is considered to fall under part b) if these criteria, being a facility for outdoor recreation and sport and therefore not inappropriate in the Green Belt. There are a number of stable buildings in the surrounding area of Marston Lane along with many more within the borough as a whole. Taking into account the size, position and height of the stables and barn, it is not considered that there would be a significant impact on the openness of the Green Belt. The site itself does not provide enough paddock space for the number of stables created. However, signed confirmation from has been received from the adjacent stables that the applicant will have access to their

land for grazing, additionally the applicant owns other grazing land which the horses can use in summer months.

Therefore, the principle of this development is considered acceptable in the Green Belt.

2. Key Purposes of the Green Belt

Policy DS7 of the Adopted Borough plan 2019 states that “to ensure the remaining Green Belt across the borough continue to serve its fundamental aim and purpose, and maintains its essential characteristics, it will be protected by restricting development to only that which is considered by national planning policy as not inappropriate Green Belt development...Any development proposals considered not inappropriate for locating within the Green Belt should demonstrate how their plans will retain the five key purposes of the Green Belt”.

These key purposes are:

1. To check the unrestricted sprawl of large built-up areas
2. To prevent neighbouring towns merging into one another
3. To assist in safeguarding the countryside from encroachment
4. To preserve the setting and special character of historic towns
5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

The agent supplied a planning statement addressing these points and including justification for the development of the buildings. This states that it is apparent that the proposal for new stables and associated storage would not result in unrestricted sprawl of a large built up area; any merging with neighbouring towns; or have an adverse impact on the setting and special character of a historic town. In regard purpose 5, it is stated that given the site currently contains an area of dumped material, redevelopment of the site could assist with the ‘urban regeneration’ function of the Green Belt.

The main information supplied relates to purpose 3: to assist in safeguarding the countryside from encroachment. The reasons given for this are that as there will only be five stables this is considered modest, the position of the buildings is considered discreet and they are only single storey. Amended plans have been submitted which have reduced the size of the buildings- the stables by 22sqm and the barn by 28sqm. Additionally, the materials are in keeping with usual materials for stable buildings and sympathetic to the setting at an urban/rural fringe. The height of the buildings are not excessive, they have been kept to a functional minimum allowing the effective stabling of horses. The barn is 5 metres to the ridge and the stables are 4 metres to the ridge. The land levels also decrease the visual impact of the proposal.

NBBC Planning Policy were consulted on the application and they stated that the site lies within Green Belt Land Parcel BE1 in the 2015 assessment of the Borough’s Green Belt. On appraisal, this parcel scored 8 out of 20 with regard to the five purposes, suggesting that the land makes a weak contribution to the purposes to the Green Belt. The West Midlands Green Belt was created, mostly, to restrict the sprawl of the surrounding larger urban areas, mainly Birmingham and Coventry. The proposal does not seek to create a development which connects Bedworth to any of the surrounding urban areas which will not be of detriment to purpose one or two. Given that preserving the openness of the site does not mean making no physical change, instead assessing the impact of proposed development, it is not considered that the

scale of the proposed buildings would be over development of the site and not over compromise the rural character than the existing buildings along this edge of Bedworth, therefore not creating significant impact on purpose three of this parcel of Green Belt land. Under the appraisal of the site there is no existing historic element to this parcel therefore purpose four is not impacted by the proposal. Lastly, as the proposed buildings are for equestrian use, it is not considered necessary to consider finding alternative sites as this site seeks to recycle derelict brownfield land, assisting with purpose five.

Therefore, although the proposal seeks to place development on current open land, given that the proposal does not significantly take away from the five key purposes of the Green Belt, it is considered acceptable.

3. Residential Amenity

The closest residential properties to the proposal are to the south of the site along Marston Lane. The proposed buildings are positioned over 40 metres away from the rear boundary of all of these properties, and even further from the rear wall of the properties. This distance is well over the minimum allowed under paragraph 9 of the Residential Design Guide, and along with the difference in land levels there is not considered to be any impact on loss of privacy or light, or creating a sense of enclosure on the residential neighbours.

NBBC Environmental Health were consulted on the application and suggested that if the applicant owned that land, 1.8 metre high closed boarded fencing was erected between 160 and 162 (the access) Marston Lane. However, the applicant only has right of way over the access and does not own this land and therefore it would not be possible to condition this if permission was granted. Although stated within the objections received about the impact of noise from the use, NBBC Environmental Health have not raised this within their comment and therefore it is considered that the proposal will not have detrimental noise impacts.

Therefore, it is not considered that the proposal will have a significant impact on the residential amenity of the surrounding neighbouring residential properties.

4. Visual Amenity

The proposed buildings are located at the rear of the properties on Marston Lane, and will only be partially visibly from the street. However, given that the proposal is located in the green belt the proposed materials are still of importance to the impact on the character of the setting. The proposed materials are brick and timber cladding. These are considered sympathetic materials in a more rural setting, the timber cladding especially, and they are not considered to have a significant impact on the character of the area.

The design of the proposals is considered typical for their purpose, they are simplistic in design but this is regarded positively by not taking away from the character of the Green Belt setting.

5. Highway Safety

WCC Highways have been consulted on the application. Although numerous amended plans and a planning statement have been submitted since the initial response they still object to the proposal.

The main argument WCC Highways have is that the site is currently vacant land with no vehicular movements associated within the site. However, this access is currently used by the neighbouring stables site. WCC Highways have stated that shared accesses must be a minimum width of 5 metres, and this access is only 3 metres. They stated that if the access was widened to 5 metres for a minimum distance of 7.5 metres from the near edge of the highway it would be acceptable. They also stated that there was not room for a vehicle towing a horsebox/trailer to manoeuvre within the proposed parking area, and requested a swept path analysis to show that a vehicle could enter the site and manoeuvre in order to re-enter the highway in a forward gear.

Within the additional planning statement which was supplied it was stated that there is no likelihood of vehicular conflict as the applicant will be the main user of the access. It is also stated that the majority of the access is 5m wide, and only at the area closest to Marston Lane does it narrow to 3 metres, in turn allowing vehicles to pass each other should the rare occasion occur.

There is a further issue of the stables being rented separately which would in turn result in a heavier vehicle movement on the site, however it is stipulated within the statement that there is no intention for the stables to be rented separately.

Video evidence has been provided by the agent demonstrating that it is possible to access the site with a horsebox whilst avoiding the nearby disabled bay and without crossing the opposite carriageway. However, after receiving the additional information WCC Highways have retained their objection to the proposal requesting that the access be widened to a minimum width of 5 metres for a distance of 7.5 metres.

The National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109). Given the nature of the proposals, it is not considered that there would be a severe impact on highway safety to warrant a recommendation of refusal.

6. Conclusion

In conclusion, the type of development proposed within this application is considered an acceptable use in the Green Belt. The assessment of the proposal against the five key purposes of the Green Belt also considered the proposal to be acceptable and not to cause significant harm to the Green Belt setting.

Additionally, it is not considered that the proposal will cause harm on the residential amenity of the surrounding neighbours or harm to the visual amenity of the surrounding area.

The highway objection is still in place, however, on balance it is considered that the proposal as a whole will not result in excessive additional use on the access on what already exists, therefore less weight has been put on this objection. To overcome concerns that the proposal will be used for commercial purposes a condition will be included to retain private use of the site.

Therefore, on balance of all of the information received and assessed the proposal is considered acceptable and the recommendation is therefore one of approval.

REASONS FOR APPROVAL:

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

SCHEDULE OF CONDITIONS:

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

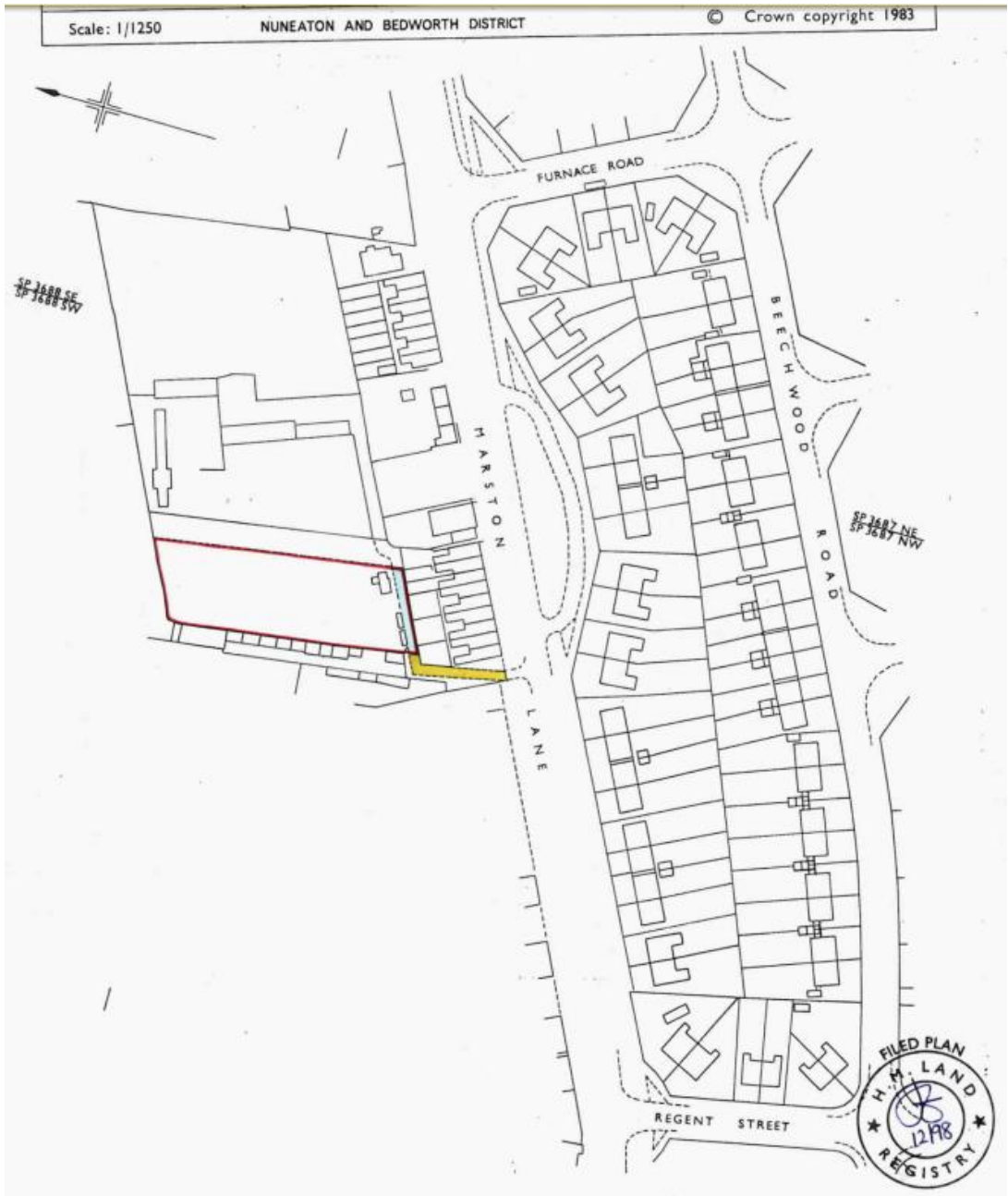
Plan Description	Plan No.	Date Received
Title Plan	001	21 st January 2020
Block and Location Plan	KADS SBML FP001-revD Sheet 3	30 th June 2020
Proposed Stable Plans	KADS SBML FP001-revB Sheet 2	30 th June 2020
Proposed Barn Plans	KADS SBML FP001-revC Sheet 1	30 th June 2020

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

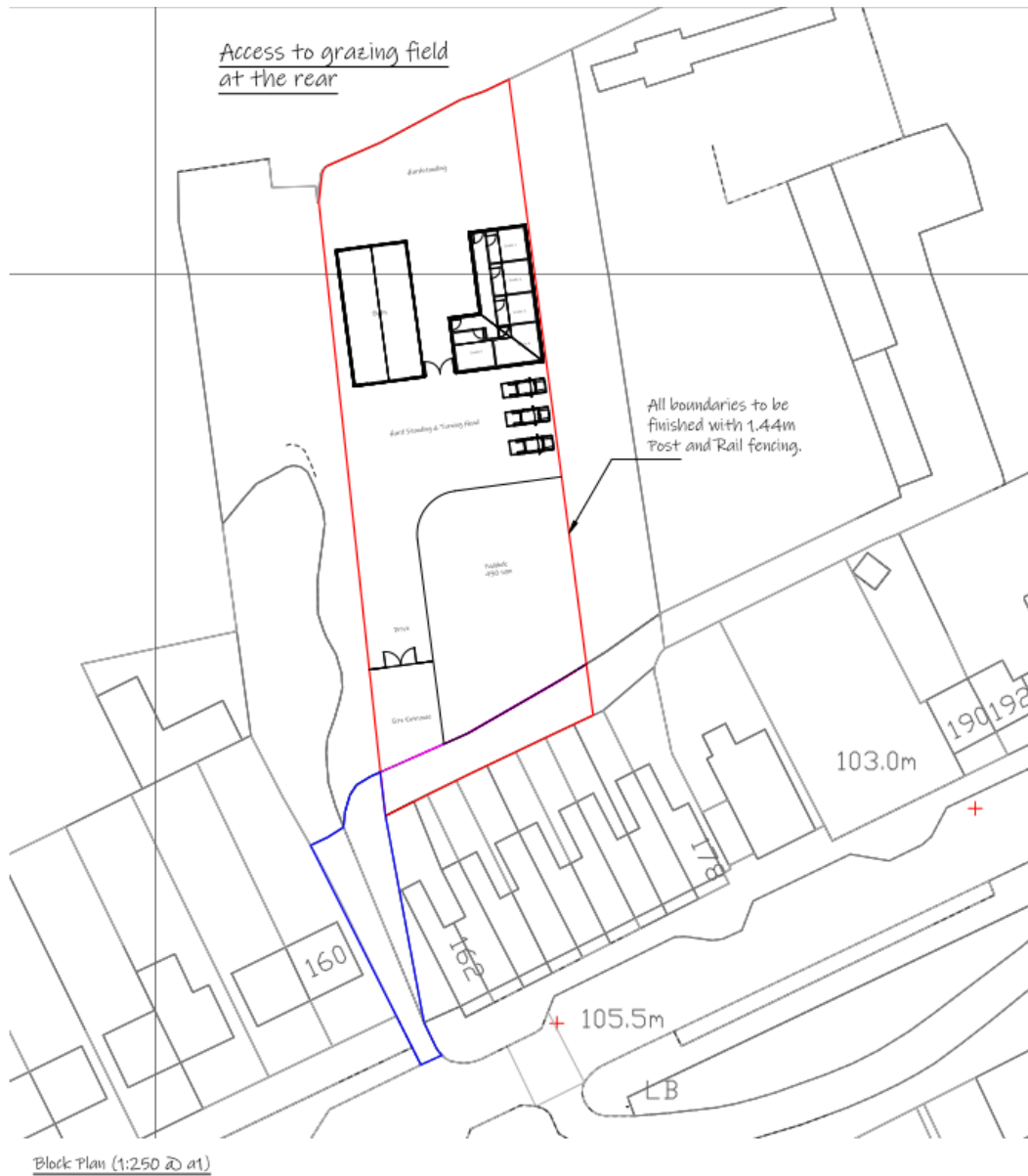
4. The stable building and associated barn shall not be used other than for private equestrian purposes and shall not be used for commercial livery, commercial riding lessons or any other commercial equestrian purpose.



Location Plan (1:1250 @ a1)







Wider Site Location Plan

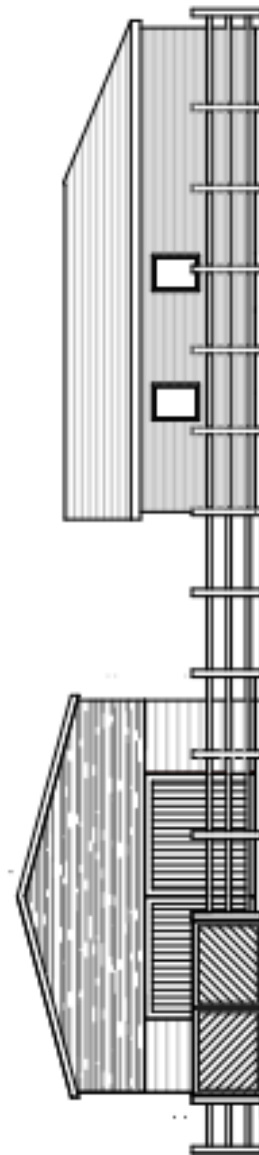
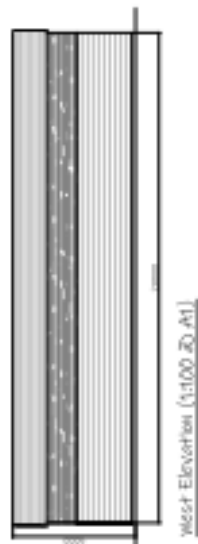
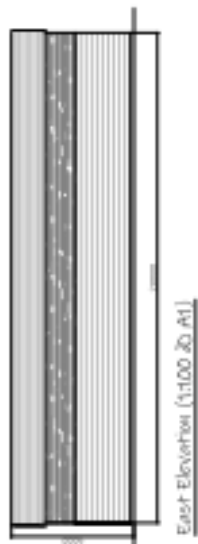
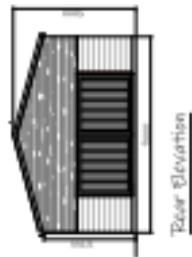
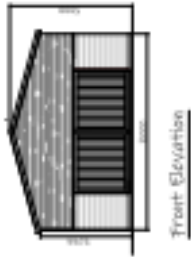


Site Layout

FOR PLANNING PURPOSES ONLY, NOT YET APPROVED BY A STRUCTURAL ENGINEER OR BUILDING CONTROL.

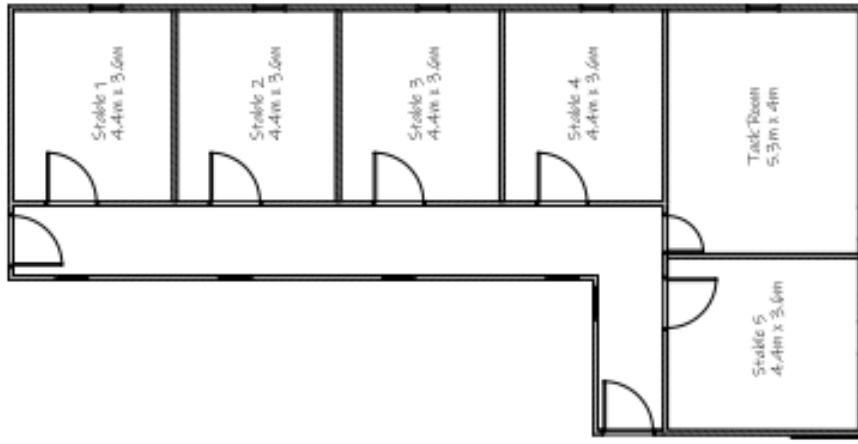
Materials Key

-  Down's limestone
-  Down's limestone (sawing)
-  Brecon marble
-  Brecon cladding

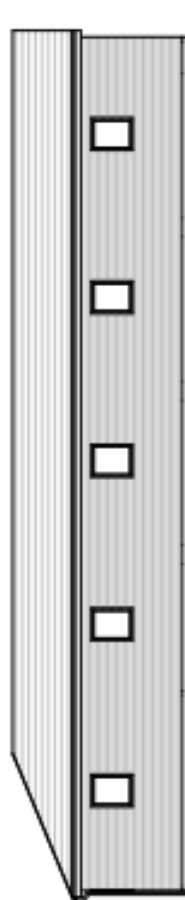


Barn Floor Plan (1:100 @ A1)

Proposed Barn- Plans & Elevations

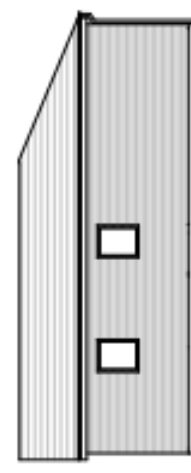


Stables Floor Plan (1:50 @ A1)



SURFACE WATER DRAINAGE
ALL SURFACE WATER FROM NEW ROOFS TO DRAIN INTO A SOWANMAN WITHIN 10M OF ANY FROM ANY BUILDING.

FOR PLANNING PURPOSES ONLY, NOT YET APPROVED BY A STRUCTURAL ENGINEER OR BUILDING CONTROL.



- Materials Key**
- Pavers (downcast)
 - Pavers (stable benches)
 - Pavers (stable)
 - Pavers (stable)

Proposed Stable- Plans & Elevations

Item No. 2

REFERENCE No. 037017

Site Address: Johnson Road Recreation Ground, Johnson Road, Bedworth

Description of Development: Siting of 2no. storage containers within a fenced enclosure adjacent to railway line, for ground maintenance equipment, and ball stop fencing towards boundaries of pitch

Applicant: Mr Al Saje

Ward: BE

RECOMMENDATION:

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

The period of consultation expires on 31st July 2020. Subject to no new issues being raised at the end of this period, the Head of Planning be given delegated authority to grant planning permission.

INTRODUCTION:

This application is for the siting of 2no. storage containers within a fenced enclosure adjacent to the railway line, for ground maintenance equipment, and ball stop fencing towards the boundaries of the pitch at Johnson Road Recreation Ground, Johnson Road, Bedworth. Nuneaton and Bedworth Borough Council at the February 5th 2020 Cabinet meeting agreed to give Bedworth Eagles JFC a long term lease on (part of) the former Elizabeth Centre and the playing fields. The two storage containers are for the secure storage of grounds maintenance machinery, pitch maintenance consumables and Bedworth Eagles JFC football equipment. The containers will also house machinery (tractor, mower, and spiker) to be used as part of the area reinstatement and continuing maintenance. The storage containers will be sited within a and gated enclosure approximately 18mx8m and 2.4m high to provide secure storage for football goals and a small storage cupboard. The application also included a 4.2m high ball-stop steel mesh fencing near the boundary of parts of the playing field.

There are two senior grassed pitches at the site that were previously used. The Bedworth Eagles Club is for Juniors and therefore they require smaller pitches and are looking at marking out 4 pitches in the same area. The pitched themselves do not require planning permission.

The site is accessed off Tewkesbury Drive which leads to a car park. The previous Elizabeth Centre building has been demolished and there is an area of hardstanding where the building previously was. Properties on Tewkesbury Drive are to the east

and south of the site. To the west is the railway line with properties on Johnson Road and Rye Piece Ringway beyond. To the north is Johnson Road and an equipped play area.

RELEVANT PLANNING HISTORY:

- None

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Residential Design Guide 2004.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Planning policy, NBBC Parks, Network Rail, WCC Highways

CONSULTATION RESPONSES:

No objection from:
WCC Highways

No response from:
NBBC Environmental Health, NBBC Planning policy, NBBC Parks, Network Rail

NEIGHBOURS NOTIFIED:

1, 2, 3, 3A, 4, 5, 6, 8, 10, 14-32 (odd) Tewkesbury Drive; 9-14 (inc) & 22 Johnson Road; 71 & 73 Chapel Street.

Neighbouring properties were sent letters notifying them of the proposed development on 21st April 2020, 27th April 2020, 7th May 2020 and 22nd June 2020.

NEIGHBOUR RESPONSES:

There have been 7 objections from 7 addresses to the original plans submitted. The comments are summarised below;

1. Impact on highway safety
2. Impact on car parking and use of street parking/congestion issues
3. Concerns regarding the permanence of the containers
4. Concerns over the containers being open to vandalism
5. Impact on existing infrastructure
6. Increase in anti-social behaviour

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 containers are proposed to be sited towards the north-west corner of the recreation ground. The railway is situated along the western boundary with residential properties in Johnson Road on the other side of the railway. The nearest residential property, no 71 Chapel street, is approximately 32 metres away from the proposed containers. Further to this, the railway acts as a buffer between this property and the pitch, and the proposed containers will not be visible from this side of the site.

The original plans submitted proposed the containers to be sited near to the entrance of the recreation ground and therefore closer to Tewkesbury Drive. The amended location has resulted in the containers being set approximately 110 metres away from the nearest properties on Tewkesbury Drive. It is therefore considered there would be no significant impact on these properties.

In terms of the proposed ball-stop steel mesh fencing, this is proposed in two locations, one to the northern part of the pitches and one to the south. The fencing to the south is to run approximately 115 metres along the edge of the pitches. It is proposed at 4.2 metres in height. It would be located approximately 15 metres from the properties in Tewkesbury Drive. The side elevations of these properties would face the proposed fencing and as they do not appear to contain any original side facing windows it is not considered there would be a significant impact.

2. Visual Amenity

The proposed containers are 2.35 metres wide, 5.89 metres long and 2.69 metres high. They are to be coated dark green. They will be enclosed by 2.8 metre high steel mesh fencing which is also dark green. Due to the size and location of the containers and enclosure it is not considered that they would be particularly visible from the street scene or from public areas and therefore acceptable in terms of visual amenity. Due to the temporary nature of the containers and that their appearance could deteriorate over time, a condition can be added to ensure they are removed from the site after 5 years.

The ball-stop mesh fencing is 4.2 metres high. It is not considered that it would appear significantly out of character or over prominent. A condition can be added that full details of the fencing are submitted.

3. Highway Safety

There is a car park at the recreation ground which is accessed off Tewkesbury Drive and provides over 20no. spaces. However, this application is not considering the use of the site as football pitches and it is not considered that the siting of the containers, enclosure and fencing would have a detrimental impact on highway safety. WCC Highways have no objection.

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 in some instances. However, where potential adverse impacts are identified, it would be possible to mitigate against this through the use of conditions.

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

REASONS FOR APPROVAL:

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

SCHEDULE OF CONDITIONS:

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

Plan Description	Date Received
Site Plan	22nd June 2020
Site Layout	22nd June 2020
Site Layout- Storage Containers & Enclosure	22nd June 2020
Storage Containers & Enclosure- Plan	22nd June 2020
Storage Containers & Enclosure- Elevations	22nd June 2020
Storage Containers- Elevations	22nd June 2020

3. The ball-stop fencing shall not be erected until full details of the fencing have first been submitted to and approved in writing by the Council. The fencing shall not be erected other than in accordance with the approved details.

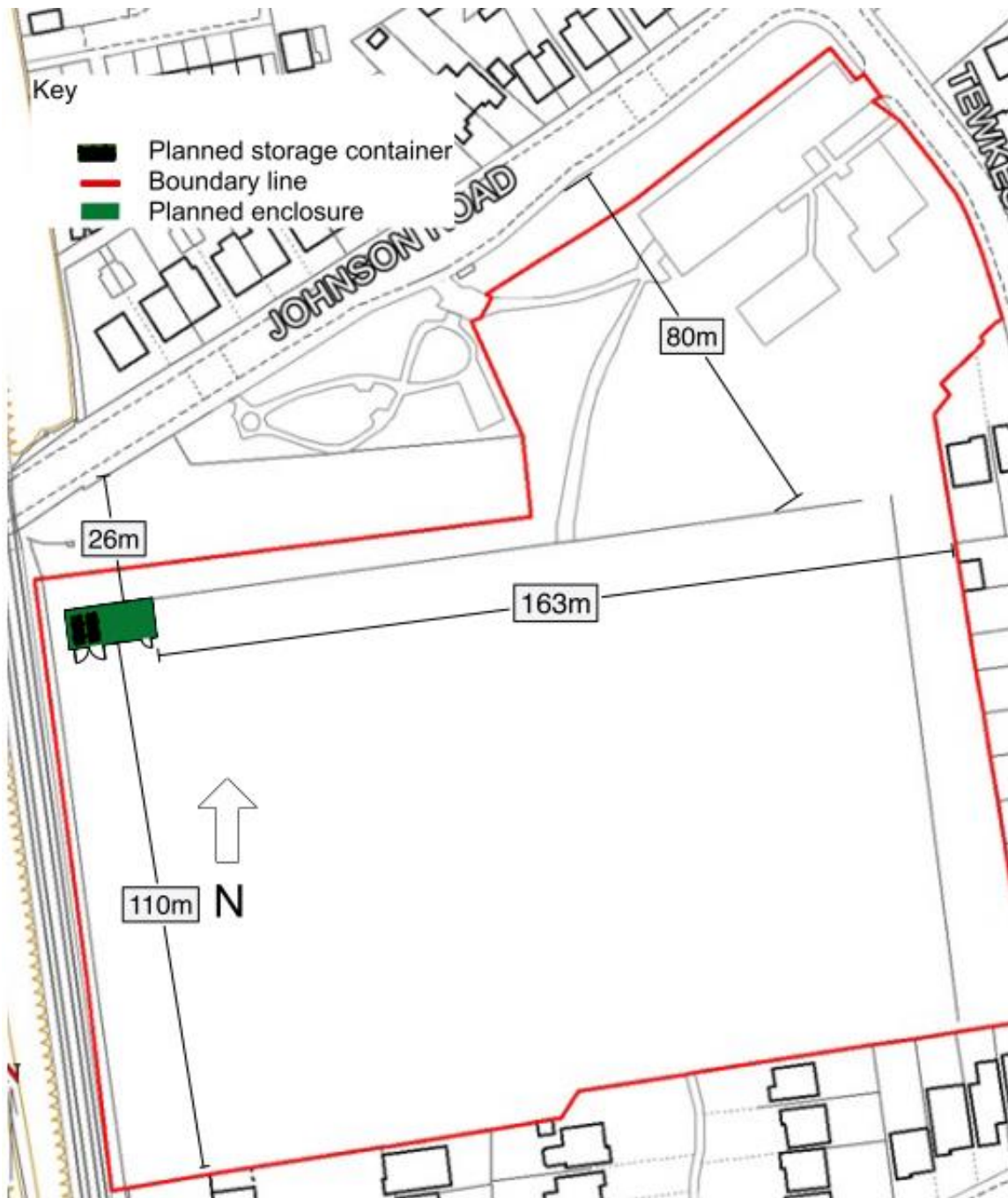
4. The storage containers hereby permitted shall be removed and the land restored to its former condition on or before 5 years from the date of this permission.



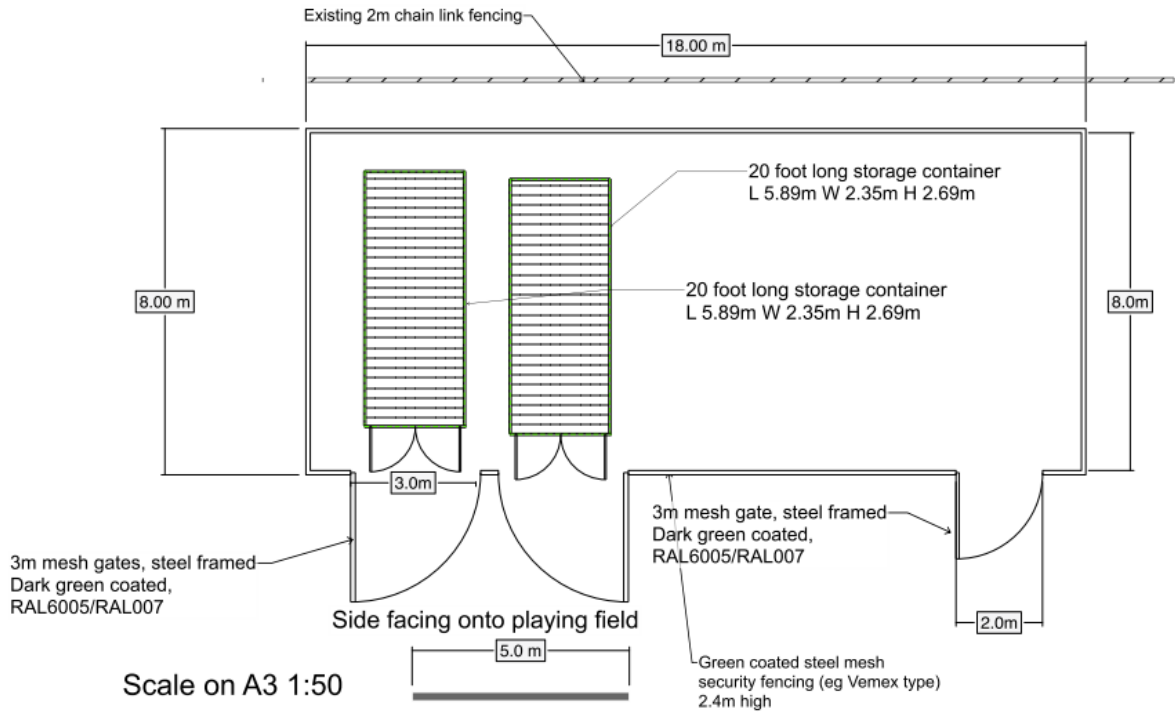
Site Plan



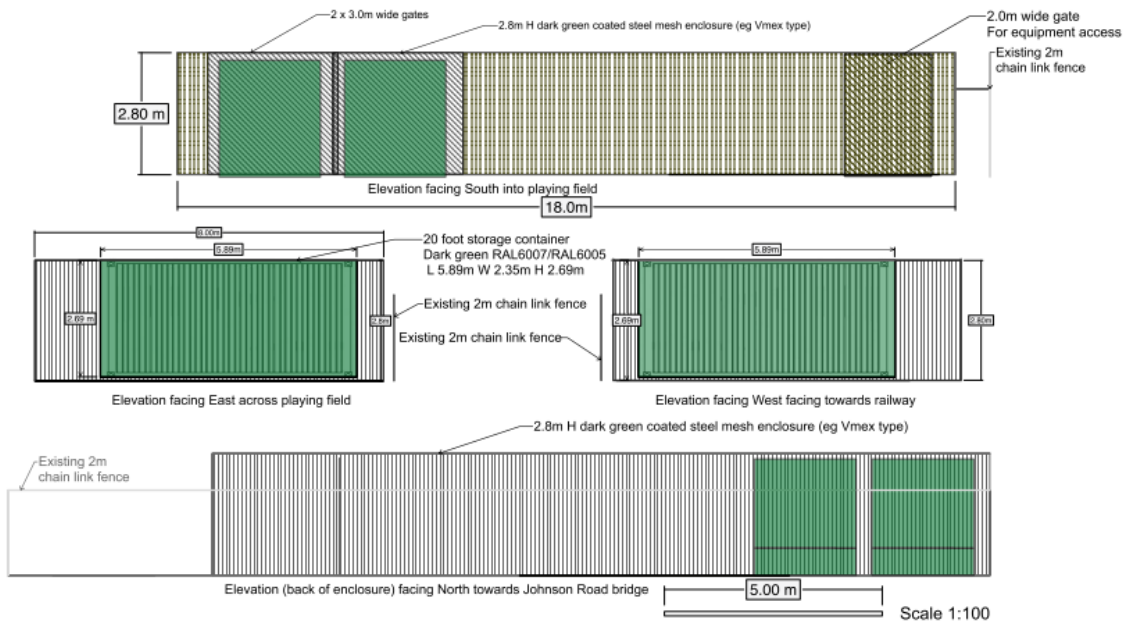
Site Layout



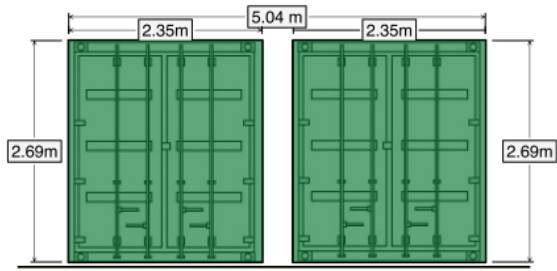
Site Layout- Storage Containers & Enclosure



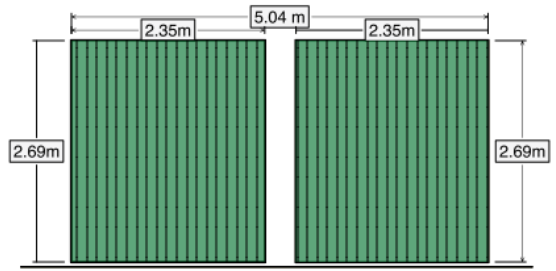
Storage Containers & Enclosure- Plan



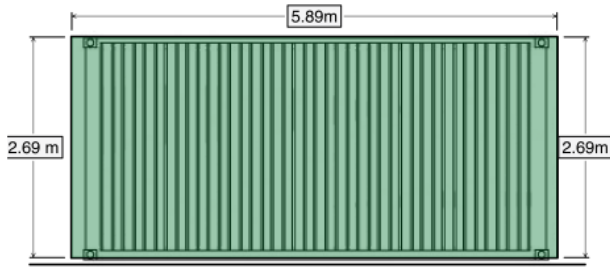
Storage Containers & Enclosure- Elevations



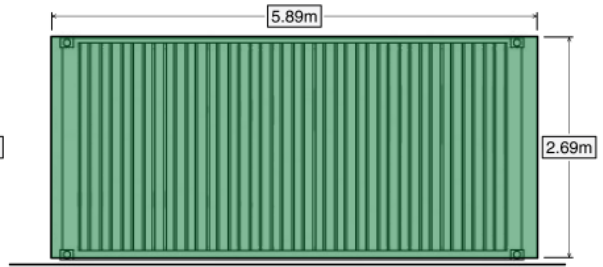
Elevation facing into playing field (facing South)



Elevation facing toward Johnson Road bridge (North)



Elevation facing towards Railway tracks (West)



Elevation facing across playing field (East)

Storage Containers- Elevations

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

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

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

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