

Enquiries to:
Wendy Bolton

Telephone Committee Services: 024 7637 6000

Direct Email:
committee@nuneatonandbedworth.gov.uk

Date: 2nd March, 2020

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in **The Council Chamber of the Town Hall, Nuneaton on Tuesday, 10th March, 2020 at 5.00 p.m.**

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

Please note that meetings may be recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Executive Director - Operations

To: All Members of the Planning
Applications Committee

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

AGENDA

PART I - PUBLIC BUSINESS

1. EVACUATION PROCEDURE

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

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

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

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

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

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

3. MINUTES - To confirm the minutes of the meeting held on 18th February, 2020 (attached). **(Page 5)**

4. DECLARATIONS OF INTEREST

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

Declaring interests at meetings

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

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda **(Page 12)**. 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 15)**

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 15)**
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

18th February, 2020

A meeting of the Planning Applications Committee was held in the Council Chamber of the Town Hall, Nuneaton on Tuesday, 18th February, 2020.

Present

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

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

Apologies: Councillors A. Llewellyn-Nash and J. Sargeant.

[Councillor S. Gran entered the Chamber at 5.28 p.m. and did not take part in the consideration of, or vote in regards to Planning Application No. 036713.]

PLA71 Chair's Announcements

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

The Chair also thanked Planning Officer Darren Henry for his service over the years to Nuneaton and Bedworth Borough Council, and wished him every success in his future employment.

PLA72 Minutes

RESOLVED that the minutes of the meeting held on the 28th January 2020, be confirmed and signed by the Chair.

PLA73 Declarations of Interest

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

PLA74 Declarations of Contact

Councillors R. Smith and J. Beaumont declared that they had had contact with residents in regards to Planning Application Nos 036848, 036849 and 036859, but that they had not given any indication of their voting intention.

Councillor K. Evans declared that he had accompanied Ward Councillor A. Llewellyn-Nash to visit objectors in regards to Planning Application No. 036713, but that he had not given any indication of his voting intention.

Councillor I. Lloyd declared that he had been contacted by residents in regards to Planning Application No. 036848, but that he had not given any

indication of his voting intention. He also declared that he knew the speaker for that agenda item, Mrs L. Hocking, being his Ward Councillor.

The Chair also declared that all Members of the Committee knew the speaker in regards to Planning Applications Nos 036848 and 036849, given that Mrs Hocking was also a Nuneaton and Bedworth Borough Councillor.

IN PUBLIC SESSION

PLA75 **Planning Applications**

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

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

PLA76 **Any Other Business**

None

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA75 OF THE
PLANNING APPLICATIONS COMMITTEE ON 18th February, 2020

036713: 86 Mavor Drive, Bedworth, CV12 0HH.
Erection of single storey annexe on vacant land rear of garden.
Applicant: Mr Dhmiija.

Speakers: Mrs P. Moon
Mr C. Hirons

DECISION

Contrary to the officer recommendation, Planning Permission be refused on the grounds of the over intensive nature of the development.

036690: Site 36A002 - Plough Hill Golf Centre, Plough Hill Road, Nuneaton,
Warwickshire, CV10 9NZ
Erection of 300 dwellings, approval of reserved matters relating to
appearance, landscaping, layout and scale following outline approval ref
034600 and amended by ref 035732 (affecting footpaths N2 N6 and N19)
Applicant: Mrs Rachel Bolger

DECISION

Planning permission be granted, subject to the conditions printed in the agenda and addendum, and with a note requesting that the developer give further consideration to the pepper potting of affordable housing across the site.

036848: Site 119a001 Coventry Road, Bulkington, Bedworth
Siting of mobile home and touring caravan for 18 months for the purposes of
accommodation and associated ancillary outbuilding to allow the construction
of a residential dwelling and implementation of planning permission 036728
Applicant: Miss M Fox

Speaker: Mrs L. Hocking

DECISION

Planning permission be granted for 12 months, subject to the conditions printed in the agenda, but with an amendment to condition 2 as follows:

“The mobile home, touring caravan and ancillary outbuilding hereby approved will remain in place for no longer than a period of 12 months from the date of this permission, at which point the caravan will be removed from the site.”

036849: Site 119a001 Coventry Road, Bulkington, Bedworth
Siting of mobile home for 18 months for the purposes of accommodation and associated ancillary outbuilding to allow the construction of a residential dwelling and implementation of planning permission 036703

Applicant: Mr R Smith

Speaker: Mrs L. Hocking

DECISION

Planning permission be granted for 12 months, subject to the conditions printed in the agenda, but with an amendment to condition 2 as follows:

“The mobile home and ancillary outbuilding hereby approved will remain in place for no longer than a period of 12 months from the date of this permission, at which point the caravan will be removed from the site.”

036859: Site 120B004 69 Coventry Road Bulkington
Prior notification for the change of use from agricultural buildings to a residential dwelling

Applicant: J Smith

Speakers: Mr J. Claridge
Mr Brindley
Mr R. Smith

DECISION

Prior approval is not required, but is subject to the conditions printed on the agenda.

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

	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. Board member of Bulkington Village Centre 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		Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group • Hammersley Smith & Orton Charity 	
	A. Llewellyn-Nash	Employee of BMI Healthcare	Treasurer of Exhall Multi-cultural Group Governor at Newdigate Primary and Nursery School, Bedworth	
	I. Lloyd		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • 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. Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Advice Rights 	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local.	

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

**Planning Applications Committee
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	S. Gran		Member of Warwickshire County Council	
	W.J. Hancox		Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group • Hammersley Smith & Orton Charity 	
	A. Llewellyn-Nash	Employee of BMI Healthcare	Treasurer of Exhall Multi-cultural Group Governor at Newdigate Primary and Nursery School, Bedworth	
	I. Lloyd		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote

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

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

Planning Applications Committee
10th March 2020

Applications for Planning Permission etc.
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Planning Applications

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

PLANNING APPLICATIONS

Item No. 1

REFERENCE No. 036784

Site Address: Site 46a010 - Tunnel Road, Nuneaton, CV10 9NW

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

Applicant: Mr Andrew Cartwright

Ward: GC

RECOMMENDATION:

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

INTRODUCTION:

This application is located to the rear of properties 89 – 169 Tunnel Road, Galley Common. The application seeks the approval of a Reserved Matter relating to landscape, following outline approval of 033601 for up to 14 dwellings.

The existing property at 147 Tunnel Road is proposed to be demolished where the access is proposed. Vehicular access to the site is proposed via Tunnel Road in between two properties 155 Tunnel Road and 145 Tunnel Road.

The site contains a number of hedgerows which divide the site and are interspersed with trees. To the south of the site are the rear gardens of the 2-storey Victorian terraced and semi-detached houses, which run as ribbon development along Tunnel Road.

The 0.92ha site is a single paddock used for grazing horses. The site has several semi-derelict single-storey buildings currently used as stables and for storage. These are proposed to be demolished.

BACKGROUND:

This application is being presented before Planning Committee at the request of Councillor Gissane.

This application for reserved matters comes following an outline application, reference 033601, (which considered access) for 14 dwellings which was refused by the Council and was then subsequently allowed on appeal by the Planning Inspectorate. The relevant planning obligations have been dealt with under the outline approval, as have the principle of the development and other material considerations which were not reserved.

A Reserved Matter application for all the remaining matters was also approved at Committee on the 28th November 2017. However, the landscape reserved matter had not been dealt with, hence the reason for this reserved matter application.

The following reserved matter, not considered at outline stage, is to be considered under this application:

- Landscaping – treatment of private and public space to enhance or protect the site’s amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences and walls.

RELEVANT PLANNING HISTORY:

Application for approval of details reserved by condition 033601 Outline application, 035096 Reserved Matters application. Approved 4/11/2019.

- Planning application 035096 for the erection of 14 dwellings (Approval of reserved matters for appearance, landscaping, layout and scale following outline approval, reference 033601). Approved on the 28th November 2017.
- Planning application 034561 (13/12/2016) for residential development for up to 10 dwellings (outline to include access) (including demolition of 147 Tunnel Road. Approval, subject to s106 (not yet signed)
- Written Representation 17/10/2016, APP/W3710/W/16/3156950. Appeal allowed 20/1/2017
- Planning application 033601 for residential development of up to 14 dwellings (outline to include access) (including demolition of existing 147 Tunnel Road). Refused 15/3/2016
- Public Inquiry, 5/4/2013, APP/W3710/A/13/2195900. Appeal dismissed 22/11/2013
- Planning application 031585 for residential development of up to 105 dwellings (outline application to include access, all other matters reserved). Refused 20/12/2012

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - NE5 – Landscape
 - BE3 – Sustainable design and construction
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

CPRE, Natural England, NBBC Parks, Open Space Society, Warwickshire Wildlife Trust, WCC Flood Risk Management, WCC Highways, WCC Museum and Field Services, WCC Rights of Way.

CONSULTATION RESPONSES:

No objection, subject to conditions from: WCC Highways

No objection from: WCC Flood & Drainage, WCC Rights of Way

Comment from: Natural England (comments from previous Outline consultation) and NBBC Parks & Countryside

No response from: WCC Archaeology, Warwickshire Wildlife Trust,

NEIGHBOURS NOTIFIED:

51, 69-75 (odd), 83-119 (odd), 131-147 (odd), 153-169 (odd) Tunnel Road; Barn Moor Wood Farm; Galley Farm, The Rookery; Orford Rise 49-62 (inc), 81-87 (inc), 97-100 (inc); 15 Swinburne Close; 3 and 14 Sheridan Drive; 3 Auden Close; 2 and 29 Campbell Close; 54 Chaucer Drive; 22 Dickens Close; 4 Fielding Way; 52 and 146 Hickman Road; 12 Keats Close; 1 Nuthurst Crescent; 60 Plough Hill Road; 19 Stad Craig Ddu, Llanon, Ceredigion; Marcus Jones — Member of Parliament

Neighbouring properties were sent letters notifying them of the proposed development on 19th November 2019. A site notice was erected on street furniture on 19th December 2019 and the application was advertised in The Nuneaton News on 11th December 2019.

NEIGHBOUR RESPONSES:

There has been 1 objection from 1 address. The comments are summarised below.

- The area in and around Galley Common is becoming saturated with the building of new homes with large areas of countryside under threat, trees and hedgerows felled or uprooted along with wildlife.
- The amount of traffic along Tunnel Road has increased greatly; very often it is five minutes before one is able to cross the road or if driving waiting to join the stream of traffic.
- This may sound petty to some but when I first arrived in Galley Common (chosen for its community fresh air and green views) I only had to wash net curtains every three months, now it is every three weeks due to the dirt and pollution from the stream of traffic.
- My husband lost his lively hood due to a speeding car being driven down Tunnel Road; the speed and volume of traffic continues to increase.
- 14 dwellings means at least 28 more cars on the road.

APPRAISAL:

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

1. Landscaping

1. Landscaping

NBBC Parks and Countryside were consulted and have no adverse concerns in respect of the proposal, although they did provide suggestions for enhancements to be incorporated in to the landscaping scheme, which ultimately the applicant has not incorporated. Comments in relation to the previously approved Reserved Matters stated that the layout provides adequate space for foraging and commuting bat routes and a wildlife corridor stream.

An application to discharge the conditions 12, 13 and 14 from the Outline approval was submitted shortly after this application and approved on the 4/11/2019 in consultation with Parks and Countryside. Condition 14 of the outline permission relates to the landscaping on site and the submitted Landscape Plan, EML AR 1089 01 Rev B, was approved under that condition and is replicated in this reserved matter application.

Additionally Policy BE3 in the Borough Plan sets out that development proposals must be designed to a high standard, able to accommodate the changing needs of occupants and be adaptable to and minimise the impact of climate change. Obviously

this application only deals with landscaping but it has been designed well aesthetically, and has been designed to help meet the needs of the occupants by including

2. Conclusion

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

In assessing the landscape matter there were no material reasons to justify a recommendation of refusal. Therefore, in accordance with the presumption in favour of sustainable development, and policy NE5 in the Borough Plan, it is recommended that the application is approved.

REASONS FOR APPROVAL:

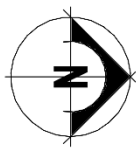
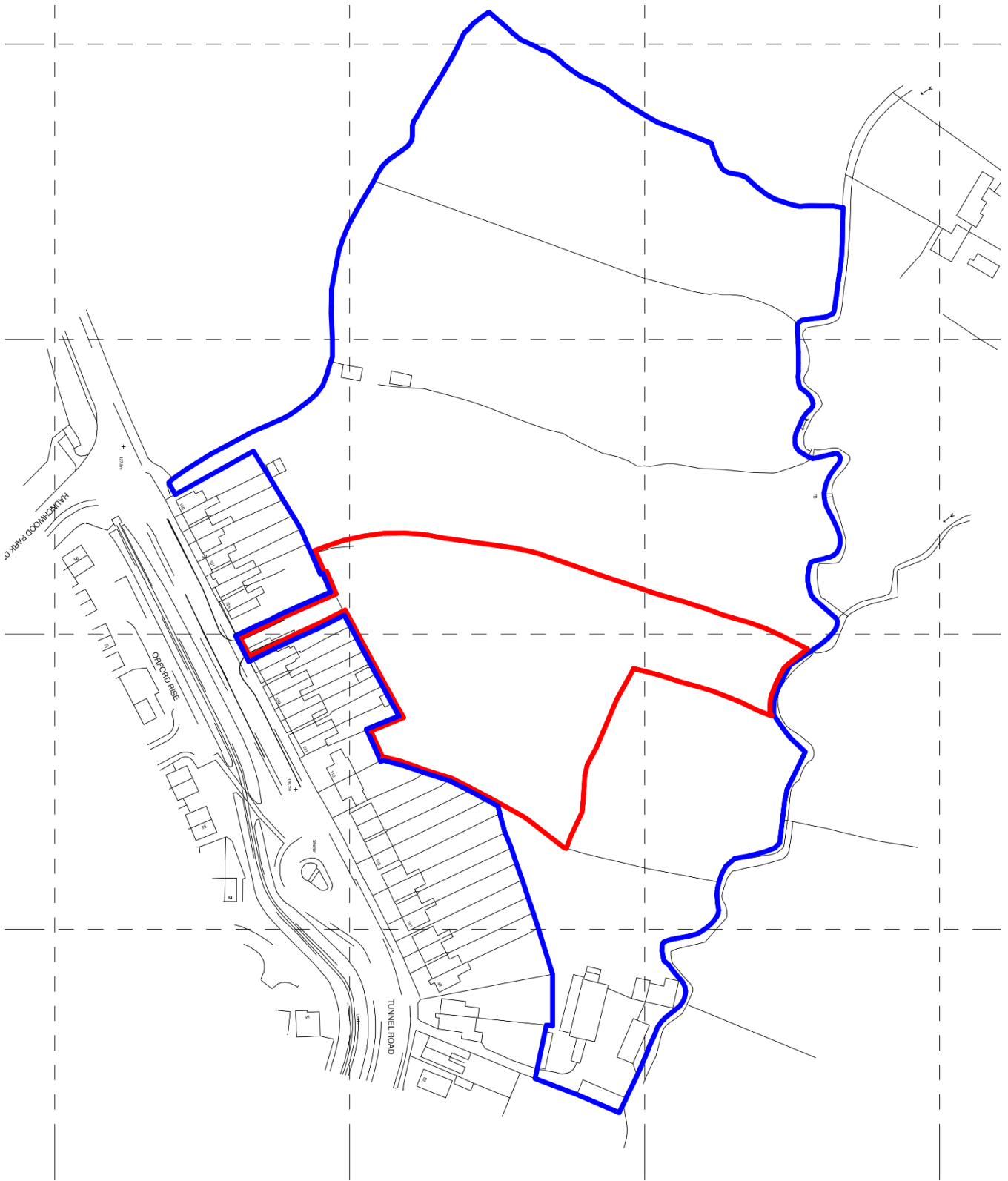
Having regard to the pattern of existing development in the area, relevant provisions of the development plan, as summarised above, and the consultation responses received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in 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:

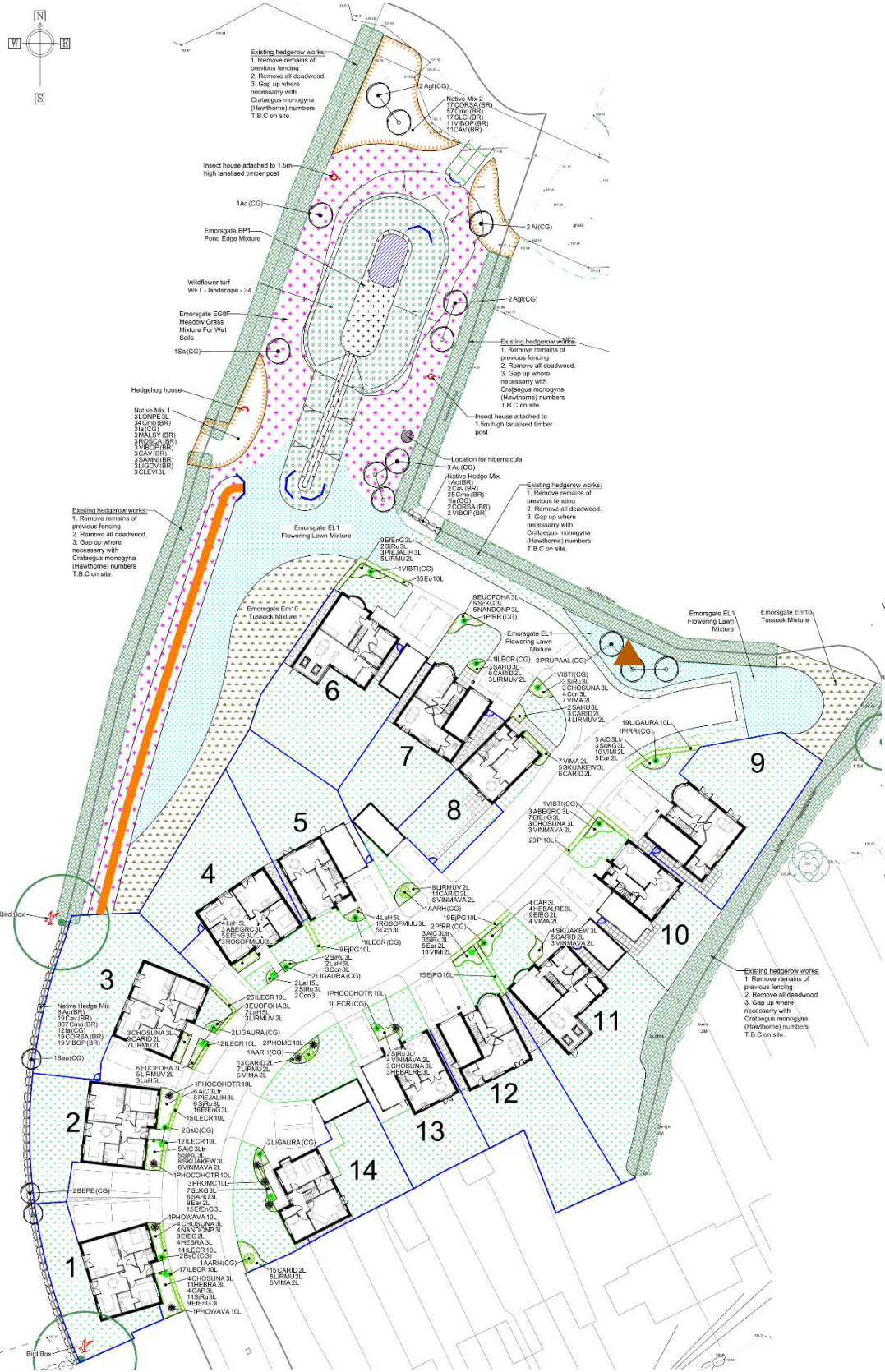
2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No	Date Received
Landscaping Plan	EML AR1089 01RevB	19/11/2019

3. Visibility splays from the accesses to the dwellings shall not be obstructed by the planting proposed.



Location Plan



KEY

	Existing Trees
	Existing Vegetation
	Proposed Trees
	Multistem Trees
	Specimen Shrubs
	Proposed Shrubs
	Proposed Native Shrubs Mixes 1 & 2
	Ornamental Hedgerow
	Native Hedgerow
	Cultivated Turf
	Emorsgate EL1 Flowering Lawn Mixture
	Emorsgate Em10 Tussock Mixture
	Emorsgate EG8F Meadow Grass Mixture For Wet Soils
	Wildflower turf WFT - landscape - 34
	Emorsgate EP1 Pond Edge Mixture
	Indicative Locations for Bird boxes, Hedgehog House, Hibernacular & Insect Houses T.B.C by Ecologist.

Landscape Plan

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

This two page guide is intended as general guidance only. Reference must be made to the Town and Country Planning (Use Classes) Order 1987 (as amended), and the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#), as amended by the [2016 Amendment Order](#), the [2017 Amendment Order](#), the [2017 \(No2\) Amendment Order](#), the [2018 Amendment Order](#), and the [Town and Country Planning \(Permitted Development, Advertisement and Compensation Amendments\) Regulations 2019](#) for limitations (e.g. floorspace maxima), restrictions, conditions and details of any requirements for any application for determination as to whether the prior approval of the local planning authority will be required (which may include the prior approval of building operations).

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>
A4 Drinking establishments	Public houses, wine bars or other drinking establishments	Permitted change to or from a use falling "within Class A4 with a use falling within Class A3" ("drinking establishments with expanded food provision")
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

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

This two page guide is intended as general guidance only. Reference must be made to the Town and Country Planning (Use Classes) Order 1987 (as amended), and the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#), as amended by the [2016 Amendment Order](#), the [2017 Amendment Order](#), the [2017 \(No2\) Amendment Order](#), the [2018 Amendment Order](#), and the [Town and Country Planning \(Permitted Development, Advertisement and Compensation Amendments\) Regulations 2019](#) for limitations (e.g. floorspace maxima), restrictions, conditions and details of any requirements for any application for determination as to whether the prior approval of the local planning authority will be required (which may include the prior approval of building operations).

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	Temporary permitted change (3 years) to A1, A2, A3, B1 (interchangeable with notification)
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	Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval) Temporary permitted change (3 years) to A1, A2, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)

NB:

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

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

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

Use Class	Use	Permitted Change
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	Casino to A3 (subject to prior approval) Casino to D2 Amusement centre or casino to C3 (subject to prior approval) (see also 2018 Order) Betting office or pay day loan shop to A1, A2, A3, D2 (subject to prior approval) 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 Betting office, pay day loan shop or launderette to B1(a) offices (subject to prior approval) Betting office, pay day loan shop or launderette to C3 (subject to prior approval) Mixed use betting office, pay day loan shop or launderette and dwellinghouse to C3 (subject to prior approval) 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 payday loan shop 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)
OTHER CHANGES OF USE	Agricultural buildings	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) Flexible changes to A1, A2, A3, B1, B8, C1, D2 (subject to limitations and prior approval process): new use is sui generis Permitted change to state-funded school or registered nursery (subject to prior approval)