

Enquiries to:  
Wendy Bolton

Telephone Committee Services: 024 7637 6000

Direct Email:  
committee@nuneatonandbedworth.gov.uk

Date: 10<sup>th</sup> February, 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, 18<sup>th</sup> February, 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 28<sup>th</sup> January, 2020 (attached). **(Page 5)**

#### 4. DECLARATIONS OF INTEREST

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

##### Declaring interests at meetings

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

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

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

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

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

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

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

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

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

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

5. DECLARATIONS OF CONTACT

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

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE 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 14)**

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 14)**
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**28<sup>th</sup> January 2020**

A meeting of the Planning Applications Committee was held in the Council Chamber of the Town Hall, Nuneaton on Tuesday, 28<sup>th</sup> January 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, J. Jackson (Substitute for Councillor B. Longden), B. Pandher, M. Rudkin, A. Sargeant, J. Sheppard and R. Smith.

Apologies: Councillors A. Llewellyn-Nash, B Longden and C. Watkins.

PLA65 **Chair's Announcements**

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

PLA66 **Minutes**

**RESOLVED** that the minutes of the meeting held on the 14<sup>th</sup> January 2020, be confirmed and signed by the Chair.

PLA67 **Declarations of Interest**

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

PLA68 **Declarations of Contact**

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.

**IN PUBLIC SESSION**

PLA69 **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.

PLA70 **Any Other Business**

None

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Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND  
RELATED MATTERS REFERRED TO IN MINUTE PLA69 OF THE  
PLANNING APPLICATIONS COMMITTEE ON 28<sup>TH</sup> JANUARY 2020

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036741: 34 Rugby Road Bulkington, CV12 9JG.

Erection of 4 dwellings.

Applicant: Mr B Jones, Little Orchard Construction Ltd.

**DECISION**

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

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036713: 86 Mavor Drive, Bedworth, CV12 0HH.

Erection of single storey annexe on vacant land rear of garden.

Applicant: Mr Dhmiya.

**Speakers:** Mrs Hirons  
Mrs Moon

**DECISION**

The decision regarding the application be deferred to facilitate consultation with the Fire and Rescue services.

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

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



	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton &amp; Bedworth Sports Forum</li> <li>• Camp Hill Urban Village and Pride in Camp Hill</li> <li>• Poor's Piece Charity</li> <li>• Committee of Management of Hartshill &amp; Nuneaton Recreation Group</li> </ul>	
	B.J. Longden		Daughter and son-in-law work in the NHS 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"> <li>• George Eliot Hospital NHS Trust – Public/User Board</li> <li>• George Eliot Hospital NHS Foundation Trust Governors</li> <li>• Armed Forces Covenant Meeting</li> <li>• Astley Charity</li> </ul>	
	B. Pandher		Member of Warwickshire County Council 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"> <li>• Bedworth Neighbourhood Watch Committee</li> </ul>	
	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"> <li>• Advice Rights</li> </ul>	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local.	

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

**Planning Applications Committee  
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**Planning Applications Committee**  
**18<sup>th</sup> February 2020**

**Applications for Planning Permission etc.**  
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**Planning Applications**

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3.	036848	"Site 119a001 - Coventry Road Bulkington"	44
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Wards:					
AB	Abbey	AR	Arbury	AT	Attleborough
BA	Barpool	BE	Bede	BU	Bulkington
CH	Camp Hill	EX	Exhall	GC	Galley Common
HE	Heath	KI	Kingswood	PO	Poplar
SL	Slough	SN	St Nicolas	WB	Wembrook
WE	Weddington	WH	Whitestone		

## PREVIOUSLY CONSIDERED

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### Item No. 1

**REFERENCE No.** 036713.

**Site Address:** 86 Mavor Drive, Bedworth, CV12 0HH.

**Description of Development:** Erection of single storey annexe on vacant land rear of garden.

**Applicant:** Mr Dhmiya.

**Ward:** HE.

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### **RECOMMENDATION:**

The period of consultation expires on the 19<sup>th</sup> February 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. Planning Committee is recommended to grant planning permission, subject to the conditions printed.

### **REASON FOR DEFERRAL:**

Deferred by Members to allow for the Emergency Services to be consulted.

### **INTRODUCTION:**

This is for the erection of a single storey annexe on vacant land to the rear of the existing garden at 86 Mavor Drive, Bedworth CV12 0HH. The proposed single storey annexe is to be 4.4 metres wide by 12.4 metres long, with the ground to eaves measurement being 2.43 metres and the overall height of the structure with a shallow pitched roof of 3.4 metres. The site the annexe is to be situated is surrounded by rear gardens.

The applicant's property is a three bedroom north facing two storey, semi-detached property characterised by white painted render, set back from the street frontage, with a driveway providing parking for up to 4 cars located at 86 Mavor Drive. The annexe is on land to the rear of this.

Neighbouring the site and attached to 86 towards the East is 88 Mavor Drive, this adjoining two storey property is characterised by light brown painted render, with a driveway set back from the street frontage with an existing garage to the side, providing parking for up to 5 cars. Further East is the rear gardens of Newcomen Road.

Neighbouring the site towards the West is the rear garden of 1 Humphrey Davy Road, which is a corner plot and is a semi-detached two storey dwelling also characterised by light brown painted render. This has a driveway set back from the street frontage providing parking for up to 3 cars.

To the South of the vacant land are the rear gardens of 1 and 2 Davy Lamp Close which is in a relatively new close of 4 dwellings.

The surrounding area consists of mainly semi-detached dwellings of differing scales and designs which are largely set back from the street frontage and use different building materials, for example render and buff brick. The applicant's property is render.

The applicant's garden extends approximately 14 metres from the back of their original house although the garden is less deep than this due to rear extensions. The vacant land the annexe is proposed to be on is beyond this.

The proposal backs onto several properties including 5 & 7 Humphrey Davy Road; 1 and 2 Davy Lamp Close; and 140 Newcomen Road all of which rear gardens touch the site. The topography is flat and level, although the parcel of land where the single storey annexe is proposed which has been bought by the applicant is at a lower land level than the garden surrounding the existing property.

### **BACKGROUND:**

This application is being reported to Committee at the request of Councillor Anne Llewellyn Nash.

### **RELEVANT PLANNING HISTORY:**

- 029440-Conservatory to Rear. Approved 2009. (Relevant to 86 Mavor Drive).

History of the applications of the land the proposed outbuilding is part of and which was part of a larger site that has been developed to provide dwellings in Davy Lamp Close.

- 034579 Variation of condition 2 of planning reference 033487 to allow for additional parking and alter fence boundaries. Approved 2017.
- 033487 Erection of 2 pairs of semi-detached bungalows (4 in total). Approved 2015.
- 031971 Two pairs of semi-detached bungalows (4 No total) (Application for new planning permission to replace extant planning permission in order to extend time limit for implementation). Approved 2013.
- 030008 Two pairs of semi-detached bungalows (4 No total). Approved 2010.
- 011462 Erection of 4 dwellings (outline to include layout, scale, appearance & access) (Land rear of 7-19 Humphrey Davy Road) (Amended scheme following refusal of 11067). Approved 2007.
- 011067 Erection of 5 single storey dwellings with accommodation in roof space (outline to include layout, scale, appearance & access) (Land rear of 7-19 Humphrey Davy Road). Refused 2006.
- 010564 Erection of 5 houses (outline) (To include siting, access, design & external appearance). Refused 2006.
- 010076 Erection of 5 houses (outline) (rear of 7-19 Humphrey Davy Road). Refused 2006.

### **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:**

WCC Fire and Rescue, NHS Ambulance Services, Warwickshire Police and Central Building Control Partnership.

### **CONSULTEE RESPONSES:**

No objection from: Warwickshire Police

### **NEIGHBOURS NOTIFIED:**

88 Mavor Drive, 1, 3, 5, and 7 Humphrey Davy Road, 1 and 2 Davy Lamp Close, and 140 Newcomen Road.

Neighbouring properties were sent letters notifying them of the proposed development on the 8<sup>th</sup> October 2019 and one further letter to one address on the 29<sup>th</sup> January 2020.

After the 28<sup>th</sup> of January Committee, No.2 Davy Lamp Close and No.7 Humphrey Davy Road submitted additional concerns. These are set out below.

### **NEIGHBOUR RESPONSES:**

There have been 4 letters of objection from 4 addresses raising the following points:

1. Previous application on the land refused.
2. Detrimental impact on wellbeing of surrounding neighbours
3. Concerns of noise and light from the proposal and concerns over use of building for residential purposes.
4. Obtrusive and not in keeping with surrounding properties, noise issues, height, overshadowing and privacy concerns.
5. Water drainage concerns.
6. Concerns due to the previous permission for erection of bungalows on the land at Davy Lamp Close.
7. Covenant clause on land that only 4 buildings can be erected on the land.
8. Lack of access for emergency services for example, Fire service Ambulance service and Police.
9. Mental health of neighbours will be impacted upon by noise; disturbance; dust; loss of daylight; vibration; visual amenity; smells and fumes.
10. Overdevelopment and sense of enclosure.

#### **Additional Concerns**

1. The applicant owns both 88 and 86 Mavor Drive. Both properties drives can safely accommodate two cars each. If nine cars were parked five would be on the road. There is nowhere near enough space for 9 cars to be parked at 86 and 88 Mavor Drive. With a further 5 cars parked on the road, it will cause congestion and safety issues turning into Mavor Drive from Newcomen Road.
2. When the lights are on at night it is going to cause night time pollution. Therefore, it would be more appropriate if the skylight is re-positioned to the front of the annexe facing towards the rear of 86 Mavor Drive

3. We would request the applicant to consider the following as a gesture of goodwill and community spirit.
  - a. Reposition the sky lights in the roof facing his property; this will ensure that the surrounding residents will see only the roof and there will be no light issues.
  - b. Remove the toilet and shower room. The main residence is enough for them to use the toilet/shower. The additional space can then be used as a games for his children, as the stated use.

## **APPRAISAL:**

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

1. Principle of development.
2. Impact to residential amenity.
3. Impact to the visual amenity.
4. Impact on highway safety.
5. Conclusion.

Apparently, there is a covenant placed on the land, however, there is no planning involvement on covenants of land which were established at any point between landowner and developer and covenants are not a material planning consideration and the applicant will need to arrange for this to be removed by the person who placed this on the land.

### **1. Principle of development**

The proposal is for an ancillary building to the main residential property for residential use, the proposal states it will be used as a study/games room. The land is surrounded by residential properties, therefore the principle of the use for ancillary residential use is considered acceptable providing that residential and visual amenity are acceptable.

### **2. Impact to residential amenity**

#### *Impact to 88 Mavor Drive*

In relation to the applicants attached neighbour number 88 Mavor Drive, the ground floor rear windows of this property are to an extension and therefore the views from these windows cannot be protected as per paragraph 9.2 of the Council's Residential Design Guide 2004 (RDG). In terms of the sense of enclosure to this neighbour's garden, the view of the proposal will be limited from this neighbour's garden due to their own detached building at the bottom of their own garden blocking the view to the proposed outbuilding.

#### *Impact to 140 Newcomen Road*

There will be a distance of 12.8 metres from the rear of the original part of the house of this property to the blank wall of the proposed outbuilding. So this complies with the 12 metres set out in paragraph 9.2 of the RDG. Notwithstanding this, number 140 Newcomen Road is partly extended to the rear.

#### *Impact to 1 and 2 Davy Lamp Close*

There is a distance of 15.5 metres from the original rear windows of 1 and 2 Davy Lamp Close to the proposed new outbuilding which exceeds the 12 metres set out in paragraph 9.5 of the RDG from original rear windows to a blank wall. Roof lights are proposed to the rear of the proposed outbuilding which will be visible from 1 and 2 Davy Lamp Close but these are at high level and will therefore not provide overlooking.

### *Impact to 5 and 7 Humphrey Davy Road*

There is a small toilet/shower room window proposed on the elevation to these properties but this is considered to be to a non-habitable room and is labelled to be obscure glazed necessary for privacy. In addition any views will be protected by the 1.8 metre fence in close proximity to the window. There are 15 metres from the original rear walls of these properties to the proposed outbuilding so again the 12 metres distance set out in the RDG paragraph 9.5 is met. Notwithstanding this, the parts of these houses that are in line with the proposal are extensions so again cannot be protected. In terms of the sense of enclosure to these gardens, the proposal is only across a relatively small part of the rear boundary of these neighbours' gardens.

Neighbours were concerned with light emanating out from the skylight during darkness and causing light pollution as well as the internal layout including a toilet. The applicant has now submitted amended plans showing that the skylight and internal shower and toilet have been removed.

Therefore, it is considered that the proposal is in compliance with the RDG to all of the neighbouring properties in terms of sense of protecting aspect and light to these neighbours original rear windows and garden area.

### **3. Impact to the visual amenity**

The outbuilding is on lower land level than the existing dwelling and whilst it is relatively long at 12.4 metres, it is relatively low at 3.4 metres to the ridge. The materials proposed are concrete interlocking tiles to the roof and facing brickwork to the walls so this is in keeping with the surrounding area and it is therefore considered that the visual amenity is acceptable. However it is considered relevant if approved, to condition the approval so that the similar colour and type of materials are used to that which matches the area.

### **4. Impact on highway safety**

The development will not have an impact on highway safety as no further bedrooms are proposed therefore the existing number of parking spaces for the development is considered to be sufficient for the host dwelling as the proposal is to be ancillary to this.

### **5. Conclusion**

In conclusion, the distance from the surrounding dwellings meets the distance standards within the RDG in relation to protecting aspect and light to these neighbour's rear windows and garden area. The use is ancillary to the main house so the principal of the development is considered acceptable and the materials are in keeping with the area. The neighbour concerns over the covenant placed on the land is not a current planning consideration and will be up to the Applicant to resolve with the previous owner who placed the covenant. In conclusion it is considered there is no valid planning reason to refuse the application upon.

## **REASONS FOR APPROVAL:**

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

conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

**SCHEDULE OF CONDITIONS:**

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

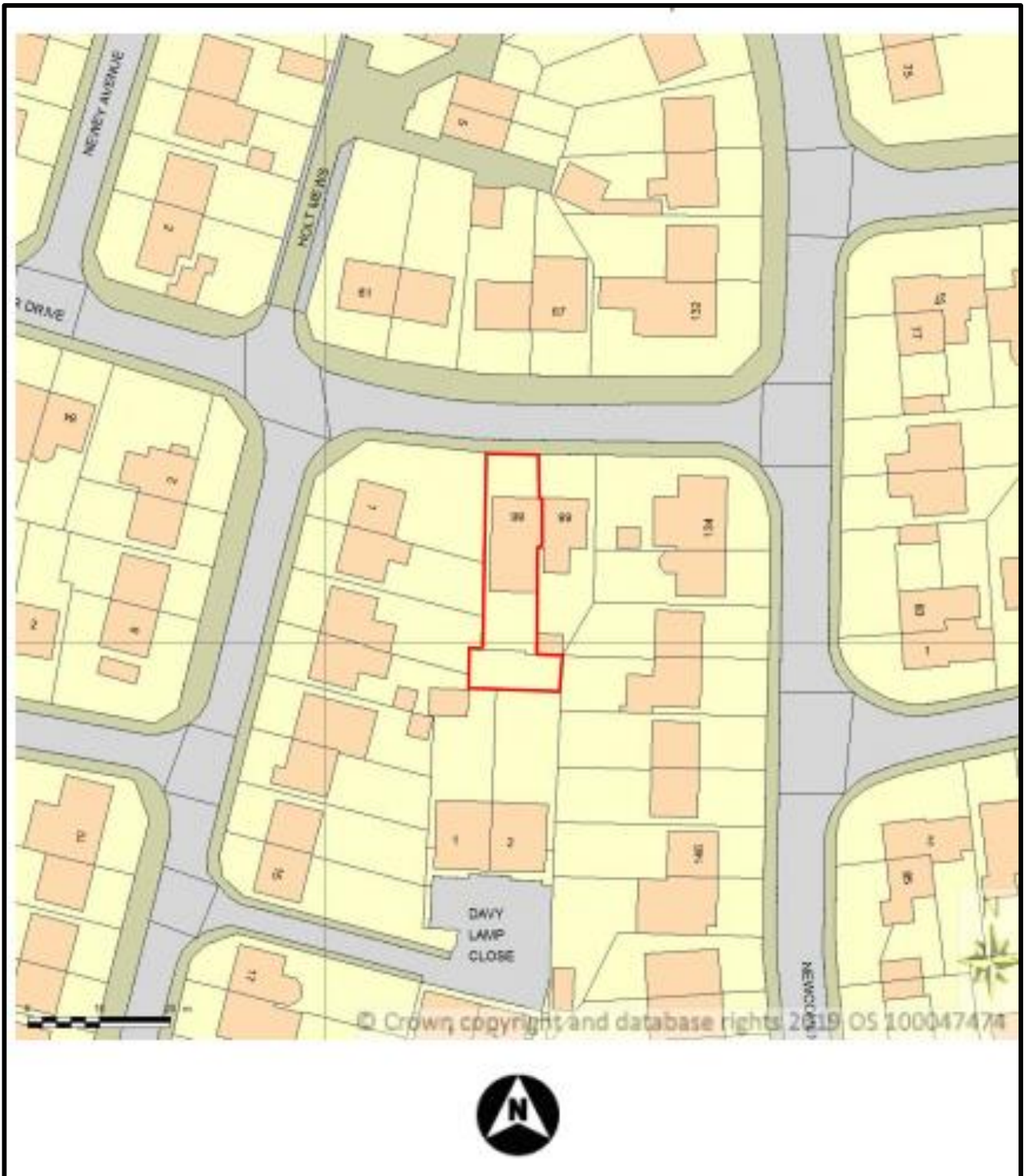
2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

<i>Plan Description</i>	<i>Plan No.</i>	<i>Date Received</i>
Location Plan	02	30 <sup>th</sup> September 2019
Proposed Elevations, Floor Plan and Roof Plan	MD86-10A	03 <sup>rd</sup> February 2020

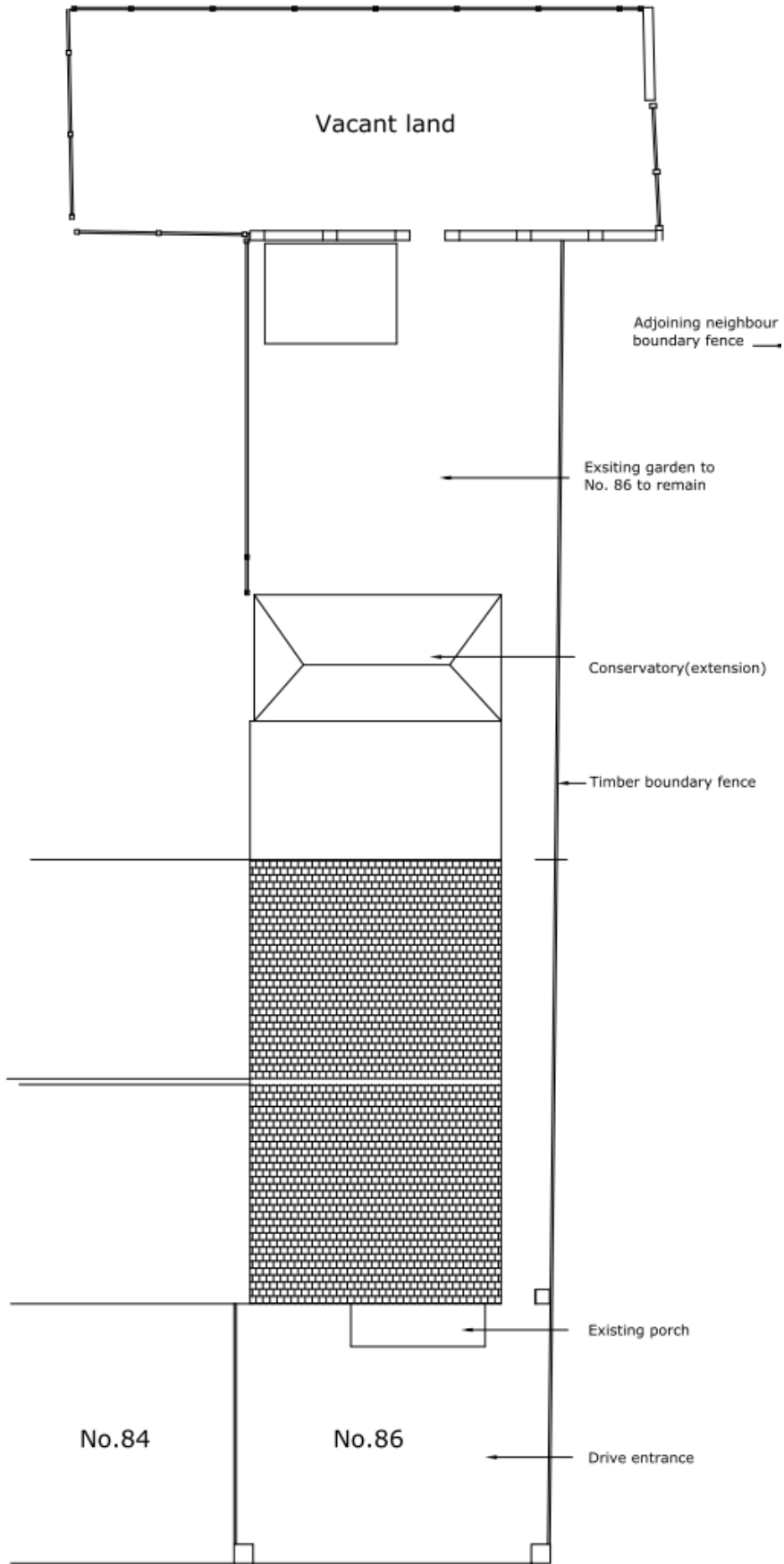
3. No external materials shall be used in the annexe other than of the same type, texture and colour as those used in the existing building, unless otherwise agreed in writing by the Council.

4. The approved outbuilding is to be used purely ancillary to the dwelling known as 86 Mavor Drive.

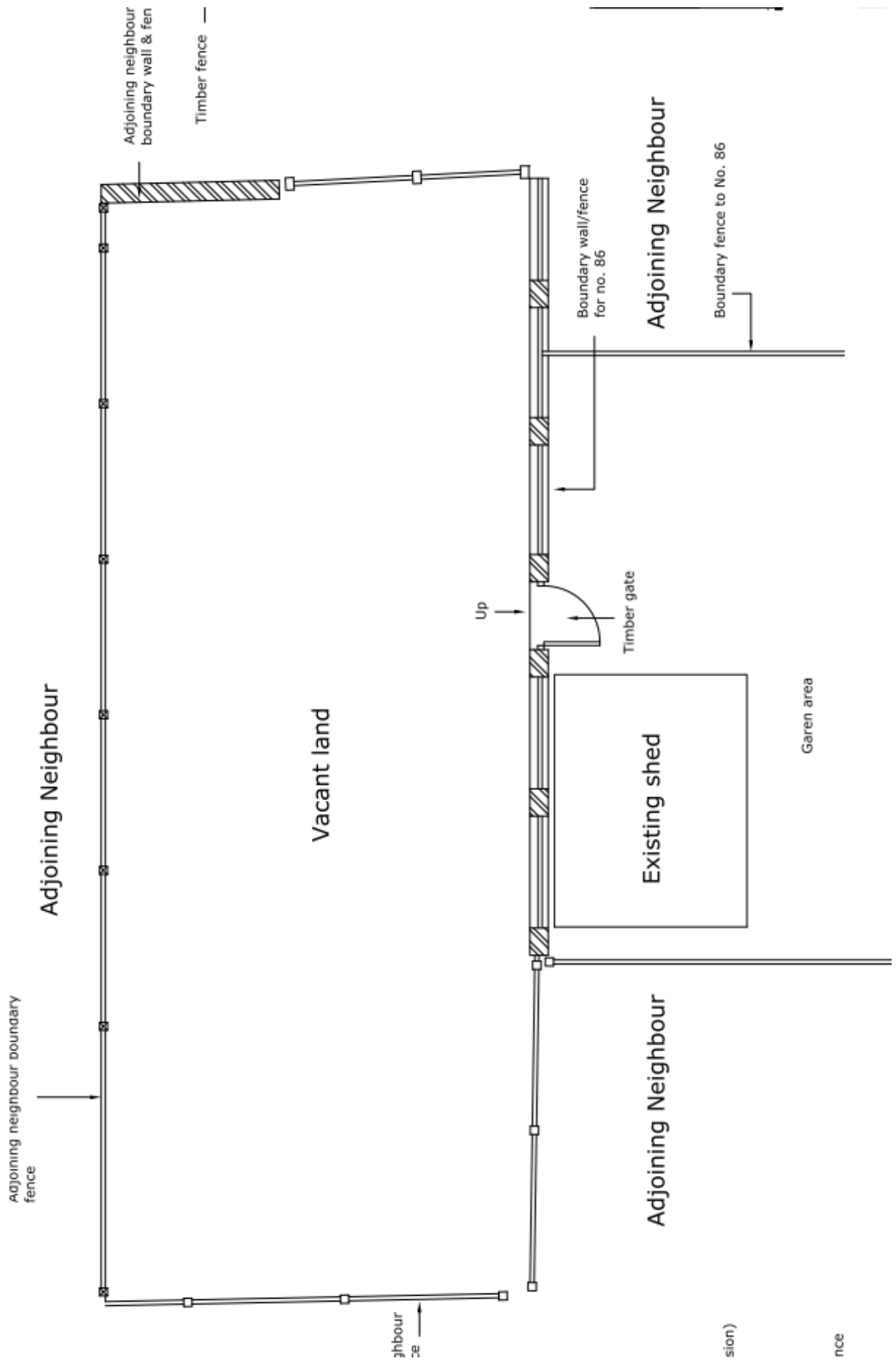
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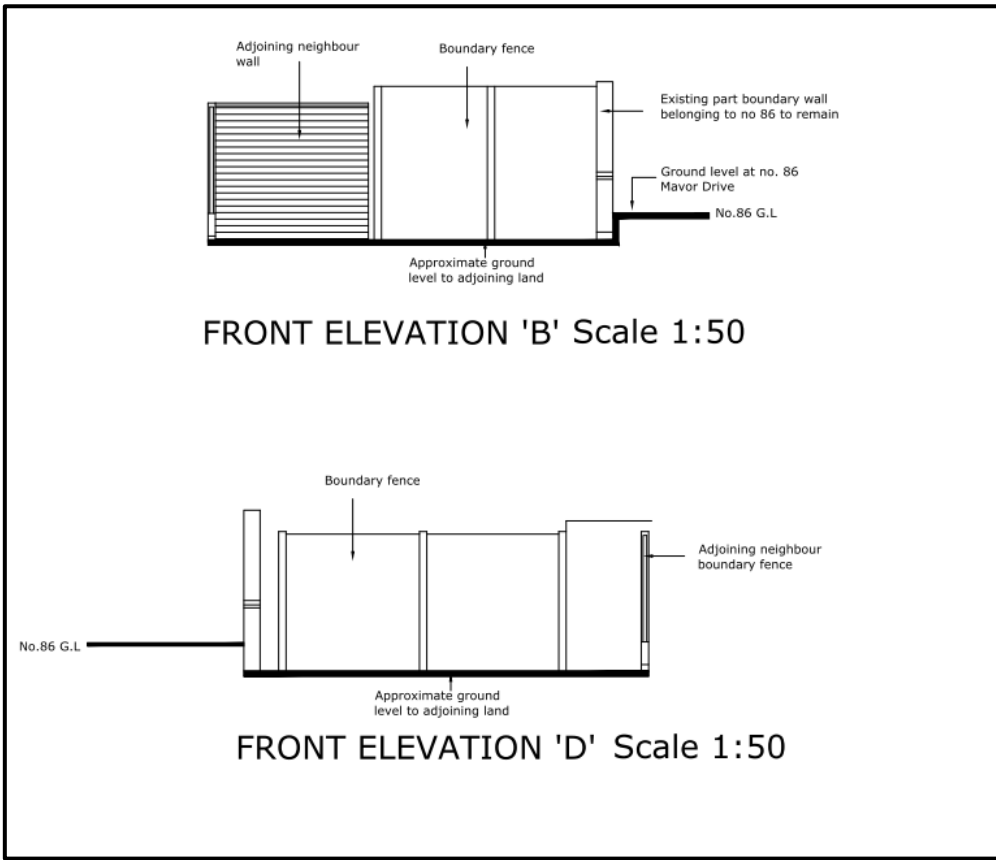
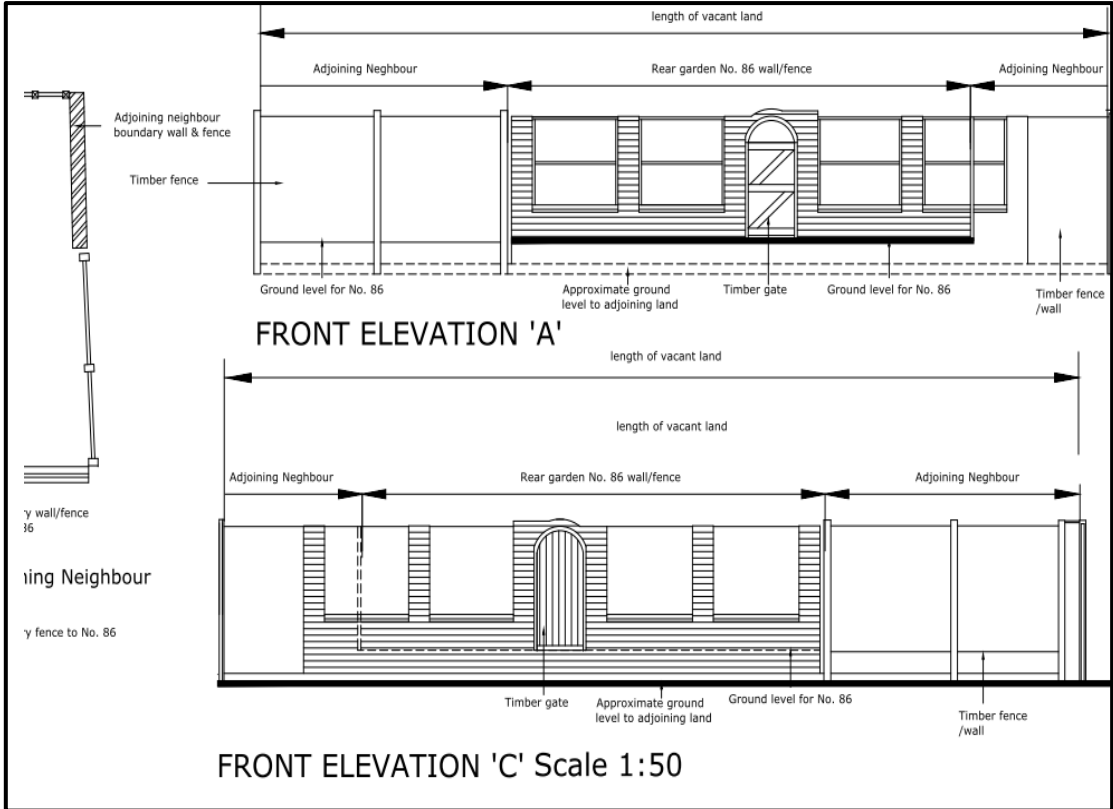
## Location Plan



**Existing Site Plan**

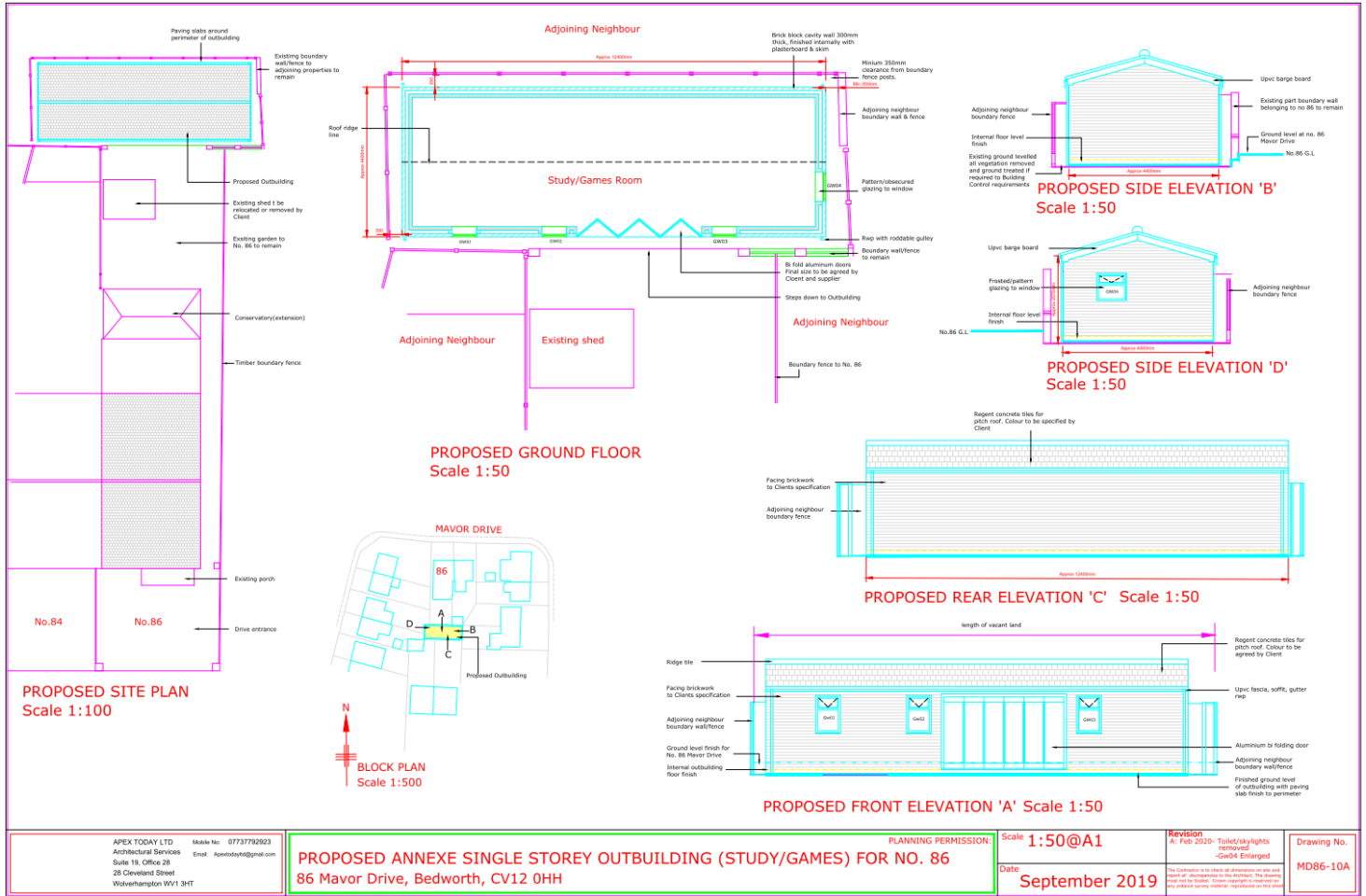


**Existing Site Plan**



**Existing Elevations of fence surrounding the vacant land.**





<p>APEX TODAY LTD          Architectural Services          Suite 19, Office 288          28 Cleveland Street          Wolverhampton WV1 3HT</p> <p>Mobile No: 07737792923          Email: Apextoday@gmail.com</p>	<p><b>PROPOSED ANNEXE SINGLE STOREY OUTBUILDING (STUDY/GAMES) FOR NO. 86</b>  <b>86 Mavor Drive, Bedworth, CV12 0HH</b></p>	<p>PLANNING PERMISSION:          Scale 1:50@A1          Date: September 2019</p>	<p>Revision          16 Feb 2020 - Toilet/skylights removed - GWS Enlarged</p> <p>The Contractor is to check all dimensions on site and report all discrepancies to the architect. The architect may not be liable. Crown copyright is reserved and this document is exempt from copyright on this point.</p> <p>Drawing No.  <b>MD86-10A</b></p>
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## Proposed Elevations, Floor Plan and Roof Plan

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## Item No. 2

**REFERENCE No.** 036690

**Site Address:** Site 36A002 - Plough Hill Golf Centre, Plough Hill Road, Nuneaton, Warwickshire, CV10 9NZ

**Description of Development:** 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

**Ward:** GC

---

### **RECOMMENDATION:**

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

### **INTRODUCTION:**

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) at Site 36A002 - Plough Hill Golf Centre, Plough Hill Road, Nuneaton, Warwickshire, CV10 9NZ.

Plough Hill Road forms the western boundary for the arable fields and part of the golf centre. Where the parcel of arable fields is set back from Plough Hill Road, its western boundaries are formed by mature hedgerows and dense vegetation. The eastern boundary of these fields is defined by the Local Wildlife Site, 'Ansley Mineral Line/The Shuntings', and the northern and southern boundaries of both parcels of land are bordered by hedgerows.

An existing stream flows along part of the southern boundary of the golf centre's driving range, and crosses into the golf course.

A house, 'Plough Hill Farm Cottage' is located immediately outside the southern boundary of the golf centre parcel of land, and is accessed by an existing track contained within the application site. Backing on to the house, and within the application site, is a small cluster of buildings.

A potential Local Wildlife Site, 'Wooded Stream, Plough Hill Farm' is within the south-east corner of the driving range parcel of land.

Beyond the site's boundary to the east, lies the residential edge of Chapel End, and to the north and south lie open fields. Part of the open field adjacent to the southern boundary of the driving range has been granted permission for an outline housing scheme which is currently being built.

The application site has already had its outline and the matter of access approved, but changes are now being proposed to the previously approved reserved matters (appearance, landscaping, layout and scale).

### **BACKGROUND:**

This is a reserved matters application for the erection of up to 300 houses pursuant to an earlier outline application 034600.

The following matters are to be considered with this application:

- Appearance – The aspects of a building or place which determine the visual impression it makes, including the external built form of the development.
- 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 or walls.
- Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.
- Scale – the height, width and length of each building proposed in relation to its surroundings.

The remaining matter which is not being considered here is:

- Access – accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

The application is being reported to Committee at the request of Councillor Keith Kondakor.

### **RELEVANT PLANNING HISTORY:**

- 036109 – Approval of reserved matters for 300 dwellings – Approved 12/6/19.
- 035732 – Variation of Condition 4 of approval ref 034600 to remove the Indicative Site Layout plan and amend site location plan and condition 10 to include details of bus stop provision outside of the development site – Approved 4/3/19.
- 034600 – Residential development of up to 300 dwellings open space relocation of existing nursery access and associated works with demolition of existing buildings (outline to include access) – Approved 13/11/17.
- 033633 – Residential development of up to 300 houses, open space, relocation of existing nursery, access and associated works with demolition of existing buildings, (outline to include access) – Refused 1/11/16.

### **RELEVANT PLANNING POLICIES:**

- Policies of the Borough Plan 2019:
  - DS1 – Presumption in favour of sustainable development
  - DS3 – Development principles
  - H2 – Affordable Housing
  - HS1 – Ensuring delivery of infrastructure
  - HS5 – Health
  - NE1 – Green infrastructure

- NE2 – Open space
- BE3 – Sustainable design and construction
  - Supplementary Planning Guidance / Supplementary Planning Documents.
- Affordable Housing SPD 2007.
- Residential Design Guide 2004.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

### **CONSULTEES NOTIFIED:**

Coal Authority, CPRE, Environment Agency, Natural England, National Grid, NBBC Environmental Health, NBBC Housing, NBBC Parks, NBBC Policy, NBBC Refuse, North Warwickshire Borough Council, Nuneaton Society, Warwickshire Police, WCC Archaeology, WCC Footpaths, WCC Fire and Rescue, WCC Flood Risk Team, WCC Highways, WCC Infrastructure Team, Western Power, Severn Trent Water.

### **CONSULTATION RESPONSES:**

No objection subject to conditions from:  
WCC Highways, WCC Flood Risk.

No objection from:

Natural England, Environment Agency, NBBC Housing, WCC Fire and Rescue NBBC Refuse, NBBC Planning Policy, Warwickshire Police, WCC Footpaths, Stagecoach.

No response from:

Coal Authority, CPRE, North Warwickshire Borough Council, National Grid, NBBC Environmental Health, NBBC Parks, Nuneaton Society, Western Power, WCC Archaeology, WCC Infrastructure Team, Severn Trent Water.

### **NEIGHBOURS NOTIFIED:**

152 Ansley Common CV10 0QA, 26; 71- 81(odd), 99 Bettina Close; 3-10 (inc)Blake Close; 10 Bronte Close; 7-12 (inc) Browning Close; 8 Campbell Close; 31- 69 (odd), 40-50 (even), 83- 115 (inc), 117- 129 (odd) Chaytor Drive; 10, 18, 46a, 50-58 (even) Chesterton Drive; Stanley Brick House, The Chase Public House,81-85 (odd), 89, 92-102 (even), 98a, 105a, 105- 145(odd),134-166 (even) Coleshill Road; 6, 25 Dickens Close; 17, 29 Fielding Way; 43-53 (odd), Freesland Rise; 106-126 (even) Frensham Drive; 19Gloucester Close; 3 Kipling Close; 2 Laurel Drive; 3, 29, 79 Lilleburn Drive; 5- 18 (inc) Marlowe Close; 45- 51(odd), 63- 77 (odd) Merlin Avenue; 42 Orford Rise; Cheeky Monkeys Day Nursery; Garry Dolman Hairdressing; Flat above Plough Hill Golf Centre; Plough Hill Golf Centre; The Manager Stretton Lodge; Flats 1-8 (inc) Stretton Lodge; Plough Inn; Plough Hill Farm; Hill Farm; Park Farm; 1, 3, 9, 11, 13, 15, 38, 39, 43- 59 (odd); 48- 66 (even); 61-67, 66a, 69, Rear of 69; 71- 109, 98, 100, 106-112 (even), 117- 121 (odd), 128 – 132, (even), 136 – 148 (even), 174-176, 203, 205, 245- 251 (odd), 247a, 271-287 (odd), 301. Plough Hill Road; 3-9 (inc)Ruskin Close; Chapel End Liberal Club School Hill; 21- 25 (odd) Selby Way; 6-9 (inc) 15 Swinburne Close; Thistledome, 1-14 (inc), 16, 18 Waggestaff Drive; 16 Whitebeam Way; 18 Whitestone Road; 1, 2, 9, Willow Close; Nuneaton Society; Gladman Developments; Taylor Wimpey c/o Pegasus Group, 5 The Priory, Old London Road, Canwell; Chair Galley Common Residents Association.

Neighbouring properties were sent letters notifying them of the proposed development on 17<sup>th</sup> October 2019.

### **NEIGHBOUR RESPONSES:**

There has been 1 objection from 1 address as well as a letter from Councillor Kondakor. The comments are summarised below;

1. The plans show changes near to existing properties
2. Car parking areas are due to change
3. Additional comings and goings
4. A tarmac path will encourage anti-social behaviour
5. The developer is ignoring current wheel wash conditions
6. There will be an additional loss of oak trees

### **APPRAISAL:**

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

1. Appearance
2. Landscaping
3. Layout
4. Scale

#### **6. Appearance**

The development site is a large site which is big enough to create its own character. The development makes the most of the land available by being developed in circular road patterns and cul-de-sacs. Generally the land rises to the north and west and falls north to south and west to east.

The proposed dwellings are to be constructed from a range of traditional materials with traditional features including brick, tile and render with soldier coursing, brick string coursing, and a mixture of hipped and gables dwellings across the site.

Overall the appearance of the proposal is very similar to that previously approved and is acceptable in regard to this reserved matter.

#### **7. Landscaping**

The majority of open space on the site is to remain as was previously approved but with some very small changes to configurations and foot path shapes and the like. It still includes open space, a small village green, The Shuntings woodland corridor, attenuation basin, a recreational area (Local Equipped Area for Play--LEAP) and an east / west woodland corridor.

WCC Highways did insist on a slight widening of the road near to the 'village green' which has had the very small knock-on effect of losing a small amount of the open space. This is not significant however and is acceptable.

There are several trees to be lost, in addition to those previously agreed to be removed, and these include T96 and T104 (both English Oaks), T102 and T103 (both Ash) along

with several other groups of trees. Whilst it is regrettable that some additional trees are to be lost, overall it is considered that these trees are not significant enough to retain.

The Council's Parks and Countryside Team have been consulted but are yet to confirm if they are content with the scheme. Given the small changes to the scheme Officers are happy to recommend approval to the scheme.

## **8. Layout**

Some small changes to the layout will be made, including the changes to house-types and changes to landscaping, which also include plots 8 and 9 becoming a semi-detached pair rather than two detached houses. Plot 4 will have its garage removed and shifted to plot 1 and 2. Plots 79 and 80 are shifting ever so slightly north, which will create a captive car parking space but will bring the spaces for 79 within (or closer) to its curtilage.

Plot 105 is swapping from a semi-detached to detached, whilst plot 107 is doing the reverse, with plot 106 remaining as a semi-detached property. Plots 83, 82 and 81 has a small access way included to the rear to allow service and refuse movements around their garden space. Plot 191 is moving slightly as its driveway swaps from one side to the other.

WCC Highways were consulted and have asked for conditions to be added to any approval of these reserved matters.

## **9. Scale**

The properties are all 2 storey with some 2.5 storey with rooms in the roof space. The 2.5 storey properties all have non habitable room velux windows to the rear and the habitable velux windows to the front.

The dwellings are not out of scale with the surroundings and take into account the new development to the south of this site and the modern estates of other sections of Plough Hill Road.

## **10. Conclusion**

In conclusion the proposed reserved matters are broadly similar to the previously approved matters but with small changes which are considered acceptable.

On balance it is felt that these reserved matters are acceptable.

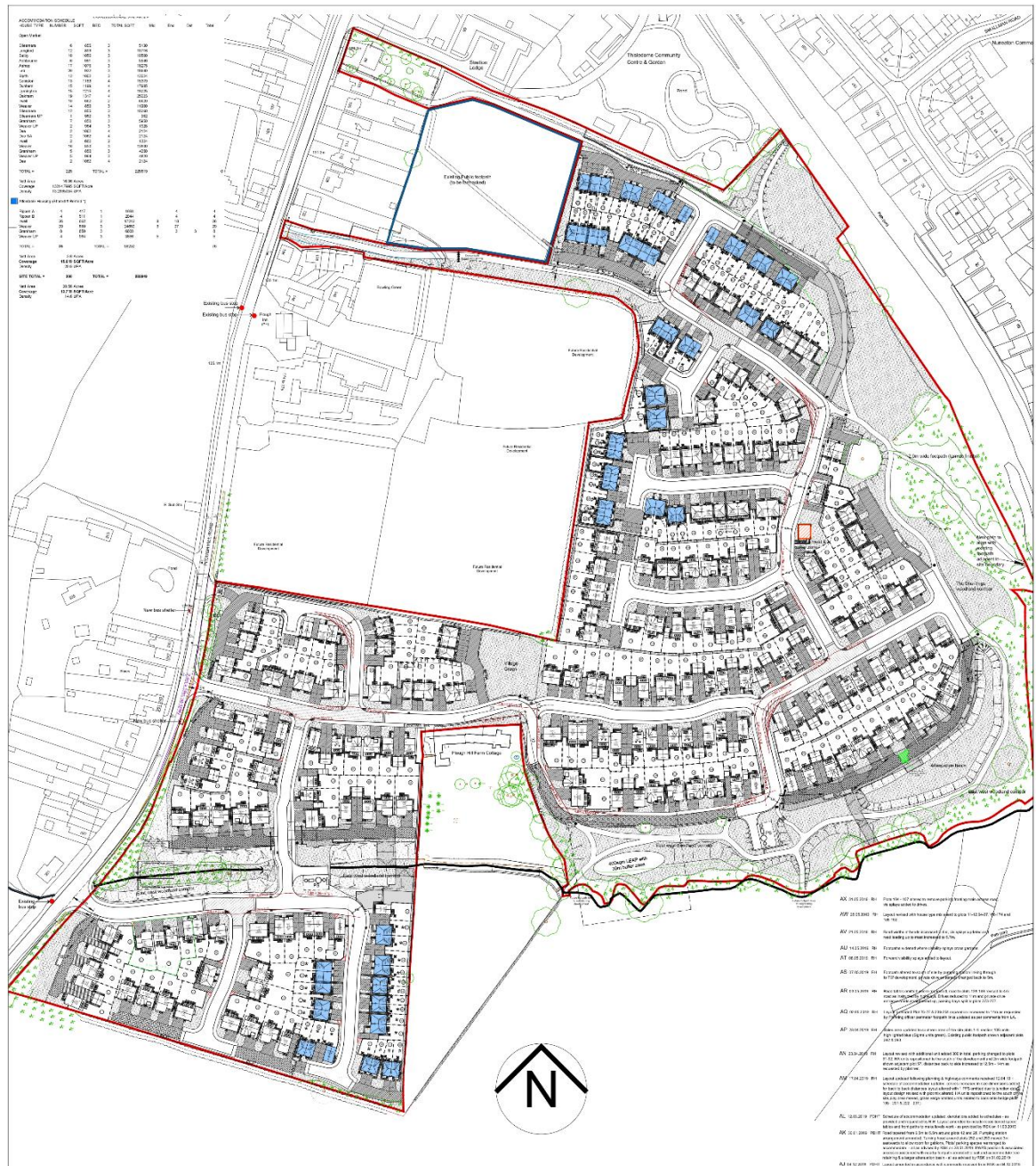
### **REASONS FOR APPROVAL:**

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

## SCHEDULE OF PLANS:

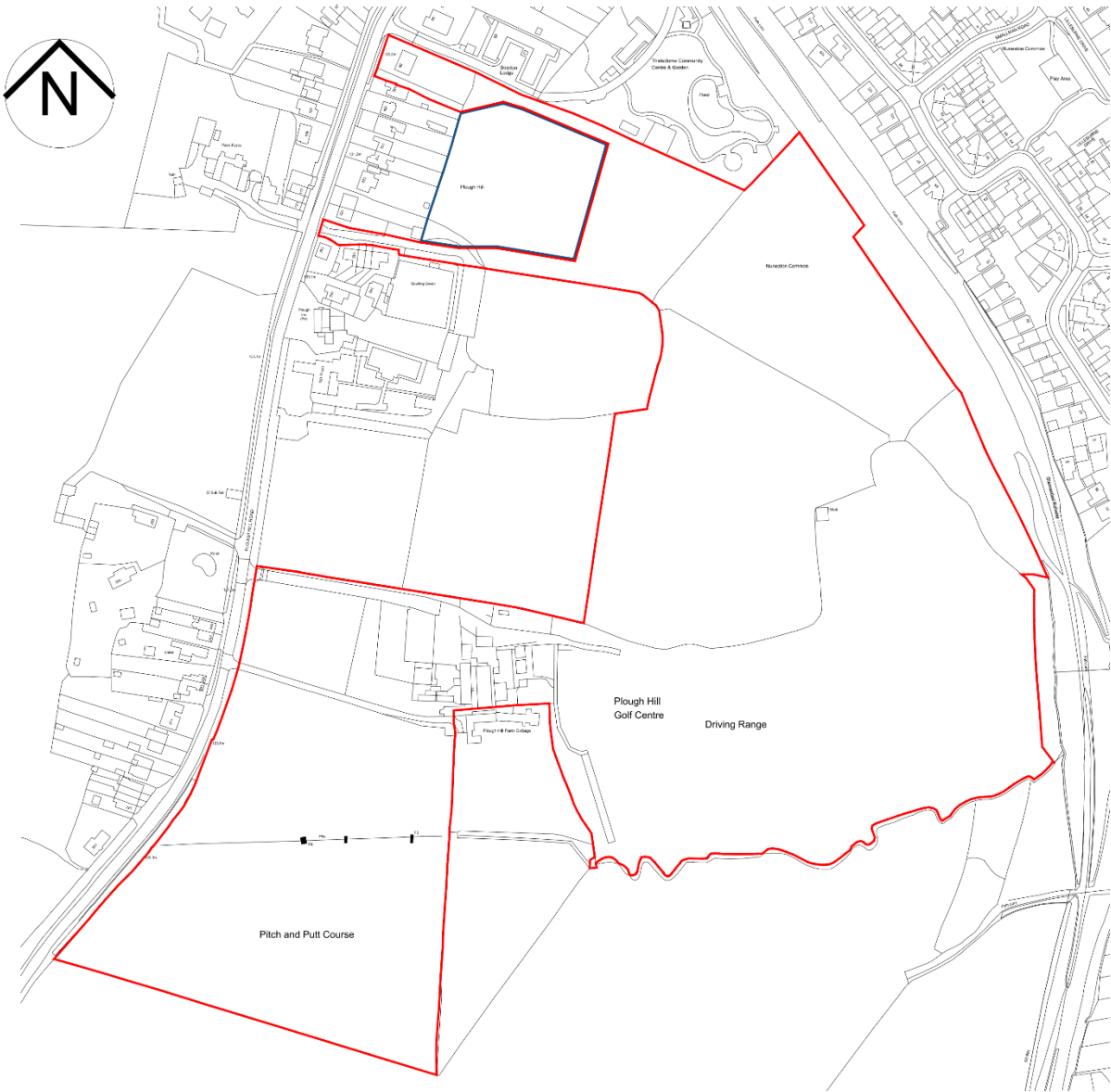
1. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Reference Number	Date Received
The Ashbourne	ASHB-01	25.9.19
Sales Garage Detached	NSD 9803	25.9.19
The Selby	SELB-01	25.9.19
The Dee SA	DEE-SA-01	25.9.19
The Ellesmere	ELLE-01	25.9.19
The Weaver	WEAV-01	25.9.19
Single Garage Detached	NSD 9800	25.9.19
The Ashop	ASHO-01	25.9.19
The Avon	AVO-01	25.9.19
The Coniston	CONI-01	25.9.19
The Dee	DEE-01	25.9.19
The Dunham	DUNH-01	25.9.19
The Ellesmere	ELLE-01	25.9.19
The Ellesmere – UP	ELUP-01	25.9.19
The Grantham	GRAN-01	25.9.19
The Irwell	IRWE-01	25.9.19
The Longford	LONG-01	25.9.19
The Lymington	LYMI-01	25.9.19
The Oakham	OAK-01	25.9.19
The Rippon Apartments	SIG-RIPP-01	25.9.19
The Weaver	WEUP-01	25.9.19
Twin Garage Detached	NSD 9802	25.9.19
Planning Layout	SKM34-PL-01 rev BB	20.11.19
TS Mark-up	SK003 – 890222	20.11.19
Fire Appliance Tracking and Visibility Layout	890222-RSK-C-ALL-02-04-01 rev P03	25.9.19
Fire Appliance Tracking and Visibility Layout	890222-RSK-C-ALL-02-04-02 rev P03	25.9.19
MPV Tracking and Visibility Layout	890222-RSK-C-ALL-02-02-01 rev P03	25.9.19
MPV Tracking and Visibility Layout	890222-RSK-C-ALL-02-02-02 rev P03	25.9.19
Refuse Tracking and Visibility Layout	890222-RSK-C-ALL-02-03-01 rev P05	25.9.19
Refuse Tracking and Visibility Layout	890222-RSK-C-ALL-02-03-02 rev P05	25.9.19



Site Layout Plan





Site Location Plan



Front Elevation  
Scale 1:100 6.0 (Brick)



Front Elevation  
Scale 1:100 6.1 (Render)

# The Lea



Front Elevation 6.0 (Brick)  
Scale 1:100



Front Elevation 6.1 (Brick/Render)  
Scale 1:100

# The Irwell



**Front Elevation 6.0 (Brick)**

Scale 1:100



**Front Elevation 6.1 (Brick/Render)**

Scale 1:100

# The Ellesmere



Front Elevation 6.0 (Brick)  
Scale 1:100



Front Elevation 6.1 (Brick/Render)  
Scale 1:100

# The Longford



Front Elevation 6.0 (Brick)

Scale 1:100



Front Elevation 6.1 (Brick/Render)

Scale 1:100

# The Grantham



Front Elevation  
Scale 1:100 6.0 (Brick)



Front Elevation  
Scale 1:100 6.1 (Render)

# The Blyth



Front Elevation 6.1 (Brick/Render)  
Scale 1:100



Front Elevation 6.0 (Brick)  
Scale 1:100

# The Dee



# The Ashop



Front Elevation 6.0 (Brick)

Scale 1:100



Front Elevation 6.2 (Brick/Tiles)

Scale 1:100

# The Dunham





Front Elevation 6.0 (Brick)  
Scale 1:100



Front Elevation 6.2 (Brick/Tiles)  
Scale 1:100

# The Lymington



Front Elevation 6.0 (Brick)  
Scale 1:100



Front Elevation 6.1 (Brick/Render)  
Scale 1:100



Front Elevation 6.2 (Brick/Tiles)  
Scale 1:100

# The Coniston



# The Ashbourne



# The Rippon Apartments



Front Elevation 6.0 (Brick)  
Scale 1:100

# The Selby



Front Elevation  
Scale 1:100 6.1 (Render)

# The Oakham

**REFERENCE No.** 036848**Site Address:** Site 119a001 Coventry Road, Bulkington, Bedworth**Description of Development:** 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**Ward:** BU

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**RECOMMENDATION:**

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

**INTRODUCTION:**

This application is for the siting of a 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. The applicant has confirmed that the touring caravan is used as an extra bedroom as they have a large family and the outbuilding to the rear of the mobile home is being used to store the washing machine. This site is part of a larger site that originally had planning permission for 6no. dwellings. It has been divided into three plots which are separated by 1.8 metre high fencing. The site subject of this current application is to the northern end and is adjacent to no 151 Coventry Road. Adjoining the boundary with no 151 there is 1.8 metre high fencing. No 151's driveway adjoins this which leads to a detached garage. No 151 has rear facing patio doors which serve the lounge and also a conservatory to the rear. There are open fields to the rear (east) and opposite to the west. Further to the south-west are properties along Coventry Road which are two storey.

**RELEVANT PLANNING HISTORY:**

- 036728: Erection of detached dwelling (in lieu of a pair of semi-detached properties approved under permission 036155): Approved 28/11/2019
- 036155: Erection of 6 dwellings (Approval of reserved matters relating to appearance, landscaping, layout and scale of already approved outline application ref 035756): Approved 14/03/2019.
- 035756: Erection of 6 dwellings (outline including access): Approved 31/10/2018

**RELEVANT PLANNING POLICIES:**

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

- Policies of the Borough Plan 2019:
  - DS1 – Presumption in favour of sustainable development
  - DS7- Green Belt
  - BE3 – Sustainable design and construction
- Affordable Housing SPD 2007.
- Residential Design Guide 2004.

### **CONSULTEES NOTIFIED:**

NBBC Environmental Health, NBBC Planning Policy, Severn Trent Water, WCC Highways.

### **CONSULTATION RESPONSES:**

No objection subject to conditions from:  
WCC Highways

No objection from:  
NBBC Environmental Health

No response from:  
NBBC Planning Policy, Severn Trent Water

### **NEIGHBOURS NOTIFIED:**

149 & 151, 157 (Smithfields), 159-173 (odd), 177 & 179 Coventry Road

Neighbouring properties were sent letters notifying them of the proposed development on 19<sup>th</sup> December 2019. A site notice was erected on street furniture on 20<sup>th</sup> December 2019 and the application was advertised in The Nuneaton News on 8<sup>th</sup> January 2020.

### **NEIGHBOUR RESPONSES:**

There have been 7 objections from 4 addresses. The comments are summarised below;

1. Mobile homes are out of keeping with existing housing and detrimental to visual amenity.
2. The mobile homes are raised above the natural ground level.
3. Has lead to increased flooding.
4. Overlooking and loss of privacy.
5. The lighting impacts on properties and wildlife.
6. With such limited space on site, it would be difficult to build the house with the mobile homes on site.
7. An 18 month permission is excessive.
8. Multiple vehicles parked on the site.
9. Fire risks with mobile homes, vehicles and gas cyclinders.
10. Would like assurance that the houses will be built.
11. Impact on wildlife and ecology.
12. Increased rubbish.
13. Urge the Committee to make a site visit.

## **APPRAISAL:**

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

1. The appropriateness of the use,
2. Residential amenity,
3. Visual amenity,
4. Highway safety,
5. Flooding & Drainage
6. Conclusion

### **1. The Appropriateness of the Use**

This application would provide temporary living accommodation to allow the construction of a residential dwelling that has been approved under permission 036728. The principle of residential development and accordance with policy has already been established through the granting of outline planning permission 035756, the subsequent reserved matters 036155 and the application for the erection of a detached dwelling (in lieu of a pair of semi-detached properties) under permission 036728. The site is within the Green Belt and the outline application was recommended for refusal as it was considered that would constitute inappropriate development within the Green Belt and would have a material impact on the openness of the Green Belt and would lead to further encroachment within the Green Belt. It was not considered that very special circumstances exist which would outweigh the harm by reason of inappropriateness to the Green Belt. The application was determined by Planning Applications Committee where it was found that there were special circumstances in that the development would be limited infilling and improve a small area of land and would be in keeping with the existing pattern of development.

Taking into account the Planning history of the site and the planning permissions that exist it is not considered that the proposed siting of a mobile home and touring caravan would have a significant detrimental impact on the openness, character and visual amenity of the Green Belt. The caravans are to remain in place for a period of 18 months. This is acceptable providing a condition is added to ensure that both caravans and outbuilding are removed at the end of the period.

### **2. Residential Amenity**

The nearest neighbouring property is no 151 Coventry Road. No 151 has rear facing patio doors which serve the lounge and also a conservatory to the rear. As the conservatory is not original it is not protected. The proposals do not infringe the 60 degree guideline from the nearest patio doors, and therefore is in compliance with paragraph 9.6 of the (RDG). Objections have been made that the ground level has been raised. Gravel has been laid on the site which may have altered the ground level but it does not appear that there has resulted in a material change to the site level. The agent has confirmed that they are not aware of any changes that have been made to the site levels. The mobile home and touring caravan would still be seen as single storey in relation to no 151. Due to the siting of the mobile home and touring caravan it is not considered that there would be any direct overlooking of the rear facing windows at No.151. In any case, there is approximately 20 metres separation between the mobile home and no 151's rear facing windows. This is also in compliance with the RDG (paragraph 9.3). There is also approximately 13 metres separation between the mobile home and no 151's rear private amenity space which, again, complies with the RDG (paragraph 9.4). The mobile home does have some lighting on its front elevation. However, it is not considered that they create significant lightspill. NBBC Environmental Health have no objections.

### **3. Visual Amenity**

The proposed plans show that the mobile home would measure 13.2 metres x 4.2 metres and the touring caravan would measure 7.5 metres x 2.5 metres. They are sited to the rear of the site, the nearest part of the caravan to the highway is over 30 metres from the highway. There is a small plastic outbuilding which is sited to the rear of the mobile home. The mobile home and touring caravan are visible from Coventry Road but are partly screened by the boundary fencing. The small outbuilding is not particularly visible from Coventry Road. The longevity of materials is a concern with caravans and other temporary structures, but given the relatively short time frame proposed this will not be a concern within 18 months. Any harm to visual amenity would be mitigated by the temporary nature of this permission. It is therefore considered that the impact on the visual amenity of the area would not be significantly detrimental to warrant refusal.

### **4. Highway Safety**

WCC Highways have been consulted and have no objections subject to conditions. They state that the principle is acceptable as permission has already been granted for a dwelling and the vehicle movements associated with the current application should not differ significantly. A turning area is required and WCC Highways consider that there is sufficient room on the site for one.

### **5. Flooding & Drainage**

The site is within Flood Zone 1 which has the lowest possibility of flooding. Due to the nature of the application the Environment Agency do not have to be consulted. They raised no objections to the previous applications. Severn Trent Water have been consulted but have not responded.

### **6. 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 the appropriateness of the use residential amenity, visual amenity, highway safety and flooding and drainage 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 including a condition to ensure that both caravans and outbuilding are removed at the end of the 18 month period.

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.

### **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 response(s) received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development

plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

### **SCHEDULE OF CONDITIONS:**

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

Plan Description	Plan No.	Date Received
Site Plan	18.205.0S6	13th December 2019
Block Plan	18.205.BP7 A	8th January 2020
Site Layout	18.205.21 A	8th January 2020

2. The mobile home, touring caravan and ancillary outbuilding hereby approved will remain in place for no longer than a period of 18 months from the date of this permission, at which point the caravan will be removed from the site.

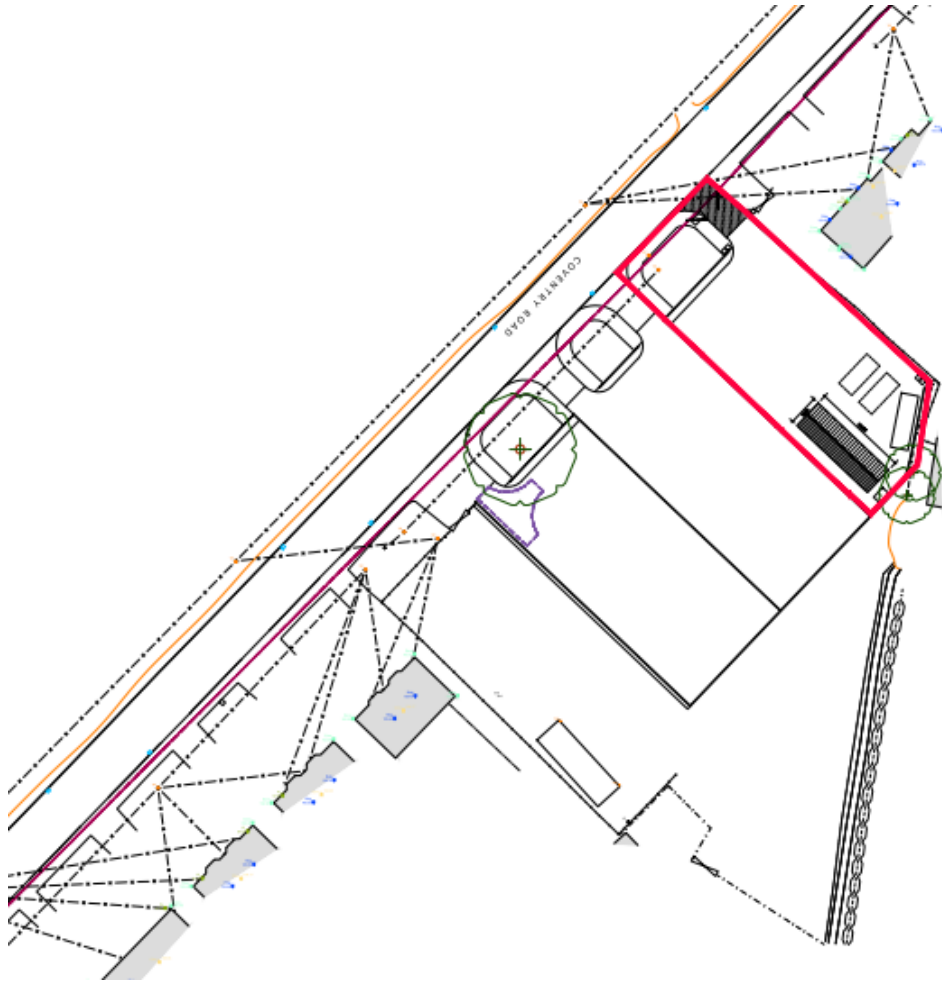
3. Access for vehicles to the site from the public highway shall not be made other than at the position identified on the approved drawing (Drawing no.18.205.21 A) and shall not be used unless a public highway footway/verge crossing has been laid out and constructed in accordance with that plan.

4. The mobile homes shall not be occupied until or unless a turning area has been provided within the site to allow drivers to leave and re-enter the public highway using a forward gear.

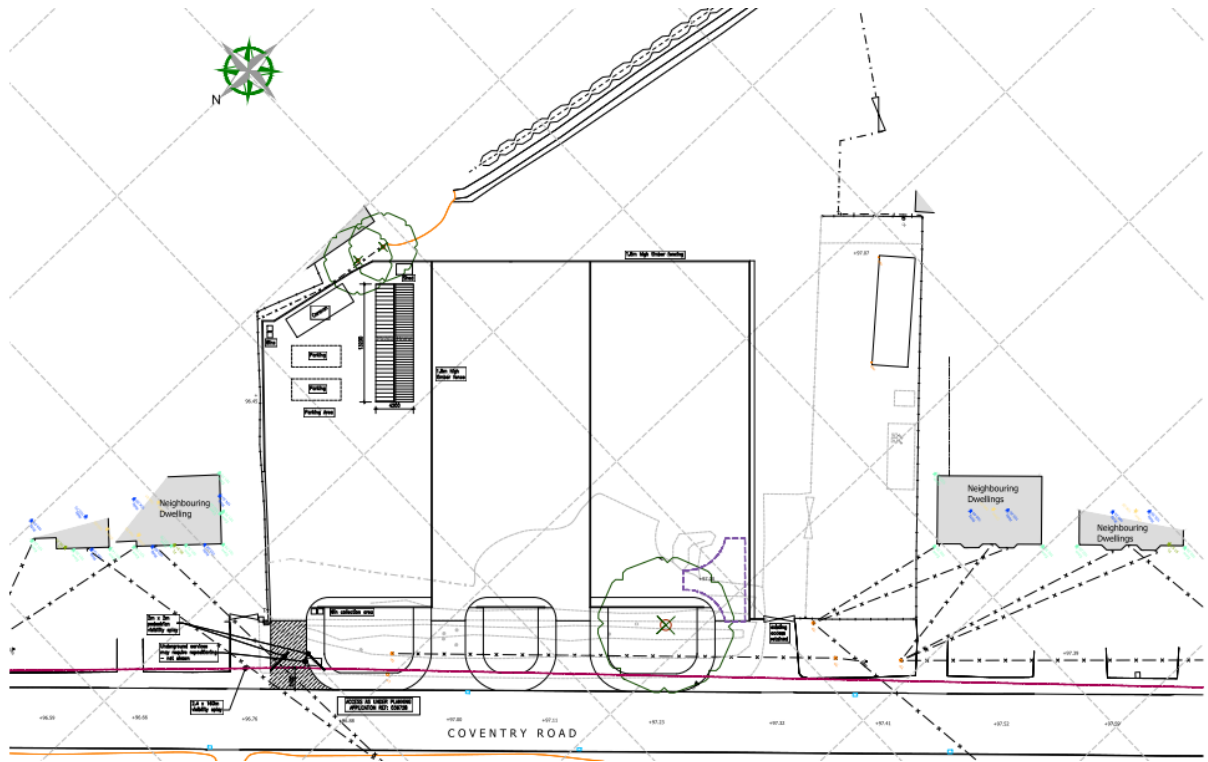




## Site Plan



**Block Plan**



## Site Layout

**REFERENCE No.** 036849

**Site Address:** Site 119a001 Coventry Road, Bulkington, Bedworth

**Description of Development:** 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

**Ward:** BU

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### **RECOMMENDATION:**

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

### **INTRODUCTION:**

This application is for the siting of a 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. This site is part of a larger site that originally had planning permission for 6no. dwellings. It has been divided into three plots which are separated by 1.8 metre high fencing. The site subject of this current application is to the southern end and is adjacent to Smithfields which is a Gypsy and Traveller site and contains one mobile home. There are open fields to the rear (east) and opposite to the west. Further to the south-west are properties along Coventry Road which are two storey.

### **RELEVANT PLANNING HISTORY:**

- 036703: Erection of detached dwelling (in lieu of a pair of semi-detached properties approved under permission 036155): Approved 28/11/2019
- 036155: Erection of 6 dwellings (Approval of reserved matters relating to appearance, landscaping, layout and scale of already approved outline application ref 035756): Approved 14/03/2019.
- 035756: Erection of 6 dwellings (outline including access): Approved 31/10/2018

### **RELEVANT PLANNING POLICIES:**

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Policies of the Borough Plan 2019:
  - DS1 – Presumption in favour of sustainable development
  - DS7- Green Belt
  - BE3 – Sustainable design and construction
- Affordable Housing SPD 2007.
- Residential Design Guide 2004.

## **CONSULTEES NOTIFIED:**

NBBC Environmental Health, NBBC Planning Policy, Severn Trent Water, WCC Highways.

## **CONSULTATION RESPONSES:**

No objection subject to conditions from:  
WCC Highways

No objection from:  
NBBC Environmental Health

No response from:  
NBBC Planning Policy, Severn Trent Water

## **NEIGHBOURS NOTIFIED:**

149 & 151, 157 (Smithfields), 159-173 (odd), 177 & 179 Coventry Road

Neighbouring properties were sent letters notifying them of the proposed development on 19<sup>th</sup> December 2019. A site notice was erected on street furniture on 20<sup>th</sup> December 2019 and the application was advertised in The Nuneaton News on 8<sup>th</sup> January 2020.

## **NEIGHBOUR RESPONSES:**

There have been 7 objections from 4 addresses. The comments are summarised below;

1. Mobile homes are out of keeping with existing housing and detrimental to visual amenity.
2. The mobile homes are raised above the natural ground level.
3. Has lead to increased flooding.
4. Overlooking and loss of privacy.
5. The lighting impacts on properties and wildlife.
6. With such limited space on site, it would be difficult to build the house with the mobile homes on site.
7. An 18 month permission is excessive.
8. Multiple vehicles parked on the site.
9. Fire risks with mobile homes, vehicles and gas cyclinders.
10. Would like assurance that the houses will be built.
11. Impact on wildlife and ecology.
12. Increased rubbish.
13. Urge the Committee to make a site visit.

## **APPRAISAL:**

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

1. The appropriateness of the use,
2. Residential amenity,
3. Visual amenity,
4. Highway safety,
5. Flooding & Drainage
6. Conclusion

## **1. The Appropriateness of the Use**

This application would provide temporary living accommodation to allow the construction of a residential dwelling that has been approved under permission 036703. The principle of residential development and accordance with policy has already been established through the granting of outline planning permission 035756, the subsequent reserved matters 036155 and the application for the erection of a detached dwelling (in lieu of a pair of semi-detached properties) under permission 036703. The site is within the Green Belt and the outline application was recommended for refusal as it was considered that would constitute inappropriate development within the Green Belt and would have a material impact on the openness of the Green Belt and would lead to further encroachment within the Green Belt. It was not considered that very special circumstances exist which would outweigh the harm by reason of inappropriateness to the Green Belt. The application was determined by Planning Applications Committee where it was found that there were special circumstances in that the development would be limited infilling and improve a small area of land and would be in keeping with the existing pattern of development. Taking into account the Planning history of the site and the planning permissions that exist it is not considered that the proposed siting of a mobile home would have a significant detrimental impact on the openness, character and visual amenity of the Green Belt. The caravan is to remain in place for a period of 18 months. This is acceptable providing a condition is added to ensure that the mobile home and outbuilding are removed at the end of the period.

## **2. Residential Amenity**

Adjoining the site to the south is no 157 which is a site for a gypsy family and contains a mobile home. It is not considered that there would be any significant impact on this site as distance standards are met. NBBC Environmental Health have no objections.

## **3. Visual Amenity**

The proposed plans show that the mobile home would measure 11 metres x 4.2 metres and is sited to the rear of the site, approximately 30 metres from the highway. There is a small wooden outbuilding which is sited next to the mobile home. The mobile home and outbuilding are visible from Coventry Road but are partly screened by the boundary fencing. The longevity of materials is a concern with caravans and other temporary structures, but given the relatively short time frame proposed this will not be a concern within 18 months. Any harm to visual amenity would be mitigated by the temporary nature of this permission. It is therefore considered that the impact on the visual amenity of the area would not be significantly detrimental to warrant refusal.

## **4. Highway Safety**

WCC Highways have been consulted and have no objections subject to conditions. They state that the principle is acceptable as permission has already been granted for a dwelling and the vehicle movements associated with the current application should not differ significantly. A turning area is required and WCC Highways consider that there is sufficient room on the site for one.

## **5. Flooding & Drainage**

The site is within Flood Zone 1 which has the lowest possibility of flooding. Due to the nature of the application the Environment Agency do not have to be consulted. They raised no objections to the previous applications. Severn Trent Water have been consulted but have not responded.

## **6. 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 the appropriateness of the use residential amenity, visual amenity, highway safety and flooding and drainage 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 including a condition to ensure that both caravans and outbuilding are removed at the end of the 18 month period.

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.

### **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 response(s) received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

### **SCHEDULE OF CONDITIONS:**

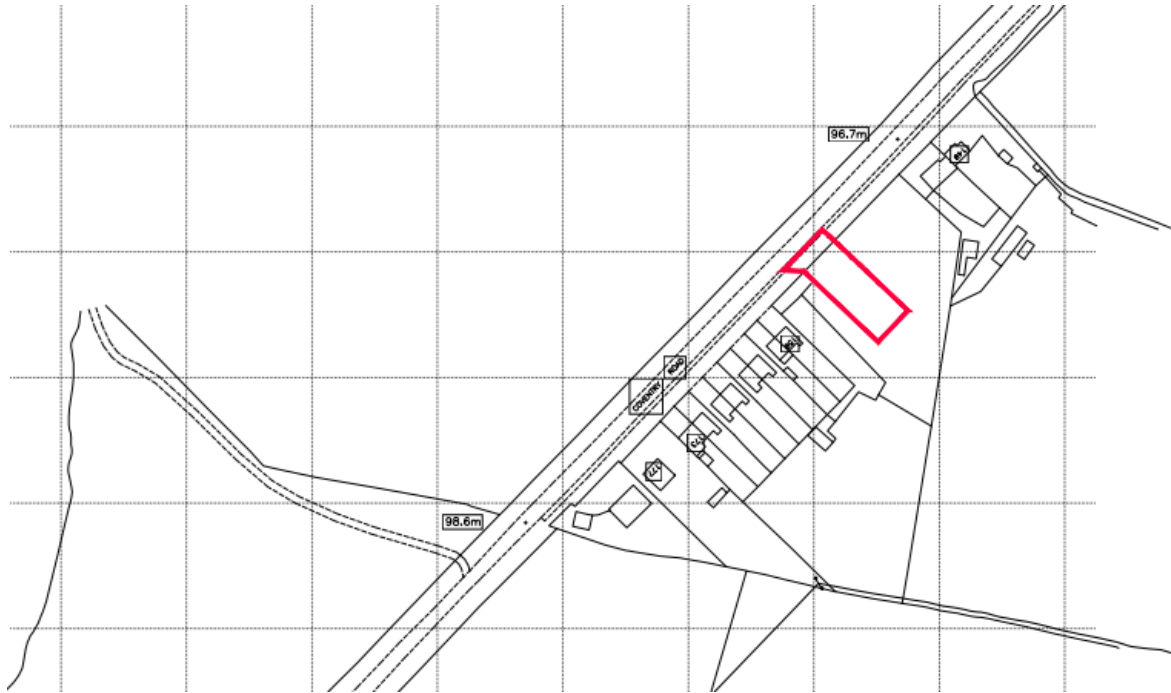
1. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No.	Date Received
Site Plan	18.205.OS5	13th December 2019
Block Plan	18.205.BP6 A	8th January 2020
Site Layout	18.205.20A	8th January 2020

2. The mobile home and ancillary outbuilding hereby approved will remain in place for no longer than a period of 18 months from the date of this permission, at which point the caravan will be removed from the site.

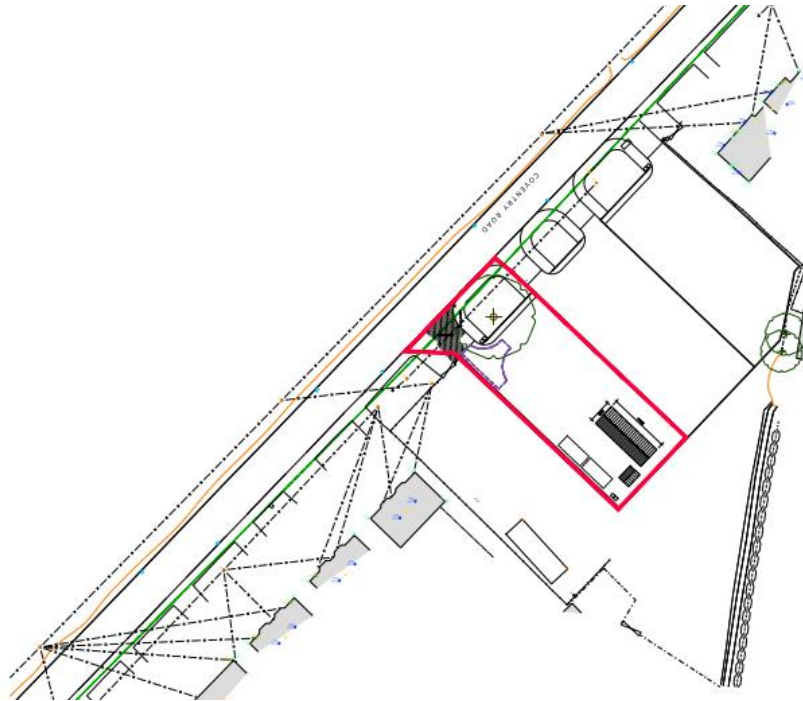
3. Access for vehicles to the site from the public highway shall not be made other than at the position identified on the approved drawing (Drawing no.18.205.20 A) and shall not be used unless a public highway footway/verge crossing has been laid out and constructed in accordance with that plan.

4. The mobile homes shall not be occupied until or unless a turning area has been provided within the site to allow drivers to leave and re-enter the public highway using a forward gear.

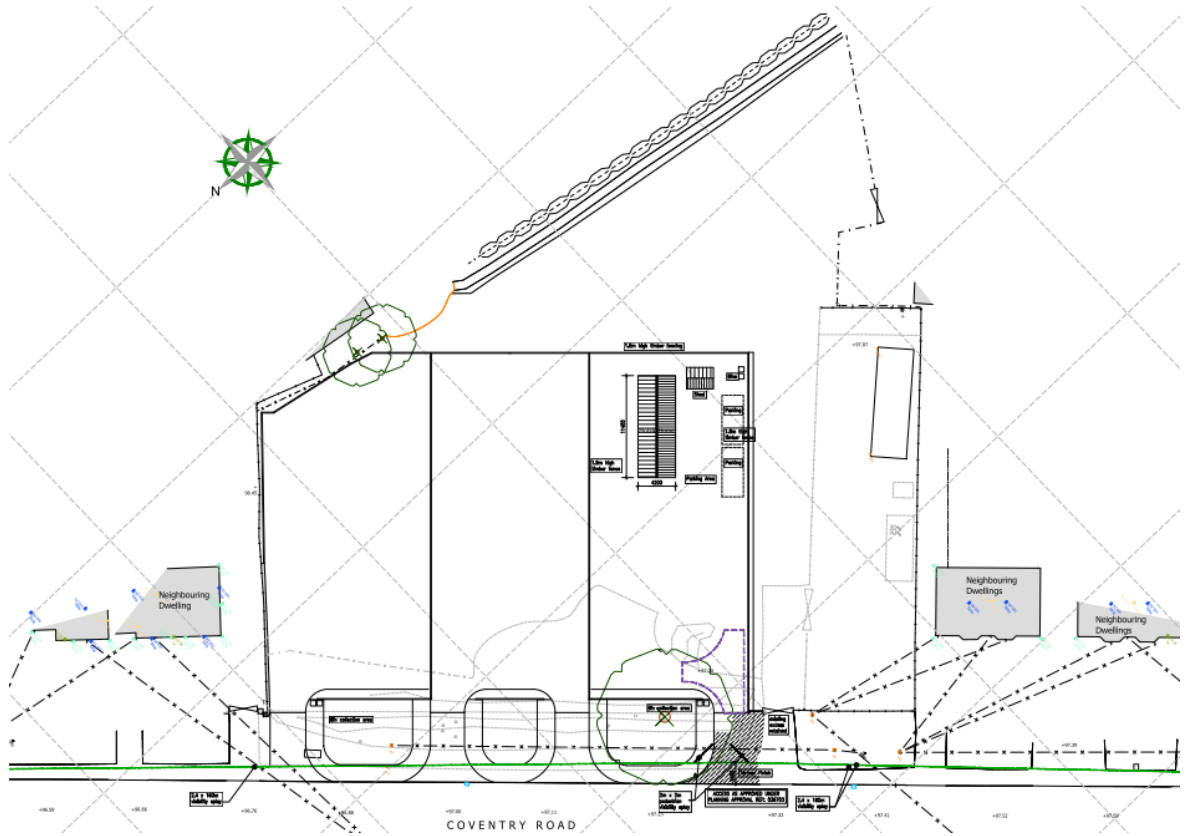


**Site Plan**





## Block Plan



**Site Layout**

**REFERENCE No.** 036859

**Site Address:** Site 120B004 69 Coventry Road Bulkington

**Description of Development:** Prior notification for the change of use from agricultural buildings to a residential dwelling

**Applicant:** J Smith

**Ward:** BU

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**RECOMMENDATION:**

Planning Committee is recommended to grant planning permission.

**INTRODUCTION:**

Prior notification for the change of use from agricultural buildings to a residential dwelling at Site 120B004, Coventry Road, Bulkington.

The farm is in land designated as Green Belt. The nature of the agricultural business is for the breeding / keeping of pigs. The piggery is situated to the rear of the residential property at 69 Coventry Road and is accessed off a non-adopted dirt track road to the side of the domestic property. The track leads in to the field and around the perimeter to the piggery. The field in which the barn is situated is fenced off from the adjacent field with a post and rail fencing and gate. To the side of the agricultural building is a small area of hardstanding which adjoins the access track. There is no planning history for the piggery, although due to the state of disrepair it is clear that it has been on the site for a long time.

**BACKGROUND:**

The application is a prior notification application for the change of use of the agricultural building to a residential dwelling under Class Q of the GDPO 2015.

**RELEVANT PLANNING HISTORY:**

- 035180 - Retention of access road and the proposed erection of stables land to the rear of 69 Coventry Road – approved – 22/1/18

**RELEVANT PLANNING POLICIES:**

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

## **CONSULTEES NOTIFIED:**

Environment Agency, NBBC Environmental Health, WCC Highways.

## **CONSULTATION RESPONSES:**

No objection subject to conditions from:  
WCC Highways,

No objection from:

NBBC Environmental Health, Environment Agency

## **NEIGHBOURS NOTIFIED:**

67 – 97 (odd) Coventry Road, Bulkington;

Neighbouring properties were sent letters notifying them of the proposed development on 20<sup>th</sup> December 2019.

## **NEIGHBOUR RESPONSES:**

There have been 28 objections from 22 addresses. The comments are summarised below;

1. The land is designated as greenbelt in the Borough Plan
2. There are no very special circumstances to permit the application
3. The land is not part of the development plan housing allocations
4. There is no water, electricity or sewerage supply.
5. Waste collection will cause problems
6. There are large trees on the site
7. The land and building was used as a piggery
8. This could set a precedent or lead to more development on the site
9. The site could be an important ecological habitat
10. It would be out of character with the area
11. Would cause a loss of privacy
12. Increase on traffic and disturbance from comings and goings
13. Parking could cause problems
14. Could cause light pollution
15. The building is in very poor condition
16. Noise disturbance

## **APPRAISAL:**

Firstly it is important to recognise that this prior notification application is not dealt with in the same way as a normal planning application for a change of use. This is governed by a separate section of the legislation (Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015). The legislation firstly sets out the criteria in which development is permitted, and it then sets out several 'conditions' which must be met for the prior approval to be granted.

### Compliance with legislation:

The building was in agricultural use prior to 20<sup>th</sup> March 2013 and in this case it is expected that the use dates back the best part of a century. (a) There will only be one dwelling and the proposed cumulative floor space will be under 465sqm regardless of the insertion of a first floor level (which is not proposed in this case) (b & c).

There have been no previous alterations to the building and only one dwelling is proposed (d).

The owner of the land is the applicant and therefore the landlord and there are no agricultural tenants (f & e). Therefore, there is no agricultural tenancy contract to consider.

No have been no other forms of development, extensions or changes of use, or otherwise, since 20<sup>th</sup> March 2013 (9) and no development will change the external dimensions of the agricultural building.

The proposal will is likely to include works beyond the scope of merely installing / replacing windows, doors, roofs, or exterior walls or provision for water, drainage, electricity, gas or other services. However, these works are considered to be reasonably necessary for the building to function as a dwelling house as well as being habitable, so long as it does not entail the rebuilding of the structure from scratch and is merely repair/maintenance.

The proposal is not on article 2(3) land, nor is the site designated a SSSI, within a safety hazard area or a military explosive storage area. Neither does the site contain a scheduled monument or listed building (j, k, l and m).

The key issues to assess which are listed as 'conditions' in the legislation are;

1. Impact on highway safety
2. Noise impacts
3. Contamination risks
4. Flooding risk
5. Impracticality of the building or undesirable location
6. Design and external appearance
7. Conclusion

### **1. Impact on highway safety**

WCC Highways were consulted and requested conditions relating to a turning area being provided within the site, and another to ensure that the vehicular access is widened prior to any occupation.

Overall it is considered that with these conditions no severe, adverse impact on highway safety would result from the development.

### **2. Noise impacts**

A dwelling house is recognised as being a noise sensitive development. As such, the Council must be satisfied that potential occupiers of the dwelling would enjoy a satisfactory level of amenity.

The site is within a rural setting, with the nearby existing residential properties of Coventry Road to the north-west.

NBBC Environmental Health were consulted regarding the noise impact, the responded with no objection to the development.

### **3. Contamination risks**

NBBC Environmental Health were also consulted in regard to contamination and have no concerns over the proposed development.

#### **4. Flooding risks**

The Environment Agency were consulted and made no comments. It should be noted that the site is within Flood Zone 1. This means the site is at the lowest risk of fluvial flooding.

#### **5. Impracticality or undesirability for the building to change from agricultural use to use as a dwelling house**

'Impractical' and 'undesirable' are not defined in the regulations, but guidance states that the Council should apply a reasonable, ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".

A good deal of objection was received from local residents stating that the building is within the Green Belt, which is correct. A prior notification application like this one, cannot be considered against such policies and the fact that any change of use to a residential property in the Green Belt is likely to be inappropriate development cannot be considered a material consideration in the determination of this application.

It is therefore considered that just because an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling, it is **not** a sufficient reason for refusing a prior approval notification.

#### **6. Design and external appearance**

The proposal has included some elevational drawings to give an indication of the external appearance. New openings will be added to enable the use of the building as a residential property and give adequate light, ventilation and access.

It is considered that the external appearance proposed will be acceptable.

#### **7. Conclusion**

As has been demonstrated above, this proposal complies with the restrictions and requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015.

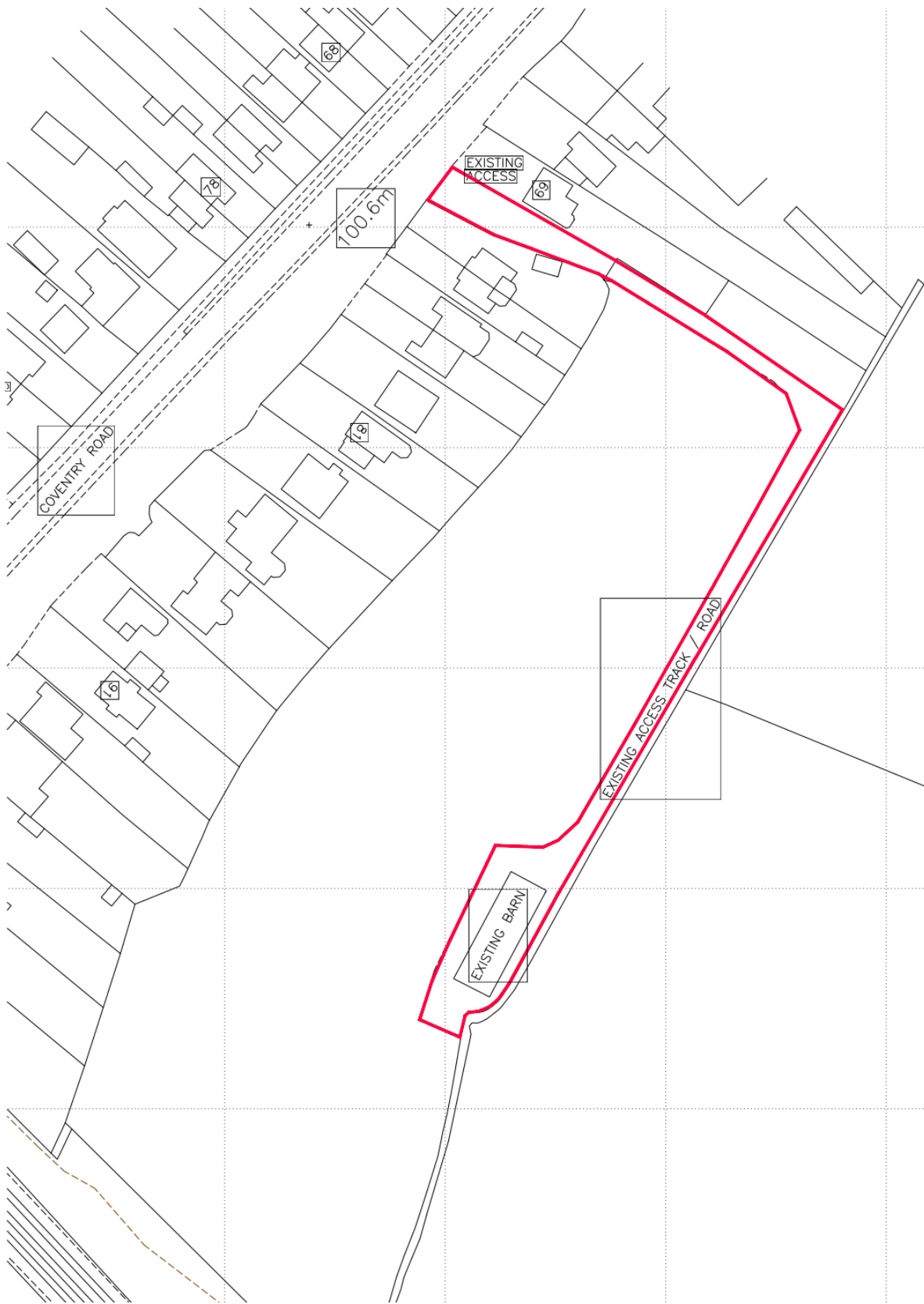
Prior approval is NOT required for the noise impacts of the development, contamination or flooding risks and whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change use.

It is considered that prior approval is required for boundary fences, and any proposed surfacing which may take place. Prior Approval is therefore required but is recommended to be granted subject to conditions.

## **SCHEDULE OF CONDITIONS:**

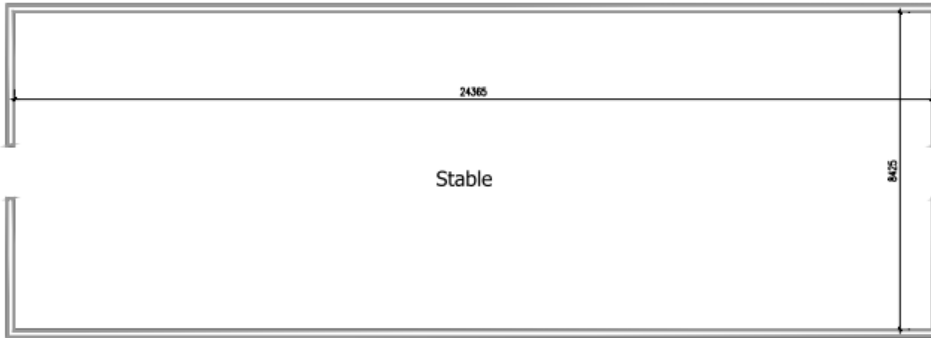
1. The use to which this permission relates must be begun not later than the expiration of three years from the date of this permission.
2. The use shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Drawing No.	Date Received
Site Location Plan	19_235_BP	13 <sup>th</sup> December 2019
3. No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the Council. These details shall include the means of enclosure (including fences) and hard surfacing. The development shall not be carried out other than in accordance with the approved details.
4. The development shall not be occupied until a turning area has been provided within the site so as to enable delivery vehicles to leave and re-enter the public highway in a forward gear.
5. The development shall not be occupied until the existing vehicular access has been widened to a minimum width of 5 metres for a minimum distance of 7.5 metres.

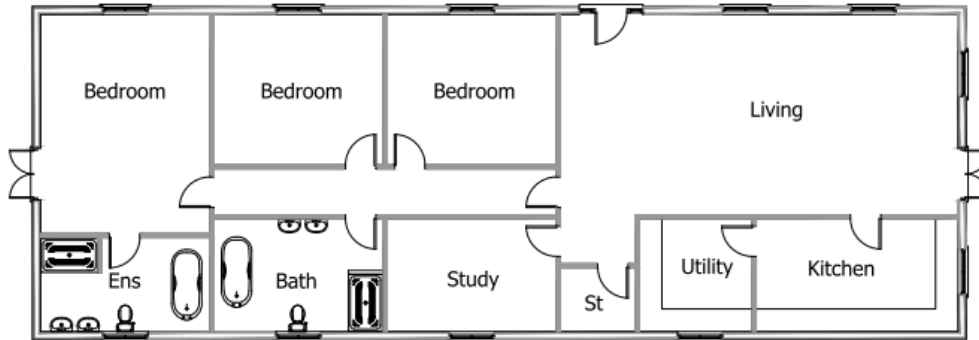


## Site Location Plan

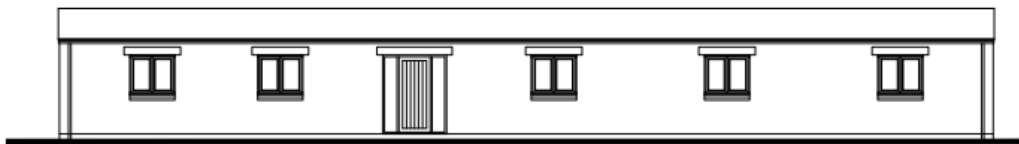




Existing Floor Plan - Illustrative only  
Scale 1:100



Proposed Floor Plan - Illustrative only  
Scale 1:100



Proposed Front Elevation - Illustrative only  
Scale 1:100

## Elevational Plans

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

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

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

**NB:**  
 Any building in any Use Class and any land within its curtilage, [except Class A4 or Class AA use](#) ("drinking establishments with expanded food provision"), can be used as a state-funded school for up to 2 academic years (with limitations and conditions).  
 Certain vacant commercial land (with all buildings demolished) may be developed to provide temporary school buildings, and the land used as a state-funded school for up to 3 academic years, subject to prior approval, and with limitations and conditions, including that the building must be removed at the end of the third academic year.  
 Where planning application made after 5 December, 1988, permitted development rights allow the use to be changed to another use granted permission at the same time for a period of ten years from the date of planning permission, unless consisting of a change of use to a betting office or pay day loan shop: [GPDO \(2015\) Schedule 2 Part 3 Class V](#).

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

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