

Enquiries to:
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Date: 14th October, 2019

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in **The Council Chamber of the Town Hall, Nuneaton on Tuesday, 22nd October, 2019 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 1st October, 2019 (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

1st October, 2019

A meeting of the Planning Applications Committee was held in the Council Chamber of the Town Hall, Nuneaton on Tuesday, 1st October, 2019.

Present

Councillor W Hancox - Chair

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

Apologies from Councillors B. Longden and K. Wilson.

Councillor I. Lloyd left the Chamber at 6.39 pm and did not take part in the vote in regards to Application No. 036454.

PLA35 **Chair's Announcements**

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

PLA36 **Minutes**

RESOLVED that the minutes of the meeting held on the 10th September, 2019, be confirmed and signed by the Chair.

PLA37 **Declarations of Interest**

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

PLA38 **Declarations of Contact**

The Chair of the Committee, Councillor W. Hancox, declared that all Members had received a letter in regards to Planning Application No. 036188.

Councillor J. Sheppard declared contact with members of the public in regards to Planning Application Nos. 036417 and 035587 but that she had not given any indication of her voting intention.

Councillor K. Evans declared that he had been in contact with Councillor R. Tromans, in regards to Planning Application No. 036188 but that he had not given any indication of his voting intention.

IN PUBLIC SESSION

PLA39 **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.

PLA40 **Any Other Business**

None

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA 39 OF THE
PLANNING APPLICATIONS COMMITTEE ON 1st OCTOBER, 2019

036417: Site 39C011 - James Street, Nuneaton.
Partial demolition of existing buildings and erection of one block for 6
apartments including access, 10 parking spaces, cycle storage and communal
area.

Applicant: Mr Adam Taylor, Prestige Homes (Midlands) Ltd.

Speakers: Councillor N. Phillips
Mr L. Holt
Mr C. Kinder

DECISION

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

035587: Discovery Academy, Beaumont Road, Nuneaton, Warwickshire,
CV11 5HJ.

Erection of up to 46 houses, 12 flats and 1 two and three storey extra care
facility of up to 65 units including the demolition of existing buildings (outline
including access).

Applicant: Warwickshire County Council.

Speakers: Mr D. Green
Mr C. Taylor

DECISION

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

036064: Site 31A002 - r/o 1-91a Milby Drive Higham Lane Nuneaton.
Application for variation of conditions following grant of permission (034076).
Variation is to condition 2 - to substitute Phasing Plan and substitute materials
palette drawing. Also variation of condition 18 with a new materials palette
drawing.

Applicant: Persimmon Homes, North Midlands.

Speaker: Councillor K. Kondakor
Ms D. Loates – Persimmon Homes

DECISION

Planning permission be granted, subject to a Deed of Variation to the Legal Agreement and the conditions printed in the agenda and addendum.

036188: Meadowcroft Farm Watling Street Nuneaton, CV11 6BG.
Residential development for 59 dwellings, including access, landscaping and
other associated works.

Applicant: Countryside Properties UK Ltd.

Speakers: Councillor K. Kondakor
Mr N. Cox – Pegasus Group

DECISION

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

036454: Discovery Academy, Beaumont Road, Nuneaton, Warwickshire
CV11 5HJ.

Creation of Tree Preservation Order for 23 trees to be known as T1-T23 of
TPO 1/19.

Applicant: Nuneaton & Bedworth Borough Council.

DECISION

That Tree Preservation Order 1/19 be confirmed.

**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.	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Advice Rights 	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local.	
			Director of Wembrook Community Centre.	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.	
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children & Adults) • Local Government Superannuation Scheme Consultative Board • Warwickshire Direct Partnership • Warwickshire Waste Partnership • West Midland Employers • Nuneaton Neighbour Watch Committee 	
	R. Smith		Director of Volunteer Friends, Bulkington; Board of Directors at Bulkington Village Community and Conference Centre	
	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

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	A. Llewellyn-Nash	Employee of BMI Healthcare	Treasurer of Exhall Multi-cultural Group Governor at Newdigate Primary and Nursery School, Bedworth	
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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	
	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.	

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	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local.	
			Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
			Member of the Management Committee at the Mental Health Drop in.	
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children & Adults) • Local Government Superannuation Scheme Consultative Board • Warwickshire Direct Partnership • Warwickshire Waste Partnership • West Midland Employers • Nuneaton Neighbour Watch Committee 	
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Applications for Planning Permission etc.
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Wards:					
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BA	Barpool	BE	Bede	BU	Bulkington
CH	Camp Hill	EX	Exhall	GC	Galley Common
HE	Heath	KI	Kingswood	PO	Poplar
SL	Slough	SN	St Nicolas	WB	Wembrook
WE	Weddington	WH	Whitestone		

Item No. 1

REFERENCE No. 036050

Site Address: North Warwickshire and South Leicester College, Hinckley Road, Nuneaton, Warwickshire, CV11 6BH.

Description of Development: Erection of up to 195 dwellings (Outline to include access) with 3G sports pitch, associated public open space and other green infrastructure landscaping and car parking of up to 400 spaces including disabled parking

Applicant: Raj Joshi

Ward: SN

RECOMMENDATION:

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

INTRODUCTION:

This application is for the erection of up to 195 dwellings (Outline to include access) with 3G sports pitch, associated public open space and other green infrastructure landscaping and car parking of up to 400 spaces including disabled parking at North Warwickshire and South Leicester College, Hinckley Road, Nuneaton.

The application site is a large site containing the North Warwickshire and South Leicester College buildings and open space. The main entrance is off Hinckley Road and is one-way at present. There are houses surrounding much of the site including properties on Hinckley Road, Higham Lane, Ferndale Close, Ennerdale Crescent and Ambleside Way. With only a few non-residential uses dotted around the perimeter of the site including the Chase Hotel, the bowling green off Higham Lane and the petrol station on Hinckley Road.

The existing entrance is flanked with open space which is to be retained. There are some large playing pitches which are the subject of development within this planning application.

The land is relatively flat with some very gentle slopes across the site, and the surrounding housing being also set on a relatively similar level to the college site.

BACKGROUND:

This is an outline application for residential development. The following matter is to be considered at this stage:

- 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 following matters are reserved to be considered at a future stage and do not form part of the application:

- 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.
- 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.

Notwithstanding the objections received, this application is being reported to Committee at the request of Councillor Kondakor.

RELEVANT PLANNING HISTORY:

- None

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Nuneaton and Bedworth Borough Plan 2019:
 - DS1 Presumption in favour of sustainable development
 - DS2 Settlement hierarchies
 - DS3 Development principles
 - DS4 Overall development needs
 - H1 Housing mix
 - H2 Affordable housing
 - HS1 Ensuring the delivery of infrastructure
 - HS2 Sustainable transport
 - HS3 Telecommunications
 - HS4 Community facilities
 - HS5 Health
 - NE2 Open Space
 - NE3 Biodiversity
 - NE4 Managing flood risk
 - BE3 Sustainable Design and Construction
- Affordable Housing SPD 2007.
- Residential Design Guide 2004.

CONSULTEES NOTIFIED:

Cadent, Environment Agency, George Eliot Hospital Trust, National Grid, Natural England, NBBC Environmental Health, NBBC Housing, NBBC Parks, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NHS, Open Space Society, The Ramblers Association, Sport England, Warwickshire Police (Architectural Liaison Officer), Warwickshire Police (Place Partnership), Warwickshire Wildlife Trust, WCC Fire Safety, WCC Flood Risk, WCC Highways, WCC Infrastructure, WCC Rights of Way.

CONSULTATION RESPONSES:

Objection from:
WCC Flood Risk

No objection subject to conditions from:
WCC Highways, NHS Joint Health, NBBC Environmental Health, Sport England,

No objection from:
Cadent, George Eliot Hospital Trust, National Grid, Natural England, NBBC Housing, NBBC Planning Policy, WCC Infrastructure, NBBC Sports Development, NBBC Parks, Warwickshire Police, Warwickshire Police (Place Partnership), WCC Fire Safety, WCC Rights of Way,

No response from:
Open Space Society, Warwickshire Wildlife Trust, Environment Agency, NBBC Refuse, The Ramblers Association,

NEIGHBOURS NOTIFIED:

1-69 (odd) Ambleside Way, Nuneaton; 1, 1A, 2, 2a ,2b, 2c, 2d, 2e Chase Close, Nuneaton; 36,38, 40, 42, 46-64 (even) Ennerdale Crescent, Nuneaton; 27-59 (odd) Ferndale Close, Nuneaton; 1a, 1b, Fairways, Zetland House, 1, 2, 3 Glebe Lane, Nuneaton; Chase Hotel, 101-105 (odd), 106-120 (even), 126 Higham Lane, Nuneaton; 58-64 (even), 65-79 (inc), 81-87 (odd), 102-122 (inc) Hinckley Road, Nuneaton; 109, 111 Windermere Avenue, Nuneaton;

Neighbouring properties were sent letters notifying them of the proposed development on 11th December 2018. A site notice was erected on street furniture on 6th December 2018 and the application was advertised in The Nuneaton News on 12th December 2018.

NEIGHBOUR RESPONSES:

There have been 140 objections from 117 addresses as well as 1 from Marcus Jones MP, and 5 objections with no address provided. The comments are summarised below;

1. Detrimental to local area
2. College facility is essential in this part of the Borough
3. College has been badly managed
4. Severe negative impact on highway safety, traffic, parking, and pedestrian and vehicular movements
5. Will exacerbate existing highway problems
6. Not a sustainable development
7. Traffic review carried out in a quiet period
8. No need for an all-weather pitch
9. No demand for additional housing
10. Would deprive Nuneaton of further education
11. Not part of the adopted Local Plan
12. Already had a great number of houses built in the area
13. Would lead to insufficient schools places, doctors, medical services
14. Disruption caused by construction
15. Impact on the environment, wildlife and ecology
16. Impact on visual amenity
17. Impact from noise, dust and pollution
18. Air quality will be impacted upon

19. Will reduce the quality of life for those current residents
20. Could cause light pollution, particularly the floodlights
21. The loss of sports facilities is only partially mitigated by the 3G pitch
22. Will result in a loss of open space and 'green land'
23. Apartments could be to the rear of existing residents
24. Could increase flood risk or hamper surface water drainage
25. Existing right of way should become a safe cycle route
26. Proposal is contrary to the Local Plan and NPPF
27. The consultation process was not sufficient or adequately managed
28. Loss of residential amenity for neighbours including loss of privacy and overlooking
29. Loss of aspect and outlook from neighbouring properties
30. Extinguishment of right of way
31. Housing density will be too high

There have been 6 letters of support from 6 addresses. The comments are summarised below;

1. An opportunity to improve educational facilities
2. Of benefit to the college, area, and students

There were also 4 letters of comment from 4 addresses received. The comments are summarised below;

1. The scheme could be designed so as to have minimum impact on surrounding properties
2. No alterations after the permission should be allowed
3. Would like existing property owners to have full access to plans
4. There will be additional traffic, and highway movements
5. Had no feedback from College after initial meeting
6. Boundary treatments should be checked and replaced correctly where necessary
7. There is a silver birch which should be retained for aesthetic reasons
8. Not all children are academic, some are driven to more vocational type training

APPRAISAL:

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

1. The principle of residential development
2. Visual amenity
3. Residential amenity
4. Ecology
5. Air quality
6. Flood risk
7. Highway safety
8. Playing pitch provision
9. Planning obligations
10. Conclusion

1. The Principle of Residential Development

The proposal is to site up to 195 homes on the land which currently comprises the North Warwickshire and South Leicestershire College. With this outline application the final layout is a reserved matter, as is the appearance, scale and landscaping of the proposed scheme.

The land is not designated for any specific land use in the adopted Borough Plan meaning that there is no specific restriction on this land in regard to a residential use. Sites where are not allocated within a plan but come forward within the plan period, are called Windfall Sites. The Borough Plan allows for, at paragraph 6.22, windfall sites to make up 247 dwellings over the plan period.

Additionally the site has been previously developed (even if some of this land was open) and as such it is classified as 'brownfield' land. Paragraph 117 of the NPPF aims to promote the efficient use of land. It places emphasis on making as much use as possible of previously developed or 'brownfield' land. This is especially so where brownfield land is located within the existing urban area, such as this site.

According to the adopted Plan (policy DS4) the Council's housing target for 2011-2031 is at least 14,060 dwellings. The latest available five-year housing land supply information indicates that for the period 2018-2023, there is a 5.5 years supply (with a 20% buffer) utilising the "Liverpool method" (dealing with the shortfall over the remainder of the period).

The Borough Plan is reliant on a number of larger sites which are historically slow to start and may have a slower build out rate. The proposed site, if considered acceptable, could offer additional flexibility in supply by delivering homes to residents early in the plan period.

The proposal would obviously use land which currently has a use which is valuable and needed within the area. Policy HS4 states that proposals for the loss of community facilities will only be acceptable where; adequate alternative facilities and services are available locally; or access to locally alternative facilities is enhanced; or replacement facilities are proposed nearby; or it can be demonstrated that there is no longer a demand for the use, the use is no longer viable/appropriate, and that there is a greater benefit to the area resulting from the proposed use.

It is pertinent to mention here that the actual College use will not cease, and merely some of the land used by the Collage would be given over to the development. The matter of the playing pitch provision will be dealt with later in this report, but in regard to the use of the Collage, this is to remain as it is albeit within, effectively, a smaller site.

Overall therefore purely in regard to the principle of the development, this is considered acceptable.

2. Visual Amenity

Although the proposal is an outline application, and because of this no details of 'appearance' have been submitted, there is an indicative layout shown on the Master Plan and this shows a change in the character of the site to a residential estate rather than the open space of an institutional building.

A move to a residential style and layout is not likely to feel too 'alien' in this location given the surrounding residential properties and the character of this part of Nuneaton. The existing Collage building is to be retained and the new dwellings will be expected to blend acceptably with this when scale and appearance details are submitted at the reserved matters stage.

It is considered therefore that although this residential style will be a change to the open character of the existing College site, it will not alter the character of this area beyond what would be acceptable and with good design at the detailed stage could blend well with the existing housing surrounding the site.

3. Residential Amenity

The indicative layout shows that all proposed dwellings could be provided on the site and still maintain distance standards to the surrounding, existing properties. Over 7m from proposed two storey properties and rear private gardens can be accommodated on site as can 20m from two storey properties to existing ground floor windows of nearby properties. It is important to state that this indicative layout is not being approved with this permission and will be reserved for consideration at a later date.

In regard to the proposed principle of the residential use, it should not cause any significant conflict with the existing surrounding residential uses.

A more specific and detailed assessment of residential amenity can be made at the reserved matters stage when layout, appearance and scale are submitted for assessment.

4. Ecology

A preliminary ecological appraisal was submitted with the scheme and NBBC Parks were consulted on this.

NBBC Parks have no objection to the scheme providing that conditions are attached which reflect the recommendations of the ecological appraisal. Conditions include the requirement for the submission of a Construction Ecological Management Plan and a Biodiversity Enhancement and Management Plan.

These conditions are considered acceptable and as such any impact on ecology is considered to be mitigated sufficiently.

5. Air Quality

An Air Quality Assessment has been submitted with the planning application and this has been assessed by the NBBC Environmental Health Team. They have agreed with the Report's conclusion which states that air quality will be good at the development site and there will be negligible impact from the development elsewhere.

They have recommended some conditions which will be included on any approval.

6. Flood Risk

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraphs 155-165). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk and states that sustainable drainage should be provided on the site. The development site is located in Flood Zone 1, which is considered suitable for all land uses, and means that whilst the Environment Agency were a consultee, they made no response. This complies with Policy NE4 in the Borough Plan which requires that development be prioritised to areas with the lowest flood risk. This site is Flood Zone 1 so this is acceptable.

WCC Flood Risk Team were consulted with regard to surface water drainage and requested some additional details. These have been submitted by the applicant and it

is considered that these appear to meet with what was required, but at the time of writing no new response has been made by the Flood Team.

7. Highway Safety

WCC Highways Authority have been involved during the application process and have no objection to the development subject to conditions which will be added to any approval.

One of the core planning principles outlined within paragraph 102 of the NPPF outlines the need for planning to 'promote walking, cycling and public transport' and to make the fullest possible use of these. Paragraph 103 states that growth should be focused on locations which are or can be made sustainable.

Sustainable Location

Economically speaking the proposal will have a positive impact by generating employment during construction, and the new household spending it will bring to the Borough through local businesses. So this is seen as weighing in favour of the application.

In regard to the social aspects of sustainability the scheme will bring housing to an areas with an existing residential community, and will provide 25% affordable housing which will have the benefit of promoting a mixed and varied community.

With regard to environmental sustainability the application site is a brownfield site with existing buildings on the site, and tarmacked parking areas and man-made features. Although the land is open and has some ecological value, this is limited through the maintenance and mowing of lawned areas, etc.

Car Parking

It is noted that the application also includes 400 car parking spaces, which is considered sufficient for the proposal, and without up to date guidance on maximum standards officers could not insist on less (or indeed more). WCC Highways did note the car parking provision in their response and one of their suggested conditions was that prior to development there would be the submission of a Parking Management Strategy. It is considered that this would adequately deal with the car parking on the site as a whole.

The internal layout will be assessed at a later date, but in terms of the highway safety impacts of the outline development and the access to the site (which is considered in this outline) the proposal is acceptable.

8. Playing Pitch Provision

As mentioned above Policy HS4 of the Borough Plan states; Proposals for development which would lead to the loss of community facilities will only be permitted where:

- adequate alternative facilities and services are available locally; or
- access to locally alternative facilities is enhanced; or
- replacement facilities are proposed nearby; or
- it can be demonstrated that there is no longer a demand for the use, the use is no longer viable/appropriate, and that there is a greater benefit to the area resulting from the proposed use.

When considering the loss of the playing pitches it is important to appreciate that a new all-weather pitch is being provided to help compensate for the loss of the pitches. With the Planning Statement saying that;

Provision of the new all-weather pitch will offer significantly greater capacity than the existing grass pitches and therefore enable the opportunity for greater public use than is the case with the existing pitches and provide local sports teams with the opportunity to train throughout the winter months. Provision of the all-weather pitch is in line with the vision and strategy set out in Nuneaton and Bedworth Council's playing pitch strategy (2016) and would meet current demand in the Ward for such a facility.

Sport England have been consulted on the scheme and have responded with no objection to the loss of the pitches and the new all-weather pitch subject to conditions.

Overall it is considered that the loss of the pitches on the site is mitigated somewhat by the addition of the all-weather pitch, and this is especially so given the greater public use throughout the winter months when grass pitches can become unusable. Sport England suggested a condition requiring a Community Use Agreement which will be added to any approval.

9. Planning Obligations

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 56 of the NPPF 2019 notes that these obligations should only be sought where they meet all of the following tests:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

Paragraph 91 of the NPPF also outlines the need for planning to take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Section 122 (2) of the CIL Regulations reiterates that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is compliant with these three tests. It is therefore necessary to have regard to these three tests when considering the acceptability of planning obligations.

Organisation	Request For	Contribution	Notes
NBBC Parks	Provision and maintenance of off site play and open space	£307,003.50	Applicant agreed to pay
WCC Infrastructure	Monies for the provision and improvement of schools	Education Total: £1,295,734 <i>Comprising:</i> <i>Early Years</i> <i>£104,920</i> <i>Primary</i> £537,715 <i>Secondary</i> <i>£494,450</i>	Applicant agreed to pay

		<i>Post 16 £117,234</i> <i>Primary SEN £19,365</i> <i>Secondary and Post 16 SEN £22,050</i>	
	Monies for Libraries	£4,268	
	Monies for a Bus Stop Provision	£34,000	
NBBC Sports Development	Monies for sports facilities in the north sub-area	£246,151.83	Agreed in principle
NHS	Monies for NHS facilities	£43,405.00	Applicant agreed to pay
Police	Monies for police infrastructure	£34,625	Applicant agreed to pay
WCC Footpaths		£4,824.57	Applicant agreed to pay
WCC Highways	Monies for walking and cycling (£100k) and bus provision (£50k)	£150,000	Applicant agreed to pay
	Implementation of highway improvement scheme at A444 Leicester Road and A46 Hinckley Road	£644,475.00	
Sport England	Monies for the provision of sporting facilities	£95,000	Applicant agreed to pay
George Eliot Hospital Trust	Monies for the support of George Eliot Hospital	£130,791	Agreed in principle

Viability

The applicant has submitted a Viability Appraisal with the planning application which makes the case that the scheme in this location could not reasonably pay the requested financial obligations and remain a viable scheme.

This report has been independently assessed by the District Valuer who **disagreed** and stated that the scheme would in fact be viable.

This has resulted in the applicant accepting all of the planning obligations requested. With two; the Sports Development Monies and the contribution for George Eliot Hospital Trust accepted in principle, but the finer detail of the exact final amount still being debated.

If members are minded to approve the scheme subject to a legal agreement then all of these requests will be included, but with the final figures for Sports Development and George Eliot Hospital Trust still potentially subject to change following on-going negotiations.

Additionally, WCC Infrastructure Team have asked for contributions towards Sustainable Travel Packs however this is usually done via a condition.

10. Conclusion

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

The proposal has some key benefits which is the provision of housing, and affordable housing, which are both needed, within the existing urban area. There are also significant monies being paid through the Section 106 process.

On balance it is considered that the benefits of the scheme outweigh any harm created.

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:

4. 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 Location Plan	1025/006/102 A	29th January 2019

5. Prior to the submission of any applications for approval of reserved matters, a Phasing Plan shall be submitted to and approved in writing by the Council. The Phasing Plan shall provide details of the sequence and timing of development across the entire site, including:

- a. The provision of all major infrastructure including access, roads, footpaths and cycle ways;
- b. Residential dwellings;
- c. 3G Playing Pitch
- d. Open space;

The development, and the release of dwellings for occupation, shall not be carried out other than in accordance with the approved Phasing Plan.

6. No development above ground level shall take place, including any site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the Council. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a. The routing and parking of vehicles of site operatives and visitors;
- b. Hours of work;
- c. Loading and unloading of plant and materials;
- d. Storage of plant and materials used in constructing the development;
- e. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f. Wheel washing facilities;
- g. The location of any construction compound(s).

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

8. No development above ground level shall commence until full details of the boundary treatments, including new walls, fences and retaining walls, and railings/fencing to the new 3G playing pitch, have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the boundary treatment to that plot has been carried out in accordance with the approved details. The use of the convenience retail store shall not commence until all boundary treatments to this store have been carried out in accordance with the approved details.

9. No development above ground level shall commence until full details of earthworks, site levels and finished floor levels, including proposed grading and contours and a schedule of implementation, have been submitted to and approved in writing by the Council. No construction work shall be carried out other than in accordance with the approved details and schedule.

10. No development shall take place, including any site clearance, until an Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Council. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall include details of: any preconstruction checks required; details of on-going open space management, the species safeguards to be employed; appropriate working practices and timings of construction works; site clearance methods; the extent of buffer zones and stand-offs for sensitive ecological features; and what to do if protected species are discovered during construction. The CEMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the CEMP and address any contingency measures where appropriate.

11. No development shall commence until a Biodiversity and Ecology Management Plan (BEMP) has been submitted to and approved in writing by the Council. The BEMP shall set out how the measures and recommendations detailed in the hereby approved Preliminary Ecological Appraisal are to be carried out. The BEMP shall also include details of: bat and bird bricks, prevention of lightspill toward any surrounding or on-site habitat, and the provision of small front and rear garden trees.

12. No development or site clearance shall commence until a scheme has been submitted to and approved in writing by the Council giving details of all existing trees and hedgerows on the site, any to be retained, and measures for their protection in the course of the development. No tree or hedgerow other than so agreed shall be removed, and no construction works shall commence unless the approved measures for the protection of those to be retained have been provided and are maintained during the course of development.

13. The details required by conditions 1(d) and 18 shall be carried out within 12 months of the commencement of each phase of the development defined in the phasing plan and subsequently maintained in the following manner:

Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.

14. No development shall commence until:

- a. A contaminated land assessment and associated remedial strategy, has been submitted to, and agreed in writing by the Council;
- b. The approved remediation works shall be completed on site, in accordance with a quality assurance scheme, agreed as part of the contaminated land assessment;
- c. If during implementation of this development, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the Council before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved; and
- d. On completion of the agreed remediation works, a closure report and certificate of compliance, endorsed by the interested party/parties shall be submitted to and agreed in writing by the Council.

15. Prior to occupation of any of the dwellings the developer should provide electric vehicle (EV) charging points at a rate of; 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking).

16. The full size floodlit 3G football pitch hereby permitted shall not be constructed other than substantially in accordance with Sport England's Artificial Surfaces for Outdoor Sports Guidance and the FA's Guide to Football Turf Pitch Design Principles and Layouts

17. The use of the full size floodlit 3G football pitch cannot commence until:

- (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
- (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Council.

18. No development shall commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Council, and a copy of the completed approved agreement has been provided to the Council. The agreement shall apply to the full size floodlit 3G football pitch, sports halls, gym and studio together with any ancillary facilities (toilets and changing rooms etc),

include details of pricing policy, hours of use, access by non-College users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

19. No development above ground level shall commence until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Council. The development shall not be occupied until provision has been made in accordance with the approved details.

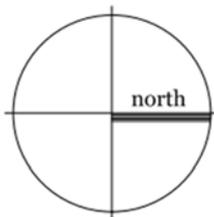
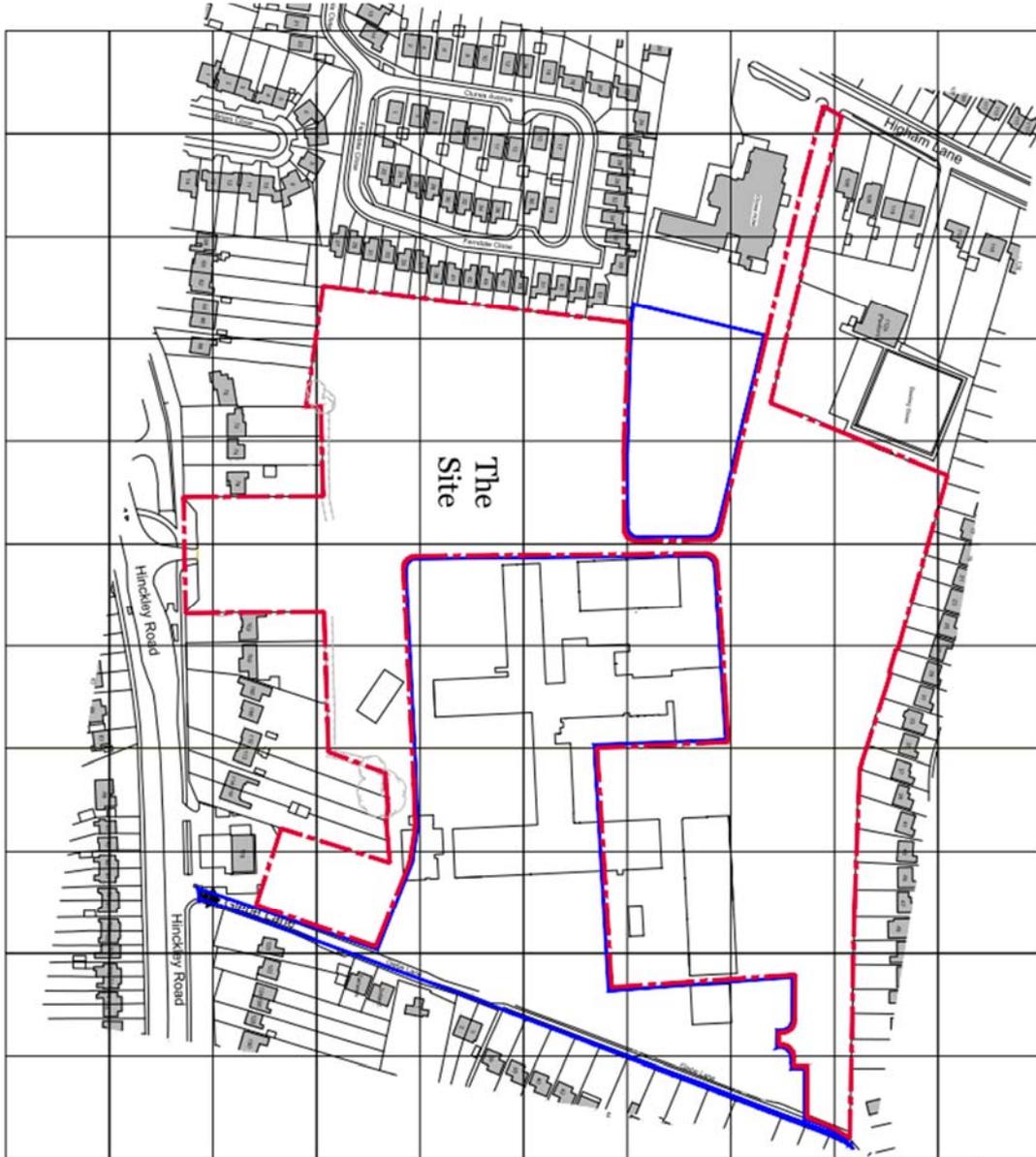
20. No development above ground level shall take place until detailed technical drawings have been submitted in accordance with the preliminary drawing 03347-02 Rev P2, or other suitable layout, and approved in writing by the Council in consultation with the Highway Authority. Prior to occupation of any dwelling the approved access arrangements will be implemented in accordance with the approved technical drawings.

21. No later than six months after occupation of the College element of the development site, a Travel Plan shall be submitted and approved in writing by the Council.

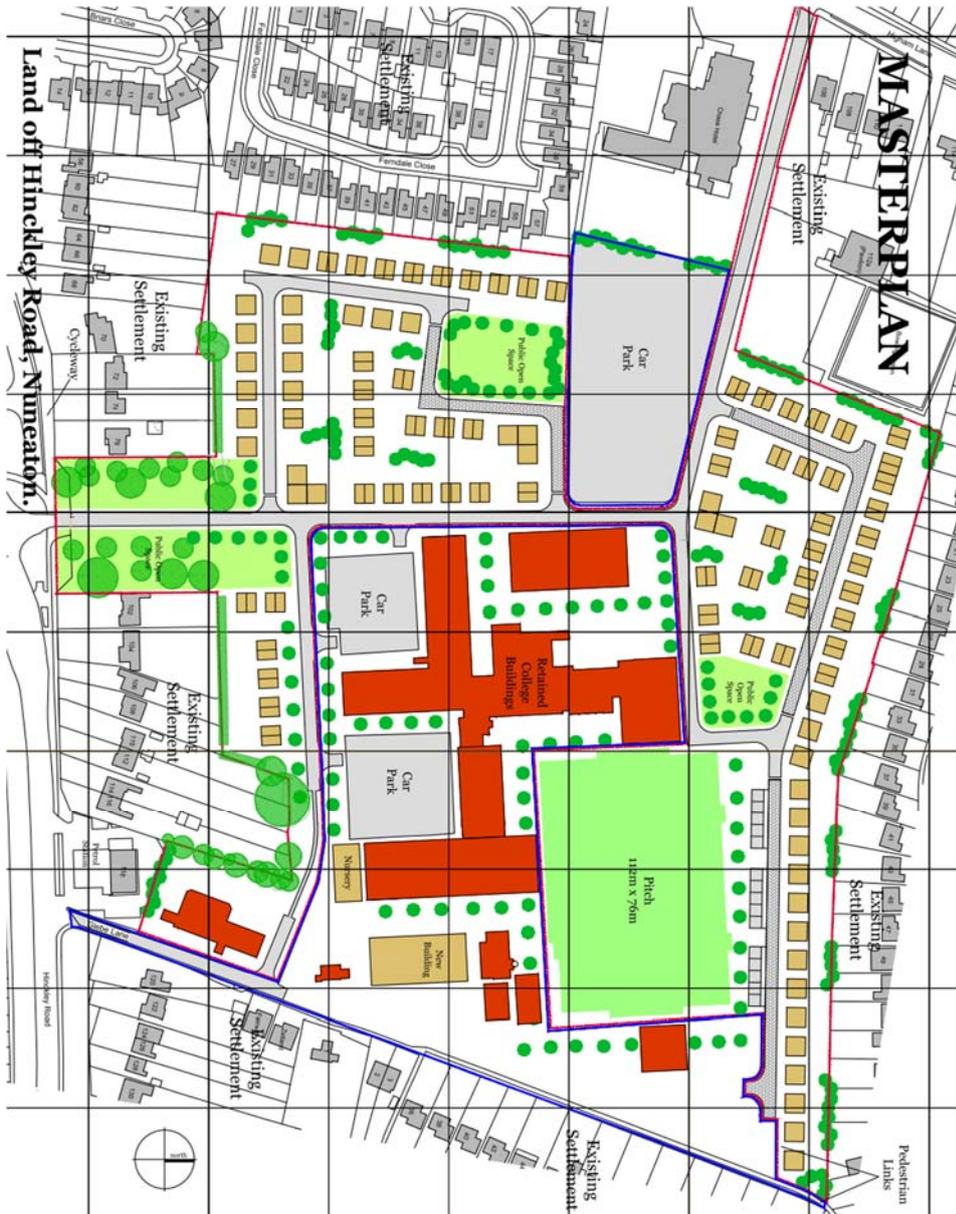
22. No occupation of the dwellings shall take place until the submission of a Parking Management Strategy for the development site has been made and approved in writing by the Council.

23. Prior to occupation of any dwelling details of sustainable travel packs should be submitted to and approved in writing by the Council.

SCALE



Site Plan



Illustrative Master Plan

REFERENCE No. 035503

Site Address: Site 115d001 - School Lane, Exhall, Coventry

Description of Development: Residential Development of up to 150 dwellings, landscaping, public open space (Outline to include access)

Applicant: Heyford Developments Ltd

Ward: EX

RECOMMENDATION:

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

INTRODUCTION:

Residential Development of up to 150 dwellings, landscaping, public open space (Outline to include access) at Site 115d001 - School Lane Exhall.

The site comprises 5.62 hectares of agricultural land. The site is bordered by School Lane to the north; the Red Kangaroo Trampoline Park and industrial buildings to the east; with existing tree and hedgerow planting and Wilsons Lane to the east. The M6 motorway is to the south which is elevated from the site and there is an existing tree lined hedgerow to the west. The site slopes down to the Motorway to the south.

The site is in close proximity to connections with the A4444 and M6 and Bayton Road Industrial Estate is in close proximity to the site. Electricity pylons cut across the southern end of the site south east to north west and running parallel with the Motorway. This will necessitate a 15m easement and stand off for development. There are a number of hedgerows on the boundary and within the site.

There are bus stops at just over 400m away on Coventry Road connecting the site to Bedworth, Coventry and beyond. Exhall Cedars Infant, Nursery and preschool is 1km north of the site; St Giles Junior School is approximately 800m north west of the site and Ash Green Secondary school is 2km away to the west of the site. The nearest Doctors surgery is Colehouse approximately 1.8km north of the site and accessible by bus from Coventry Road. There are allotments on School Lane with the Heckley Recreation Grounds to the north. There is a local centre on the junction with Coventry Road.

The site was originally Green Belt but this status was removed for the area with the introduction of the Borough Plan this year. The site is part of the strategic housing allocation HSG6 of the Borough Plan 2019 (2011-2031). To the south east of the site

and adjacent to it is the strategic Employment site EMP6 also within the new Borough Plan.

BACKGROUND:

This is an outline application for residential development. The following matter is to be considered at this stage:

- 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 following matters are reserved to be considered at a future stage and do not form part of the application:

- 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; and
- Appearance – the aspects of a building or place within the development which determine the visual impression it makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 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:

None.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework 2019 (NPPF).
- National Planning Practice Guidance (NPPG).
- Nuneaton and Bedworth Borough Plan 2019;
 - HSG6 and EMP6 – School Lane/Longford.
 - BE3 – High Standard of Design
 - BE4 – Valuing the Historic Environment
 - DS1 – Presumption in favour of Sustainable Development
 - DS2 – Settlement Hierarchies
 - DS5 – Residential Allocations
 - DS7 – Land Removed from the Green Belt
 - H2 – Affordable Housing
 - HS1 – Delivery of Infrastructure
 - HS2 – Strategic Accessibility
 - NE2 – Open Space
 - NE4 – Managing Flood Risk
 - NE5 – Landscape Character
- Affordable Housing SPD 2007.
- Residential Design Guide 2004.

CONSULTEES NOTIFIED:

Cadent, Coal Authority, CPRE Warwickshire, Environment Agency, George Eliot Hospital Trust, Highways England, Natural England, NBBC Environmental Health, NBBC Planning Policy, NBBC Housing Department, NBBC Leisure Trust, NBBC Parks, NBBC Refuse, National Grid, NHS, Severn Trent Water, Warwickshire Wildlife Trust, WCC Archaeology, WCC Countryside Access, WCC Flood Risk Team, WCC Highways, WCC Police, WCC Rights of Way, WCC Infrastructure Plan and Western Power.

CONSULTATION RESPONSES:

Objection from:
NBBC Parks.

No objection subject to conditions or notes from:

Cadent, Coal Authority, Highways England, NBBC Environmental Health, National Grid, Severn Trent Water, Warwickshire Wildlife Trust, WCC Fire and Rescue, WCC Flood Risk Team, WCC Highways, WCC Police and Western Power.

No objection from:

Coal Authority, Environment Agency, George Eliot Hospital Trust, Natural England, NBBC Planning Policy, NBBC Housing Department, NBBC Leisure Trust, NHS, WCC Archaeology, WCC Countryside Access, WCC Rights of Way and WCC Infrastructure Plan.

No response from:

CPRE Warwickshire and NBBC Refuse.

NEIGHBOURS NOTIFIED:

1 – 33 (odd), 41, 43, 59 – 77 (odd), 85 - 95 (odd), Red Kangaroo Trampoline, The School House, Chasewood Residential Home, Grove House, The Spinney, The Paddocks, Rivendell, John Haynes Court (1 – 31 (incl), School Lane, Exhall Old School Exhall Green, 1 – 8 (incl) High Ash Close, 1 – 11 (odd) Davies Road, 2 – 8 (even) Startin Close, 58 – 66 (even), 66a, JP's Kitchen, Self-Storage, Coventry Road, 19 Windmill Road.

Neighbouring properties were sent letters notifying them of the proposed development on the 20th March 2018. The application was advertised on street furniture on 19th March 2018 and in the Nuneaton News on 18th September 2019.

NEIGHBOUR RESPONSES:

There have been 13 objections from 12 addresses, including two from Exhall Residents Association. The comments are summarised below;

1. The land is Green Belt and still under a Hearing.
2. Brownfield should be used instead.
3. School Lane is already busy without more traffic and often backs up from the lights all the way along School Lane and is used as a rat run to avoid lights.
4. The road is narrow and parked cars on it make it even narrower.

5. The cross roads are dangerous (numerous accidents already) and do not allow enough time for traffic to turn.
6. Access onto School Lane is difficult and dangerous from adjacent drives and roads.
7. Cross Keys is impossible to travel on at School times.
8. No money to widen Coventry Road.
9. Large lorries already use road.
10. School children use School Lane to walk to school.
11. Will join up to Coventry.
12. No one will want to buy near motorway due to noise and pollution and due to the electricity pylons.
13. The pollution from the motorway is sometimes visible as a blue haze.
14. Traffic survey needs carrying out.
15. Using Startin Close to measure traffic gave wrong data as area is full of retired people.
16. Borough Plan Hearings recognised traffic was problematic on School Lane and that development would make road narrower. Proposed road work in area will not start until 2031.
17. Sewer and water pipes in School Lane are old.
18. The loss of the pond and trees will mean the area will flood. Area already floods.
19. At least 13 unexploded bombs in the area.
20. Doctors already have long waiting lists in the area.
21. Hospitals already strained.
22. Lack of amenities in the area such as a chemist.
23. Schools in the area are full.
24. Lots of wildlife in area will be lost.
25. Shouldn't have to build dwellings in order to help Coventry's figures.

There has been a petition of 154 signatories on the grounds of:

1. No exceptional circumstances given for the removal of the Green Belt.
2. Worsening on traffic on School Lane, Coventry Toad and nearby junctions.

APPRAISAL:

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

1. The principle of development.
2. Visual amenity and landscape character.
3. Residential amenity.
4. Affordable housing.
5. Highway safety, traffic flows and accessibility.
6. Archaeology.
7. Flood Risk.
8. Contamination.
9. Air Quality.
10. Noise.
11. Ecology. And Biodiversity.
12. Trees and Arboriculture.
13. Green Infrastructure Improvements.
14. Planning Obligations.

1. The principle of the development

It has taken several years of preparation, but the Borough Plan was adopted by the Council on the 10th June 2019. This housing site HSG6 forms part of the overall housing allocations which make up the Borough Plan's housing delivery and aims to meet the Borough's housing delivery needs over the plan period 2011-2031. The housing numbers which informed the Borough Plan included the growth of the Borough over that period and some distribution of housing need/supply from Coventry City Council's area, which in total exceeded 14000 dwellings. The majority of this is to be made up of the strategic development sites such as this site. This development site was previously designated as Greenbelt under the previous Local Plan, now superseded. With the new Borough Plan this site was removed from the Greenbelt and allocated for residential land.

Since the plan's adoption, the principle of this site for housing land has been somewhat established given the amount of background research, and consultation on the intentions of the plan over a long period. The Borough Plan Policy HSG6 sets out that this strategic site will be developed principally for residential use with an employment site (EMP6) to the east. 'The Key Development Principles' included in the policy mention that this land will provide circa 220 dwellings in a mix of dwelling types and sizes, play and open space facilities to be included on site, footways, cycle ways, and contributions for various off-site provisions. In shaping this development site, the Policy suggests several Key Development Principles (KDPs) and these will be referred to throughout this report where they are relevant.

Policy HSG6 sets out the form of development which is to be accommodated on site. A density of 50 dwellings per hectare should be provided with lower densities concentrated along the new urban edges. Obviously the detailed phase of the planning application is yet to come forward, and only the access is to be considered at this Outline stage, but this density parameter should easily be met.

The Policy sets out that the proposal should; provide open space to the south of the site and maintain trees and hedgerows. The Policy also states there should be provision for a new cycle path to link to Heckley Fields. As with the above, the detailed phase of the planning application is still to come, but the Outline has shown how all of these provisions are possible and have made allowances for this. Many of the guidelines on the form of development also really relate to the detailed phase, however the Illustrative Master Plan, coupled with other documents supporting the application, does indicate that these can be accommodated within the site and the proposal.

Additional reports were submitted to comply with the new adopted policy. A Health Impact Assessment report concluded that there would be a positive impact on the health of future residents.

Overall it is considered that the principle of development already established together with the submitted information for the submission of the application shows that the principle of the development is acceptable.

2. Visual amenity and landscape character

Section b) of paragraph 170 of the NPPF 2019 establishes the importance of 'recognising the intrinsic character and beauty of the countryside'.

As part of assessing this Strategic site for the Adopted Plan, a landscaping assessment would have been carried out as part of the Borough Plan evidence base and which concluded that the development of the site was acceptable. However, to comply with the new Adopted Policy NE5 and due to concerns from the Council's Policy Team a Landscaping Statement was submitted. This showed that the site lies within the Keresley Urban Fringe (Landscape Character Assessment 7). The [Nuneaton and Bedworth Landscape Capacity Study 2017](#) – indicated that the site was 'unremarkable', with 'few attractive features or views'. The study found that the site was of high capacity for development, given the proximity of urban development major road infrastructure, with the exception of the need for a wayleave area for the pylons and high voltage overhead wires. The study recommended that if the site was taken forward, the existing network of hedgerows, hedgerow trees and specimen trees are important features in the site and should form part of a proposed landscape framework. The proposal intends to keep and maintain these hedgerows and it is considered that this can be ensured via condition.

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

3. Residential amenity

The nearest residential properties are within School Lane but set away from the site and there are no concerns over the loss of residential amenity as a result of this development. All distance standards in the Council's adopted Residential Design Guide 2004 can be more than met.

Overall it is considered that any layout to be submitted as part of the Reserved Matters can comply with the Council's Residential Design and therefore be acceptable in terms of residential amenity.

4. Affordable housing

A need for affordable housing is well documented in the Borough, and Policy H2 of the Borough Plan requires 25% of all new developments to be affordable. This has been agreed by the applicant and will be included later in the Planning Obligations section.

The Borough's need for affordable housing as confirmed by Strategic Housing Manager on the 24th May 2019 was 2337 households, and it was stated that "*We have approximately 2,000 on our Housing Register. We have on average between 50 and 70 Households in temporary accommodation each week through homelessness*".

This is considered to weigh significantly in favour of the proposal.

5. Highway safety, traffic flows and accessibility

Paragraph 102 of the NPPF outlines the need for planning to 'promote walking, cycling and public transport' and to make the fullest possible use of these. Paragraph 103 states that growth should be focused on locations which are or can be made sustainable.

It is with this in mind that the application has been accompanied by a Transport Assessment (TA) (reference March 2018). This concluded that the site was ideally located due to:

- The site is well connected to the existing pedestrian and cycle network;
- There are convenience stores, recreational areas and primary schools within desirable and acceptable walking distances of the proposed site, therefore the location of the development is considered to be acceptable;
- Bus stops are located on School Lane and B4113 Longford Road within 400m walking distance of the site, and no improvements are required to make the development acceptable;
- The closest train station to the site is Bedworth Train Station, providing hourly services to Coventry and Nuneaton, which can be accessed by bus, and no improvements are required to make the development acceptable; and
- A review of PIC data has revealed that there are no discernible highway safety issues that would be made worse by the development.

The proposed access is to be off School Lane and is proposed to have a dropped kerb. Trees will be trimmed back for access and includes a 2m footpath to School Lane.

The Traffic Assessment looked at junction modelling on School Lane / Church Lane / Bowling Green Lane Priority Junction; Site Access Priority Junction; School Lane / Coventry Road / Bayton Road Signalised Junction and Coventry Road / Blackhorse Road / Wilsons Lane Signalised Junction – The impact was considered not to be significant or within capacity. WCC Highways concluded the assessment was robust and that the impact of the development could be mitigated on the highway network, and would not provide a severe impact subject to conditions and 106 contributions.

The contribution requests from Highways were £35,000 contributions towards a zebra crossing requested by Highways for the Walking Route Safer Routes to School Programme and new development). £495,750 contributions towards the implementation of highways improvements in the area on the B4113 Longford Road Corridor and £60,000 towards the implementation and improvement of a cycle and pedestrian routes, links and connections between the development site, Bedworth Town Centre. In addition £40,000 was also requested for the implementation and improvement of cycle and pedestrian routes, links and connections between the development site and connection with the B4114 Bedworth to Coventry Cycle Route. The Applicant has agreed to pay all of these contributions.

The contribution requirement from County also requested £21,000 contributions towards new bus stops in Coventry Road as the existing bus stops were over 400m away. However, the new provision would have meant two bus stops in fairly close proximity which is not normally liked by bus companies and the contribution was therefore considered to not be CIL compliant.

Highways England have no objection but stated they were unlikely to agree to a connection to drainage at the base of the M6 so that alternative drainage would need

to be used. They also pointed out that the final layout would be affected by noise and that they requested a review of the noise impact assessment including when the Smart Motorway was in operation once the final layout was submitted.

Overall it is considered that with the relevant conditions and the obligations requested that there would be no significant harm on highway safety.

6. Archaeology

Policy BE4 of the Borough Plan, and its supporting text, states that where archaeological sites, or heritage assets are affected by development adequate recording and analysis of the site should be carried out.

An initial desk based study was submitted but WCC Archaeology objected as they considered that trial trenching was necessary prior to determination.

Intensive trial trenching (21 evaluation trenches were excavated) and an Archaeological Evaluation Report May 2019 was submitted to record the findings. This illustrated some limited ridge and furrow mainly post medieval and agricultural systems and later demolition rubble. There was also some limited earlier features found possibly dating back to the 13th - 15th century.

Subsequent to this submission of this report, WCC Archaeology (Museum and Field Service) removed their objections and did not require any further conditions.

In relation to heritage assets, an Archaeological and Cultural Heritage Desk Based Assessment concluded that there are no designated heritage assets within the boundary of the Site and that the setting of heritage designations within the search area would not be affected by the proposals.

It is concluded that the proposal is acceptable in relation to heritage assets and archaeology.

7. Flood Risk

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraph 163). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Further guidance is provided on flooding and flood risk in the National Planning Practice Guidance. Borough Plan Policy NE4 also deals with Managing Flood Risk.

In view of the above it is necessary to have regard to the Council's 'Climate Change – Strategic Flood Risk Assessment (SFRA)' at Level 1 (2008) and Level 2 (2012). The level 1 SFRA outlines the results of a review of available flood related policy and data across the region. It then sets out recommendations and guidance in relation to flood risk and drainage policy which generally underpins national guidance. The level 2 SFRA builds on this and also outlines a detailed assessment of potential development sites that have been put forwards in relation to flood risk. It also sets out recommendations for Flood Risk Assessments for individual sites and general guidance for flood risk.

It is in this context that the applicant submitted a Flood Risk Assessment and Drainage Strategy (FRA) with the application. The site is entirely within Flood Zone 1 which is the least likely to flood. Due to soakaway testing on the site this means that the site will have to attain water in a SUDS feature to the south east of the site to provide a brake to discharge water at greenfield run off rates into Severn Trent surface water drains. The site proposes 1008 cubic metres of storage on site to be discharged via the Severn Trent Water drain in Longford Road. Similarly it is the intention to discharge foul water using the existing drainage system and is likely to be via Wilsons Lane. The man made pond on the site is proposed to be retained.

The FRA was assessed by both the County Council Flood Risk Team and the Environment Agency. This demonstrated that development would not have any adverse impacts or increase flooding elsewhere.

Warwickshire County Council Flood Risk Team (the Lead Local Flood Authority) have no objection but requested conditions that will be added, similarly The Environment Agency also raised no objection subject to a condition. These conditions have been agreed with the applicant.

It is considered that the conditions proposed will adequately mitigate any potential impact on flood risk, and this complies with Policy NE4 of the adopted Borough Plan 2019.

8. Contamination

The NPPF sets out the need to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraphs 109, 120 and 121).

It is within this context that the applicant has submitted a Geo-Environmental Assessment (March 2018). This report is comprised of a desk-based geo-environmental preliminary risk assessment.

The Councils Environmental Health Team (contamination) were consulted during the application and consider that there will be very limited potential for ground contamination and therefore have no objection subject to a condition that if contamination is identified then details are submitted and a Remedial Strategy is submitted approved and completed on site.

The submitted Phase I. Geo-Environmental Assessment (March 2018) number 005 para 5.61 - 5.62 concludes that there is a medium risk area for unexploded ordnance (UXO) and suggests that prior to the development of the site the commissioning of a UXO specialist desk study should be carried out to reduce risk or identify any high risk areas. It is considered that this can be included within the decision notice as an advisory note.

In conclusion, it is considered that with the additions of conditions and notes along with the findings of the Geo-Environmental Assessment, any harm can be sufficiently mitigated to protect future users and other 'receptors'. It is therefore considered that this would not cause a significant level of harm.

9. Air Quality

Some of the neighbour objections are that air quality will be bad within the site due to the elevated motorway.

An Air Quality Assessment (March 2018) was submitted as part of the application considering nine existing sensitive receptors. This concluded that the overall effect of the proposed development on human health is considered to be 'not significant' subject to conditions during the construction phase in relation to dust. The report also concluded that during the operational phase the development would have negligible impact on concentrations of nitrogen dioxide, sulphur dioxide, carbon monoxide, lead, fine particulate matter and particulate matter smaller than 2.5µm diameter in both the 2023 (Proposed Opening Year) and 2028 (Future Year). The report recommended that to mitigate against the development that the following measures should be applied:

- The implementation of the green travel plan provided by PJA (March 2018) as well as documents showing local public transportation routes for future residents;
- EV recharging infrastructure within the development (wall mounted or free standing in garage or off-street points);
- Designation of parking spaces for low emission vehicles;
- Support local walking and cycling initiatives;
- Bike/e-bike hire schemes; and
- Installing low/ultra-low NOx boilers at proposed dwellings.

The Council's Environmental Health Team (air quality) responded with no objection subject to conditions for a Dust Management Plan for the construction phase and the fitting of electric vehicle charging points and low emission boilers. These are all considered appropriate conditions.

Overall it is considered that with the relevant conditions there would be no significant harm in terms of air quality.

10. Noise

The NPPF states that planning policies and decisions should aim to:

"mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life."

An Noise Assessment Report (February 2018) has been submitted with the application. This concluded that the dominant noise was from road traffic from the M6, M6 slip roads and School Lane and that this could have an adverse impact on proposed development if no mitigation was put in place. They concluded that noise from industrial units was also audible. The Council's Environment Health Team (noise) have deliberated on this assessment and consider that noise attenuation for the new dwellings can largely be made acceptable via conditions. This will also include a reassessment of noise from the trampoline park and any new commercial buildings which are subject of a new planning application currently being considered.

The Parks Team considered that proposed noise in the open space on the south of the site and play area could exceed noise guidance and they would have preferred

that play is not provided on the site but a contribution instead is paid towards Heckley Fields. The Applicant was happy to do this but as the Adopted Borough Plan Policy HSG6 specifically states that the site should provide play provision in the centre of the site, it is considered that this policy should be adhered to.

In conclusion it is considered that subject to conditions, noise can be mitigated against to an acceptable level for future occupiers.

11. Ecology and Biodiversity

The NPPF outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraph 170 and 175). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

The hedgerows are to be retained and enhanced on the site (except for a small area requiring removal for the access) and an existing pond is to be retained (required by both the Council's Parks Team and Warwickshire Wildlife Trust). Existing grassland is also proposed to be enhanced.

A Biodiversity Impact Assessment was submitted and it was proven that subject to conditions the site could be enhanced to provide a net gain.

Warwickshire Wildlife Trust have been consulted and have raised no objection to the scheme, subject to conditions, which are to be added to any approval. The Council's Parks Team have objections based on the submitted drawings and largely relate to footpath linkages which can be conditioned. It is the intention, if approved that the drawings are not included within the approval (as standard process on Outline applications but that Parks outstanding objections other than in relation to the provision of an on-site play area, can be dealt with via conditions.

Various Reports and Ecological Surveys were submitted with protected/notable species in mind. A bat Activity Assessment was submitted showing that 3 surveys were carried out. There was found to be a low bat activity in the area. New lighting, or lighting during construction, can affect bats roosts and their commuting or foraging routes but it is considered that this can be limited and dealt with via a lighting condition and has been requested by the Council's Parks Team.

Numerous surveys were carried out in 2016 and breeding birds were found on the site including bullfinches; dunnocks; house sparrows and song thrushes but their protection can be dealt with via condition and the Council's Parks Teams have requested the addition of bird and bat bricks on the proposed dwellings.

DNA testing and trapping on the site initially showed there may be a presence of Great Crested Newts; however further tests concluded this was incorrect. Both the Council's Parks and Warwickshire Wildlife Trust requested Construction Ecological and Landscape Ecological Management Plans as conditions to ensure the protection for wildlife as well as the protection and enhancement of biodiversity.

It is therefore considered that there would be no significant harm on ecology or biodiversity as a result of the scheme, subject to the recommended conditions.

12. Trees and arboriculture

An Arboricultural Impact Assessment (March 2018) was submitted. The Report provides information about the trees on the site and follows the recommendations of the British Standard 5837: Trees in relation to design, demolition and construction. The Report attempts to identify the quality and value of existing trees on site, allowing decisions to be made as to the retention or removal of trees in the case of any development.

The Tree Report identifies that there are category A and B trees on the site mainly on the boundaries and can be readily retained. There is a category C English Oak (T3) within the site (near to the western boundary) and described in the report as only being in a fair structural condition and group (G4) of mature ash trees (on the eastern boundary adjacent to an industrial building) that the reports proposes should be removed. It is also proposed to provide more planting in the open space to complement the existing trees.

It is considered that the tree retention and protection can be dealt with via condition.

13. Green infrastructure improvements

In regard to the provision of green infrastructure, the application proposes open space to the sides (excluding where the site is adjacent to the existing built form) with the widest open space being to the south. The proposal includes the retention of the existing pond and provision of surface water attenuation basins.

The NBBC Parks Team have responded with an objection to the scheme on the grounds that parts of the indicative layout and master plan do not do go far enough to show footpaths and cycle ways to access the open space. Officers consider that this can be conditioned.

As previously stated, the Council's Parks Team also requested that the play equipment was excluded within the site as they considered it was inappropriate because of the presence of overhead wires running through the open space. Parks considered that it was not appropriate to encourage children's play in that area by providing an equipped play area in terms of safety and aesthetics. They also considered that due to the proximity of the motorway in terms of noise and pollutants that instead the equipped children's play should be provided via a capital contribution to Heckley Recreation Ground and which could be accessed via the proposed pedestrian crossing. As previously stated, the Applicant was happy to provide an off-site contribution to parks instead of provision on site, but as the Adopted Borough Plan Policy HSG6 specifically states that the site should provide play provision in the centre of the site; it is considered that this policy should be adhered to and can be conditioned.

Overall it is considered that with the relevant conditions the open space and cycle routes will be acceptable.

14. Planning obligations

Policy HS1 of the Borough Plan 2019 states that; development will be required to provide infrastructure appropriate to the scale and context of the site in order to

mitigate any impacts of the development, and address the needs associated with the development.

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 56 of the NPPF 2019 notes that these obligations should only be sought where they meet all of the following tests. Obligations should be:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

Paragraph 91 and 92 of the NPPF also outlines the need for planning to take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Section 122 (2) of the CIL Regulations reiterates that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is compliant with these three tests. It is therefore necessary to have regard to these **three tests** when considering the acceptability of planning obligations. These tests are:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

Organisation	Request For	Contribution	Notes
NBBC Parks	Provision and maintenance of play and open space. Miners Welfare Park – Teenage an older children’s play facilities. Heckley Park – As above plus green gym and path provision (northern section) Allotments – School Lane allotments. Increase in plot capacity and ancillary facility provision	£1,357.81 per dwelling. Max. £203,671.33	Considered compliance and accepted by applicant. CIL and by
	Adoption of onsite open space and play	£104,583.99	
NBBC Sports Development	To enhance facilities in the South of the Borough in Bedworth:- Enhancing/refurbishing sports hall provision, changing rooms, fitness	£2,107.02 per dwelling. Max. £354,166	Considered compliance and accepted by applicant. CIL and by

	facilities, additional water space and community facilities. Include £9,000 upfront.		
George Eliot Hospital Trust	Provision of healthcare at George Eliot Hospital	£86,473	Considered CIL compliance and accepted by applicant.
WCC Infrastructure	Sustainability Welcome Packs - Provision of information packs for owners/Occupiers to include information on sustainable modes of transport to promote sustainable travel and road safety in the local area.	£11,250	NOT considered CIL by Officers will be included as condition.
	Bus Service. New bus stop. Northbound Coventry Road.	£21,000	NOT considered CIL compliant.
	Rights of Way - Improvements to public rights of way within a 1.5 mile radius of the development site.	£3,922	NOT considered CIL compliant
	Libraries – To improve, enhance and extend the facilities or services of a specified library service point	£3,283	NOT considered CIL compliant
	Zebra crossing on School Lane to link parents/children Blackhorse Road Estate with St. Giles Junior School – Walking Route Safer Routes to School Programme and new development.	£35,000	Considered CIL compliant and applicant agreed.
NBBC Housing	Affordable housing provision at 25% of total 52% rent and 48% shared ownership.	-	Considered CIL compliant and applicant agreed.
NHS Joint Health Request	Improvement of/extension to the Old Cole House Practice.	£217.03 per dwelling. Max. £32,554.	Considered CIL compliant and applicant agreed.

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:

4. 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 Boundary Plan	9001 Revision B	12 th March 2018.
Archaeological and Cultural Heritage Desk Base Assessment	March 2018 1	12 th March 2018.
Archaeological Evaluation Report	May 2019 version 1 final draft	21 st May 2019.
Bat Activity Assessment	March 2018 – number 002	12 th March 2018.
Biodiversity Impact Assessment Report	May 2019 number 016	21 st May 2019.
Breeding Bird Survey Report	March 2018 number 04	12 th March 2018.
Flood Risk Assessment & Drainage Strategy	March 2018 number 008	12 th March 2018.
Great Crested Newt Survey Report	March 2018 number 003	12 th March 2018.
Phase 1 Geo-Environmental Report	March 2018	12 th March 2018.
Noise Assessment Report	February 2018 number 010	12 th March 2018.
Preliminary Ecological Appraisal	March 2018 number 001	12 th March 2018.
Proposed Access General Arrangement	3128 – 01 Rev C	4 th March 2019.
Proposed Access Swept Path Analysis	3128 – 02 Rev A	4 th March 2019.
Arboricultural Impact Assessment	March 2018 number 009	12 th March 2018.
Existing Utilities Assessment	March 2018 report 006.2	12 th March 2018.
Transport Assessment	March 2018 version A	12 th March 2018.
Air Quality Assessment	March 2018 number 0011	16 th Sept. 2019.

5. No development including site clearance shall commence until a Construction Management Plan which should contain a Construction Phasing Plan, details to prevent mud, debris and obstructions on the highway, compound location, contractor parking arrangements, schedule of HGV delivery times and phasing and a HGV routing Plan, is submitted and approved by both the Council and Highway Authorities. The Approved Construction Management Plan shall be implemented in full for the lifetime of the construction period.

6. No development including site clearance shall commence until a Dust Management Plan for the construction period has been submitted and approved in writing by the Council. The approved scheme shall be fully complied with for the duration of the construction period.

7. No development including any site clearance shall take place until a Biodiversity Enhancement and Management Plan has been submitted to and approved in writing by the Council. The approved BEMP shall be adhered to throughout the construction period and will include :

- a) Purpose and objectives for the proposed work including the retention and protection of the existing pond and for the protection for Smooth Newts;
- b) Details of retained ecological areas;
- c) Detailed design and/or working method(s) necessary to achieve stated objectives;
- d) Extent and location of proposed works shown on appropriate scale maps and plans;
- e) Timetable for implementation;
- f) Persons responsible for implementing the works shall be carried out in strict accordance with the approved details and shall be retained in that manner thereafter.

8.No development including site clearance shall take place until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Council. The approved CEMP shall be adhered to throughout the construction period. The Plan shall include details of any pre-construction checks required; the species safeguards to be employed; appropriate working practices and sequence of construction works; extent of buffer zones and stand-offs for sensitive ecological features; details of protective fencing to ecological areas; details of lighting to be used during site clearance and construction; details of any new habitat created on site, including channel improvements; details of treatment of site boundaries and/or buffers around water bodies. The CEMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the CEMP and address any contingency measures where appropriate. The Plan will also include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens). The CEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the Council.

9.No development shall commence including site clearance until an Arboricultural Method Statement has been submitted and approved in writing by the Council. No tree or hedgerow other than those shown within the Arboricultural Impact Assessment (March 2018 number 009) shall be removed unless otherwise agreed. The scheme shall include details of the gapping of the hedgerows and measures for the protection of the trees and hedgerows in the course during the development in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. No construction works shall commence unless the approved measures for the protection of the trees and hedgerows have been provided and are maintained during the course of development.

10.No development shall commence until a noise attenuation scheme to meet the standard for internal* and external noise levels defined in table 4 and section 7.7.3.2 of BS8233:2014 (including glazing and ventilation details) has first been submitted to and approved in writing by the Council. No dwelling shall be occupied other than in accordance with the approved details. The above scheme is to include a review of the Noise Impact Assessment; evidence is to include the consideration of the impacts of the M6 Junction 2 - 4 Smart Motorway Scheme and a reassessment of the noise from any neighbouring industrial/commercial units.

*including 45dB LAFmax in bedrooms at night (11pm -7am).

11.No development shall commence until full details of the site levels and finished floor levels have been submitted to and approved in writing by the Council. No construction work shall be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Council.

12.No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Council in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall include the following information:

- Provide further Ground Investigation details in the vicinity of the proposed attenuation basin, supported by any proposed mitigation, which demonstrates that the SuDS feature will perform effectively.
- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 through the submission of plans and cross sections of all SuDS features.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 6.5 l/s.
- Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- Demonstrate detailed design (plans, network details and calculations) of the surface water drainage scheme including details of all attenuation and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods. The calculations should be supported by a plan of the drainage network with all manholes and pipes labelled accordingly.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing. Water must not be directed toward properties nor flow onto third party land. Overland flow routing should look to reduce the impact of an exceedance event.
- Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network (if applicable).

13.Prior to development detailed technical drawings shall be submitted in accordance with the preliminary drawing 3128-01 Rev C with the inclusion of a Signalised Toucan Pedestrian Crossing, or other suitable layout as approved in writing by the local Council in consultation with the Highway Authority. Prior to occupation or operation of the development site the approved access arrangements will be implemented in accordance with the approved technical drawings.

14.No deliveries shall take place during the construction phases, Monday to Friday during the time periods 07:30 – 09:15 and 16:30 – 18:00, to ensure that HGV movements are limited during the peak travel periods.

15. If during implementation of this development, ground contamination is encountered which has not previously been identified, the contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the Council before the remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved.

16.No development above ground level shall take place until a Landscape Management Plan, indicating a scheme for the long-term management of open space, green infrastructure and planting within the public realm and details of biodiversity management has been submitted to and approved in writing by the Council. The open space, green infrastructure and planting shall thereafter be managed in accordance with the approved Landscape Management Plan, unless otherwise agreed in writing by the Council.

17.No development above ground level shall commence until a scheme for the lighting of the housing and associated access roads, parking areas and open spaces has been submitted to and approved in writing by the Council. This scheme should outline how the lighting scheme avoids potential negative effects upon the habitats used by foraging and commuting bats as evidenced by a suitably qualified and experienced ecologist. The development shall not be carried out other than in accordance with the approved details, unless otherwise agreed in writing by the Council.

18.No development above ground level shall take place until details of the layout of the Public Open Space and on site provision of a younger equipped children's play facilities; ecological and landscaping enhancement areas; the associated boundary details (including fencing), paths / cycle paths to the open space (to include 1.8m Breedon paths; 1.8m tarmac circular path and 3m tarmac cycle path (with contiguous connection to the eastern boundary to WCC specification), drainage, bins, seating, signage and notice/information boards, has been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details, unless otherwise agreed in writing by the Council.

19.No development above ground level shall commence until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Council. The development shall not be occupied until provision has been made in accordance with the approved details.

20.No development above ground level, shall commence until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Council.

21.No development above ground level shall commence until full details of the boundary treatments, including new walls and fences, have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the boundary

treatment to that plot has been carried out in accordance with the approved details unless otherwise agreed in writing by the Council.

22.No development above ground level shall commence until details of the specification for bird bricks and bat bricks and their precise locations within buildings, has been submitted to and approved in writing by the Council. The approved bricks shall be installed before the occupation of that plot.

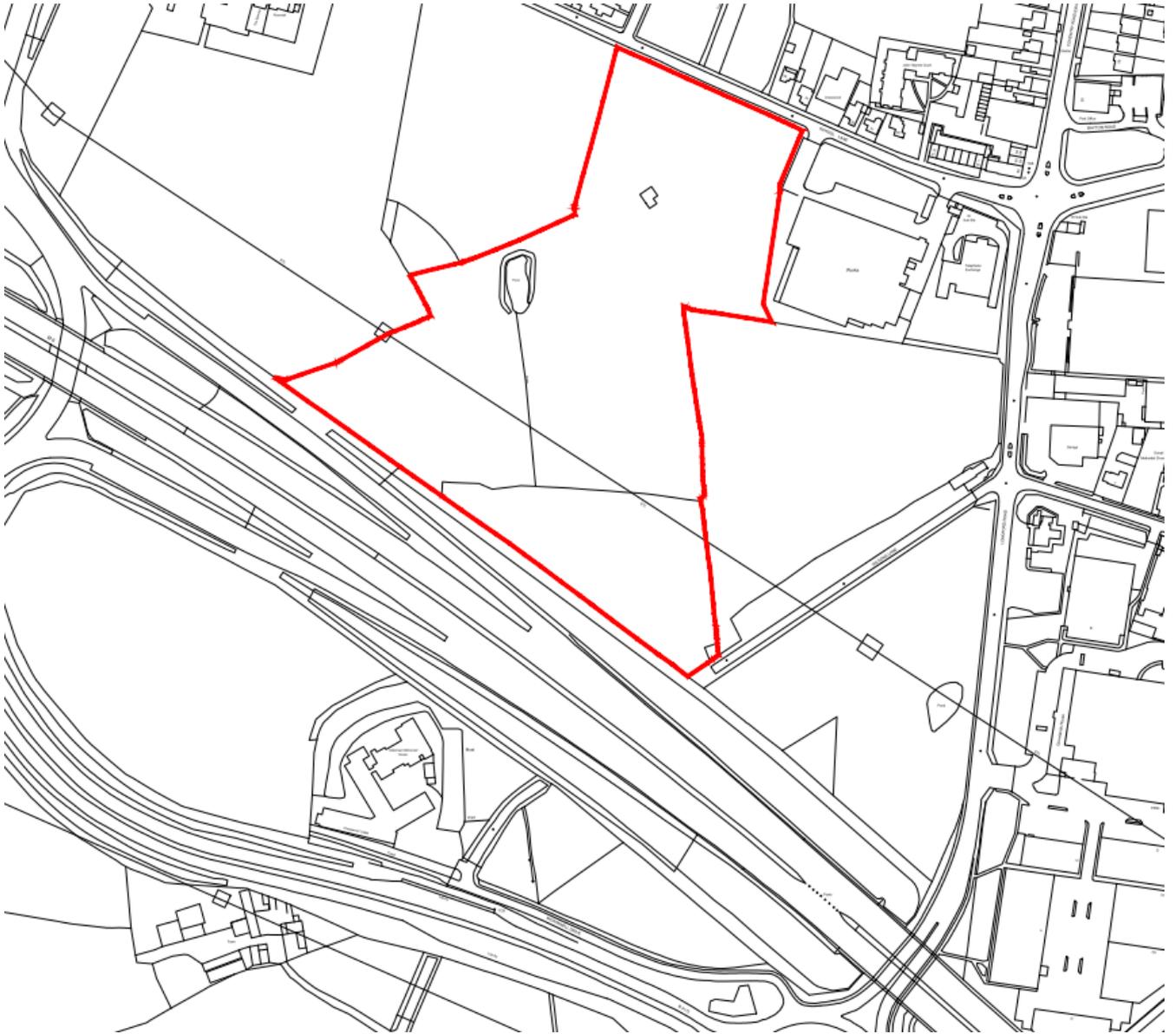
23. No occupation and subsequent use of the development shall take place until a detailed maintenance plan, written in accordance with CIRIA C753, is implemented and provided to the Council giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible, including contact name and details, shall be provided to the Council and LLFA within the maintenance plan.

24. No dwelling shall be occupied until electric vehicle (EV) charging points have been provided at a rate of; 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking) and ensure appropriate cabling is provided to enable increase in future provision.

25.No dwelling shall be occupied until the relevant domestic gas boiler to that plot is installed to be low NOx emission type that meet a minimum standard of less than 40 mg NOx/kWh.

26. No dwelling shall be occupied until details of Sustainable Welcome Packs (including public transport information) has been submitted and approved in writing by the Council for each phase. The approved packs shall be provided prior to the first occupation of that dwelling.

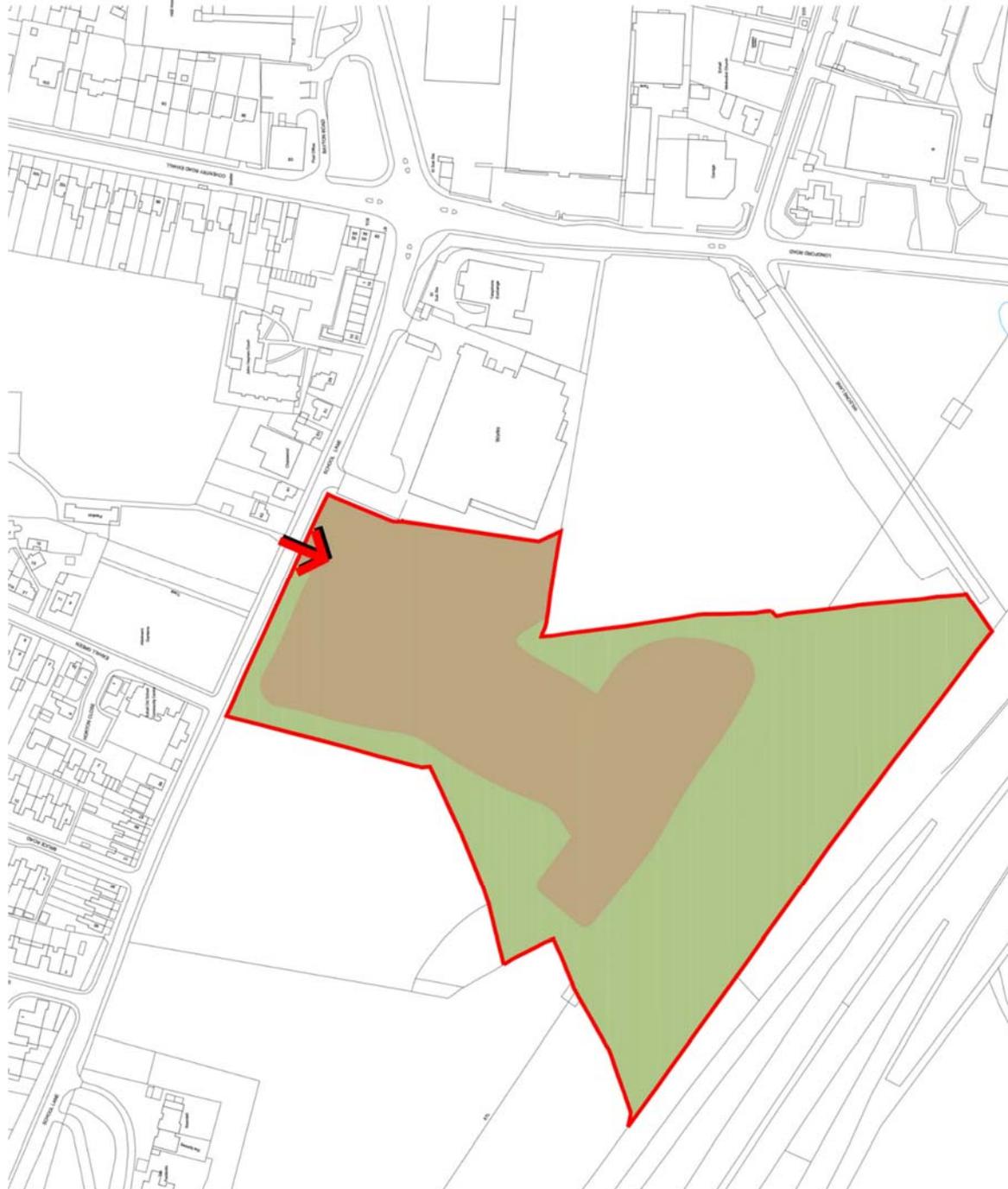
27.The details required by condition 1(d) (The Landscaping Reserved Matter) shall be carried out within 12 months of the commencement of the development and subsequently maintained in the following manner: Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.



Site Plan



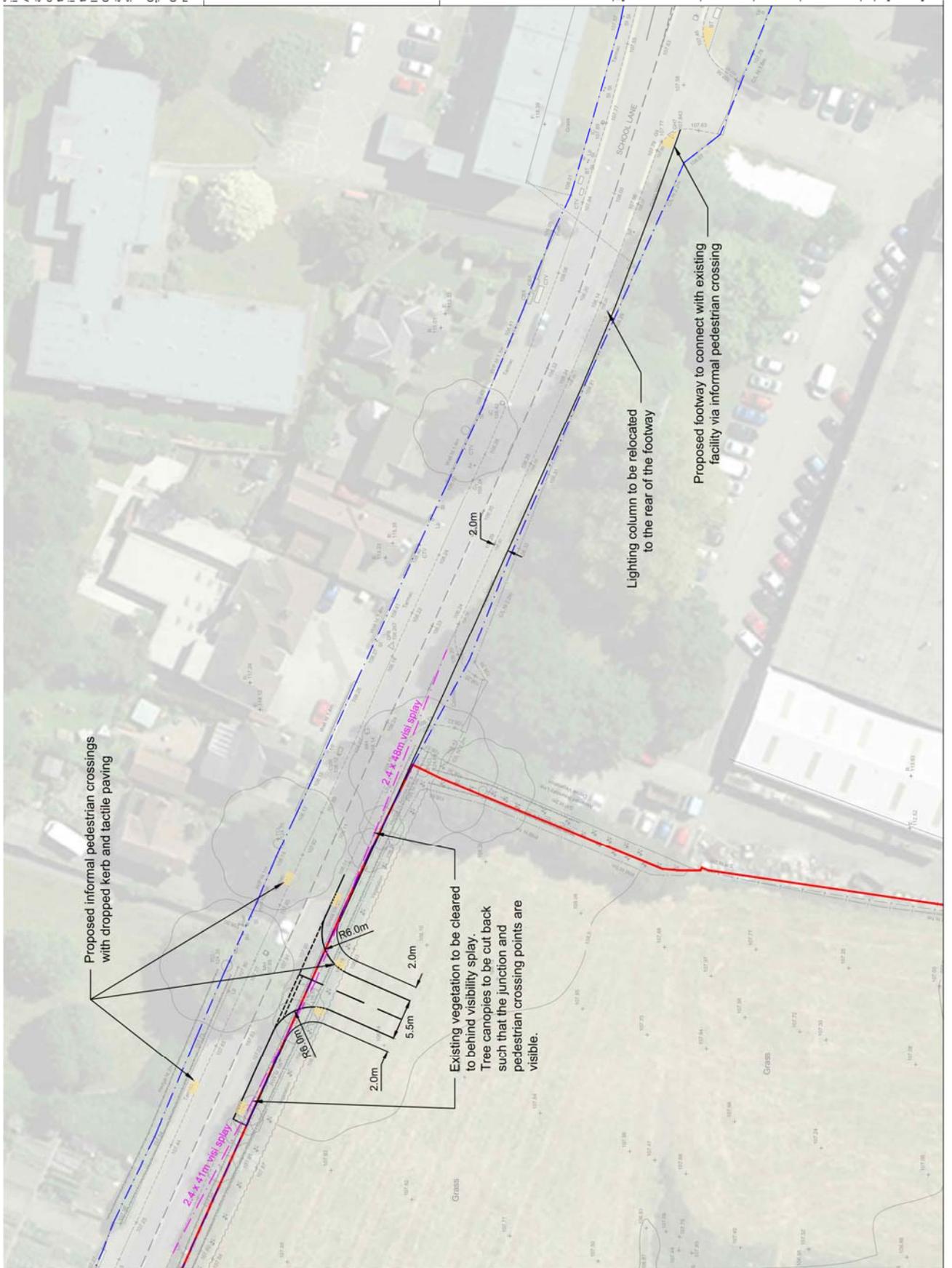
Concept Masterplan



Project
School Lane Exhall
 Drawing Title
Land Use and Access Paran

Date 26.02.18
 Scale 1:2500 @A3
 Drawn I KU

Land Use and Access Parameter Plan



Proposed Access General Arrangement.

REFERENCE No. 036653

Site Address: 35 Cleveley Drive, Nuneaton

Description of Development: Single storey rear extension following demolition of existing garage to rear

Applicant: Mr Mark Laidler

Ward: CH

RECOMMENDATION:

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

INTRODUCTION:

This application is for a single storey rear extension following demolition of existing garage to rear. The extension is proposed to measure 5.6 metres wide across the rear elevation, and 2.3 metres from ground to eaves, with a pitched roof making the overall height 4 metres. The proposed extension is to project 6 metres from the rear elevation. The car port to the side of the property is to be retained.

BACKGROUND:

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

RELEVANT PLANNING HISTORY:

- None.

RELEVANT PLANNING POLICIES:

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

CONSULTEES NOTIFIED:

None

CONSULTATION RESPONSES:

None

NEIGHBOURS NOTIFIED:

Neighbouring properties were sent letters notifying them of the proposed development on 11th September 2019.

NEIGHBOUR RESPONSES:

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

1. Proximity of development to neighbouring site.
2. Won't be able to carry out maintenance.
3. Size is unacceptable.
4. Impact on flooding and drainage

APPRAISAL:

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

1. Residential amenity
2. Visual amenity
3. Conclusion

1. Residential Amenity

The way in which the buildings relate to each other on Cleveley Drive, their orientation and separation distance must protect the acceptable levels of amenity for both existing and future residents.

Impact on 37 Cleveley Drive

The neighbouring property to the application site, is firstly 37 Cleveley Drive, which is one of 2 properties for which there is a concern to protect residential amenity. The proposed extension does not infringe the 60 degree guideline to the ground floor habitable room within the property.

At present, the existing garage already conflicted with the 60 degree guideline from the midpoint of the nearest habitable room within this property, however the demolition of the garage and movement of the extension to the rear of the house actually means a reduction to no conflict of the 60 degree guideline, hence an improvement for the side views from this property, as a result of this development. There are no side windows proposed on the extension, on the elevation facing this property.

Impact on 33 Cleveley Drive

The second neighbouring property which is of concern is 33 Cleveley Drive. The proposed extension would not impact the 60 degree guideline from the midpoint of the nearest habitable room on the ground floor. This is because this property already has an extension built. The extension proposed is single storey, therefore there are no concerns of overlooking from the proposal into the neighbouring properties or the properties at the rear. There are no side facing windows in either of the neighbouring properties which could be affected by this development.

2. Visual Amenity

Although the proposed plans indicate that materials which do not match the material design of the existing dwelling will be used, the extension will not be visible within the street scene as it is located at the rear of the property therefore the use of different

materials to the existing house, as specified in the application form, is acceptable in principle. The proposed pitched roof is lower than the existing roof ridge line, and the window alignment is proportionate to the windows on the existing ground floor of the property.

The proposed extension would not be visible from the street scene. Notwithstanding this, the design, scale and appearance of the side extension will be in keeping with the existing house, and although alternative building materials will be used, will not be visible from the street scene, therefore will not be an obtrusive addition to the street scene.

3. Conclusion

In conclusion, the proposed development of the single storey extension to rear, is considered to relate satisfactorily to the original property and is unlikely to cause harm to either visual or residential amenity. There would be no demonstrable harm to neighbouring properties, and there would be no adverse effect on the street scene. The development also raises no substantial concerns in relation to parking and highway safety. The proposal is considered therefore compliant with policy and associated guidance.

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.

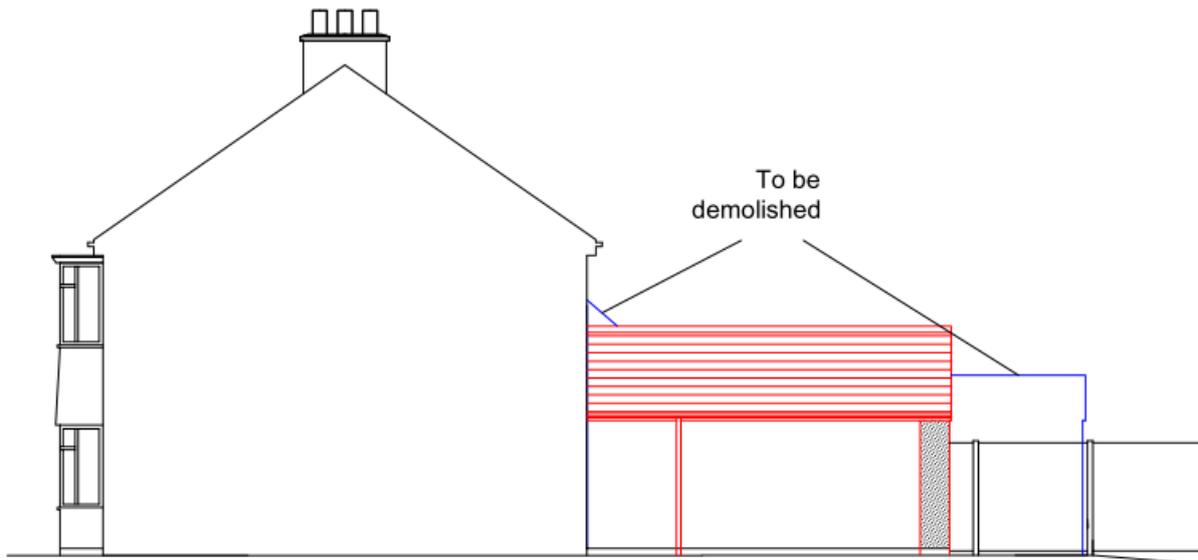
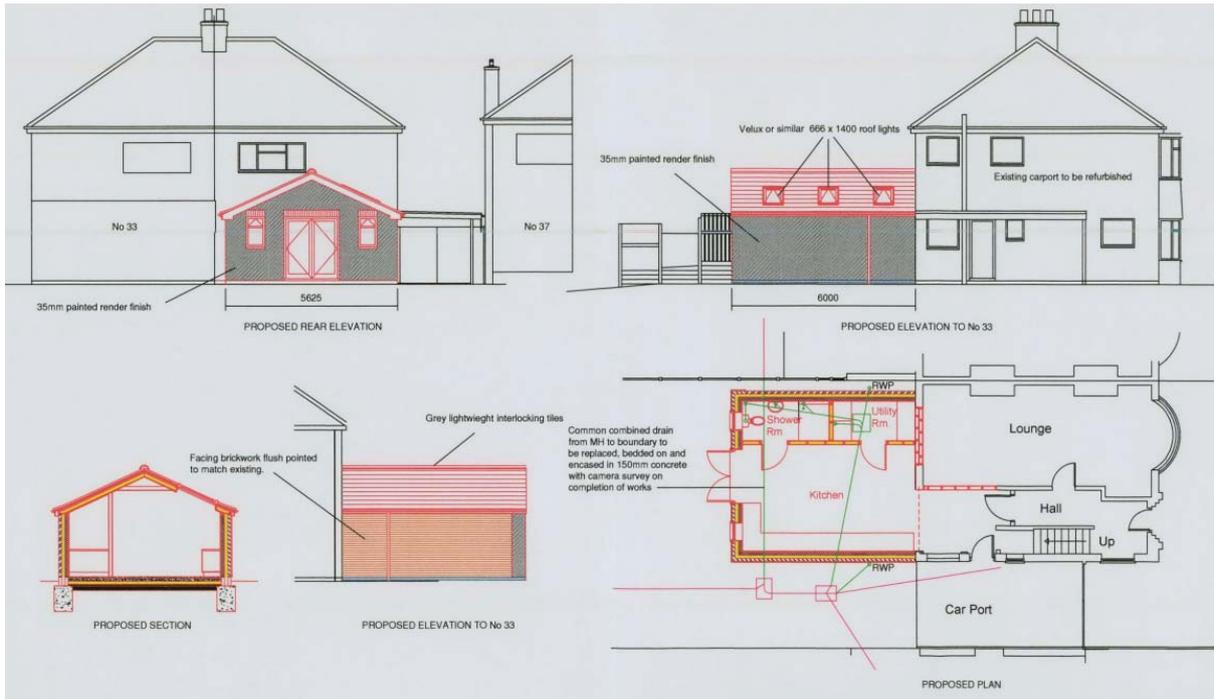
SCHEDULE OF CONDITIONS:

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
Location Plan	01	4th September 2019
Block Site Plan	001	4th September 2019
Existing rear, side and ground floor plans	003	4 th September 2019
Proposed rear, side and ground floor plans	004	4 th September 2019
Existing front and side elevation and proposed front and side elevation	005	10 th September 2019



Site Plan



Proposed Floor Plans & Elevations

REFERENCE No. 036667

Site Address: 29 Mercers Meadow, Bedworth.

Description of Development: First floor extension to side.

Applicant: Mr & Mrs Pandah.

Ward: Ex.

RECOMMENDATION:

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

INTRODUCTION:

The proposal is for a first floor extension to the side. It will be set back from the existing front elevation by 800mm. It will project off the original side elevation by 3.3 metres to the remaining length of the house and then project beyond the rear elevation by 3.276 metres giving a total length of 10.8 metres. The main roof to the front will have a ridge height of 7.7 metres while the secondary roof to the rear will have a ridge height of 6.6 metres. It will be built over a single storey extension added in 2009 and will provide two bedrooms and a shower room. The whole scheme will be constructed out of materials to match the existing.

The application property is a two storey detached house with pitched roofs. It is located on a modern housing estate built in-between 2000 & 2005 on part of the site of the former Coventry Colliery. It is a typical design of that era and occupies a regular shaped plot on Mercers Meadow within the Keresley area of the Borough. Generally to the north, east and west are dwellings of varying type and design, while to the south is Prologis Park, a modern industrial estate built in the early part of this century. However immediately adjacent to the western side of the property is a public footpath giving pedestrian access to the industrial estate. This creates a separation distance between the boundaries of No 29 and No 31 of 10 metres.

BACKGROUND:

This application is being reported to Committee as one of the applicants is a Ward Councillor.

RELEVANT PLANNING HISTORY:

- 029187: Single storey extension to side and rear (resubmission following withdrawal of 12763): Approved 22/12/2008.
- 012763: Single storey extension to side and rear: Withdrawn 27/10/2008.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Nuneaton & Bedworth Borough Plan 2019:
 - o DS1 – Presumption in favour of sustainable development
 - o BE3 – Sustainable design and construction
- Residential Design Guide 2004.

CONSULTEES NOTIFIED:

None.

CONSULTATION RESPONSES:

None.

NEIGHBOURS NOTIFIED:

14, 27, & 31 Mercers Meadow.

Neighbouring properties were sent letters notifying them of the application on 19th September 2019.

NEIGHBOUR RESPONSES:

None.

APPRAISAL:

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

1. Visual Amenity
2. Residential Amenity

1. Visual Amenity

The Residential Design Guide (RDG 2004) contains guidance within section 8.0 which aims at guiding the design and aesthetics of residential development within the Borough.

The extension is to the side, will be visible in the street scene and fairly prominent, particularly when approached from the west past No 31 Mercers Meadow. This is because, as previously stated, immediately adjacent to the western side of the property is public footpath creating a separation distance between the boundaries of No 29 and No 31 of 10 metres. However, at the moment because of the way No 29 and 31 relate to each other the existing side wall of No 29 is already very prominent in the street scene. It is considered that the extension would not significantly change the situation and will result in a similar relationship to the boundary that No 31 has with its boundary. The impact when approached from the east is not as great as it is shielded to a certain extent by the existing house. The extension is, in general terms, sympathetic to the original house and therefore on balance acceptable in design terms. In view of the above and the fact that the extension is set back from the foot path by 6 metres it is considered that it will not detract from the character of the area, appear intrusive or dominate the existing property and is therefore acceptable under paragraph 8 of the Residential Design Guide.

2. Residential Amenity

Section 9 of the RDG2004 contains guidance which aims to protect the residential amenity of proposed residential properties and extensions, and the residential amenity of existing dwellings. As this proposal is to the side only the neighbouring properties either side, Nos 27 & 31 Mercers Meadow and the property opposite No 14 Mercers Meadow likely to be impacted upon.

Impact on No 27 Mercers Meadow.

No 27 Mercers Meadow is the unattached neighbour to the east and on the opposite boundary to that of the extension. This means that there will be no effect on any original windows to a habitable rooms. The rear section of the extension does contain a side facing window that looks directly towards No 27. However, there is a separation distance between the window and the boundary of 8.3 metres and the view is over the roof of the rear extension added in 2009, not directly over the rear garden of No 27. Therefore as there is no impact on the rear garden it is considered that there will be no detrimental impact on this property.

Impact on No 31 Mercers Meadow.

No 31 Mercers Meadow is the unattached neighbour to the west and has a totally blank side elevation facing No 29. Also, it is separated from No 29 by the 10 metre wide walkway to the industrial estate to the rear. As a result there is no effect on any original windows to habitable rooms and no effect on the rear garden. Therefore, it is considered that there will be no detrimental impact on this property.

Impact on No 14 Mercers Meadow.

No 14 Mercers Meadow is directly opposite on the other side of the road. There is a separation distance between it and the front of the extension of 22 metres meaning that there will be no detrimental impact on this property either.

It is therefore considered that the proposal is acceptable under paragraph 9 of the residential design guide.

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:

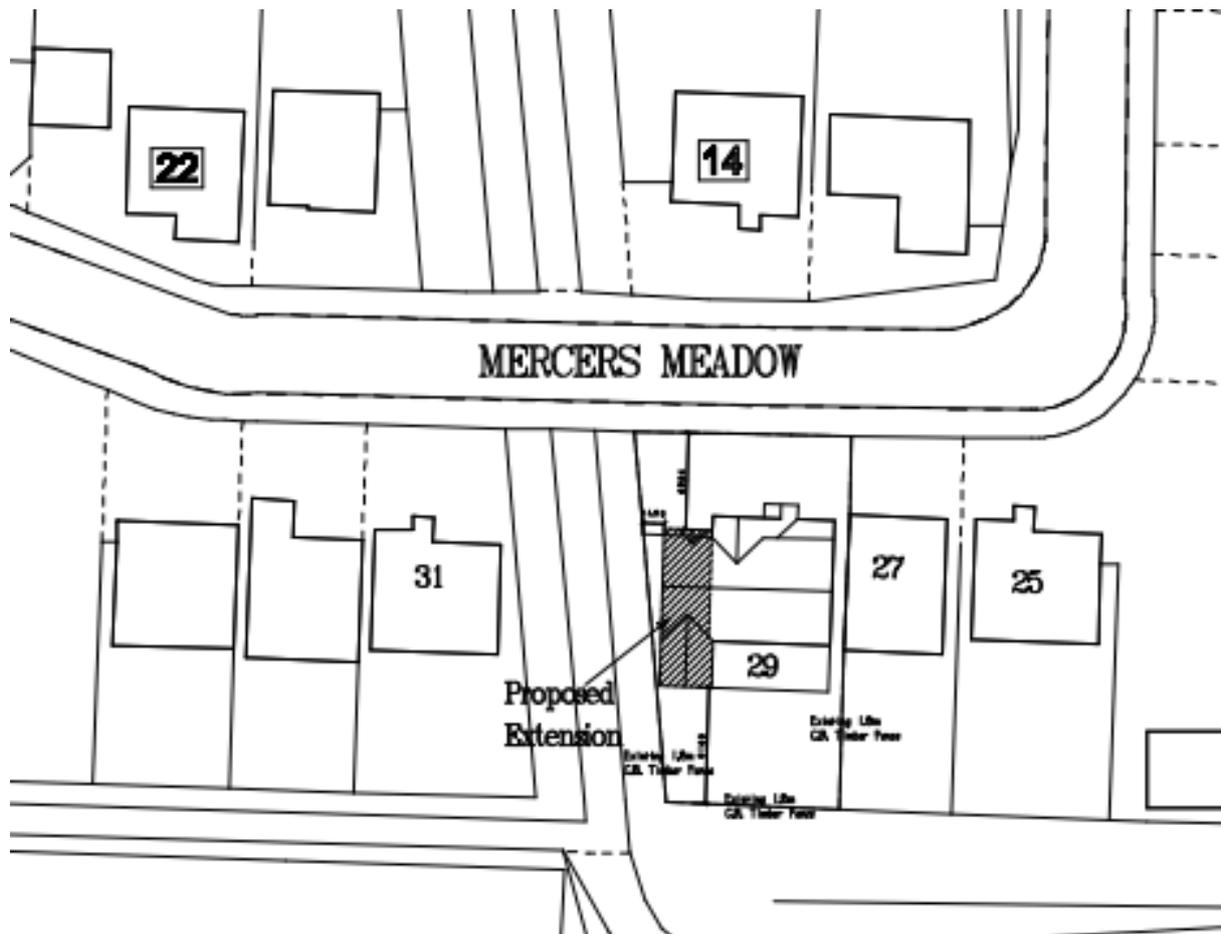
2.The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No.	Date Received
Site Plan		11 th September 2019
Block Plan	8787-05	11th September 2019
Proposed Floor Plans & Elevations	8787-02	11th September 2019

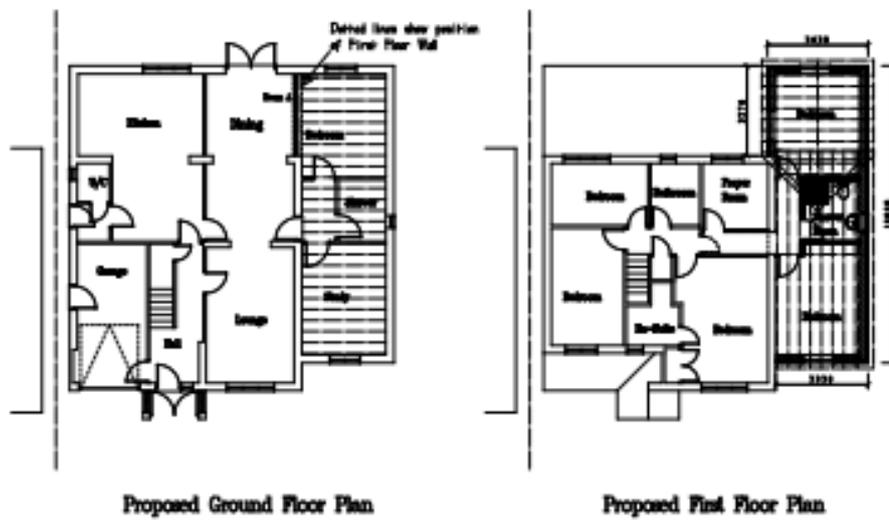
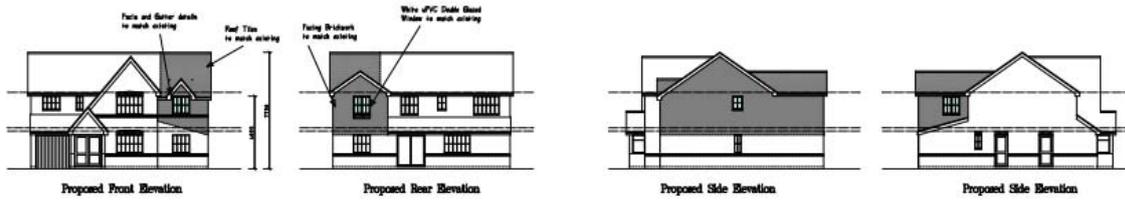
3.No external materials shall be used in the extension other than of the same type, texture and colour as those used in the existing building.



Site Plan



Block Plan



Proposed Floor Plans & Elevations

Guide to Use Classes Order in England (from 6 April 2018)

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](#), and the [2017 \(No2\) Amendment Order](#) and the [2018 Amendment Order](#) 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>Permitted change to or from a mixed use as A1 or A2 & up to 2 flats</p> <p>Temporary permitted change (2 years) to A2, A3, B1 (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 D2 (subject to prior approval)</p>
A2 Financial and professional services	Banks, building societies, estate and employment agencies, professional services (not health or medical services)	<p>Permitted change to A1 where there is a display window at ground floor level. Permitted change to or from a mixed use for any purpose within A2 and up to 2 flats. To A1 and up to 2 flats, where there is a display window at ground floor level</p> <p>Temporary permitted change (2 years) to A1, A3, B1 (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 D2 (subject to prior approval)</p>
A3 Food and drink	Restaurants and cafes	<p>Permitted change to Class A1 and Class A2</p> <p>Temporary permitted change (2 years) to A1, A2, B1 (interchangeable with notification)</p>
A4 Drinking establishments	Public houses, wine bars or other drinking establishments	<p>Permitted change to or from a use falling "within Class A4 with a use falling within Class A3" ("drinking establishments with expanded food provision")</p>
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 (2 years) to A1, A2, A3, B1 (interchangeable with notification)</p>
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 B1 change to B8</p> <p>B1(a) office permitted change to C3 (to be completed within a period of 3 years from prior approval date) (see 2015 and 2016 orders)</p> <p>Temporary permitted change (2 years) to A1, A2, A3 (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>

Use Class	Use	Permitted Change
B2 General industry	Industrial process other than that falling within Class B1	<p>Permitted change to B1 and B8</p>
B8 Storage or distribution	Use for storage or as a distribution centre	<p>Permitted change to B1</p> <p>Permitted change to C3 (temporary permitted development right: prior approval application must be determined / expired without determination by 10 June 2019)</p>
C1 Hotels	Hotels, boarding and guest houses (where no significant element of care is provided)	<p>Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)</p>
C2 Residential institutions	Residential accommodation and care to people in need of care, residential schools, colleges or training centres, hospitals, nursing homes	<p>Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)</p>
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	<p>Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)</p>
C3 Dwelling houses	<p>Use as a dwellinghouse (whether or not a main residence) by:</p> <p>A single person or by people to be regarded as forming a single household</p> <p>Not more than six residents living together as a single household where care is provided for residents; or</p> <p>Not more than six residents living together as a single household where no care is provided to residents (other than use within Class C4)</p>	<p>Permitted change to C4</p>
C4 Houses in multiple occupation	<p>Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation' (HMO)</p> <p>NB: Large HMOs (more than 6 people) are unclassified therefore sui generis</p>	<p>Permitted change to C3</p>

Use Class	Use	Permitted Change
D1 Non-residential institutions	Clinics, health centres, creches, day nurseries, schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	<u>Temporary permitted change (2 years) to A1, A2, A3, B1 (interchangeable with notification)</u>
D2 Assembly and leisure	Cinemas, concert halls, bingo halls, dance halls, swimming baths, skating rinks, gymnasiums, other areas for indoor and outdoor sports or recreations not involving motorised vehicles or firearms	<u>Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)</u> <u>Temporary permitted change (2 years) to A1, A2, A3, B1 (interchangeable with notification)</u>

NB:

Any building in any Use Class, except Class A4 or Class A3 and A4 use (drinking establishment with expanded food provision), can be used as a state-funded school for up to two 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 office, pay day loan shop	<u>Casino to A3 (subject to prior approval)</u> <u>Casino to D2</u> <u>Amusement centre or casino to C3 (subject to prior approval) (see also 2018 Order)</u> Betting office or pay day loan shop to A1, A2, A3, D2 (subject to prior approval) <u>Betting office or pay day loan shop to mixed use A1 and up to two flats (if a display window at ground floor level), or mixed A2 and up to two flats, or mixed use betting office or pay day loan shop and up to two flats</u> <u>Betting office, pay day loan shop or launderette to C3 (subject to prior approval)</u> <u>Mixed use betting office, pay day loan shop or launderette and dwellinghouse to C3 (subject to prior approval)</u> <u>Mixed use betting office and up to two flats to A1 (if a display window at ground floor level), A2 or betting office</u> <u>Temporary permitted change (2 years) from betting office or pay day loan shop to A1, A2, A3 or B1</u>
OTHER CHANGES OF USE	Agricultural buildings	<u>Permitted change to C3 (subject to prior approval) (the provisions of the 2015 Order must be read with the provisions of the 2018 Amendment Order)</u> <u>Flexible changes to A1, A2, A3, B1, B8, C1, D2 (subject to limitations and prior approval process): new use is sui generis</u> <u>Permitted change to state-funded school or registered nursery (subject to prior approval)</u>

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