

Enquiries to:
Democratic Services

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Date: 11th October 2024

Our Ref: MM

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in
**Council Chamber of the Town Hall, Nuneaton on Tuesday, 22nd October 2024 at
6.00p.m.**

Public Consultation on planning applications will commence at 6.00pm (see
Agenda Item No. 6 for clarification).

Yours faithfully,

TOM SHARDLOW

Chief Executive

To: All Members of the Planning
Applications Committee

Councillor C. Phillips (Chair)
Councillors L. Cvetkovic, E. Amaechi,
P. Hickling, N. King, M. Kondakor,
S. Markham, B. Saru, J. Sheppard,
R. Smith and K. Wilson.

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 Lloyds 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.

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

3. MINUTES - To confirm the minutes of the meeting held on 24th September 2024, attached (**Page 6**)

4. DECLARATIONS OF INTEREST

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

Declaring interests at meetings

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

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

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

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

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

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

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

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

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

5. DECLARATIONS OF CONTACT

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

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control, attached **(Page 14)**.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The Chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or Officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the Chair. The Chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the Chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

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.
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).

Committee Site Visits

Planning Applications Committee - 22nd October 2024

Members are reminded that a site visit will take place prior to the Planning Applications Committee in connection with application 040401 - 3 Homers Yard, Gatehouse Lane, Bedworth, CV12 8UE

Members are asked to meet at the site at 5:00pm.

Committee Site Visits-Code of Conduct

The purpose of a site visit to an application site is to clarify and gather information on planning issues relating to the site. It is not to provide a forum for debate and discussion on the merits of the application. Therefore, Committee Site Visits will be conducted subject to the following criteria:

- a) A site visit is for the purpose of viewing the site and ascertaining facts. They will take place only if authorised by the Committee where the Committee considers it is unable to determine an application on the basis on the officers' report to the Committee alone.
- b) Authorised attendance at a site visit shall be limited to members of the Planning Applications Committee and appropriate Officers.
- c) There shall be no discussion of the merits of any application during the site visit. Such discussion will only take place at a meeting of the Committee.
- d) Applicants or their representative shall not be permitted to make representations to members of the Committee during a site visit. They may, however, give any purely factual information which is requested by members through the representative of the Development Control Department and which cannot be ascertained by viewing alone.
- e) At the start of the site visit the Chairman of the Planning Applications Committee or the representative of the Development Control Department will explain and make clear to all those attending the Code's requirements for the conduct of site visits

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

24th September 2024

A meeting of the Planning Applications Committee was held on Tuesday, 24th September 2024, in the Council Chamber.

Present

Councillor L. Cvetkovic (Chair)

Councillors: E. Amaechi, P. Hickling, N. King, M. Kondakor, B. Saru, J. Sheppard, R. Smith, K. Wilson and B. Pandher (substitute for S. Markham).

Apologies: Councillors S. Markham and C. Phillips.

PLA18 **Minutes**

RESOLVED that the minutes of the meeting held on the 3rd September 2024 and be approved, and signed by the Chair.

PLA19 **Declarations of Interest**

As Councillor B. Pandher was a substitute Councillor for this meeting, their Declarations of Interest were not listed in the schedule for this meeting.

RESOLVED that the declarations of interests are as set out in the Schedule attached to these minutes, with the addition of the Declarations of Interests for Councillor B. Pandher which can be found of the NBBC website.

PLA20 **Declarations of Contact**

There were no declarations of contact.

IN PUBLIC SESSION

PLA21 **Planning Applications**

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

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

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND RELATED MATTERS REFERRED TO IN MINUTE PLA21 OF THE PLANNING APPLICATIONS COMMITTEE ON 24th SEPTEMBER 2024

040455 – Site 105B008 Bedworth Leisure Centre & Land at Miners Welfare Park, Coventry Road, Bedworth. CV12 8NN

Applicant – Kevin Hollis (Strategic Director for Public Services at NBBC) on behalf of NBBC.

DECISION that subject to no new issues being raised at the end of the consultation period (2nd October 2024), the Strategic Director for Place and Economy be given delegated authority to grant planning permission.

040483 – Frederick Warr House, Orkney Close, Nuneaton. CV10 7JL

Applicant – Rebecca Williams (Building Surveyor at NBBC) on behalf of NBBC.

DECISION that planning permission be granted, subject to

- a) to the conditions printed in the agenda; and
- b) for any trees removed to be replaced. (Any tree including any replacements which, within a period of two years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased as a result of the development, 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.)

040401 – 3 Homers Yard, Gatehouse Lane, Bedworth. CV12 8UE

Applicant – Dr Dean Hamilton

Public Speakers: Dr Dean Hamilton (Applicant)
Jane Farndon (Supporter)
Philip Cowen (Objector on behalf of Managing Agents for Vellbir – Management Company in respect of Bedworth Water Tower Estate)
Councillor B. Hancox (Ward Councillor)

DECISION that the decision relating to this planning application be deferred to allow time for clarification and consideration of which permitted development rights have been removed. To also allow Members the opportunity to undertake a site visit prior to determining the application; to consider impacts on visual amenity, residential amenity and the adjacent Grade II listed building.

**Planning Applications Committee –
Schedule of Declarations of Interests – 2024/2025**

	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
	E. Amaechi	<ul style="list-style-type: none"> - Employed NHS Wales Shared Services Partnership (NWSSP) - Ricky Global Consultants Ltd - Purple Dove Events Ltd - Director – Techealth Ltd 	The Labour Party (sponsorship) - Foundation Governor - Our Lady and St. Joseph Academy, Nuneaton. - Member of: - British Computer Society. - Igbo Community Coventry. - Mbaise Community, Coventry. Representative on the following Outside Bodies: - Committee of Management of Hartshill and Nuneaton Recreation Ground - EQulP: Equality and Inclusion Partnership - West Midlands Combined Audit, Risk and Assurance Committee - Pride in Camp Hill (PinCH)	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: - Building Control Partnership Steering Group	
	P. Hickling	<ul style="list-style-type: none"> - Employed by Wyggeston and Queen Elizabeth I College (Teacher) - Pearson Education (Snr Examiner) 	The Labour Party (sponsorship) - Member of The Labour Party (CLP and Secretary of Nuneaton West) - Member of National Education Union	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			- Committee Member of Nuneaton Historical Association Representative on the following Outside Bodies: - Friendship Project for Children	
	N. King	Employed by Love Hair and Beauty	Representative on the following Outside Bodies: - Nuneaton Town Deal Board	
	M. Kondakor		- Member of the Green Party - Member of Nuneaton Harriers AC - Chair – Bedworth Symphony Orchestra	
	S. Markham	County Councillor – WCC (Portfolio Holder for Children’s Services)	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charities • Trustee of Abbey Theatre • Bedworth Board 	
	C. Phillips	Member of Warwickshire County Council	- Chair of Governors – Stockingford Nursery School - Member of Labour Party - Part-time Carer	
	B. Saru	- Director – Saru Embroidery Ltd - Co-founder and Owner – Fish Tale Ale Beer	- Labour Party (sponsorship) - Chair of the British Gurkha Veterans Association Representative on the following Outside Bodies: - Armed Forces Covenant	
	J. Sheppard		- Director of Wembrook Community Centre. <hr/> - Member of Labour Party. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Sherbourne Asset Co Shareholder Committee • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Nuneaton Neighbour Watch Committee 	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre.
	R. Smith		- Conservative Party Member - Chair of Trustees - Volunteer Friends, Bulkington; - Trustee of Bulkington Sports and Social Club.	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	K.D. Wilson	Delivery Manager, Nuneaton and Warwick County Courts & West Midlands and Warwickshire Bailiffs, HMCTS, Warwickshire Justice Centre, Nuneaton	<ul style="list-style-type: none"> - Deputy Chairman – Nuneaton Conservative Association - Nuneaton Conservative association (sponsorship) - Board Member of the Conservative Councillors' Association. -Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. Representative on the following Outside Bodies: <ul style="list-style-type: none"> - LGA People & Places Board (Member) - Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) - Director of Grayson Place (NBBC) Ltd 	

**Planning Applications Committee –
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	E. Amaechi	<ul style="list-style-type: none"> - Employed NHS Wales Shared Services Partnership (NWSSP) - Ricky Global Consultants Ltd -Purple Dove Events Ltd - Director – Techealth Ltd 	The Labour Party (sponsorship) - Foundation Governor - Our Lady and St. Joseph Academy, Nuneaton. - Member of: - British Computer Society. - Igbo Community Coventry. - Mbaise Community, Coventry. Representative on the following Outside Bodies: - Committee of Management of Hartshill and Nuneaton Recreation Ground - EQuIP: Equality and Inclusion Partnership - West Midlands Combined Audit, Risk and Assurance Committee - Pride in Camp Hill (PinCH)	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: - Building Control Partnership Steering Group	
	P. Hickling	<ul style="list-style-type: none"> - Employed by Wyggeston and Queen Elizabeth I College (Teacher) - Pearson Education (Snr Examiner) 	The Labour Party (sponsorship) - Member of The Labour Party (CLP and Secretary of Nuneaton West) - Member of National Education Union	

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	N. King	Employed by Love Hair and Beauty	Representative on the following Outside Bodies: - Nuneaton Town Deal Board	
	M. Kondakor		- Member of the Green Party - Member of Nuneaton Harriers AC - Chair – Bedworth Symphony Orchestra	
	S. Markham	County Councillor – WCC (Portfolio Holder for Children’s Services)	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charities • Trustee of Abbey Theatre • Bedworth Board • Free Speech Union • Exhall Multicultural Group 	
	C. Phillips	Member of Warwickshire County Council	- Chair of Governors – Stockingford Nursery School - Member of Labour Party - Part-time Carer	
	B. Saru	- Director – Saru Embroidery Ltd - Co-founder and Owner – Fish Tale Ale Beer	- Labour Party (sponsorship) - Chair of the British Gurkha Veterans Association Representative on the following Outside Bodies: - Armed Forces Covenant	
	J. Sheppard		- Director of Wembrook Community Centre. - Member of Labour Party. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Sherbourne Asset Co Shareholder Committee • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Nuneaton Neighbour Watch Committee 	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre.
	R. Smith		- Conservative Party Member - Chair of Trustees - Volunteer Friends, Bulkington; - Trustee of Bulkington Sports and Social Club.	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
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Planning Applications Committee
22nd October 2024

Applications for Planning Permission
Agenda Item Index

Deferred Items/ Site Visits

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Planning Applications

Item No.	Reference	Ward	Address	Page No.
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3.	039615	PO	Life Church, Bulkington Road, Bedworth, CV12 9DG	57
4.	039616	PO	Life Church, Bulkington Road, Bedworth, CV12 9DG	83
5.	040333	CH	58 Camp Hill Road, Nuneaton, CV10 0JH	111

Wards:					
AR	Arbury	EA	Eastboro	SL	Slough
AT	Attleborough	EX	Exhall	SM	St Marys
BE	Bede	GC	Galley Common	SN	St Nicolas
BU	Bulkington	HE	Heath	SE	Stockingford East
CH	Camp Hill	MI	Milby	SW	Stockingford West
CC	Chilvers Coton	PO	Poplar	WE	Weddington
				WH	Whitestone

DEFERRED APPLICATIONS/ SITE VISITS

Item No. 1

REFERENCE No. 040401

Site Address: 3 Homers Yard Gatehouse Lane Bedworth Warwickshire CV12 8UE

Description of Development: Proposed installation of rear box dormer (part-retrospective).

Applicant: Dr Dean Hamilton

Ward: BE

RECOMMENDATION:

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

REASONS FOR DEFERRAL:

To allow Members the opportunity to undertake a site visit prior to determining the application; to consider impacts on visual amenity, residential amenity and the adjacent Grade II listed building.

To allow time for clarification and consideration of which permitted development rights have been removed.

INTRODUCTION:

Proposed installation of rear box dormer (part-retrospective) at 3 Homers Yard Gatehouse Lane Bedworth Warwickshire CV12 8UE.

The application property is a two storey mid-terraced dwelling constructed out of red bricks and has a gabled roof. The property is located on the east side Gatehouse Lane and the east side of Homers Yard. The application property has a small square front garden comprising of grass with a communal courtyard located to the west of Homers Yard which is rectangular in shape and comprises of grass. Bedworth Water Tower, which is a Grade II listed building is located adjacent to the application property approximately 21 metres to the north-west.

The proposed changes to the site comprise of the installation of a rear box dormer. It is worth noting that construction has already commenced therefore the application is part-retrospective. It is believed that construction has paused on the proposals until the application has been determined. It is also worth noting that the proposals are located entirely to the rear of the dwelling, with no changes proposed to the front of the dwelling.

BACKGROUND:

This application is being reported to Committee due to the number of objections and also at the request of Councillor Hancox.

RELEVANT PLANNING HISTORY:

- None

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction
 - BE4 – Valuing and conserving our historic environment
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

None.

CONSULTATION RESPONSES:

Objection from The Velbir Management Company. The comments are summarised below;

1. Proposals will significantly alter the part of the estate which is contrary to the original concept design.
2. Believes proposals are contrary to Condition number 10 of the original planning permission for the site.
3. Proposed dormer is oversized for the existing house therefore impact the amenity of neighbouring properties.
4. Impacts the Grade II listed Water Tower which is in close proximity.
5. Proposals will be highly visible to residents in Sleets Yard and Homers Yard.
6. Works initially commenced without any notification of formal notice to the management company.
7. Questions the structural integrity of the extension and seeks evidence that neighbouring properties will be safe.
8. States that applicant should comply with all relevant duties under the Party Wall Act.
9. Believes improvements and alterations are possible but should be in keeping with the appearance of the site and not affect the residential amenity of neighbours.

NEIGHBOURS NOTIFIED:

20 & 22 Briardene Avenue, Bedworth Water Tower, Flats 1-6 The Tower, Gatehouse Lane, 1-7 Old Penns Yard, Gatehouse Lane, 1-7 Bucklers Yard, Gatehouse Lane, 1-8 Sleets Yard, Gatehouse Lane, 1, 2 & 4 Homers Yard, Gatehouse Lane, 1-3 Emes Walk, Gatehouse Lane, Flats 1-4 Lye Corner, Gatehouse Lane, Lye Corner, Gatehouse Lane, Lyes Garrett, Lye Corner, Gatehouse Lane.

Neighbouring properties were sent letters notifying them of the proposed development on 17th July 2024 and 5th August 2024.

NEIGHBOUR RESPONSES:

There have been 7 objections from 7 addresses as well as 2 neutral comments, one of which with no address provided. The comments are summarised below;

1. All owners equal shareholders of Limited company, believes the proposals are not in line with the rules of the company, specifically no significant exterior alterations.
2. Believes permission will set a precedent for further development.
3. Proposals out of keeping with the look of the site.
4. Believes proposals are against the community spirit and buildings themselves.
5. Considers applicant should have initially sought permission from the management company.
6. Proposals will alter the look of the rear of the properties.
7. Believes there are restrictive covenants in place affecting all owners.
8. Questions if the appropriate planning and building regulations were applied for and no consultation with neighbours.
9. Concerns regarding tree in the rear garden as believes is in poor health.
10. Believes extension is far too large, takes up the full of space and very close of the party walls.
11. Believes proposals will directly overlook neighbours garden.
12. Concerns regarding structural integrity of neighbours property.
13. Concerns regarding lack of soil testing and foundation strength assessment.
14. Proposals out of keeping with visual harmony on neighbourhood and threatens the architectural heritage.
15. Believes there has been a disregard for building protocols and to neighbours.
16. Believes applicant did not agree to a Party Wall Agreement.
17. Noisy building works and roof encroachment.
18. Believes proposals will impact the setting of the Grade II listed Bedworth Water Tower.
19. Neighbouring property impacted by size of development and overlooking of garden areas.
20. Development impacts communal areas overlooked by it.
21. Development contravenes the original design concept of the site.
22. Disregard to both Planning Application and Permitted Development Rights.
23. Out of character within the gated community.
24. Concerns for privacy of adjoining neighbours living on Briardene Avenue.
25. Permission should have been applied for before it was nearly finished. Should be serviced with a notice of removal.

There has been 1 letter of support from 1 address, the comments are summarised below;

1. Would rather the applicant improve their property and stays, instead of moving to accommodate a growing family.
2. Satisfied that the plans do not encroach on neighbours property, space or spoil the appearance on where they live.

APPRAISAL:

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

1. Impact on Residential Amenity
2. Impact on Visual Amenity and Heritage
3. Other Considerations
4. Conclusion and Planning Balance

1. Impact on Residential Amenity

The way buildings relate to each other, their orientation and separation distance must provide and protect acceptable levels of amenity for both existing and future residents. These standards can be used flexibly, depending on house layout and on-site circumstance. Neighbouring properties to be considered within this application are: 20 & 22 Briardene Avenue, Bedworth Water Tower, Flats 1-6 The Tower, Gatehouse Lane, 1-7 Old Penns Yard, Gatehouse Lane, 1-7 Bucklers Yard, Gatehouse Lane, 1-8 Slets Yard, Gatehouse Lane, 1, 2 & 4 Homers Yard, Gatehouse Lane, 1-3 Emes Walk, Gatehouse Lane, Flats 1-4 Lye Corner, Gatehouse Lane, Lye Corner, Gatehouse Lane and Lyes Garrett, Lye Corner, Gatehouse Lane.

Impact on 20 & 22 Briardene Avenue

Nos. 20 & 22 Briardene Avenue are the unattached neighbours located to the rear of the application property to the east. In the interest of protecting privacy, a minimum 20 metres separation distance is required between the existing ground and first floor habitable room windows and proposed ground and first floor habitable room windows. Where a three storey development is proposed a distance of 30 metres will normally be required where such an elevation containing windows faces another elevation with windows. This is in the interests of preventing an oppressive sense of enclosure. No. 20 is located approximately 51 metres away from the application property and No. 22 is located approximately 54.7 metres away from the application property. This complies with the minimum distance. Therefore, it is considered that there will be no detrimental impact on these properties.

Impact on Bedworth Water Tower and Flats 1-6 The Tower, Gatehouse Lane

Bedworth Water Tower and Flats 1-6 are the unattached neighbours located to the front and side of the application property to the north-west. Whilst this is less than the 30 metre separation distance, it is worth noting that as the proposals are located to the rear, the front of the application property will not change and the application property will not be located any closer to the Water Tower or Flats. In light of the above, it is therefore considered that there will be no detrimental impact on these properties.

Impact on 1-7 Old Penns Yard, Gatehouse Lane

Nos. 1-7 Old Penns Yard, Gatehouse Lane are the unattached neighbours located to the front and side of the application property to the south-west. As the proposals are located to the rear, the front of the application property will not change. Therefore, it is considered that there will be no detrimental impact on these properties.

Impact on 1-7 Bucklers Yard, Gatehouse Lane

Nos. 1-7 Bucklers Yard, Gatehouse Lane are the unattached neighbours located opposite of the application property to the west. As the proposals are located to the rear, the front of the application property will not change. Therefore, it is considered that there will be no detrimental impact on these properties.

Impact on 1-4 Sleets Yard, Gatehouse Lane

Nos. 1-4 Sleets Yard are the unattached neighbours located to the side of the application property to the north. The front elevation of No. 1 is located approximately 43 metres from the rear elevation of the application property. The front elevation of No. 2 is located approximately 45.5 metres from the rear elevation of the application property. The front elevation of No. 3 is located approximately 46.1 metres from the rear elevation of the application property. The front elevation of No. 4 is located approximately 47.5 metres from the rear elevation of the application property. Additionally, there are no side facing windows proposed that will be impacted by any overlooking issues. It is therefore considered that there will be no detrimental impact on these properties.

Impact on 5-8 Sleets Yard, Gatehouse Lane

Nos. 5-8 Sleets Yard are the unattached neighbours located to the side and rear of the application property to the north-east. In the interest of protecting privacy, a minimum 20 metres separation distance is required between the existing ground and first floor habitable room windows and proposed ground and first floor habitable room windows. Where a three storey development is proposed a distance of 30 metres will normally be required where such an elevation containing windows faces another elevation with windows. This is in the interests of preventing an oppressive sense of enclosure.

No. 5 is located approximately 54 metres away from the application property. No. 6 is located approximately 44 metres away from the application property. No. 7 is located approximately 36 metres away from the application property. No. 8 is located approximately 29 metres away from the application property. Whilst no. 8 is located slightly less than the 30 metres separation distance, it is worth noting that the proposals are located to the side and rear of No. 8 and therefore no direct overlooking will take place. This complies with the minimum distance against properties Nos. 5, 6 and 7. In light of the above, it is therefore considered that there will be no detrimental impact on these properties.

Impact on 1 & 2 Homers Yard, Gatehouse Lane

Nos. 1 & 2 Homers Yard are the attached neighbours located adjacent to the application property to the north. The part-retrospective rear box dormer is located close to the boundary between No. 2 and the application property. The proposals do not breach the 60 degree line at ground floor level, additionally, there is no breach of the 45 degree line at first floor level meaning there is no overshadowing and overbearing. Additionally, there are no side facing windows proposed that will be impacted by any overlooking issues. It is therefore considered that there will be no detrimental impact on these properties.

Impact on 4 Homers Yard, Gatehouse Lane

No. 4 Homers Yard is the attached neighbour located adjacent to the application property to the south. The part-retrospective rear box dormer is located close to the boundary between no.4 and the application property. The proposals do not breach the 60 degree line at ground floor level, additionally, there is no breach of the 45 degree line at first floor level meaning there is no overshadowing and overbearing. Additionally, there are no side facing windows proposed that will be impacted by any overlooking issues. It is therefore considered that there will be no detrimental impact on this property.

Impact on 1-3 Emes Walk, Gatehouse Lane

Nos. 1-3 Emes Walk are the attached neighbours located adjacent to the application property to the north. The proposals do not breach the 60 degree line at ground floor level, additionally, there is no breach of the 45 degree line at first floor level meaning there is no overshadowing and overbearing. Additionally, there are no side facing windows proposed that will be impacted by any overlooking issues. It is therefore considered that there will be no detrimental impact on these properties.

Impact on Flats 1-4 Lye Corner, Gatehouse Lane, Lye Corner, Gatehouse Lane and Lyes Garrett, Lye Corner, Gatehouse Lane

Flats 1-4 Lye Corner, Gatehouse Lane, Lye Corner, Gatehouse Lane and Lyes Garrett, Lye Corner, Gatehouse Lane are the attached neighbours located adjacent to the application property to the north. The proposals do not breach the 60 degree line at ground floor level, additionally, there is no breach of the 45 degree line at first floor level meaning there is no overshadowing and overbearing. Additionally, there are no side facing windows proposed that will be impacted by any overlooking issues. It is therefore considered that there will be no detrimental impact on these properties.

2. Impact on Visual Amenity and Heritage

Section 13, paragraphs 13.8-13.12, of the Sustainable Design and Construction SPD 2020, indicates how extensions and alterations to the existing houses should impact the visual amenity of an area. The SPD states that extensions and alterations should not:

- Dominate the existing house by projecting above the ridge line
- Appear intrusive, prominent or incongruous in the street scene or from public areas

The box dormer is located on the rear elevation of the dwelling, which faces towards the rear elevation of properties on Briardene Avenue. There are views of the rear of the dwelling from a nearby car parking court, however, this is on private land as both Gatehouse Lane and Sleets Yard are private roads. The dormer is considered to be relatively small in scale, and is to be below the ridge line of the main roof of the dwelling. Furthermore, it is to be set in from the sides of the roof.

Whilst the rear box dormer has been partially constructed, the application form states that the proposed wall material will be grey cladding, which closely resembles the roof tile colour and black gutters to match the existing gutters. The roof material will be a rubber membrane covering the flat roof and black gutters/fascias to match the existing gutters. The proposed materials are considered to be appropriate given they are of a similar appearance to the existing dwelling.

As mentioned previously, Bedworth Water Tower which is Grade II listed is located adjacent to the application property approximately 21 metres away from the front elevation of the dwelling. Paragraph 201 of the NPPF (2023) states that local planning authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal (including any development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

Policy BE4 of the Borough Plan relates to valuing and conserving our historic environment and states that development affecting a designated or non-designated heritage assets and its setting will be expected to make a positive contribution to its character, appearance and significance.

In this case, the Grade II listed Water Tower is located in somewhat close proximity to the application site. However, the location of the dormer is to the rear of the site, which is facing away from the Water Tower, and the proposals are relatively small in scale. As such, it is not considered that the proposal would have any material impact upon the setting of the listed building.

On balance, the scheme is considered to be of an appropriate design and scale when compared to the existing and neighbouring properties. Furthermore, the proposals are not considered to result in a prominent or incongruent feature in the street scene and wider estate and so will not be harmful to the visual amenity of the area, nor will it result in any harm to the setting of the listed building.

3. Other Considerations

This application is clearly contentious within the local area, however, it should be clear as to which matters are material planning considerations. Issues relating to the lack of soil testing, structural integrity, Party Wall Act, community spirit and noisy building works are not planning matters and therefore cannot be considered as part of this assessment.

The remaining objections comments have been noted and are shown above, however it is considered that these comments have been addressed in the above sections, and any other potential impact from these are not considered to have a detrimental impact on the surrounding area.

It is also worth noting that permitted development rights have been removed for the application property along with all properties within the estate. The definition of Permitted development rights according the Gov.uk is allowing homes to be improved or extended without the need to apply for planning permission where that would be out of proportion with the impact of the works carried out. The original application for the estate, which was for the erection of 38 houses and flats and conversion of the water

tower to 6 residential units, was approved under planning permission reference 028294 in April 1991. Condition 10 of the decision notice states that:

“Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 and any subsequent order, no further windows or openings shall be introduced to any elevations; no external alterations or extensions (including the erection or construction of a porch), shall take place without the written consent of this Council”.

The reason this condition was added is to protect the character of the development and listed building and to protect the amenities of neighbouring properties, as stated on the decision notice. The Town and Country Planning General Development Order 1988 has since been replaced with the General Permitted Development Order 2015 (as amended). In this instance, a rear box dormer would be assessed against Schedule 2, Part 1, Class B of the General Permitted Development Order 2015. If permitted development rights had not been removed for the site, it is considered likely that the submitted plans would have been possible via permitted development.

4. Conclusion and Planning Balance

The NPPF 2023 (Paragraph 11) promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

In conclusion, the proposed impact on Residential Amenity, Visual Amenity and Heritage are considered to be acceptable. Additionally, it is considered that there are no reasonable grounds for refusal. As such, the recommendation is one of approval, subject to conditions.

REASONS FOR APPROVAL:

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

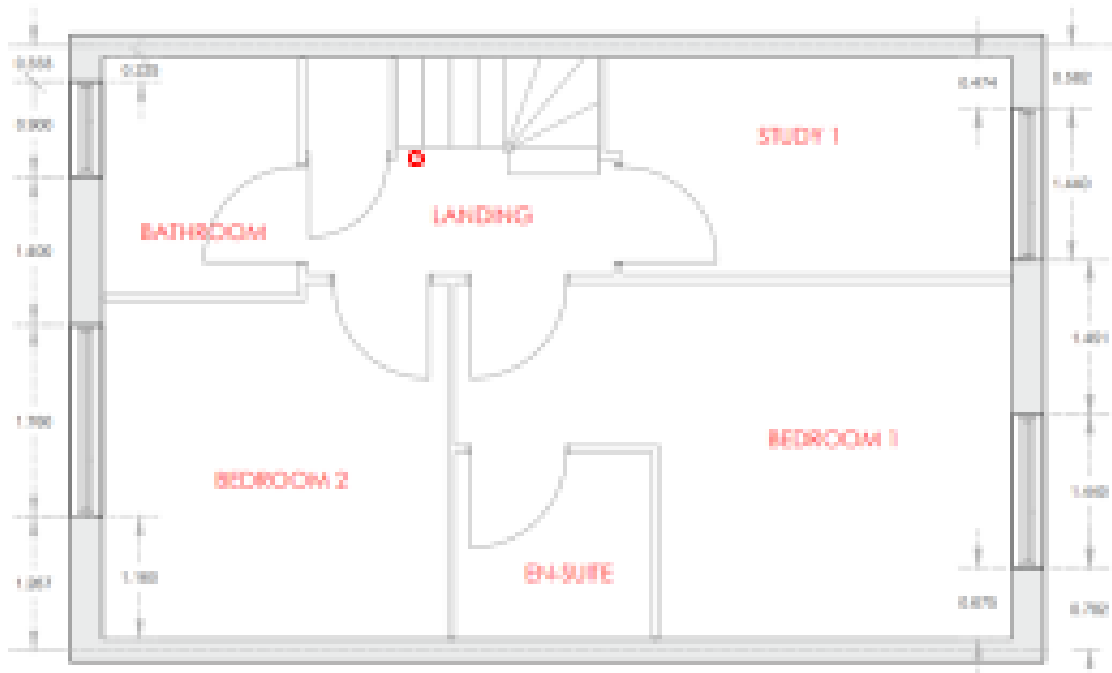
SCHEDULE OF CONDITIONS:

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

<u>Plan Description</u>	<u>Plan Reference</u>	<u>Date Received</u>
Site Location Plan	N/A	3 July 2024
Existing and Proposed Floor Plans, Elevations and Sections	ET420, REV J SHEET 1 OF 2 AND SHEET 2 OF 2	3 July 2024

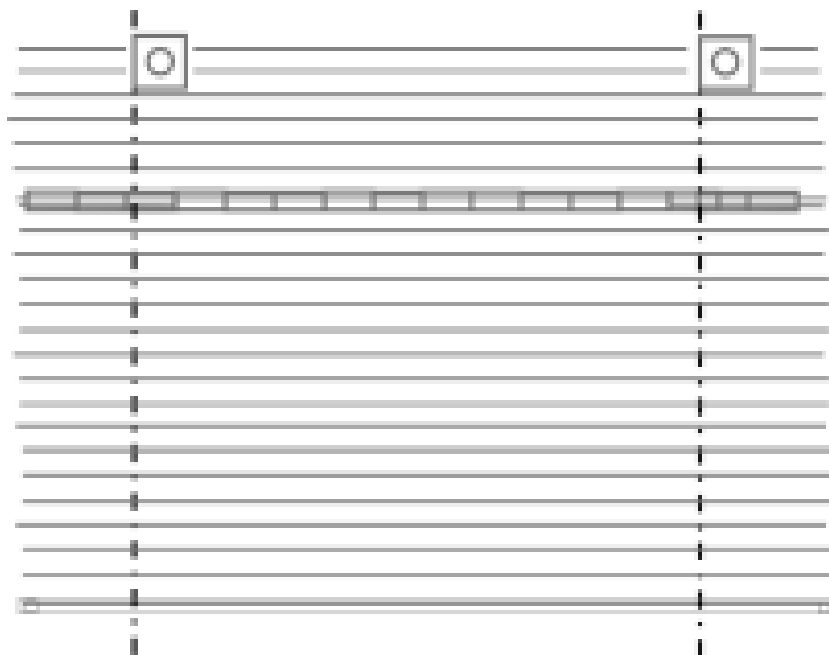


Site Location Plan



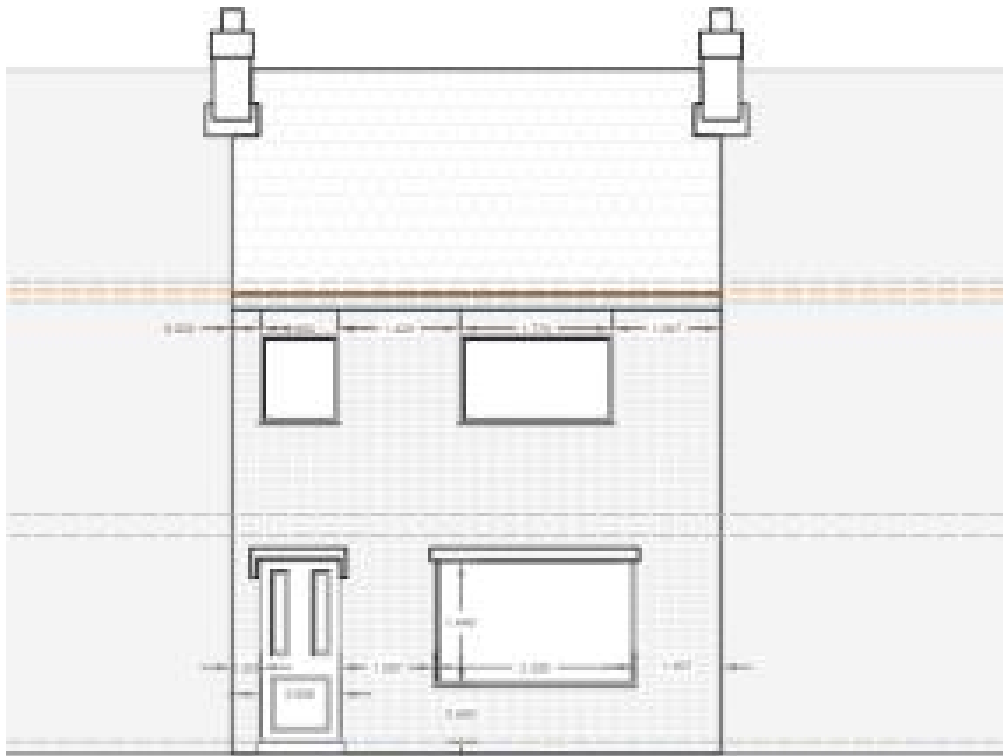
EXISTING FIRST FLOOR PLAN

INDICATED WALLS TO BE
REMOVED/ALTERED TO ALLOW
SUFFICIENT SPACE FOR
PROPOSED STAIRCASE.

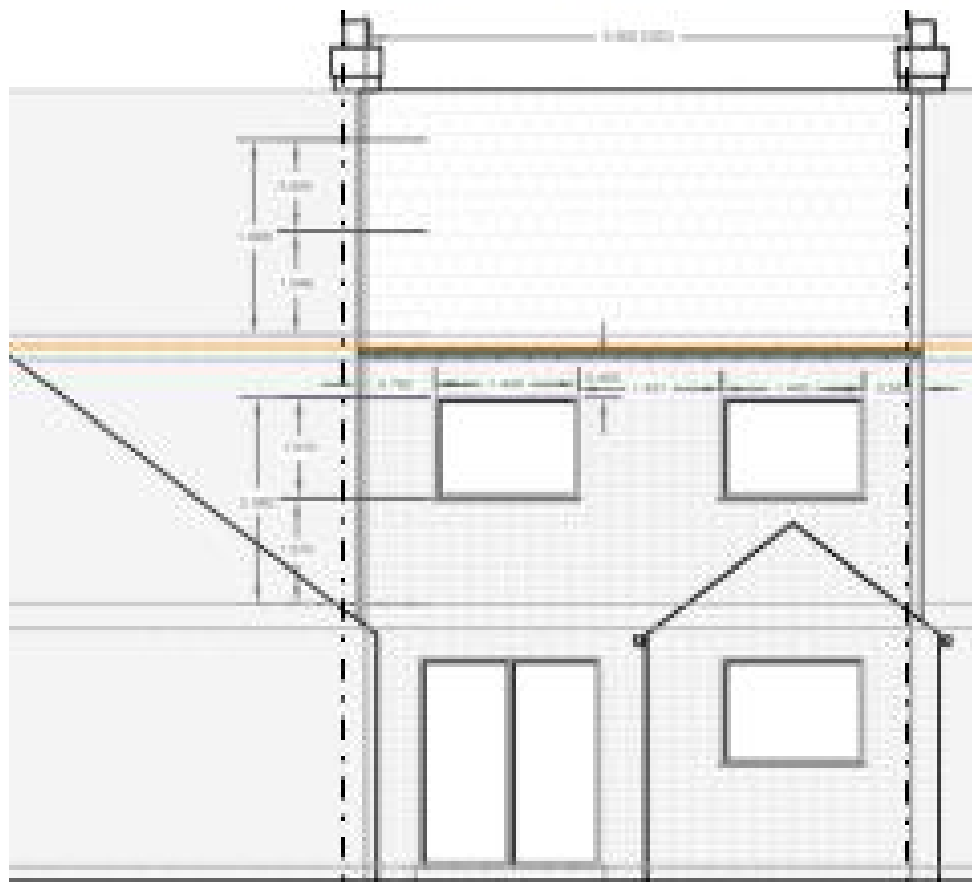


EXISTING REAR ELEVATION ROOF PLAN

Existing Floor Plan and Roof Plan

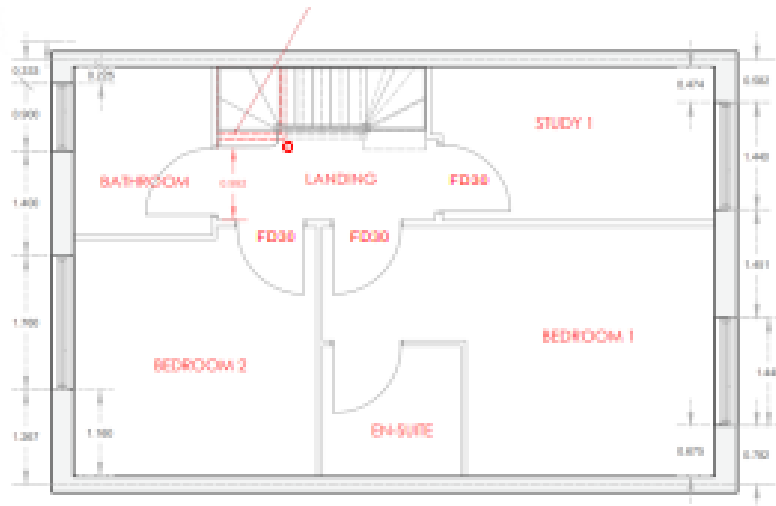


EXISTING/PROPOSED FRONT ELEVATION

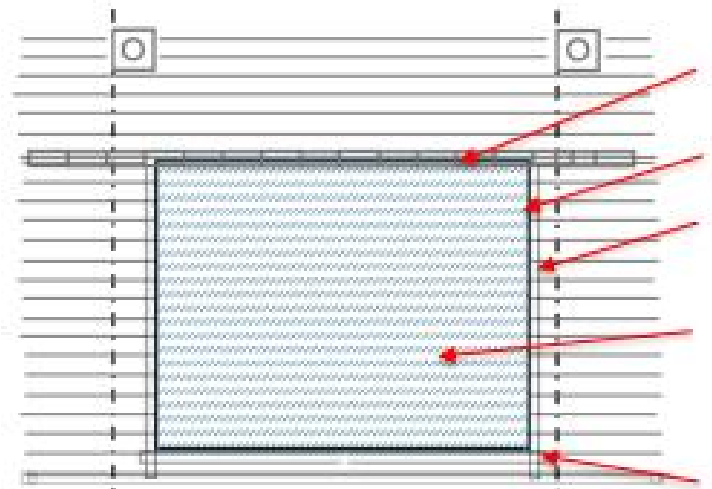
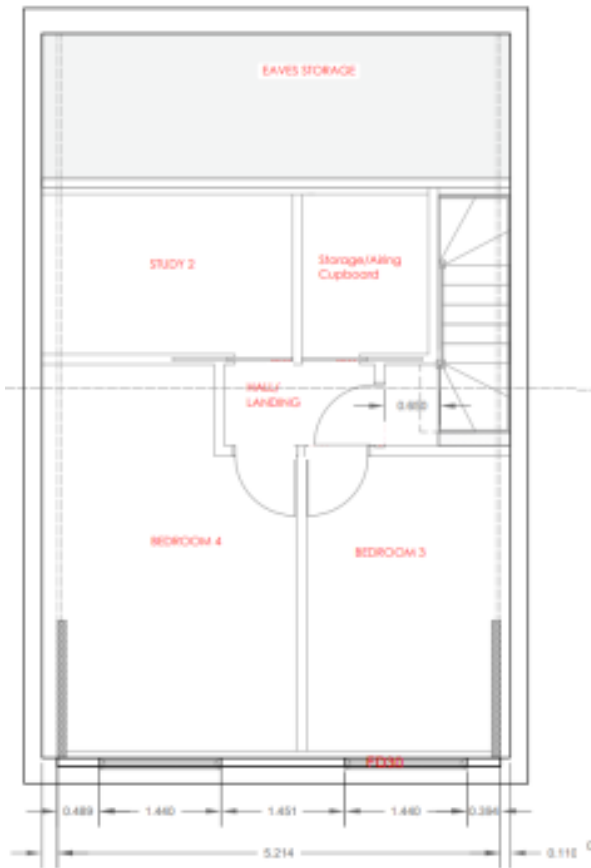


APPROX. BOUNDARY LINE EXISTING REAR ELEVATION

Existing Front and Rear Elevations



PROPOSED FIRST FLOOR PLAN



PROPOSED REAR ELEVATION ROOF PLAN

Proposed First Floor Plan, Loft Floor Plan and Rear Elevation Roof Plan



Proposed Rear Elevation

PLANNING APPLICATIONS

Item No. 2

REFERENCE No. 039614

Site Address: Life Church Bulkington Road Bedworth Warwickshire CV12 9DG

Description of Development: Proposed extension and external refurbishment of an existing Church building to include the partial strip out and improvement of the existing auditorium and removal of the first floor terracing. Two- storey side and rear extensions with ancillary cafe and breakout space to ground floor with community and educational spaces to first floor (Use Class F1/F2). Rain screen facade to be constructed on the Northern elevation plus extension to car parking area and other associated works (Phase 1)

Applicant: Life Church Bedworth

Ward: PO

RECOMMENDATION:

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

INTRODUCTION:

This application is for the proposed first phase of development at the Life Church Bulkington Road. It consists of part single, part two storey extensions to the side and rear of the existing building comprising of a new coffee/ dining space and kitchen area and new larger foyer and breakout space plus toilets at ground floor. To the first floor, a new kids room and children's and parents lounge is proposed. The existing multi-purpose rooms are to remain, and what is currently the small kitchen/ café area is to be used as a further multi-purpose room. These spaces are currently used flexibly as F1 and F2 uses and this is proposed to continue as a result of this application.

The façade of the main building is to be updated, and minor internal improvements are proposed to the existing auditorium including removal of existing tiered seating and the addition of a new sound and lighting desk area.

Amendments are proposed to the vehicle entrance off Bulkington Road, the internal access road and the car parking area. This includes the extension of formal parking to the west side of the site to increase on site car parking provision.

The site is set within a predominantly residential area, with dwellings to the north, south and east of the site. However, the site is also just outside of a local centre, which consists of a number of commercial and other uses including local shops, barbers, takeaway and public house. There is also the All Saints Bedworth Academy and Nursery, a further church building and Nicholas Chamberlaine Secondary School close to the site.

In terms of transport links, the site is within a sustainable location with Bedworth Railway Station at 200m from the site which is within walking distance. There are also bus stops along Bulkington Road and the site is also within a 5 minute walk from Bedworth Town Centre, which is served by further bus links to Bedworth, Bulkington, Nuneaton, Coventry, Atherstone, Hinckley and Leicester.

BACKGROUND:

This application is being reported to Committee as it has received more than 15 letters of objection and support.

RELEVANT PLANNING HISTORY:

- 039615 - Proposed extension and external refurbishment of an existing Church building to include two- storey side and rear extensions with ancillary cafe and breakout space to ground floor and kids multi-use rooms to first floor (Use Class F1/F2) with undercroft car parking area underneath. Further internal strip out of original church building to increase auditorium capacity to 652. Extension of car parking area to south of the site with associated works (Phase 2) (not yet determined)
- 039616 - Proposed extensions and external refurbishment of an existing Church building to include two- storey front, side and rear extensions with ancillary cafe and breakout space to ground floor and kids multi-use rooms (Use Class F1/F2) to first floor plus undercroft car parking area underneath. Two-storey front extension to form wellbeing centre and multi-purpose use rooms to ground floor and ancillary office/administration facilities to first floor (Use Class F1/F2). Removal of rain screen facade erected in Phase 1 to the Northern elevation. Internal strip out of original church building to increase auditorium capacity to 652. Extension of car parking area to south of the site with associated works (Phase 3) (not yet determined).
- 012729 - Provision of children's playground on part of front car park, new glass doors to front and change of use of part of ground floor to café. Refused 14/12/2009

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - DS2 - Settlement hierarchy and roles
 - DS3 - Development principles
 - NE3 – Biodiversity and geodiversity
 - NE4 – Managing flood risk and water quality
 - NE5 – Landscape character
 - BE3 – Sustainable design and construction
 - BE4 – Valuing and conserving our historic environment
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).

- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Policy, NBBC Open Space Officer, NBBC Tree Officer, NBBC Waste & Refuse team, NBBC Sports Development Team, WCC Ecology Officer, WCC FRM, WCC Infrastructure, WCC Archaeology, WCC Highways, Coal Authority, National Grid, Warwickshire Fire Safety, Water Officer, Cadent Gas, Warwickshire Police

CONSULTATION RESPONSES:

Objection from:
WCC Highways

No objection subject to conditions:

NBBC Environmental Health, Coal Authority, Water Officer, WCC Archaeology, WCC Ecology officer

Comment from:

National Grid, Warwickshire Police, Warwickshire Fire Safety

No objection from:

NBBC Policy

No response from:

NBBC Open space officer, NBBC Tree officer, NBBC Waste & Refuse team, NBBC Sports Development, WCC Infrastructure, Cadent Gas

NEIGHBOURS NOTIFIED:

“Travellers Rest”, “Flat 1 Travellers Rest”, “All Saints C of E First School”, 15 & 26-50 (evens inc.) Bulkington Road. 34, 43, 47 & 57-69 (odds inc.) Hatters Court, “Poplars Farm” & 35 Mitchell Road. 10, 11, 12 & 13 The Priors,

Neighbouring properties were sent letters notifying them of the proposed development on 13th May 2023 and 14th June 2023. A site notice was erected on street furniture on 2nd June 2023 and the application was advertised in The Nuneaton News on 28th June 2023.

NEIGHBOUR RESPONSES:

There have been 27 letters of objection from 16 addresses, 1 letter of petition in objection and 1 objection letter with no address provided. The comments are summarised below:

1. Impact on wildlife including bats, insects, birds and squirrels as a result of the loss of trees and the development itself
2. Loss of privacy as a result of the loss of trees
3. Loss of privacy/ overlooking from the extensions
4. Development is excessive in size for a residential area

5. Increased levels of external noise from cars due to the extended car park
6. Increased noise levels from the church and activities
7. Air conditioning plant on roof will be a source of noise
8. The development will increase and encourage car parking in the area
9. Increased traffic flows in an already congested housing estate resulting in traffic accidents
10. Access roads and car park is not sufficient to deal with the additional vehicular movements
11. Loss of house value
12. Loss of light
13. Visual intrusion
14. Will act as a main wind channel between building and houses
15. Disturbance to contaminated land

There have been 35 letters of support from 30 addresses, the comments are summarised below:

1. The church is a hub for the local community. The proposed development will positively impact people's lives
2. The church is one of the local food banks
3. The proposed development will enable the church to better serve the local community on an even greater scale including expanding the provision of youth work, educational needs, community groups and helping the most vulnerable people in the area.
4. The development is much needed for the local community
5. The church as existing is at full capacity and this development will help to increase attendance and therefore better support the existing community and expand it
6. The extensions and alterations to the existing building will be better sound proofed benefitting the local residents
7. The building will be visually improved and modernised as a result of this development

There has also been 1 neutral letter received from 1 address.

APPRAISAL:

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

1. The principle of the development
2. Impact on residential amenity
3. Impact on visual amenity
4. Impact on highway safety
5. Flooding and drainage
6. Ecology, biodiversity and trees
7. Archaeology and Heritage impacts
8. Noise, air quality and land contamination
9. Planning Obligations
10. Conclusion and planning balance

1. The Principle of Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key areas which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

The site is located within the defined Development Boundary, as defined by the Council's Policies Map. Policy DS2 of the Borough Plan 2019 sets out the settlement hierarchy for the Borough and places Nuneaton at the top of the hierarchy, and states that Nuneaton has the primary role and Bedworth the secondary role for employment, housing, town centre, leisure and service provision.

Policy DS3 of the Borough Plan 2019 states that all new development will be sustainable and of a high quality, fully supported by infrastructure provision, as well as environmental mitigation and enhancement, as required in the policies contained within the Plan. It goes on to state that new development within the settlement boundaries, as shown on the proposals map, will be acceptable subject to there being a positive impact on amenity, the surrounding environment and local infrastructure. The site has no specific designation within the Borough Plan Policies Map.

The site is located within a reasonable driving distance to major road networks, including the M6 and the A444. Additionally, the site can be accessed via a range of sustainable transport options, including via bus services, with bus stops being located within close proximity to the site on Bulkington Road and within Bedworth Town Centre, and the site is also within walking distance of Bedworth Train Station.

The proposal seeks to extend an existing church building, which is used somewhat flexibly as Use Class F1 – learning and non-residential institutions and Use Class F2 – Local Community. It is anticipated that as a result of these extensions, these uses will continue. Within the building, there will be facilities including a kitchen area and café seating area. It is considered that such a use would be ancillary to the main F1 and F2 uses.

Use Class F1 and F2 are split into a number of suffixes including:

- F1(a) Provision of education
- F1(b) Display of works of art (otherwise than for sale or hire)
- F1(c) Museums
- F1(d) Public libraries or public reading rooms
- F1(e) Public halls or exhibition halls
- F1(f) Public worship or religious instruction (or in connection with such use)
- F1(g) Law courts
- F2(a) Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 sq. m and there is no other such facility within 1000 metres
- F2(b) Halls or meeting places for the principal use of the local community

- F2(c) Areas or places for outdoor sport or recreation (not involved motorised vehicles or firearms)
- F2(d) Indoor or outdoor swimming pools or skating rinks

The Life Church as the current occupiers will likely utilise the space mostly in relation to F1(f) and F2(b).

Based on the above policies, it is considered that the principle of the extension to the Life Church is acceptable.

2. Impact on Residential Amenity

Policy BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity. In relation to the existing properties, distance standards are met, in compliance with Section 11 of the Sustainable Design & Construction SPD 2020.

The way buildings relate to each other – their orientation and separation distance – must provide and protect acceptable levels of amenity for both existing and future residents. Front, rear and side facing windows to habitable rooms will be protected from significant overlooking and overshadowing where such windows are the primary source of light and are the original openings in the house.

Paragraph 135 of the NPPF states, amongst other things that planning policies and decision should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 191 of the NPPF states that planning policies and decision should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should 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.

Paragraph 124 of the National Design Guide states that good design promotes quality of life for the occupants and users of buildings. This includes function – buildings should be easy to use. It also includes comfort, safety, security, amenity, privacy, accessibility and adaptability.

The development will introduce two-storey extensions to the side and rear of the building. The main impact of these extensions will be on the residential dwellings at 59, 61, 63 and 65 Hatters Court. It is noted that some properties, namely No. 65 and partially 63 Hatters Court already face the main building. It is not considered that the extensions would have any further impact on these dwellings compared to the existing arrangement.

Nos 61 and 59 Hatters Court will face towards the proposed rear extensions which are part single, part two-storey in nature. As per the Sustainable Design & Construction SPD, where a habitable room window faces a blank wall of the same height, a minimum separation distance of 12m is required. This minimum distance increases to 14m where the extension is a storey higher and 16m where the difference is two storeys (paragraph 11.7 and 11.8).

The nearest part of the development to these dwellings will be single storey and are separated from the rear of the dwellings by 13.3m and will be a blank wall with no outward facing windows. The two-storey element will be further set back from these dwellings in order to reduce its prominence, resulting in a separation distance of 20.2m. The first floor elevation facing the residential properties will have 3 high level windows, which can also be conditioned to be obscurely glazed which will prevent any overlooking and protect residential amenity. Finally, a small plant deck is proposed to the roof of the extension, which is to be flat roof construction. This will be slightly set into the roof resulting in a separation distance of 21.2m.

It is noted that the properties on Hatters Court are at a lower land level than the Life Church. Nevertheless, the proposed extensions would be in excess of the distance standards as per the SDC SPD and as such, despite the lower land levels of these properties, the proposal is found to be in accordance with the SPD and as such, the impact on residential amenity is acceptable.

This proposal will also result in a larger area of car parking to the rear of the site. It is not expected that the car park in itself will have an impact upon residential amenity. It is noted that the area to be formally turned into a car park is used as existing as overspill car park, which is grassed and not laid out formally with hardstanding or marked car parking spaces. The overspill car park is used mostly on Sunday's during the sites busiest period.

In terms of noise from cars within the car park, it is considered that there is a potential for this to result in noise and disturbance. As a result, a noise assessment is proposed to be conditioned on the decision notice. Noise is assessed further on in this report.

On balance, it is not considered that the development would result in any detrimental harm to residential amenity as a result of the extensions or alterations.

3. Impact on Visual Amenity

The NPPF establishes the importance of recognising the intrinsic character and beauty of the countryside (paragraph 180). Policy NE5 of the Borough Plan states that major development proposals must demonstrate how they will conserve, enhance, restore or create a sense of place, as well as respond positively to the landscape setting in which the development proposal is located.

The NPPF (2023) states at paragraph 135 that planning policies and decisions should ensure that developments:

- A. Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- B. Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping

- C. Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change
- D. Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
- E. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks
- F. Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and some of the key characteristics to review include street layout, plot size and arrangement and built form. The Sustainable Design and Construction SPD details information to help comply with the requirements of this policy.

The site comprises the main Life Church Building, which at present is an industrial style building with brick construction which is substantially set back from the road. Within the site there is also Dovedale House which is adjacent to Bulkington Road and is used for the Church as office spaces. The site is accessed off the Bulkington Road, and there is a secondary narrower access to the rear of the site onto Mitchell Road, although this is rarely used and is proposed to be blocked off as part of this application. There are currently two formally marked out parking areas located to the front and side of the main building, as well as an informal parking area to the rear which is not formally marked out and is made up of loose gravel and grass.

The main building has a footprint of 756 sq. m, which when compared to the size of the site itself which is 0.815 ha, is relatively small in scale. Internally, the main building has an auditorium with a capacity of 402. It also has a small lounge/ café area and associated kitchen located on the ground floor. There are also 3 multi-purpose rooms across the ground and first floors. There is also a children's play area to the front of the building. It is noted that the café/ lounge area and children's play area were refused consent in 2009 due to the location of the play equipment and 1.8m fence which was said would result in a prominent and incongruous feature to the detriment of character and visual amenity. It is noted that the play equipment and fence have been on the site for more than 4 years and therefore would now be considered as part of the built form whereby enforcement action could not be taken.

The site is set within a predominantly residential area, with dwellings to the north, south and east of the site. However, the site is also located just outside of a local centre, which consists of a number of commercial and other uses including local shops, barbers, takeaway and public house. There is also the All Saints Bedworth Academy and Nursery, a further church building and Nicholas Chamberlaine Secondary School close to the site.

In terms of transport links, the site is within a sustainable location with Bedworth Railway Station at 200m from the site which is within walking distance. There are also bus stops along Bulkington Road and the site is also within a 5 minute walk from Bedworth Town Centre, which is served by further bus links to Bedworth, Bulkington, Nuneaton, Coventry, Atherstone, Hinckley and Leicester.

This application proposes extensions at ground and two-storey level to the side and rear of the existing building. On the ground floor, the coffee and kitchen areas will be added to the rear, and the new larger foyer and break out spaces to the front, along with other small ancillary rooms for storage, and new toilets. An existing staircase and toilets are to be removed, as well as the first floor tiered seating to the auditorium. A new sound and lighting desk are proposed to the first floor, with all seating consolidated to the ground floor, with the number being the same as existing (402 seats).

On the first floor, a new kids room is proposed as well as a kids and parent's lounge. A side corridor with meeting pods will be added and a side outdoor terraced area facing out onto the side car park is also proposed. An external fire escape is also proposed to the rear of the building.

A plant deck is proposed on top of the two-storey flat roof extension to the rear, containing the plant for the full Heating Ventilation and Air Conditioning (HVAC) system for the building.

Externally, the existing building is to be updated and shall match the materials of the proposed extensions. A mix of traditional masonry construction with rendered and painted finish and off-white buff brick (wienerburger or similar approved) to ground floor is proposed. Dark grey buff brick (Wienerburger or similar approved) is proposed to the rear ground floor. A Metsec framing system with CAREA 'Meca' range façade panels is proposed to first floor only. A temporary wall will be added to the front elevation and Metsec uninsulated support structure with CAREA 'Smooth Urban' rainscreen cladding system. Vertically hung timber brise soleil by 'Contrasol' (or similar approved) will be added to the existing front elevation, with existing external wall to be painted. Dark grey aluminium doors and windows are proposed, and dark grey brick with decorative lattice is proposed to cover the plant deck.

The proposed materials are of a much more contemporary and modern finish, compared to the existing industrial style building which occupies the site at present. As discussed, the wider site is mixed with commercial and residential properties. Therefore, there is not a defined street scene in terms of size, style, or use of materials. The contemporary nature of this development is considered to be acceptable given the mixed street scene as well as the nature of the building itself.

On balance, the scheme is considered to be acceptable in terms of impact on visual amenity.

4. Impact on Highway Safety

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 108).

Policy HS2 of the Borough Plan (2019) states that where a development is likely to have transport implications, planning applications are required to clearly demonstrate how the following issues are addressed:

1. How the development ensures adequate accessibility in relation to all principal modes of transport
2. Whether the development identifies suitable demand management measures
5. How the development delivers sustainable transport options in a safe way that link to the wider transport network.

In terms of parking provision, the Transport Demand Management Matters SPD 2022 (TDMM) sets out the required parking requirements for different types of development. Deviation from the standard will only be acceptable where it has been robustly justified. In the case of this application, the main 2 uses are F1(f) and F2(b), with some ancillary uses on the site.

It is considered that the F1(f) uses are the main auditorium and the proposed kids room and kids and parents lounge. The other rooms which are labelled as multi-purpose rooms are considered to be an F2(b) use.

The existing auditorium is 490 sq. m and an additional 228 sq. m of F1 floor space is proposed from this application resulting in a total of 718 sq. m of F1 floor space. There is also 201 sq. m of F2 floor space. As per the TDMM SPD, 1 car parking space is required per 5 sq. m of F1(f) floor space and 1 space per 20 sq. m of F2(b) floor space.

The current site has 45 car parking spaces laid out to the side, although there is also an informal overflow car park to the rear of the site.

A total of 131 car parking spaces are proposed as a result of this development including 9 disabled spaces and 19 parent and child spaces. The TDMM requires 144 spaces for the F1 and 9 spaces for the F2 floor area which requires a total of 153 car parking spaces. It also requires 5% of all spaces to be “accessible” spaces, which this proposal complies with. However, this development would have an under provision of 22 car parking spaces as required by the TDMM.

Nevertheless, as the existing F1 and F2 uses are operating with just 45 spaces excluding the informal car parking within the overflow car park, the proposed development would result in a betterment to parking. Furthermore, we also know that the church is currently operating 2 Sunday services due the limited capacity of the auditorium. As the auditorium will remain unchanged in terms of capacity, it is expected that 2 services will continue. Therefore, there is a betterment to car parking and the shortfall is only small.

WCC Highways have reviewed the application and object to the proposal based on the insufficient number of car parking spaces and the additional information contained within the Transport Note, which has been submitted to the Council to address previous concerns raised by the Highway Authority and the case officer.

The Highway Authority consider that the findings within the Transport Note are not sufficiently detailed for a full assessment to be made. Firstly, the travel and parking

survey has solely focused on the auditorium in a “worst case scenario” in order to determine the parking requirements, due to the applicant confirming that no other uses would be used at the same time i.e. only F1 uses could be carried out on the site with no F2 uses, and vice versa.

However, planning officers consider that it would not be possible to condition this nor condition the use of the site as just for use by the Life Church.

When assessing planning conditions, the NPPF (2023) sets out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (paragraph 55).

It goes on to state that Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (paragraph 56). It is considered that in this case, the condition for a management plan or restriction on how the building can be utilised, or a condition limiting the occupation to a particular church would be neither reasonable nor enforceable. For these reasons, the potential future uses therefore also need to be considered based on the use class being a place of worship as well as a community use facility.

It is considered that the site could be used by different religious groups, which may include those who do not have services on Sundays. Parts of the site could also be rented out to community groups etc.

It is also clear that service times can change even within the same days. Historic street view images show that service times of 9:45am and 11:30am were in place in 2017. This moved to 10:30 only in 2018 up to the October 2023 image. Furthermore, it is known that other churches including the nearby church (known as The Little Chapel) host evening services at 6:00pm and therefore there would be nothing to prevent such a change occurring at this site.

The Highway Authority do not consider that the results of the survey which have been carried out are acceptable. The travel survey was completed on Sunday 7th July 2024. It should be noted that the Sunday service currently comprises of two services at 9:30 and 11:30. In conjunction with this survey, a parking beat survey of the surrounding roads was completed for a 500m area in according with the Lambeth parking methodology for non-residential land uses. The survey comprised of an on-street parking survey and a parking survey of nearby public car parking facilities which took place at 7:00am before the first service and 10:15am during the first service.

In terms of the existing travel habits of the existing congregation of the Life Church which on 7th July was 548 formed of 223 attendees during service 1 and 325 attendees during service 2, 205 responses were received to a travel survey questionnaire equating to a 37% response rate.

Of the 205 responses, 130 respondents were car drivers and 61 car passengers. The remainder walked to the site. The response indicates that the majority of the existing

congregation (96%) travel to and from the site via private car either as a driver (34%) or passenger (62%), with just 4% of the congregation who walk to the site. Based on this information it was concluded that there is an average vehicle occupancy of 2.82 persons per vehicle.

It is considered that the response rate of the travel survey is very poor and does not provide a robust or clear result. Furthermore, the method of the parking survey methodology was not agreed beforehand by the Highway Authority in order to ensure that the survey carried out is acceptable. The survey carried out is not in accordance with the Lambeth methodology, which clearly sets out that the survey should cover 500m (or a 5-minute walk), as only 1 of the public car parks surveyed was within the 500m distance. Furthermore, the Lambeth methodology sets out that hourly beats should be carried out within opening hours. For this survey, only 2 snapshots were carried out which is insufficient and would not be considered representative or robust.

As previously stated, the time of service have and can change. It is considered that a survey carried out at 7:00am and 10:15am would not be representative of a service which took place at 10:30am. In addition, a further survey should have been carried out for the 2nd service time, whereby a cross-over of those attending the first service and those arriving for the second service could take place. Furthermore, as the TN confirms the 2nd service is busier with more than 100 additional people in attendance, it is considered essential to understand the parking capacity during such times.

The method to which parking stock has been calculated is unclear. Part 3.3.13 of the TN states that the 'total stock' varies because of how people were parked which is an incorrect method. The total available on-street parking spaces should not change based on people's parking habits but rather should be based on the total measurements of the roads surveyed reduced by any restrictions such as dropped kerbs, 15m from junctions etc. How people park will impact on the observed demand, but not the total stock.

In terms of calculating the required on-site parking spaces the highway authority consider that more parking is required for the ancillary uses on site such as the coffee space etc. However, the Council are content that subject to an appropriate condition, the coffee space shall remain as ancillary only and should not be considered within the floor space requirements when calculating parking requirements.

The findings of the parking survey, although are very limited, are helpful to show that despite the nearby public transport services which existing including Bedworth Train Station and bus stops, the existing congregation do not use these methods preferring instead to drive.

When considering the development based on the proposed floor area for this application as Phase 1, despite the Highway Authorities concerns, the Council consider that there is only a slight shortfall in the required number of car parking spaces. However the scheme would result in a betterment to car parking overall compared to existing. On balance, it is not considered that the shortfall of 22 car parking spaces is such that it would warrant refusal of the application or that the impact on the highway network would be so harmful that it warrants refusal.

19 cycle parking spaces are proposed for this development. The TDMM states that cycle parking for F1 and F2 uses are calculated on a case by case basis, lead by the Highway Authority. No comment has been made on the cycle parking and therefore it is considered that the proposed number is acceptable.

The Highway Authority had no comments to make in relation to the amended access arrangements, or the general layout of the car park but did have concerns regarding the gated access due to its position being so close to Bulkington Road. The gate could result in cars waiting on the highway whilst the gate is opened which could impact upon the highway network and highway safety. It is considered that the gate should be removed from the scheme and this is possible through the use of appropriate conditions on the decision notice. The Highway Authority had no other comments to make on the other elements of this proposal and it is on this basis and subject to suitable conditions, it is not considered that there would be any detrimental harm to highway safety as a result of this development.

5. Flooding and Drainage

Policy NE4 of the Borough Plan 2019 relates to managing flood risk, sustainable drainage systems and water quality. The policy also states that new development will be required to implement appropriate sustainable drainage system techniques in order to manage surface water run-off. For all sites, surface water discharge rates should be no greater than the equivalent site-specific greenfield run-off rate, unless otherwise agreed by the Lead Local Flood Authority (LLFA).

Paragraph 165 of the NPPF (2023) sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 173 of the NPPF (2023) states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 175 of the NPPF (2023) states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;

- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

WCC Flood Risk Management Team as the LLFA have reviewed the application and further information was requested. The site wide attenuation will be provided in the form of permeable paving. Whilst permeable paving provides water quality/quantity benefits it does not provide any amenity and biodiversity benefits. As such the LLFA would recommend 'management train' approach to the drainage design incorporating source control measures more widely across the site.

The site wide drainage outfalls into an existing STW system. The LLFA will need to see evidence of discussions with STW, such as a Developer Enquiry, which show that a connection to their asset is appropriate in principle at the proposed location and discharge rate.

Furthermore, the submitted FRA states that no survey has been done of the drainage infrastructure associated with the existing premises. The LLFA would expect this to be done at this stage and would also like to see a plan demonstrating how the existing system operates.

It was also noted that there is an existing dwelling on site. Details should be provided as to how this dwelling drains.

Finally, it was needed to demonstrate that consideration has been given to any exceedance flow and overland flow routing, using topography of the site to ensure there is no increase to flood risk both within and outside of the site boundary. This plan should also contain external levels in support.

Following the submission of the required additional information in the form of an amended FRA and surface water drainage strategy, the LLFA removed their objection and confirmed that they had no objection subject to conditions. The conditions are included at the end of this report.

Subject to these conditions, it is considered that the scheme would be acceptable in terms of flooding and drainage.

6. Ecology, biodiversity and trees

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: "a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions."

Paragraph 180 of the NPPF (2023) states at criterion d, that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 186 of the NPPF (2023) states at criterion d that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Policy NE3 of the Borough Plan 2019 sets out that development proposals will ensure ecological networks and services, and biodiversity and geological features are conserved, enhanced, restored and, where appropriate, created. The policy further states that development proposals affecting the ecological network and/or important geological features will be accompanied by a preliminary ecological assessment and/or, where relevant, a geological assessment.

Following WCC Ecology's comments being received on the application, it is noted that several trees are proposed to be removed and these works were said to have the potential to affect bats. An initial bat survey was requested to assess if a bat roost could be present.

This application has been submitted alongside an arboricultural impact assessment (AIA) and method statement and a preliminary roost assessment which have all been assessed. The trees were found to be negligible in terms of potential bat roosts. However, the removal of the trees and the removal of the grassed area to the rear (proposed as car park) has triggered the need for Biodiversity Net Gain calculations to be submitted to show that there would be no net loss on site.

BNG calculations as well as a pre- and post- development habitat plan has been submitted. The survey which was undertaken on 16th August 2023 showed that the site is composed of sealed surfaces with patches of shrubs and grassland and a number of trees. The planned development of the building and car park would result in the loss of almost all of the noted habitats, with the exception of some broadleaved trees located on the site perimeter. However, the ecological impact is partly offset by the creation of some ornamental shrub beds to the east, south and western boundaries as well as some small individual patches within the car park.

The current proposal would cause the loss of all grassland and woodland habitat which significantly contributes to the site's biodiversity value of 1.59 units, thus causing a net habitat loss of -39.41%. The proposal would result in the loss of 0.65 habitat units, although, BNG targets could be met through off-site biodiversity enhance schemes with contributions required.

As per Policy NE3, biodiversity offsetting will be required as a last resort once all other available options in the mitigation hierarchy have been explored. The mitigation hierarchy states that the following sequential steps should be undertaken:

1. Avoidance - the first step of the mitigation hierarchy comprises measures taken to avoid creating impacts from the outset, such as careful spatial placement of infrastructure, or timing construction sensitively to avoid or disturbance. Avoidance is often the easiest, cheapest and most effective way of reducing potential negative impacts, but it requires biodiversity to be considered in the early stages of a project.
2. Minimisation - these are measures taken to reduce the duration, intensity and/or extent of impacts that cannot be completely avoided. Effective minimisation can eliminate some negative impacts, such as measures to reduce noise and pollution, designing powerlines to reduce the likelihood of bird electrocutions, or building wildlife crossings on roads.
3. Rehabilitation/ restoration - The aim of this step is to improve degraded or removed ecosystems following exposure to impacts that cannot be completely avoided or minimised. Restoration tries to return an area to the original ecosystem that was present before impacts, whereas rehabilitation only aims to restore basic ecological functions and/or ecosystem services – such as through planting trees to stabilise bare soil.
4. Offsetting - this aims to compensate for any residual, adverse impacts the previous three steps of the mitigation hierarchy have been addressed. Biodiversity offsets are of two main types: ‘restoration offsets’ which aim to rehabilitate or restore degraded habitat, and ‘averted loss offsets’ which aim to reduce or stop biodiversity loss in areas where this is predicted.

Due the number of car parking spaces which are required for the proposed development, although it was requested by the Ecology officer to retain more of the trees, this would result in a reduced number of car parking spaces which would in turn make the scheme unacceptable. On balance, the scheme would result in the loss of 0.65 units of habitat and these will be required to be offset through offsite enhancements. The calculations are provided in the planning obligations section of this report.

Subject to contributions in the form of Section 106 agreement, it is considered that the impact on ecology and biodiversity is acceptable.

7. Archaeology and Heritage impacts

Policy BE4 of the Borough Plan states that development proposals which sustain and enhance the borough’s heritage assets including listed buildings, conservation areas scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved. The site is does not contain any heritage assets.

The proposed development is said to lie in an area with significant archaeological potential to the east of the suggested historic medieval settlement at Bedworth (Warwickshire Historic Environment Record MWA9499). The site of the proposed development fronts onto Bulkington Road and lies within an area that was subject to significant development during the late 19th and early 20th centuries. The application site itself was formerly the Bedworth town gas works (MWA6692). During a site visit, undertaken to inform the Archaeological Desk-Based Assessment submitted with this application, building foundations possibly relating to the former gasworks were

observed. There is therefore a potential for archaeological features and deposits relating to Bedworth's industrial past to survive across this area.

WCC Archaeology states that they have no objections subject to a written scheme of investigation for a programme of archaeological work be carried out and submitted. Such details can be conditioned to be submitted and approved and will be required prior to commencement of works.

Subject to such a condition, it is considered that the scheme would have no detrimental impact upon archaeology or heritage.

8. Noise, air quality and land contamination

In terms of noise, this is an existing building with planning approval for use as a church. The new scheme does not propose to alter or change the position of the auditorium within the existing building fabric. The internal capacity increases as existing internal walls are stripped, but the structural shell and roof remains. The use as a church involves numerous "noisy" activities including live music on Sunday's as well as band practice during weekday evenings.

As part of the development, a plant deck is proposed to the two-storey roof which will contain the plant for the HVAC system for the building. NBBC Environmental Health officers would normally advise that plant is not located in an elevated position, but instead recommend that the building is designed and utilised as a barrier to help mitigate against any noise migration, protecting nearby residents against noise from this source.

There is also the possibility of increased noise from cars as a result of the rear car parking area adjacent to residential dwellings gardens.

NBBC Environmental Health have requested a noise assessment be carried out to ensure that that the building is designed so that the cumulative noise levels from the centre should not be adding to the prevailing background sound level. The assessment should include Sundays when the background noise levels are generally quieter. The noise assessment should clearly identify all sources of noise, including but to limited to:

- Noise from the auditorium
- Noise from the Plant deck
- Noise from any other external plant, including kitchen odour ventilation and extraction systems.
- Noise from the car park

The assessment should also detail how they propose to mitigate against each noise source so that there is no observable noise impact to nearby residents. This will ensure that the works they are proposing will be designed to enable the Centre to operate as they wish – but will not have a detrimental impact on the surrounding area.

A further condition relating to demolition and construction works is also recommended, to ensure that works are not carried out outside of appropriate hours.

In terms of contaminated land, the extensions to the rear of the development appear to be on land that was formerly occupied by the gas works. Although the building will be covering the ground and this in a sense reduces the risk. However, there is the possibility of gases and volatile compounds affecting the building. As such, suitable conditions relating to a contaminated land assessment is requested to be included on the decision notice.

As per Policy HS2 of the Borough Plan, The council supports the provision and integration of emerging and future intelligent mobility infrastructure that may help to deal with the issue of air quality, such as including electric vehicle charging points. Proposals must consider how they accord with the Transport Demand Management Matters and Air Quality SPD.

The TDMM states that new developments are expected to include appropriate provision for electric vehicle charging. In accordance with the air quality SPD, non-housing developments such as this site require 10% of car parking spaces to provide EV charging points. As this scheme proposes 131 spaces, 13 of these spaces will be required to be fitted with EV charging points. These are not shown on the proposed plans, as such, a suitable condition shall be included on the decision notice.

The application site falls within the defined Development High Risk Area; therefore, within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The planning application is accompanied by a Coal Mining Risk Assessment report (23 January 2023, prepared by GIP Ltd).

The Coal Authority have confirmed that they concur with the conclusions within the Coal Mining Risk Assessment report that coal mining legacy potentially poses a risk to the proposed development and that further investigations are required, along with possible remediation measures, in order to ensure the safety and stability of the proposed development. They submit a response of no objection subject to a condition.

9. Planning Obligations

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 57 of the NPPF 2023 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 93 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
WCC Ecology	Biodiversity Net Gain offsetting scheme	£42,313	

10. Conclusion and Planning Balance

In conclusion, the NPPF 2023 (Paragraph 11) promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

The potential impacts of the proposed development in relation to the principle of the development, residential amenity, visual amenity, highway safety, flood risk and drainage, land contamination, ecology and biodiversity, archaeology, noise and air quality have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, where potential adverse impacts are identified, it would be possible to mitigate against these through the use of conditions.

Taking into account the above assessment, it is consequently considered that the proposal is in accordance with the relevant policies within the Borough Plan and NPPF and the SPDs/ Furthermore, there are no material considerations or adverse impacts which indicates that the applications should be refused. It is therefore considered that the proposed development would achieve sustainable development which should consequently be approved subject to conditions and the completion of a legal agreement.

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:

Description	Plan No.	Date Received
Location plan	LM-001	05/05/2023
Site plan	20109-HPA-P1-00-DR-A-0001-P03	01/09/2023
Proposed ground floor plan	20109-HPA-P1-00-DR-A-1000-P05	13/03/2024
Proposed first floor plan	20109-HPA-P1-01-DR-A-1001-P03	05/05/2023
Proposed roof plan	20109-HPA-P1-02-DR-A-1002-P02	05/05/2023
Proposed elevations	20109-HPA-P1-ZZ-DR-A-2000-P02	05/05/2023
Proposed sections	20109-HPA-P1-ZZ-DR-A-3000-P01	05/05/2023

Detailed planting plan
Plant schedule

2250.01
N/A

05/05/2023
05/05/2023

3. The development hereby approved shall not commence until a dust management plan has been submitted for that phase and approved in writing by the Council. The plan shall detail measures for the control and reduction of dust associated with demolition, earthworks, construction and arrangements for monitoring air quality during construction. Only the agreed details shall be implemented on site and shall be adhered to throughout the duration of construction.

4. No development shall commence until:

- a. A contaminated land assessment and associated remedial strategy has been submitted to and approved 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 Local Planning Authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved.
- 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 Local Planning Authority.

The development shall not be occupied until occupied until the work has been carried out in accordance with the approved details.

5. No development shall commence until details of a noise assessment and noise attenuation scheme, including glazing and ventilation details, to meet the standard for internal noise levels as defined in table 4 of BS8233:2014 (including consideration of maximum sound levels in line with the World Health Organisation's Guidelines for Community Noise) has first been submitted to and approved in writing by the Council. The assessment should be carried out on both weekdays and weekends including Sundays. The noise assessment should clearly identify all sources of noise, including but not limited to noise from the auditorium, noise from the plant deck, noise from any other external plant, including kitchen odour ventilation and extraction systems and noise from the car park.

6. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority 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:

- i. Limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 3.5l/s for the site in line with the approved surface water drainage strategy (ref: AEG0765_DR01, revision 003, dated 30/08/2023).

- ii. Where the drainage scheme proposes to connect into a 3rd party asset, for example a public sewer, further information should be provided regarding the ownership, purpose, location and condition of this asset along with confirmation of the right to connect into it. This should take the form of an agreement under Section 106 of the Water Industry Act (1991).
- iii. Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.
- iv. Provide detail drawings including cross sections, of proposed features such as attenuation features and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- v. Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:
 - a. Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and justification of such criteria where relevant.
 - b. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events
 - c. Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.
 - d. Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
- vi. Provide plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. Such overland flow routing should:
 - a. Demonstrate how runoff will be directed through the development based on post development topographic levels without exposing the building to flood risk.
 - b. Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.
 - c. Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.
- vii. Where flooding is highlighted within the network level calculations, sufficient details should be provided demonstrating how this flooding will be managed/mitigated.

7. No development shall commence until:

- a. A scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activities; and
- b. Any remediation measures and/ or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the proposed development has been submitted to and approved in writing by the Council in consultation with the Coal Authority.

The development shall not be occupied until occupied until the work has been carried out in accordance with the approved details.

8. No development shall take place until a Written Scheme of Investigation (WSI) for a programme of archaeological work has been submitted to and approved in writing by the Council in consultation with WCC Archaeology officer. The archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved Written Scheme of Investigation, shall subsequently be undertaken in accordance with that document.

9. No development shall commence until full details of the surfacing, drainage and levels of the access, car parking and manoeuvring areas as shown on the approved site plan (no. 20109-HPA-P1-00-DR-A-0001-P03) have been submitted to and approved in writing by the Council in consultation with the Highway Authority. There shall be no occupation or use of the site until the areas have been laid out in accordance with the approved details and such areas shall be permanently retained for the parking and manoeuvring of vehicles for the lifetime of the development.

10. No development shall commence, including any site clearance, until a Construction Management Plan (CMP) has been submitted and approved in writing by the Council in consultation with the Highway Authority. The approved plan shall be adhered to throughout the construction period. The approved plan shall provide for:

- i. The routing and parking of vehicles of HGV's, site operatives and visitors;
- ii. Hours of work;
- iii. Loading and unloading of plant/ materials
- iv. Storage of plant and materials used in constructing the development
- v. The erection and maintenance of security hoarding
- vi. Wheel washing facilities to prevent mud and debris being passed onto the highway
- vii. A scheme for recycling/ disposing of waste resulting from the construction works
- viii. Emergency contact details that can be used by the Council and WCC and public during the construction period.

11. No development shall commence until details of site levels and finished floor levels 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.

12. No development shall commence above slab level until details of all boundary treatments, including new walls and fences, have been submitted to and approved in writing by the Council. The use shall not commence until all boundary treatment have been carried out in accordance with the approved details.

13. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment (AEG0765_CV12_Bedworth_07_REV02) has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority. The details shall include:

- i. Demonstration that any departure from the agreed design is in keeping with the approved principles.
- ii. Any As-Built Drawings and accompanying photos
- iii. Results of any performance testing undertaken as a part of the application process (if required/necessary)

- iv. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- v. Confirmation that the system is free from defects, damage and foreign objects

14. No occupation and subsequent use of the development shall take place until a detailed, site-specific maintenance plan is provided to the LPA in consultation with the LLFA. Such maintenance plan should

- i. Provide the name of the party responsible, including contact name, address, email address and phone number
- ii. Include plans showing the locations of features requiring maintenance and how these should be accessed.
- iii. Provide details on how surface water each relevant feature shall be maintained and managed for the life time of the development.
- iv. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

15. No occupation and subsequent use of the development shall take place until a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made safe and stable for the approved development, has been submitted to and approved in writing by the Council. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/ or mitigation necessary to address the risks posed by past coal mining activity.

16. No occupation and subsequent use of the development shall take place until a scheme for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes at the site have first been submitted to and approved in writing by the Council. The approved scheme shall be implemented in full prior to the occupation of the development.

17. The development shall not be occupied until the location and details of 13 no. Electric Vehicle (EV) charging points has been submitted and approved in writing by the Council. The EV charging point shall then be installed in accordance with the approved details and maintained in perpetuity. In addition, at that time, the developer shall also ensure that appropriate cabling is provided to enable increase in future provision.

18. Notwithstanding the details shown on the approved drawing No. 20109-HPA-P1-00-DR-A-0001-P03, no gates, barriers or other means of enclosure shall be erected across a vehicular access within 6 metres of the highway boundary. All such features erected beyond that distance should be hung to open inward away from the highway.

19. For heating provision, all proposed gas-fired boiler installations shall be low NOx emission type to meet a minimum standard of less than 40mg NOx/kWh.

20. The development hereby approved shall not be carried out other than in accordance with the Arboricultural Method Statement (Report No. LTM0656.MS.01 22/11/2022) received by the Council on 5th May 2023. No tree or hedgerow other than those shown within the Arboricultural Impact Assessment shall be removed unless otherwise agreed in writing by the Council. No construction works shall commence until measures for the protection of trees and hedges to be retained have been implemented in full accordance with the details within the AMS and shall remain in situ during all construction works.

21. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the Council and the said scheme shall be carried out within 12 months of the commencement of the development and subsequently maintained in the following manner:-

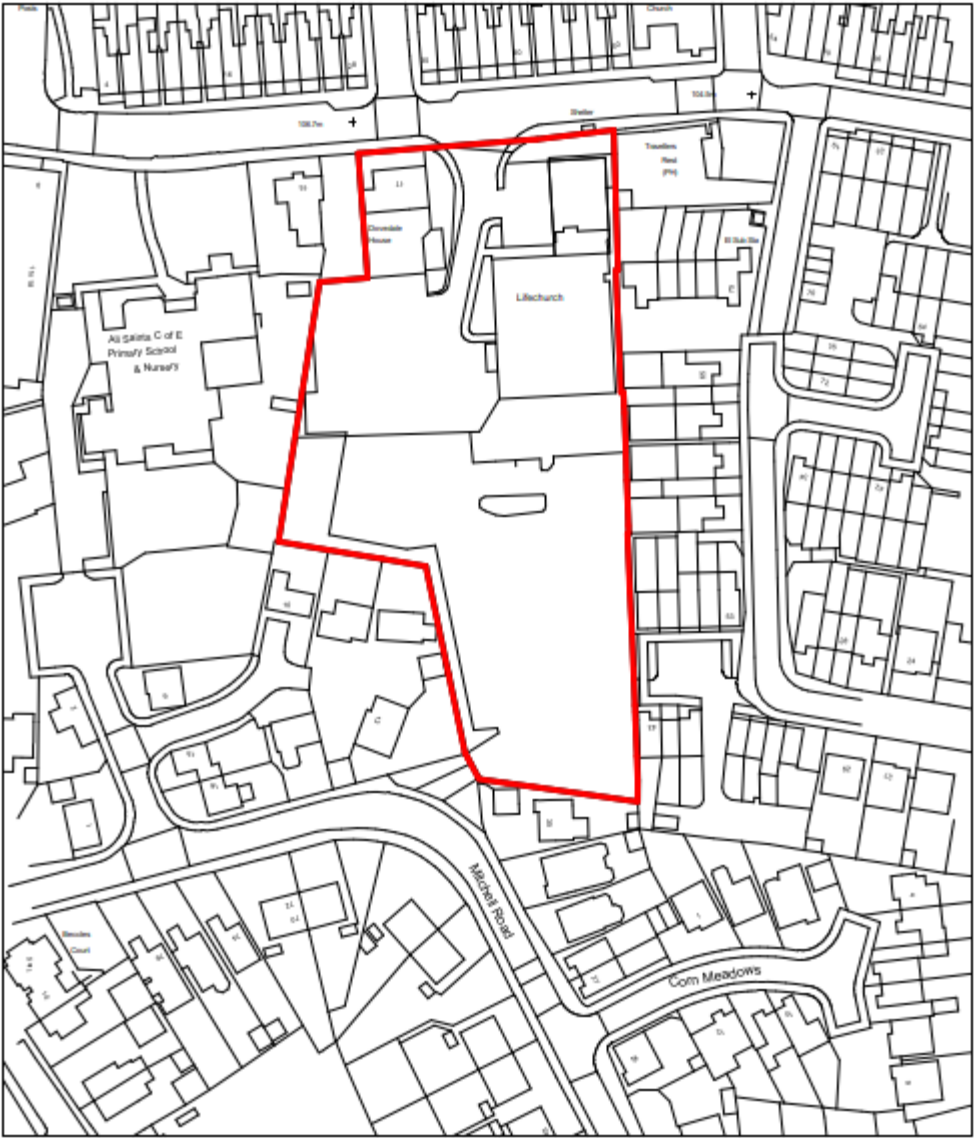
Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in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

22. The development shall not be carried out other than in accordance with the materials schedule contained on the approved proposed elevations plan No. 20109-HPA-P1-ZZ-DR-A-2000-P02.

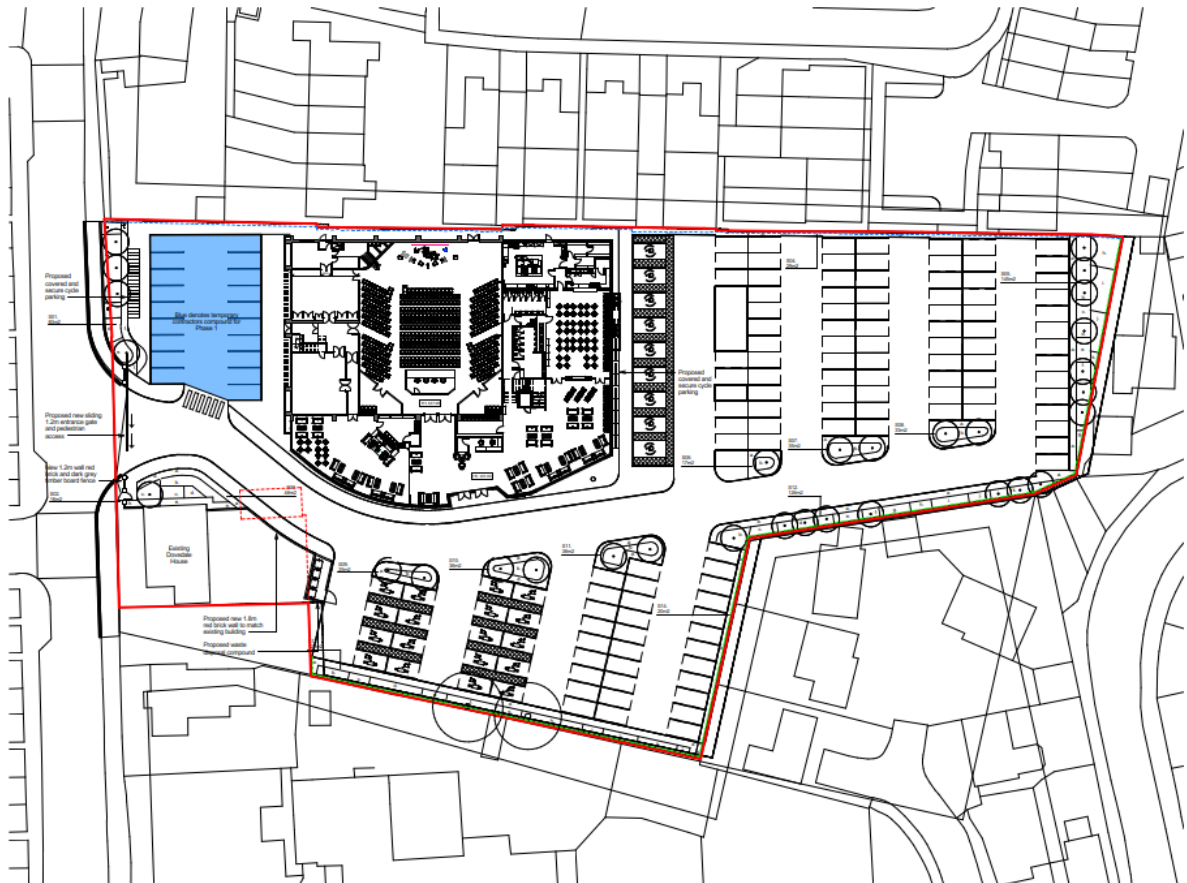
23. The coffee area as shown on the proposed ground floor plan (No. 20109-HPA-P1-00-DR-A-1000-P05) shall be used for purposes incidental to those of the main building being F1 and F2 uses and for no other purposes.

24. The first floor windows shown on the approved elevations plan which face towards the rear of 59 and 61 Hatters Court and shall serve the male W/C and kids room shall not be fitted or subsequently maintained other than in obscure glazing. No new window or opening shall be provided at first floor level without the prior written consent of the Council.

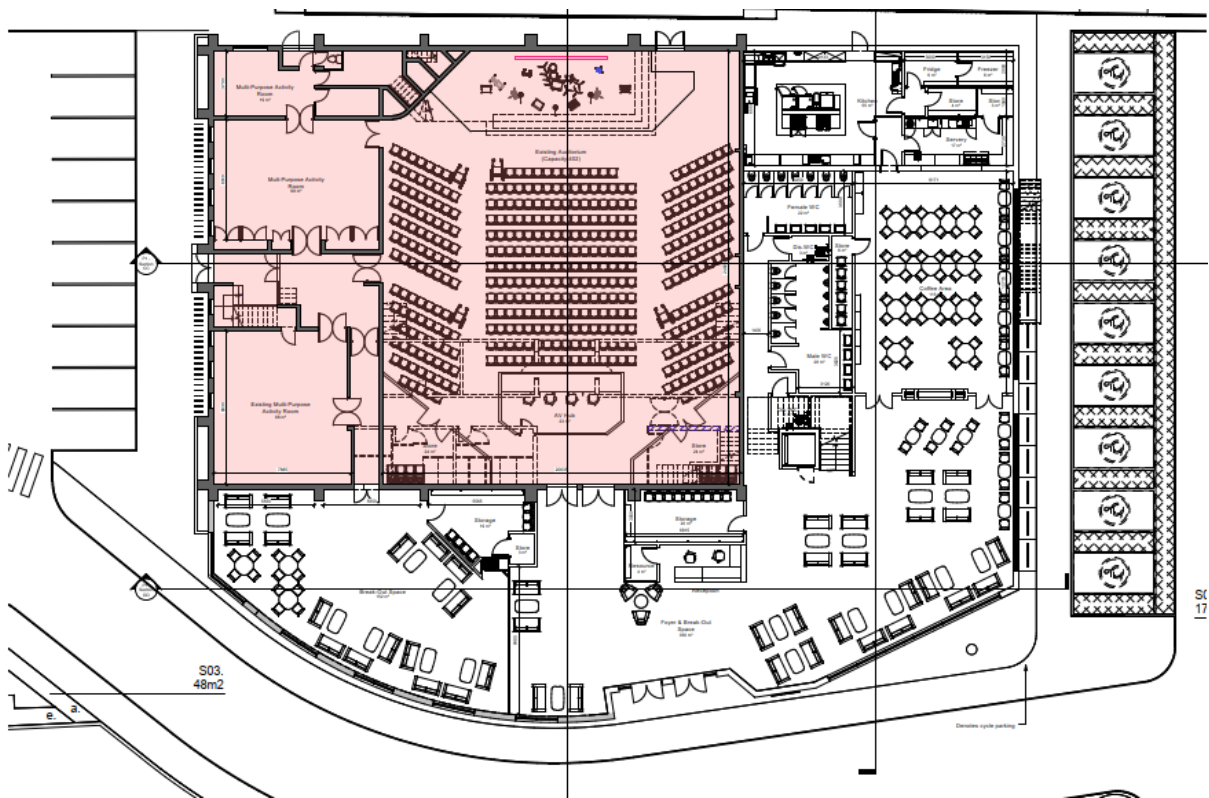
25. The use of the site shall not operate other than within the following times: 07:00-22:00 Monday – Sunday.



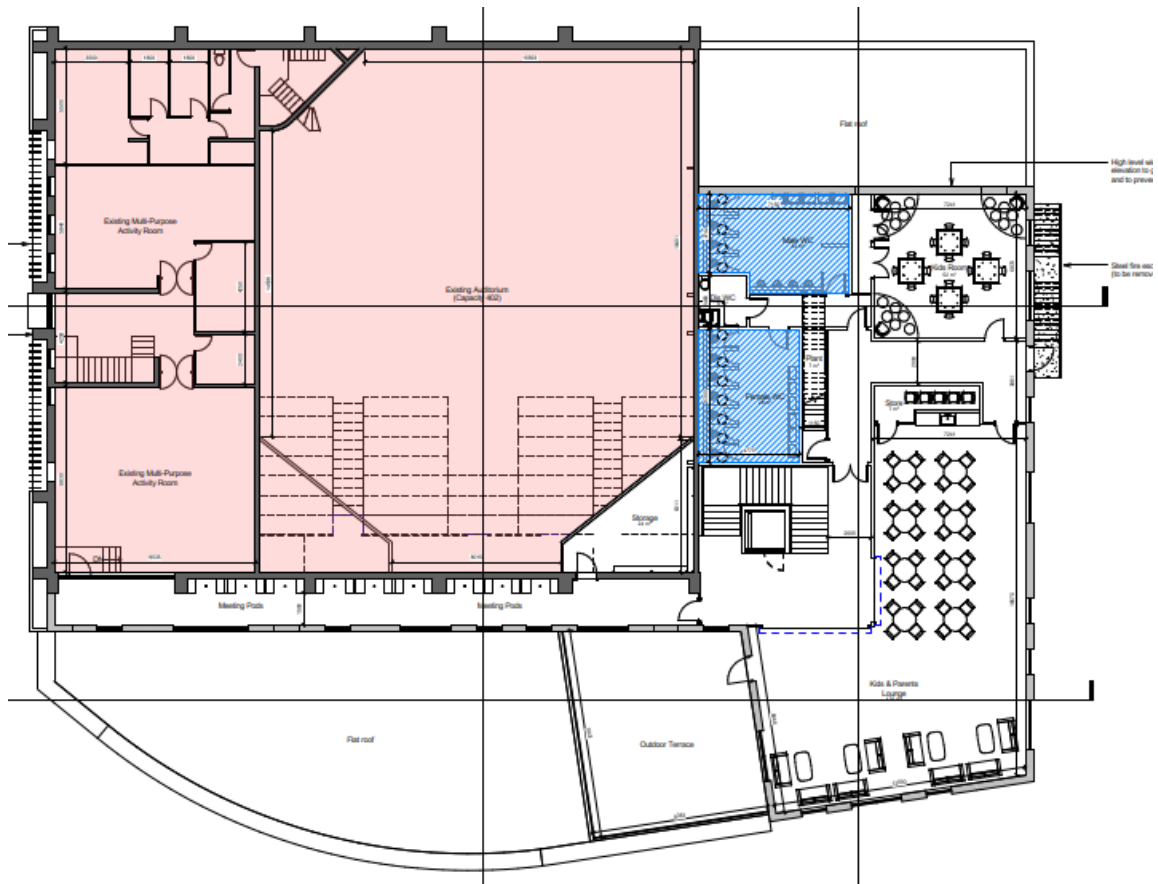
Location plan



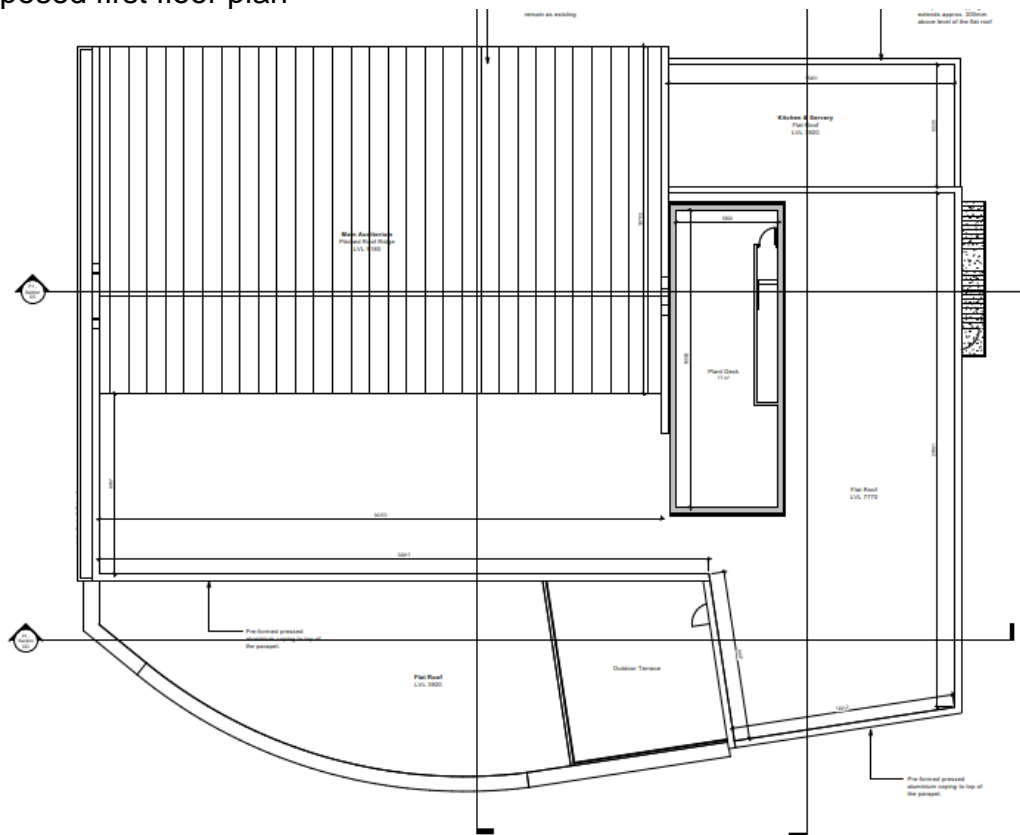
Proposed site plan



Proposed ground floor plan

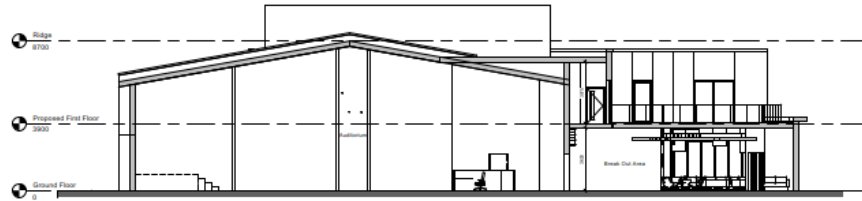


Proposed first floor plan

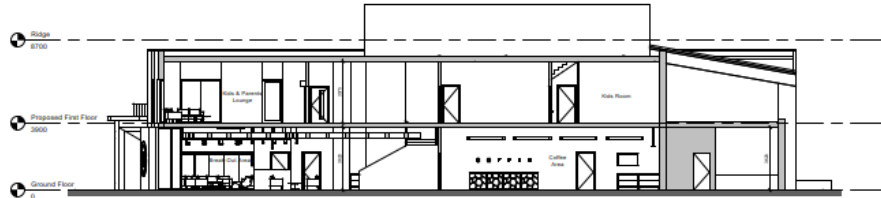


Proposed roof plan

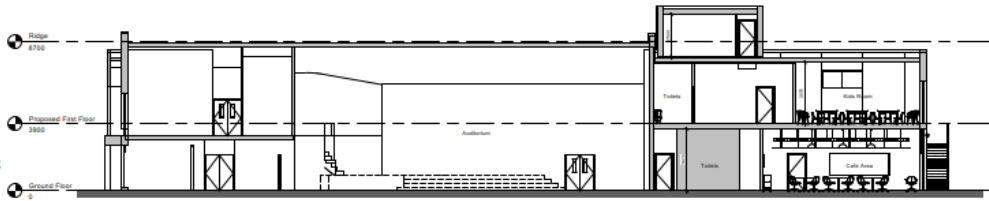
Proposed Section A
Scale 1:100



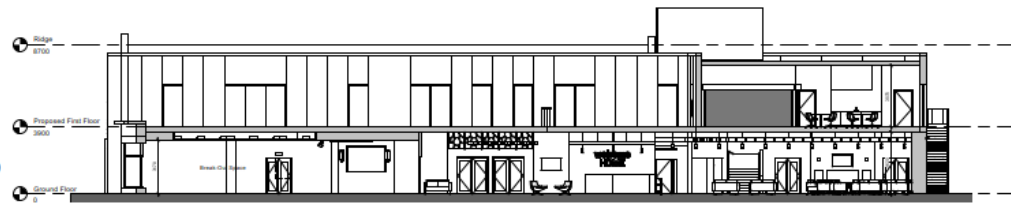
Proposed Section B
Scale 1:100



Proposed Section C
Scale 1:100



Proposed Section D
Scale 1:100



Proposed sections

Item No. 3

REFERENCE No. 039615

Site Address: Life Church Bulkington Road Bedworth Warwickshire CV12 9DG

Description of Development: Proposed extension and external refurbishment of an existing Church building to include two- storey side and rear extensions with ancillary cafe and breakout space to ground floor and kids multi-use rooms to first floor (Use Class F1/F2) with under croft car parking area underneath. Further internal strip out of original church building to increase auditorium capacity to 652. Extension of car parking area to south of the site with associated works (Phase 2)

Applicant: Life Church Bedworth

Ward: PO

RECOMMENDATION:

Planning Committee is recommended to refuse planning permission, subject to no additional points of objection being received during the reconsultation period, for the reasons as printed.

INTRODUCTION:

First floor extension to south to form kids multi-use rooms (Use Class F1/F2) with under croft car parking area underneath. Further internal strip out of original church building to increase auditorium capacity to 652. Extension of car parking area to south of the site with associated works (Phase 2) at Life Church Bulkington Road Bedworth Warwickshire CV12 9DG.

This application is for the proposed second phase of development at the Life Church. It consists of additional extensions above and beyond those as part of phase 1 (reference 039614) including a first floor rear extension to include kids multi-use room (168 seat auditorium type room) as well as 7 kids rooms and a parents lounge.

Within the original fabric of the building, the existing auditorium and multi-use rooms are to be stripped out to create a larger main auditorium with a proposed capacity of 652. Some additional parking is proposed to the front of the building, which was used as a builders/ contractors parking area under phase 1. The building will remain as a flexible mixed use building under Use Class F1 and F2.

The proposed extensions will match in style, building materials and design as those proposed in phase 1.

The site is set within a predominantly residential area, with dwellings to the north, south and east of the site. However, the site is also just outside of a local centre, which consists of a number of commercial and other uses including local shops, barbers, takeaway and public house. There is also the All Saints Bedworth Academy and

Nursery, a further church building and Nicholas Chamberlaine Secondary School close to the site. In terms of transport links, the site is within a sustainable location with Bedworth Railway Station at 200m from the site which is within walking distance. There are also bus stops along Bulkington Road and the site is also within a 5 minute walk from Bedworth Town Centre, which is served by further bus links to Bedworth, Bulkington, Nuneaton, Coventry, Atherstone, Hinckley and Leicester

BACKGROUND:

This application is being reported to Committee as it has received more than 15 letters of objection and support.

RELEVANT PLANNING HISTORY:

- 039616
- 039614
- 012729 - Provision of children's playground on part of front car park, new glass doors to front and change of use of part of ground floor to café. Refused 14/12/2009

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - DS2 - Settlement hierarchy and roles
 - DS3 - Development principles
 - NE3 – Biodiversity and geodiversity
 - NE4 – Managing flood risk and water quality
 - NE5 – Landscape character
 - BE3 – Sustainable design and construction
 - BE4 – Valuing and conserving our historic environment
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Policy, NBBC Open Space Officer, NBBC Tree Officer, NBBC Waste & Refuse team, NBBC Sports Development Team, WCC Ecology Officer, WCC FRM, WCC Infrastructure, WCC Archaeology, WCC Highways, Coal Authority, National Grid, Warwickshire Fire Safety, Water Officer, Cadent Gas, Warwickshire Police

CONSULTATION RESPONSES:

Objection from:
WCC Highways

No objection subject to conditions:

NBBC Environmental Health, Coal Authority, Water Officer, WCC Archaeology,
WCC Ecology officer

Comment from:

National Grid, Warwickshire Police, Warwickshire Fire Safety

No objection from:

NBBC Policy

No response from:

NBBC Open space officer, NBBC Tree officer, NBBC Waste & Refuse team, NBBC
Sports Development, WCC Infrastructure, Cadent Gas

NEIGHBOURS NOTIFIED:

“Travellers Rest”, “Flat 1 Travellers Rest”, “All Saints C of E First School”, 15 & 26-50
(evens inc.) Bulkington Road. 34, 43, 47 & 57-69 (odds inc.) Hatters Court, “Poplars
Farm” & 35 Mitchell Road. 10, 11, 12 & 13 The Priors,

Neighbouring properties were sent letters notifying them of the proposed development
on 13th May 2023 and 14th June 2023. A site notice was erected on street furniture on
2nd June 2023 and the application was advertised in The Nuneaton News on 28th June
2023.

NEIGHBOUR RESPONSES:

There have been 27 letters of objection from 16 addresses, 1 letter of petition in
objection and 1 objection letter with no address provided. The comments are
summarised below:

1. Impact on wildlife including bats, insects, birds and squirrels as a result of the
loss of trees and the development itself
2. Loss of privacy as a result of the loss of trees
3. Loss of privacy/ overlooking from the extensions
4. Development is excessive in size for a residential area
5. Increased levels of external noise from cars due to the extended car park
6. Increased noise levels from the church and activities
7. Air conditioning plant on roof will be a source of noise
8. The development will increase and encourage car parking in the area
9. Increased traffic flows in an already congested housing estate resulting in
traffic accidents
10. Access roads and car park is not sufficient to deal with the additional vehicular
movements
11. Loss of house value
12. Loss of light
13. Visual intrusion
14. Will act as a main wind channel between building and houses
15. Disturbance to contaminated land

There have been 27 letters of support from 25 addresses, the comments are summarised below:

1. The church is a hub for the local community. The proposed development will positively impact people's lives
2. The church is one of the local food banks
3. The proposed development will enable the church to better serve the local community on an even greater scale including expanding the provision of youth work, educational needs, community groups and helping the most vulnerable people in the area.
4. The development is much needed for the local community
5. The church as existing is at full capacity and this development will help to increase attendance and therefore better support the existing community and expand it
6. The extensions and alterations to the existing building will be better sound proofed benefitting the local residents
7. The building will be visually improved and modernised as a result of this development

APPRAISAL:

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

1. The principle of the development
2. Impact on residential amenity
3. Impact on visual amenity
4. Impact on highway safety
5. Flooding and drainage
6. Ecology, biodiversity and trees
7. Archaeology and Heritage impacts
8. Noise, air quality and land contamination
9. Planning Obligations
10. Conclusion and Planning Balance

1. The Principle of the Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development in to three key areas which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

The site is located within the defined Development Boundary, as defined by the Council's Policies Map. Policy DS2 of the Borough Plan 2019 sets out the settlement hierarchy for the Borough and places Nuneaton at the top of the hierarchy, and states that Nuneaton has the primary role and Bedworth the secondary role for employment, housing, town centre, leisure and service provision.

Policy DS3 of the Borough Plan 2019 states that all new development will be sustainable and of a high quality, fully supported by infrastructure provision, as well as environmental mitigation and enhancement, as required in the policies contained within the Plan. It goes on to state that new development within the settlement boundaries, as shown on the proposals map, will be acceptable subject to there being a positive impact on amenity, the surrounding environment and local infrastructure. The site has no specific designation within the Borough Plan Policies Map.

The site is located within a reasonable driving distance to major road networks, including the M6 and the A444. Additionally, the site can be accessed via a range of sustainable transport options, including via bus services, with bus stops being located within close proximity to the site on Bulkington Road and within Bedworth Town Centre, and the site is also within walking distance of Bedworth Train Station.

The proposal seeks to extend an existing church building, which is used somewhat flexibly as Use Class F1 – learning and non-residential institutions and Use Class F2 – Local Community. This application proposes extensions at ground and two-storey level to the side and rear of the existing building. On the ground floor, the coffee and kitchen areas will be added to the rear, and the new larger foyer and break out spaces to the front, along with other small ancillary rooms for storage, and new toilets. Furthermore, the main auditorium will be stripped out, including the multi-purpose rooms and will be redesigned so that the entire of the original floor space is used as an auditorium, increasing the seating capacity by 250 from 402 to 652.

To the first floor, 7 new kids rooms are to be created, plus a kids multi-use room, which is shown to be laid out as a smaller auditorium. There will also be a parents lounge and toilets. Although the plans shows the layout of the rooms, the use class as proposed would allow the spaces to be used somewhat flexibly between F1 and F2. The layout of the rooms could therefore allow spaces to be used for several different purposes within the two Use Classes.

Use Class F1 and F2 are split into a number of suffixes including:

- F1(a) Provision of education
- F1(b) Display of works of art (otherwise than for sale or hire)
- F1(c) Museums
- F1(d) Public libraries or public reading rooms
- F1(e) Public halls or exhibition halls
- F1(f) Public worship or religious instruction (or in connection with such use)
- F1(g) Law courts
- F2(a) Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 sq. m and there is no other such facility within 1000 metres
- F2(b) Halls or meeting places for the principal use of the local community
- F2(c) Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms)
- F2(d) Indoor or outdoor swimming pools or skating rinks

The Life Church as the current occupiers will likely utilise the space mostly in relation to F1(f) and F2(b), although any of the uses as above would be possible.

Through the Church's website and social media pages, it is known that as existing, the site is used as more than just a church. It is a social hub and meeting place, with events behind held throughout the week. Some of these events are in connection with the church and include prayer evenings, band practice etc. whilst other events are more closely associated with socialising for the local community. Some events are held on regular intervals, whilst there are also one-off events which occur throughout the year and these may include, but are not limited to, movie nights, pantomimes and shows, fates, art open evenings. At present it is also known that there are two Sunday services which operate, which is assumed to be due to the limited capacity of the current auditorium.

It is considered that as a result of this application for phase 2, the number of attendees to the church will increase, as it will become a main hub for the Life Church. It is also possible that 2 services could continue. It is also anticipated that following the Sunday service, due to the increased facilities within the building, those in attendance are more likely to stay on-site and utilise the space for socialising as well as further religious activities. The Council have been informed that it is expected that after the service on Sunday's, children will be encouraged to stay and use the proposed children's facilities. It can therefore be reasonably expected that the parents/ adults in attendance will also remain on site.

Throughout the week, it could also be reasonable to expect that the multi-use/ flexible use rooms could be hired out by members of the community. As part of the submission of this application, and the 2 other phases being considered (application refs 039614 and 039616), it is anticipated that activities including teaching and workshops for the local community are expected, but this could also extend into sports and fitness classes, concerts, plays, shows and pantomimes as long as it can be shown that the main principle use is for the local community.

Based on the policies within the Borough Plan and NPPF, it is considered that the principle of the extensions to the Life Church are acceptable.

2. Impact on Residential Amenity

Policy BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity. In relation to the existing properties, distance standards are met, in compliance with Section 11 of the Sustainable Design & Construction SPD 2020.

The way buildings relate to each other – their orientation and separation distance – must provide and protect acceptable levels of amenity for both existing and future residents. Front, rear and side facing windows to habitable rooms will be protected from significant overlooking and overshadowing where such windows are the primary source of light and are the original openings in the house.

Paragraph 135 of the NPPF states, amongst other things that planning policies and decision should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity

for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 191 of the NPPF states that planning policies and decision should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should 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.

Paragraph 124 of the National Design Guide states that good design promotes quality of life for the occupants and users of buildings. This includes function – buildings should be easy to use. It also includes comfort, safety, security, amenity, privacy, accessibility and adaptability.

The development will introduce two-storey extensions to the side and rear of the building. The main impact of these extensions will be on the residential dwellings on Hatters Court. It is noted that some properties, namely No. 65 and partially 63 Hatters Court already face the main building, and it is not considered that there would be any additional harm created as a result of the proposed extensions in relation to these 2 dwellings.

Nos 61, 59, 57 and 55 Hatters Court will face towards the proposed rear extensions, which are part single storey and part two-storey in nature. As per the Sustainable Design & Construction SPD, where a habitable room window faces a blank wall of the same height, a minimum separation distance of 12m is required. This minimum distance increases to 14m where the extension is a storey higher and 16m where the difference is two storeys (paragraph 11.7 and 11.8).

The closest part of the proposed development will serve the kitchen and is to be single storey in nature. There will be a separation distance of 13.3m from the rear of the dwellings to this extension which will be a blank wall construction. The two-storey element of the extension is to be set back from the rear of the dwellings at a separation distance of 19.7m. The elevation facing the residential properties will have a number of high level windows which will service the kids rooms. It is considered necessary that as well as the windows being at a high level, they should also be conditioned to be obscurely glazed to prevent overlooking and protect residential amenity. Finally, a small plant deck is proposed to the flat roof of the extension. This will be slightly set into the roof resulting in a separation distance of 21.2m.

The proposed extensions to the building will be larger than those proposed under Phase 1. For clarity, the area marked in red on the proposed floor plans denotes the additional floor space which is proposed over and above that considered under phase 1.

It is noted that the properties on Hatters Court are at a lower land level than the Life Church. Nevertheless, the proposed extensions would be in excess of the distance standards as per the SDC SPD and as such, despite the lower land levels of these

properties, the proposal is found to be in accordance with the SPD and as such, the impact on residential amenity is acceptable.

This proposal will also result in a larger area of car parking to the rear of the site. It is not expected that the car park in itself will have an impact upon residential amenity. It is noted that the area to be formally turned into a car park is used as existing as overspill car park, which is grassed and not laid out formally with hardstanding or marked car parking spaces. The overspill car park is used mostly on Sunday's during the sites busiest period.

In terms of noise from cars within the car park, it is considered that there is a potential for this to result in noise and disturbance. As a result, a noise assessment is proposed to be conditioned on the decision notice. Noise is assessed further on in this report.

On balance, it is not considered that the development would result in any detrimental harm to residential amenity as a result of the extensions or alterations.

3. Impact on Visual Amenity

The NPPF establishes the importance of recognising the intrinsic character and beauty of the countryside (paragraph 180). Policy NE5 of the Borough Plan states that major development proposals must demonstrate how they will conserve, enhance, restore or create a sense of place, as well as respond positively to the landscape setting in which the development proposal is located.

The NPPF (2023) states at paragraph 135 that planning policies and decisions should ensure that developments:

- A. Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- B. Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- C. Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change
- D. Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
- E. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks
- F. Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and some of the key characteristics to review include street layout, plot size and arrangement and built form. The Sustainable Design and Construction SPD details information to help comply with the requirements of this policy.

The site comprises the main Life Church Building, an industrial style building with brick construction which is substantially set back from the road, and Dovedale House, which is used for the Church Offices. The site is accessed off the Bulkington Road, and there is a secondary narrower access to the rear of the site onto Mitchell Road, although this is rarely used and is proposed to be blocked off as part of this application. There are currently two formally marked out parking areas located to the front and side of the main building, as well as an informal parking area to the rear which is not formally marked out and is made up of loose gravel and grass.

The main building has a footprint of 756 sq. m, which when compared to the size of the site itself which is 0.815 ha, is relatively small in scale. The main building has an auditorium with a capacity of 402. It also has a small lounge/ café area and associated kitchen located on the ground floor. There are also 3 multi-purpose rooms across the ground and first floors. There is also a children's play area to the front. It is noted that the café/ lounge area and children's play area were refused consent in 2009. The development was refused consent due to the equipment and 1.8m fence resulting in a prominent and incongruous feature to the detriment of character and visual amenity. Furthermore, the proposal would result in the loss of accessible car parking and would have a detrimental impact on access to the church. According to Google Maps, these works were carried out ~2010 and therefore it is no longer possible to pursue any formal enforcement action and the development would now be considered to be legal.

The site is set within a predominantly residential area, with dwellings to the north, south and east of the site. However, the site is also just outside of a local centre, which consists of a number of commercial and other uses including local shops, barbers, takeaway and public house. There is also the All Saints Bedworth Academy and Nursery, a further church building and Nicholas Chamberlaine Secondary School close to the site.

In terms of transport links, the site is within a sustainable location with Bedworth Railway Station at 200m from the site which is within walking distance. There are also bus stops along Bulkington Road and the site is also within a 5 minute walk from Bedworth Town Centre, which is served by further bus links to Bedworth, Bulkington, Nuneaton, Coventry, Atherstone, Hinckley and Leicester.

This application proposes extensions at ground and two-storey level to the side and rear of the existing building. On the ground floor, the coffee and kitchen areas will be added to the rear, and the new larger foyer and break out spaces to the front, along with other small ancillary rooms for storage, and new toilets. Furthermore, the main auditorium will be stripped out, including the multi-purpose rooms and will be redesigned so that the entire of the original floor space is used as an auditorium, increasing the seating capacity by 250 from 402 to 652.

To the first floor, 7 new kids rooms are to be created, plus a kids multi-use room, which is shown to be laid out as a smaller auditorium. There will also be a parents lounge and toilets. Although the plans show the layout of the rooms, the use class as proposed would allow the spaces to be used somewhat flexibly between F1 and F2. The layout of the rooms could therefore allow spaces to be used for several different purposes within the two Use Classes.

Externally, the existing building is to be updated and shall match the materials of the proposed extensions. A mix of traditional masonry construction with rendered and painted finish and off-white buff brick (Wienerburger or similar approved) to ground floor is proposed. Dark grey buff brick (Wienerburger or similar approved) is proposed to the rear ground floor. A Metsec framing system with CAREA 'Meca' range façade panels is proposed to first floor only. A temporary wall will be added to the front elevation and Metsec uninsulated support structure with CAREA 'Smooth Urban' rainscreen cladding system. Vertically hung timber brise soleil by 'Contrasol' (or similar approved) will be added to the existing front elevation, with existing external wall to be painted. Dark grey aluminium doors and windows are proposed, and dark grey brick with decorative lattice is proposed to cover the plant deck.

The proposed materials are of a much more contemporary and modern finish, compared to the existing industrial style building which occupies the site at present. As discussed, the wider site is mixed with commercial and residential properties. Therefore, there is not a defined street scene in terms of size, style, or use of materials. The contemporary nature of this development is considered to be acceptable given the mixed street scene as well as the nature of the building itself.

On balance, the scheme is considered to be acceptable in terms of impact on visual amenity.

4. Impact on Highway Safety

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 108).

Policy HS2 of the Borough Plan (2019) states that where a development is likely to have transport implications, planning applications are required to clearly demonstrate how the following issues are addressed:

1. How the development ensures adequate accessibility in relation to all principal modes of transport
2. Whether the development identifies suitable demand management measures
5. How the development delivers sustainable transport options in a safe way that link to the wider transport network.

In terms of parking provision, the Transport Demand Management Matters – Parking Standards SPD 2022 (TDMM) sets out the required parking requirements for different types of development. In the case of this application, the main 2 uses are F1(f) and F2(b), with some ancillary uses on the site.

It is considered that the main F1(f) use is the main auditorium, with the kids rooms, kids multi-use room and parents lounge being somewhat more flexible in use between F1(f) and F2(b). However, in terms of the TDMM SPD, Use Class F1(f) requires a higher amount of parking compared to F2 and so the higher amount has been calculated, based on a "worst case scenario".

The auditorium will have a floor area of 623 sq. m. At first floor, the rooms created as part of the extension will add an additional 608 sq. m of floor space. Therefore, a total of 1,231 sq. m of F1 floor space is proposed as part of this application. The TDMM

SPD requires 1 parking space per 5 sq. m of F1 floor space and therefore, a total of 246 car parking spaces are required.

The current site has 45 car parking spaces laid out to the side, although there is also an informal overflow car park to the rear of the site. This development proposes just 158 car parking spaces, resulting in an under provision of 88 spaces.

The larger auditorium proposed under this development will increase the seating capacity by 250. This, in combination with the large number of children's rooms, parents lounge, café and general meeting space will result in the church being a main hub and meeting point, which in turn will likely increase the number of visitors.

WCC Highways have reviewed the application and object to the proposal based on the insufficient number of car parking spaces and the additional information contained within the Transport Note, which has been submitted to the Council to address previous concerns raised by the Highway Authority and the case officer.

The Highway Authority consider that the findings within the Transport Note are not sufficiently detailed for a full assessment to be made. Firstly, the travel and parking survey has solely focused on the auditorium in a "worst case scenario" in order to determine the parking requirements, due to the applicant confirming that no other uses would be used at the same time i.e. only F1 uses could be carried out on the site with no F2 uses, and vice versa.

However, planning officers consider that it would not be possible to condition this nor condition the use of the site as just for use by the Life Church.

When assessing planning conditions, the NPPF (2023) sets out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (paragraph 55).

It goes on to state that Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (paragraph 56). It is considered that in this case, the condition for a management plan or restriction on how the building can be utilised, or a condition limiting the occupation to a particular church would be neither reasonable nor enforceable. For these reasons, the potential future uses therefore also need to be considered based on the use class being a place of worship as well as a community use facility.

It is considered that the site could be used by different religious groups, which may include those who do not have services on Sundays. Parts of the site could also be rented out to community groups etc.

It is also clear that service times can change even within the same days. Historic street view images show that service times of 9:45am and 11:30am were in place in 2017. This moved to 10:30 only in 2018 up to the October 2023 image. Furthermore, it is known that other churches including the nearby church (known as The Little Chapel)

host evening services at 6:00pm and therefore there would be nothing to prevent such a change occurring at this site.

The Highway Authority do not consider that the results of the survey which have been carried out are acceptable. The travel survey was completed on Sunday 7th July 2024. It should be noted that the Sunday service currently comprises of two services at 9:30 and 11:30. In conjunction with this survey, a parking beat survey of the surrounding roads was completed for a 500m area in according with the Lambeth parking methodology for non-residential land uses. The survey comprised of an on-street parking survey and a parking survey of nearby public car parking facilities which took place at 7:00am before the first service and 10:15am during the first service.

The findings of the survey of the car parks are as follows:

- Spitalfields Car Park 1 – 93 spaces (90 regular, 3 disabled), 8-minute walk to Life Church (550m), Sunday Tariff: 08:00 to 18:00 £1.50;
- Spitalfields Car Park 2 – 36 spaces (33 regular, 3 disabled), 8-minute walk to Life Church (550m), Sunday Tariff: 08:00 to 18:00 £1.50;
- Bedworth Railway Station Car Park – 20 spaces (19 regular, 1 disabled), 2-minute walk to Life Church (140m), Sunday Tariff: 08:00 to 18:00 £1.50; and
- Miners Welfare Car Park – 49 spaces (44 regular, 5 disabled), 8-minute walk to Life Church (600m), Sunday Tariff: Free parking all day.

Table 3.2 Public Car Park Capacity – All Car Parks

	Public Car Parks	
	Beat 1 (07:00)	Beat 2 (10:15)
Total Stock	198	198
Observed Demand	31	70
Reserve Capacity	167	128
Parking Stress	16%	35%

With regard to wider on-street capacity the parking survey assessed an area comprising of 500m from the site, in accordance with the Lambeth parking survey methodology.

Table 3.3 On-street Parking Capacity

	On-Street Parking Capacity	
	Beat 1 (07:00)	Beat 2 (10:15)
Total Stock	761	770
Observed Demand	402	408
Reserve Capacity	359	362
Parking Stress	53%	53%

In terms of the existing travel habits of the existing congregation of the Life Church which on 7th July was 548 formed of 223 attendees during service 1 and 325 attendees during service 2. 205 responses were received to a travel survey questionnaire equating to a 37% response rate.

Of the 205 responses, 130 respondents were car drivers and 61 car passengers. The remainder walked to the site. The response indicates that the majority of the existing congregation (96%) travel to and from the site via private car either as a driver (34%) or passenger (62%), with just 4% of the congregation who walk to the site. Based on this information it was concluded that there is an average vehicle occupancy of 2.82 persons per vehicle. It is considered that the response rate of the travel survey is very poor and does not provide a robust or clear result.

The Highway Authority state that the method of the parking survey methodology was not agreed beforehand by the Highway Authority in order to ensure that the survey carried out is acceptable. The survey carried out is not in accordance with the Lambeth methodology. The Lambeth methodology involves recording the number of parked vehicles overnight within a defined small-scale study area and is used to assess parking stress by comparing parking supply (number of parking spaces) with parking demand (number of parked vehicles). For commercial developments, the Methodology should typically cover an area within 500m walking distance of a site.

The survey is not in accordance with the Methodology, as only 1 of the public car parks surveyed was within the 500m distance. Furthermore, the Lambeth methodology sets out that hourly beats should be carried out within opening hours. For this survey, only 2 snapshots were carried out which is insufficient and would not be considered representative or robust.

As previously stated, the time of service have and can change. It is considered that a survey carried out at 7:00am and 10:15am would not be representative of a service which took place at 10:30am. In addition, a further survey should have been carried out for the 2nd service time, whereby a cross-over of those attending the first service and those arriving for the second service could take place. Furthermore, as the TN confirms the 2nd service is busier with more than 100 additional people in attendance, it is considered essential to understand the parking capacity during such times.

It is noted that a number of the on-street car parking spaces which have been observed are on streets which are located to the rear of the site. Although at present there is a rear access to the site located off Mitchell Road, this is proposed to be closed as a result of this development. Therefore, a number of the car parking spaces such as those on Mitchell Road, The Priors and Lady Warwick Avenue, will be above the defined 500m. It is also noted that these locations are where the majority of the observed on-street spaces are found (as per Appendix B – Parking Beat Survey).

The Lambeth Methodology is clear that the following areas should be excluded from surveys:

- Areas which may present highway or personal safety issues or difficulty in accessing the parking such as on major road or areas with poor surveillance.

The spaces which are shown on Bulkington Road (B4029) can be described as a major road and should have been excluded from the survey.

The results of the survey, which although are insufficient, show that the spaces which would remain within 500m walking distance from the site are mostly located at the maximum range from the site such as on Tewkesbury Drive, York Avenue and Poplar Avenue. Conversely, the on-street parking closest to the site such as on Earl Street, New Street and Queen Street were occupied during both of the surveyed times.

Therefore, it can be assumed that vehicles which are forced to park on-street will have to park a reasonable walk (typically 6-7 minutes) from the site, or they will park in unsuitable locations closer to the site.

The method to which parking stock has been calculated is unclear. Part 3.3.13 of the TN states that the 'total stock' varies because of how people were parked which is an incorrect method. The total available on-street parking spaces should not change based on people's parking habits but rather should be based on the total measurements of the roads surveyed reduced by any restrictions such as dropped kerbs, 15m from junctions etc. How people park will impact on the observed demand, but not the total stock.

In terms of calculating the required on-site parking spaces the highway authority consider that more parking is required for the ancillary uses on site such as the coffee space etc. However, the Council are content that subject to an appropriate condition, the coffee space shall remain as ancillary only and should not be considered within the floor space requirements when calculating parking requirements.

The Transport Note has determined that the net increase in parking demand generated by the resultant development will result in 74 vehicles needing to find parking outside of the site, either within the existing on-street parking or nearby public car parks. This figure has been calculated using the existing parking situation i.e. the number of attendees at present.

The Council and Highway Authority consider that, as the methodology behind the parking survey has not been agreed prior, that it's findings cannot be fully considered. The Council consider that in this instance, a 500m or up to a 7 minute walk to the site from on-street parking is excessive. This development will be used by families including children and young children and it is therefore considered that it is extremely unlikely that families with children will voluntarily park up to a 7 minute walk away from the site, but rather than unsuitable parking will occur closer to the site possibly to the detriment of highway safety. As has also been discussed, the location of a number of car parking spaces which have been considered will be in excess of 500m or are located in unsuitable locations.

The Council also consider that the public car parks located in excess of 500m, and which would require users to pay as completely, unsuitable off-site car parking spaces and should not be given any weight in this consideration.

On balance, it is considered that the development should be designed as such that all of the car parking which is required for the size of the development to be located within the confines of the site and not rely on off-site parking such as on-street parking. It is considered the development proposed would be in excess in floor area in relation to the proposed number of car parking spaces resulting in an under supply of car parking of 88 spaces (as per the TDMM SPD).

The proposal fails to comply with the Council's adopted Transport Demand Matters – Parking Standards SPD which weighs against the application.

5. Flooding and Drainage

Policy NE4 of the Borough Plan 2019 relates to managing flood risk, sustainable drainage systems and water quality. The policy also states that new development will be required to implement appropriate sustainable drainage system techniques in order to manage surface water run-off. For all sites, surface water discharge rates should be no greater than the equivalent site-specific greenfield run-off rate, unless otherwise agreed by the Lead Local Flood Authority (LLFA).

Paragraph 165 of the NPPF (2023) sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 173 of the NPPF (2023) states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 175 of the NPPF (2023) states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

WCC Flood Risk Management Team as the LLFA have reviewed the application and further information was requested. The site wide attenuation will be provided in the form of permeable paving. Whilst permeable paving provides water quality/quantity benefits it does not provide any amenity and biodiversity benefits. As such the LLFA would recommend 'management train' approach to the drainage design incorporating source control measures more widely across the site.

The site wide drainage outfalls into an existing STW system. The LLFA will need to see evidence of discussions with STW, such as a Developer Enquiry, which show that a connection to their asset is appropriate in principle at the proposed location and discharge rate.

Furthermore, the submitted FRA states that no survey has been done of the drainage infrastructure associated with the existing premises. The LLFA would expect this to be done at this stage and would also like to see a plan demonstrating how the existing system operates.

It was also noted that there is an existing dwelling on site. Details should be provided as to how this dwelling drains.

Finally, it was needed to demonstrate that consideration has been given to any exceedance flow and overland flow routing, using topography of the site to ensure there is no increase to flood risk both within and outside of the site boundary. This plan should also contain external levels in support.

Following the submission of the required additional information in the form of an amended FRA and surface water drainage strategy, the LLFA removed their objection and confirmed that they had no objection subject to conditions. The conditions are included at the end of this report.

Subject to these conditions, it is considered that the scheme would be acceptable in terms of flooding and drainage.

6. Ecology, biodiversity and trees

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: "a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions."

Paragraph 180 of the NPPF (2023) states at criterion d, that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 186 of the NPPF (2023) states at criterion d that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Policy NE3 of the Borough Plan 2019 sets out that development proposals will ensure ecological networks and services, and biodiversity and geological features are conserved, enhanced, restored and, where appropriate, created. The policy further states that development proposals affecting the ecological network and/or important geological features will be accompanied by a preliminary ecological assessment and/or, where relevant, a geological assessment.

Following WCC Ecology's comments being received on the application, it is noted that several trees are proposed to be removed and these works were said to have the potential to affect bats. An initial bat survey was requested to assess if a bat roost could be present.

This application has been submitted alongside an arboricultural impact assessment (AIA) and method statement and a preliminary roost assessment which have all been assessed. The trees were found to be negligible in terms of potential bat roosts. However, the removal of the trees and the removal of the grassed area to the rear (proposed as car park) has triggered the need for Biodiversity Net Gain calculations to be submitted to show that there would be no net loss on site.

BNG calculations as well as a pre- and post- development habitat plan has been submitted. The survey which was undertaken on 16th August 2023 showed that the site is composed of sealed surfaces with patches of shrubs and grassland and a number of trees. The planned development of the building and car park would result in the loss of almost all of the noted habitats, with the exception of some broadleaved trees located on the site perimeter. However, the ecological impact is partly offset by the creation of some ornamental shrub beds to the east, south and western boundaries as well as some small individual patches within the car park.

The current proposal would cause the loss of all grassland and woodland habitat which significantly contributes to the site's biodiversity value of 1.59 units, thus causing a net habitat loss of -39.41%. The proposal would result in the loss of 0.65 habitat units, although, BNG targets could be met through off-site biodiversity enhance schemes with contributions required.

As per Policy NE3, biodiversity offsetting will be required as a last resort once all other available options in the mitigation hierarchy have been explored. The mitigation hierarchy states that the following sequential steps should be undertaken:

5. Avoidance - the first step of the mitigation hierarchy comprises measures taken to avoid creating impacts from the outset, such as careful spatial placement of infrastructure, or timing construction sensitively to avoid or disturbance. Avoidance is often the easiest, cheapest and most effective way of reducing potential negative impacts, but it requires biodiversity to be considered in the early stages of a project.

6. Minimisation - these are measures taken to reduce the duration, intensity and/or extent of impacts that cannot be completely avoided. Effective minimisation can eliminate some negative impacts, such as measures to reduce noise and pollution, designing powerlines to reduce the likelihood of bird electrocutions, or building wildlife crossings on roads.
7. Rehabilitation/ restoration - The aim of this step is to improve degraded or removed ecosystems following exposure to impacts that cannot be completely avoided or minimised. Restoration tries to return an area to the original ecosystem that was present before impacts, whereas rehabilitation only aims to restore basic ecological functions and/or ecosystem services – such as through planting trees to stabilise bare soil.
8. Offsetting - this aims to compensate for any residual, adverse impacts the previous three steps of the mitigation hierarchy have been addressed. Biodiversity offsets are of two main types: 'restoration offsets' which aim to rehabilitate or restore degraded habitat, and 'averted loss offsets' which aim to reduce or stop biodiversity loss in areas where this is predicted.

Due the number of car parking spaces which are required for the proposed development, although it was requested by the Ecology officer to retain more of the trees, this would result in a reduced number of car parking spaces which would in turn make the scheme unacceptable. On balance, the scheme would result in the loss of 0.65 units of habitat and these will be required to be offset through offsite enhancements should the application be approved. The calculations are provided in the planning obligations section of this report.

Subject to contributions in the form of Section 106 agreement, it is considered that the impact on ecology and biodiversity is acceptable.

7. Archaeology and Heritage impacts

Policy BE4 of the Borough Plan states that development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved. The site is does not contain any heritage assets.

The proposed development is said to lie in an area with significant archaeological potential to the east of the suggested historic medieval settlement at Bedworth (Warwickshire Historic Environment Record MWA9499). The site of the proposed development fronts onto Bulkington Road and lies within an area that was subject to significant development during the late 19th and early 20th centuries. The application site itself was formerly the Bedworth town gas works (MWA6692). During a site visit, undertaken to inform the Archaeological Desk-Based Assessment submitted with this application, building foundations possibly relating to the former gasworks were observed. There is therefore a potential for archaeological features and deposits relating to Bedworth's industrial past to survive across this area.

WCC Archaeology states that they have no objections subject to a written scheme of investigation for a programme of archaeological work be carried out and submitted. Such details can be conditioned to be submitted and approved and will be required prior to commencement of works.

Subject to such a condition, it is considered that the scheme would have no detrimental impact upon archaeology or heritage.

8. Noise, air quality and land contamination

In terms of noise, this is an existing building with planning approval for use as a church. The new scheme does not propose to alter or change the position of the auditorium within the existing building fabric. The internal capacity increases as existing internal walls are stripped, but the structural shell and roof remains. The use as a church involves numerous “noisy” activities including live music on Sunday’s as well as band practice during weekday evenings.

As part of the development, a plant deck is proposed to the two-storey roof which will contain the plant for the HVAC system for the building. NBBC Environmental Health officers would normally advise that plant is not located in an elevated position, but instead recommend that the building is designed and utilised as a barrier to help mitigate against any noise migration, protecting nearby residents against noise from this source.

There is also the possibility of increased noise from cars as a result of the rear car parking area adjacent to residential dwellings gardens.

NBBC Environmental Health have requested a noise assessment be carried out to ensure that that the building is designed so that the cumulative noise levels from the centre should not be adding to the prevailing background sound level. The assessment should include Sundays when the background noise levels are generally quieter. The noise assessment should clearly identify all sources of noise, including but to limited to:

- Noise from the auditorium
- Noise from the Plant deck
- Noise from any other external plant, including kitchen odour ventilation and extraction systems.
- Noise from the car park

The assessment should also detail how they propose to mitigate against each noise source so that there is no observable noise impact to nearby residents. This will ensure that the works they are proposing will be designed to enable the Centre to operate as they wish – but will not have a detrimental impact on the surrounding area.

A further condition relating to demolition and construction works is also recommended, to ensure that works are not carried out outside of appropriate hours.

In terms of contaminated land, the extensions to the rear of the development appear to be on land that was formerly occupied by the gas works. Although the building will be covering the ground and this in a sense reduces the risk. However, there is the possibility of gases and volatile compounds affecting the building. As such, suitable conditions relating to a contaminated land assessment is requested to be included on the decision notice.

As per Policy HS2 of the Borough Plan, The council supports the provision and integration of emerging and future intelligent mobility infrastructure that may help to deal with the issue of air quality, such as including electric vehicle charging points. Proposals must consider how they accord with the Transport Demand Management Matters and Air Quality SPD.

The TDMM states that new developments are expected to include appropriate provision for electric vehicle charging. In accordance with the air quality SPD, non-housing developments such as this site require 10% of car parking spaces to provide EV charging points. As this scheme proposes 131 spaces, 13 of these spaces will be required to be fitted with EV charging points. These are not shown on the proposed plans, as such, a suitable condition shall be included on the decision notice.

The application site falls within the defined Development High Risk Area; therefore, within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The planning application is accompanied by a Coal Mining Risk Assessment report (23 January 2023, prepared by GIP Ltd).

The Coal Authority have confirmed that they concur with the conclusions within the Coal Mining Risk Assessment report that coal mining legacy potentially poses a risk to the proposed development and that further investigations are required, along with possible remediation measures, in order to ensure the safety and stability of the proposed development. They submit a response of no objection subject to a condition.

9. Planning Obligations

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 57 of the NPPF 2023 notes that these obligations should only be sought where they meet all of the following tests:

- d. necessary to make the development acceptable in planning terms;
- e. directly related to the development; and
- f. fairly and reasonably related in scale and kind to the development.

Paragraph 93 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
WCC Ecology	Biodiversity Net Gain offsetting scheme	£42,313	

10. Conclusion and Planning Balance

In conclusion, the NPPF 2023 (Paragraph 11) promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

The potential impacts of the proposed development in relation to the principle of the development, residential amenity, visual amenity, highway safety, flood risk and drainage, land contamination, ecology and biodiversity, archaeology, noise and air quality have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances and in some instances, where potential adverse impacts are identified, it would be possible to mitigate against these through the use of conditions.

The exception to this is the impact on on-site car parking. The parking survey which has been submitted has confirmed that 96% of existing attendees of the church travel to the site by private car. Secondly, it has confirmed that the proposed number of car parking spaces within the site would be insufficient for the expected number of attendees on a Sunday. Although an assessment of on-street car parking has been carried out, it has highlighted that the majority of on-street parking would be located a considerable distance from the site at around 500m walking distance which would represent a 6-7 minute walk. When considering the use of the site and its attendees which would likely be families with children, this length of walk is found to be excessive and likely unrealistic.

It is considered that the development should provide sufficient car parking on-site for the expected number of vehicles based on the proposed floor area. It is found that this development would result in 88 cars being parked outside of the site. Given that the findings of the parking survey cannot be fully relied upon due to some inaccuracies and failure to agree a methodology with the Council, the development is found to be unsuitable and fails to comply with the Council's adopted Transport Demand Matters - Parking Standards SPD.

REASONS FOR REFUSAL

1 (i) Policy HS2 of the Borough Plan (2019) states that where a development is likely to have transport implications, planning applications are required to clearly demonstrate how the following issues are addressed:

1. How the development ensures adequate accessibility in relation to all principal modes of transport
2. Whether the development identifies suitable demand management measures
5. How the development delivers sustainable transport options in a safe way that link to the wider transport network.

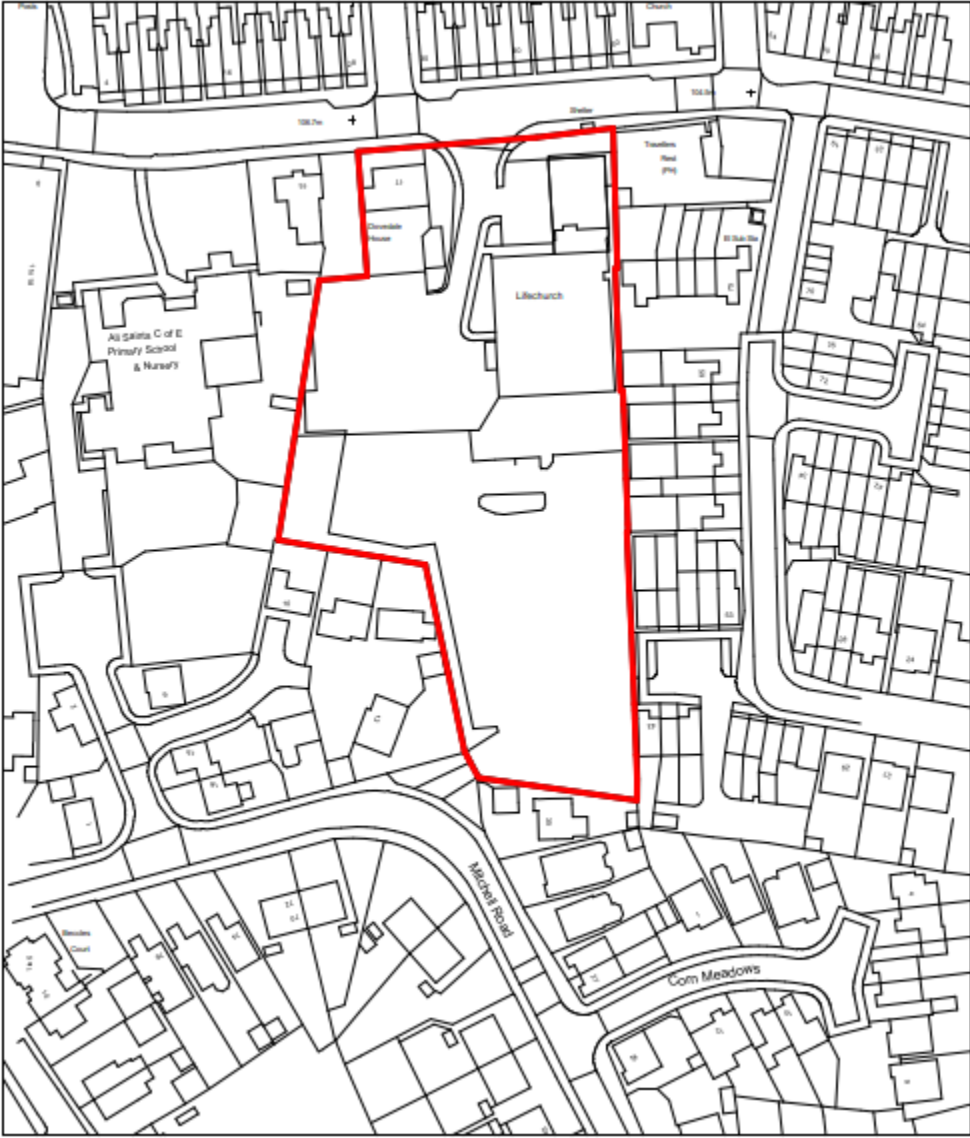
(ii) The proposed development is contrary to this policy in that it fails to provide adequate on-site car parking spaces in accordance with the adopted Transport Demand Matters (TDM) - Parking Standards SPD. The application fails to robustly

justify why the proposal cannot meet the prescribed standard (as required by paragraph 5.1 of the TDMM). This considerable shortfall will lead to increased dependency on on-street parking which is considered to be unsuitable for this scheme.

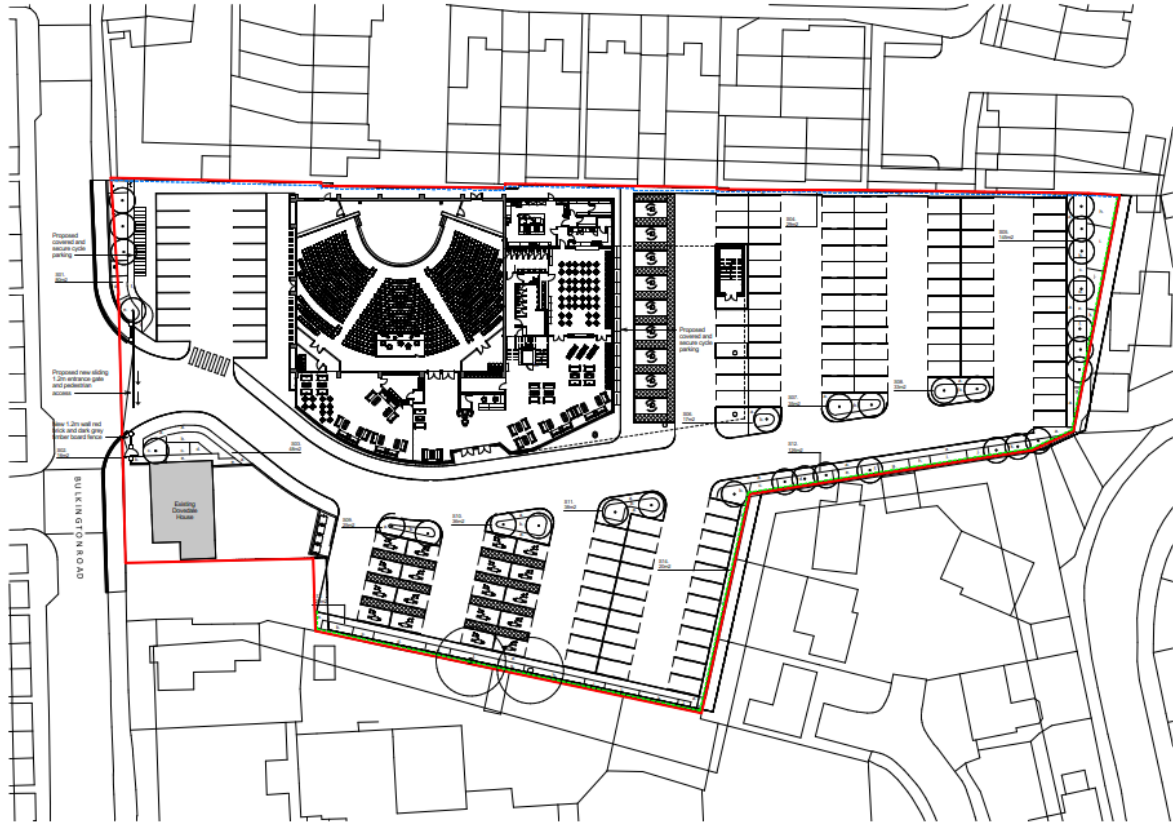
NOTES

For the avoidance of doubt this application has considered the plans contained in the following schedule:

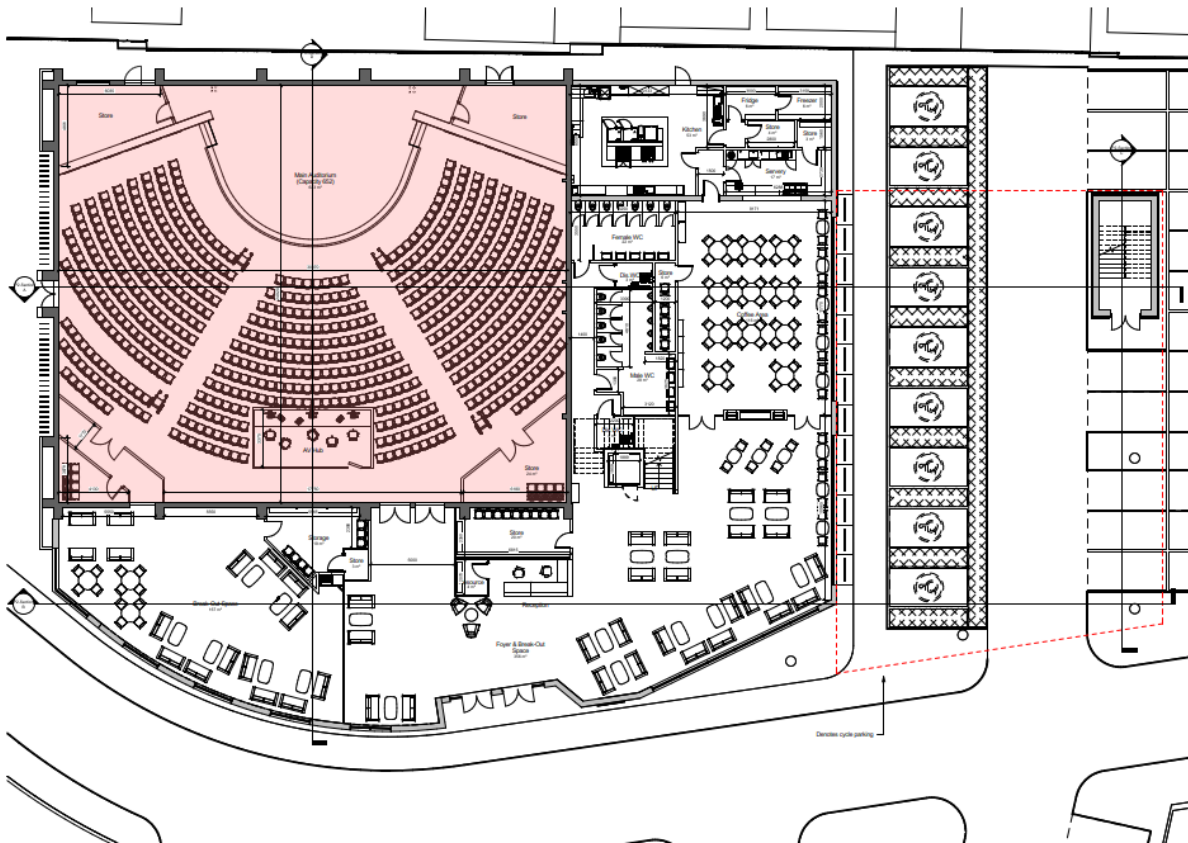
Description	Plan No.	Date Received
Location plan	LM-001 P01	05/05/2023
Site plan	20109-HPA-P2-00-DR-A-0001-P02	01/09/2023
Proposed ground floor plan	20109-HPA-P2-00-DR-A-1000-P02	01/09/2023
Proposed first floor plan	20109-HPA-P2-01-DR-A-1001-P01	05/05/2023
Proposed roof plan	20109-HPA-P2-02-DR-A-1002-P01	05/05/2023
Proposed elevations	20109-HPA-P2-ZZ-DR-A-2000-P01	05/05/2023
Proposed sections	20109-HPA-P2-ZZ-DR-A-3000-P01	05/05/2023
Detailed planting plan	2250.01	05/05/2023
Plant schedule	N/A	05/05/2023



Location plan



Proposed site plan



Proposed ground floor plan



PLANNING DRAWING

hpa architecture

life

Phase 2 Proposed Elevations

1:100

2024

Proposed elevations



COLLUSURY DRAWING LTD

hpa architecture

life

Phase 2 Proposed Elevations

1:100

2024

Proposed sections

Item No. 4

REFERENCE No. 039616

Site Address: Life Church Bulkington Road Bedworth Warwickshire CV12 9DG

Description of Development: Proposed extensions and external refurbishment of an existing Church building to include two- storey front, side and rear extensions with ancillary cafe and breakout space to ground floor and kids multi-use rooms to first floor plus undercroft car parking area underneath. Two-storey front extension to form wellbeing centre and multi-purpose use rooms to ground floor and ancillary office/administration facilities to first floor (Use Class F1/F2). Internal strip out of original church building to increase auditorium capacity to 652. Extension of car parking area to south of the site with associated works (Phase 3)

Applicant: Life Church Bedworth

Ward: PO

RECOMMENDATION:

Planning Committee is recommended to refuse planning permission, subject to no additional points of objection being received during the reconsultation period, for the reasons as printed.

INTRODUCTION:

This application relates to further extensions to the Life Church above and beyond those considered as part of Phase 1 and 2. The extensions are comprised of a two-storey front, side and rear extensions. An ancillary cafe and breakout space is proposed to the ground floor and kids multi-use rooms (168 seat auditorium type room), 7 kids rooms and a parents lounge (Use Class F1/F2) are proposed to first floor rear, plus undercroft car parking area underneath. Two-storey front extensions are proposed to form a wellbeing centre and multi-purpose use rooms to ground floor and ancillary office/administration facilities to first floor (Use Class F1/F2). The proposal will also involve the removal of the rain screen facade erected in Phase 1 to the Northern elevation. Internally, the building will be stripped out to increase auditorium capacity to 652. The car park is to be extended to south of the site, plus associated works (Phase 3).

Phase 3 differs from phase 2 through the addition of the front two-storey extension. This development will result in a loss of some on-site car parking as a result of the front extension. The building will remain as a flexible mixed use building under Use Class F1 and F2.

The proposed extensions will match in style, building materials and design as those proposed in phase 1/2.

The site is set within a predominantly residential area, with dwellings to the north, south and east of the site. However, the site is also just outside of a local centre, which consists of a number of commercial and other uses including local shops, barbers, takeaway and public house. There is also the All Saints Bedworth Academy and Nursery, a further church building and Nicholas Chamberlaine Secondary School close to the site. In terms of transport links, the site is within a sustainable location with Bedworth Railway Station at 200m from the site which is within walking distance. There are also bus stops along Bulkington Road and the site is also within a 5 minute walk from Bedworth Town Centre, which is served by further bus links to Bedworth, Bulkington, Nuneaton, Coventry, Atherstone, Hinckley and Leicester

BACKGROUND:

This application is being reported to Committee as it has received more than 15 letters of objection and support.

RELEVANT PLANNING HISTORY:

- 039615
- 039614
- 012729 - Provision of children's playground on part of front car park, new glass doors to front and change of use of part of ground floor to café. Refused 14/12/2009

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - DS2 - Settlement hierarchy and roles
 - DS3 - Development principles
 - NE3 – Biodiversity and geodiversity
 - NE4 – Managing flood risk and water quality
 - NE5 – Landscape character
 - BE3 – Sustainable design and construction
 - BE4 – Valuing and conserving our historic environment
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Policy, NBBC Open Space Officer, NBBC Tree Officer, NBBC Waste & Refuse team, NBBC Sports Development Team, WCC Ecology Officer, WCC FRM, WCC Infrastructure, WCC Archaeology, WCC Highways, Coal Authority, National Grid, Warwickshire Fire Safety, Water Officer, Cadent Gas, Warwickshire Police

CONSULTATION RESPONSES:

Objection from:
WCC Highways

No objection subject to conditions:

NBBC Environmental Health, Coal Authority, Water Officer, WCC Archaeology,
WCC Ecology officer

Comment from:

National Grid, Warwickshire Police, Warwickshire Fire Safety

No objection from:

NBBC Policy

No response from:

NBBC Open space officer, NBBC Tree officer, NBBC Waste & Refuse team, NBBC
Sports Development, WCC Infrastructure, Cadent Gas

NEIGHBOURS NOTIFIED:

“Travellers Rest”, “Flat 1 Travellers Rest”, “All Saints C of E First School”, 15 & 26-50
(evens inc.) Bulkington Road. 34, 43, 47 & 57-69 (odds inc.) Hatters Court, “Poplars
Farm” & 35 Mitchell Road. 10, 11, 12 & 13 The Priors,

Neighbouring properties were sent letters notifying them of the proposed development
on 13th May 2023 and 14th June 2023. A site notice was erected on street furniture on
2nd June 2023 and the application was advertised in The Nuneaton News on 28th June
2023.

NEIGHBOUR RESPONSES:

There have been 26 letters of objection from 16 addresses, 1 letter of petition in
objection and 1 objection letter with no address provided. The comments are
summarised below:

1. Impact on wildlife including bats, insects, birds and squirrels as a result of the
loss of trees and the development itself
2. Loss of privacy as a result of the loss of trees
3. Loss of privacy/ overlooking from the extensions
4. Development is excessive in size for a residential area
5. Increased levels of external noise from cars due to the extended car park
6. Increased noise levels from the church and activities
7. Air conditioning plant on roof will be a source of noise
8. The development will increase and encourage car parking in the area
9. Increased traffic flows in an already congested housing estate resulting in
traffic accidents
10. Access roads and car park is not sufficient to deal with the additional vehicular
movements
11. Loss of house value
12. Loss of light

13. Visual intrusion
14. Will act as a main wind channel between building and houses
15. Disturbance to contaminated land

There have been 28 letters of support from 25 addresses, the comments are summarised below:

1. The church is a hub for the local community. The proposed development will positively impact people's lives
2. The church is one of the local food banks
3. The proposed development will enable the church to better serve the local community on an even greater scale including expanding the provision of youth work, educational needs, community groups and helping the most vulnerable people in the area.
4. The development is much needed for the local community
5. The church as existing is at full capacity and this development will help to increase attendance and therefore better support the existing community and expand it
6. The extensions and alterations to the existing building will be better sound proofed benefitting the local residents
7. The building will be visually improved and modernised as a result of this development

APPRAISAL:

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

1. The principle of the development
2. Impact on residential amenity
3. Impact on visual amenity
4. Impact on highway safety
5. Flooding and drainage
6. Ecology, biodiversity and trees
7. Archaeology and Heritage impacts
8. Noise, air quality and land contamination
9. Planning Obligations
10. Conclusion and planning balance

1. The Principle of the Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key areas which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

The site is located within the defined Development Boundary, as defined by the Council's Policies Map. Policy DS2 of the Borough Plan 2019 sets out the settlement hierarchy for the Borough and places Nuneaton at the top of the hierarchy, and states that Nuneaton has the primary role and Bedworth the secondary role for employment, housing, town centre, leisure and service provision.

Policy DS3 of the Borough Plan 2019 states that all new development will be sustainable and of a high quality, fully supported by infrastructure provision, as well as environmental mitigation and enhancement, as required in the policies contained within the Plan. It goes on to state that new development within the settlement boundaries, as shown on the proposals map, will be acceptable subject to there being a positive impact on amenity, the surrounding environment and local infrastructure. The site has no specific designation within the Borough Plan Policies Map.

The site is located within a reasonable driving distance to major road networks, including the M6 and the A444. Additionally, the site can be accessed via a range of sustainable transport options, including via bus services, with bus stops being located within close proximity to the site on Bulkington Road and within Bedworth Town Centre, and the site is also within walking distance of Bedworth Train Station.

The proposal seeks to extend an existing church building, which is used somewhat flexibly as Use Class F1 – learning and non-residential institutions and Use Class F2 – Local Community. This application proposes extensions at ground and two-storey level to the front, side and rear of the existing building. On the ground floor to the rear, coffee and kitchen areas will be added, and the new larger foyer and break out spaces to the side, along with other small ancillary rooms for storage, and new toilets. Furthermore, the main auditorium will be stripped out, including the multi-purpose rooms and will be redesigned so that the entire of the original floor space is used as an auditorium, increasing the seating capacity by 250 from 402 to 652.

To the first floor rear, 7 new kids rooms are to be created, plus a kids multi-use room, which is shown to be laid out as a smaller auditorium. There will also be a parents lounge and toilets.

To the front, the ground floor extension will create 4 multi-purpose rooms, a well-being area and some smaller rooms including a meeting room. At first floor, office spaces are proposed plus a training room. This part of the extension will be utilised mainly as an F2 use with meeting rooms being ancillary.

Although the plans shows the layout of the rooms, the use class as proposed would allow the spaces to be used somewhat flexibly between F1 and F2. The layout of the rooms could therefore allow spaces to be used for several different purposes within the two Use Classes.

Use Class F1 and F2 are split into a number of suffixes including:

- F1(a) Provision of education
- F1(b) Display of works of art (otherwise than for sale or hire)
- F1(c) Museums
- F1(d) Public libraries or public reading rooms
- F1(e) Public halls or exhibition halls

- F1(f) Public worship or religious instruction (or in connection with such use)
- F1(g) Law courts
- F2(a) Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 sq. m and there is no other such facility within 1000 metres
- F2(b) Halls or meeting places for the principal use of the local community
- F2(c) Areas or places for outdoor sport or recreation (not involved motorised vehicles or firearms)
- F2(d) Indoor or outdoor swimming pools or skating rinks

The Life Church as the current occupiers will likely utilise the space mostly in relation to F1(f) and F2(b), although any of the uses as above would be possible.

Through the Church's website and social media pages, it is known that as existing, the site is used as more than just a church. It is a social hub and meeting place, with events behind held throughout the week. Some of these events are in connection with the church and include prayer evenings, band practice etc. whilst other events are more closely associated with socialising for the local community. Some events are held on regular intervals, whilst there are also one-off events which occur throughout the year and these may include, but are not limited to, movie nights, pantomimes and shows, fates, art open evenings. At present it is also known that there are two Sunday services which operate, which is assumed to be due to the limited capacity of the current auditorium.

It is considered that as a result of this application for phase 2, the number of attendees to the church will increase, as it will become a main hub for the Life Church. It is also possible that 2 services could continue. It is also anticipated that following the Sunday service, due to the increased facilities within the building, those in attendance are more likely to stay on-site and utilise the space for socialising as well as further religious activities. The Council have been informed that it is expected that after the service on Sunday's, children will be encouraged to stay and use the proposed children's facilities. It can therefore be reasonably expected that the parents/ adults in attendance will also remain on site.

Throughout the week, it could also be reasonable to expect that the multi-use/ flexible use rooms could be hired out by members of the community. As part of the submission of this application, and the 2 other phases being considered (application refs 039614 and 039615), it is anticipated that activities including teaching and workshops for the local community are expected, but this could also extend into sports and fitness classes, concerts, plays, shows and pantomimes as long as it can be shown that the main principle use is for the local community.

Based on the policies within the Borough Plan and NPPF, it is considered that the principle of the extensions to the Life Church are acceptable.

2. Impact on Residential Amenity

Policy BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity. In relation to the existing properties, distance standards are met, in compliance with Section 11 of the Sustainable Design & Construction SPD 2020.

The way buildings relate to each other – their orientation and separation distance – must provide and protect acceptable levels of amenity for both existing and future residents. Front, rear and side facing windows to habitable rooms will be protected from significant overlooking and overshadowing where such windows are the primary source of light and are the original openings in the house.

Paragraph 135 of the NPPF states, amongst other things that planning policies and decision should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 191 of the NPPF states that planning policies and decision should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should 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.

Paragraph 124 of the National Design Guide states that good design promotes quality of life for the occupants and users of buildings. This includes function – buildings should be easy to use. It also includes comfort, safety, security, amenity, privacy, accessibility and adaptability.

The development will introduce two-storey extensions to the front, side and rear of the building. The main impact of these extensions will be on the residential dwellings on Hatters Court. It is noted that some properties, namely No. 65 and partially 63 Hatters Court already face the main building, and it is not considered that there would be any additional harm created as a result of the proposed extensions in relation to these 2 dwellings.

Nos 61, 59, 57 and 55 Hatters Court will face towards the proposed rear extensions which have also been considered under phase 2 (ref 039615), which are part single storey and part two-storey in nature. As per the Sustainable Design & Construction SPD, where a habitable room window faces a blank wall of the same height, a minimum separation distance of 12m is required. This minimum distance increases to 14m where the extension is a storey higher and 16m where the difference is two storeys (paragraph 11.7 and 11.8).

The closest part of the proposed development will serve the kitchen and is to be single storey in nature. There will be a separation distance of 13.3m from the rear of the dwellings to this extension which will be a blank wall construction. The two-storey element of the extension is to be set back from the rear of the dwellings at a separation distance of 19.7m. The elevation facing the residential properties will have a number of high level windows which will service the kids rooms. It is considered necessary that as well as the windows being at a high level, they should also be conditioned to be obscurely glazed to prevent overlooking and protect residential amenity. Finally, a

small plant deck is proposed to the flat roof of the extension. This will be slightly set into the roof resulting in a separation distance of 21.2m.

It is noted that the properties on Hatters Court are at a lower land level than the Life Church. Nevertheless, the proposed extensions would be in excess of the distance standards as per the SDC SPD and as such, despite the lower land levels of these properties, the proposal is found to be in accordance with the SPD.

The two-storey front extension will introduce new built form to the front of the site to which the main impact would be on the residential dwelling of 67 Hatters Court. Given the orientation of this dwelling to the proposed extension, the SDC SPD is clear that an extension shall not infringe a line drawn at 60 degrees from the centre point of the window of an adjacent habitable room of the same floor level. A proposed extension a storey higher than the window of an adjacent habitable room shall not infringe a 45 degree line. In any event near the boundary of an adjoining useable rear private amenity space a proposed single storey extension shall be less than 4m long. A two-storey extension or higher shall be less than 3m long.

It should be noted that the two-storey extension has been set off the boundary with No. 67 by 2.7. At present the church building already extends past the rear of this dwelling by 2.2m at two-storey level. As proposed this increases to 24.85m at ground floor and 12m at two-storey level.

No. 67 has a single storey extension to the side of the dwelling and although there is a window in this elevation, it does not serve a habitable room. The nearest window which serves a habitable room at ground floor would be the French doors and 5m from the site boundary. The 60 degree line would be breached from the centre point of these windows due to the proposed length of the extension at ground level. As the breach occurs at approximately 8.7m and the development is located to the north, it is not considered that there would be a detrimental impact in terms of loss of light. The 45 degree line would be breached from the centre point of this window at first floor level although the breach occurs at 5m. Given the length of the breach, the orientation of the development which is to the north and the set in from the boundary of the extension, it is not considered that the extension would result in such significant harm in terms of loss of light to warrant refusal.

At first floor level, the centre point of the nearest habitable window is also 5m from the site boundary. The 60 degree line to the first floor level of the proposed extension would not be breached.

3 high level windows are proposed in the ground floor extension which would face towards No. 67. The SDC SPD states that windows which are above ground floor level which overlook neighbouring private amenity space shall be at least 7 metres from the boundary. These windows are at ground floor level would be less than 7 metres from the boundary. The submitted plans show that these windows are to be obscure glazed and a condition is recommended should the application be approved to ensure the window are obscurely glazed to prevent a perceived sense of overlooking.

On balance, it is considered that the impact on residential amenity is acceptable.

This proposal will also result in a larger area of car parking to the rear of the site. It is not expected that the car park in itself will have an impact upon residential amenity. It is noted that the area to be formally turned into a car park is used as existing as overspill car park, which is grassed and not laid out formally with hardstanding or marked car parking spaces. The overspill car park is used mostly on Sunday's during the sites busiest period.

In terms of noise from cars within the car park, it is considered that there is a potential for this to result in noise and disturbance. As a result, a noise assessment is proposed to be conditioned on the decision notice. Noise is assessed further on in this report.

On balance, it is not considered that the development would result in any detrimental harm to residential amenity as a result of the extensions or alterations.

3. Impact on Visual Amenity

The NPPF establishes the importance of recognising the intrinsic character and beauty of the countryside (paragraph 180). Policy NE5 of the Borough Plan states that major development proposals must demonstrate how they will conserve, enhance, restore or create a sense of place, as well as respond positively to the landscape setting in which the development proposal is located.

The NPPF (2023) states at paragraph 135 that planning policies and decisions should ensure that developments:

- F. Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- G. Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- H. Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change
- I. Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
- J. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks
- F. Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and some of the key characteristics to review include street layout, plot size and arrangement and built form. The Sustainable Design and Construction SPD details information to help comply with the requirements of this policy.

The site comprises the main Life Church Building, an industrial style building with brick construction which is substantially set back from the road, and Dovedale House, which is used for the Church Offices. The site is accessed off the Bulkington Road, and there

is a secondary narrower access to the rear of the site onto Mitchell Road, although this is rarely used and is proposed to be blocked off as part of this application. There are currently two formally marked out parking areas located to the front and side of the main building, as well as an informal parking area to the rear which is not formally marked out and is made up of loose gravel and grass.

The main building has a footprint of 756 sq. m, which when compared to the size of the site itself which is 0.815 ha, is relatively small in scale. The main building has an auditorium with a capacity of 402. It also has a small lounge/ café area and associated kitchen located on the ground floor. There are also 3 multi-purpose rooms across the ground and first floors. There is also a children's play area to the front. It is noted that the café/ lounge area and children's play area were refused consent in 2009. The development was refused consent due to the equipment and 1.8m fence resulting in a prominent and incongruous feature to the detriment of character and visual amenity. Furthermore, the proposal would result in the loss of accessible car parking and would have a detrimental impact on access to the church. According to Google Maps, these works were carried out ~2010 and therefore it is no longer possible to pursue any formal enforcement action and the development would now be considered to be legal.

The site is set within a predominantly residential area, with dwellings to the north, south and east of the site. However, the site is also just outside of a local centre, which consists of a number of commercial and other uses including local shops, barbers, takeaway and public house. There is also the All Saints Bedworth Academy and Nursery, a further church building and Nicholas Chamberlaine Secondary School close to the site.

In terms of transport links, the site is within a sustainable location with Bedworth Railway Station at 200m from the site which is within walking distance. There are also bus stops along Bulkington Road and the site is also within a 5 minute walk from Bedworth Town Centre, which is served by further bus links to Bedworth, Bulkington, Nuneaton, Coventry, Atherstone, Hinckley and Leicester.

This application proposes extensions at ground and two-storey level to the front, side and rear of the existing building. On the ground floor to the rear a coffee and kitchen areas will be added to the rear, and the new larger foyer and break out spaces to the front, along with other small ancillary rooms for storage, and new toilets. Furthermore, the main auditorium will be stripped out, including the multi-purpose rooms and will be redesigned so that the entire of the original floor space is used as an auditorium, increasing the seating capacity by 250 from 402 to 652.

To the first floor rear, 7 new kids rooms are to be created, plus a kids multi-use room, which is shown to be laid out as a smaller auditorium. There will also be a parents lounge and toilets.

To the front, the ground floor extension will create 4 multi-purpose rooms, a well-being area and some smaller rooms including a meeting room. At first floor, office spaces are proposed plus a training room. This part of the extension has not been previously considered under phases 1 and 2 and is proposed to be utilised mainly as an F2 use with meeting rooms being ancillary.

Although the plans show the layout of the rooms, the use class as proposed would allow the spaces to be used somewhat flexibly between F1 and F2. The layout of the rooms could therefore allow spaces to be used for several different purposes within the two Use Classes.

Externally, the existing building is to be updated and shall match the materials of the proposed extensions. A mix of traditional masonry construction with rendered and painted finish and off-white buff brick (Wienerburger or similar approved) to ground floor is proposed. Dark grey buff brick (Wienerburger or similar approved) is proposed to the rear ground floor. A Metsec framing system with CAREA 'Meca' range façade panels is proposed to first floor only. A temporary wall will be added to the front elevation and Metsec uninsulated support structure with CAREA 'Smooth Urban' rainscreen cladding system. Vertically hung timber brise soleil by 'Contrasol' (or similar approved) will be added to the existing front elevation, with existing external wall to be painted. Dark grey aluminium doors and windows are proposed, and dark grey brick with decorative lattice is proposed to cover the plant deck.

The proposed materials are of a much more contemporary and modern finish, compared to the existing industrial style building which occupies the site at present. As discussed, the wider site is mixed with commercial and residential properties. Therefore, there is not a defined street scene in terms of size, style, or use of materials. The contemporary nature of this development is considered to be acceptable given the mixed street scene as well as the nature of the building itself.

On balance, the scheme is considered to be acceptable in terms of impact on visual amenity.

4. Impact on Highway Safety

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 108).

Policy HS2 of the Borough Plan (2019) states that where a development is likely to have transport implications, planning applications are required to clearly demonstrate how the following issues are addressed:

1. How the development ensures adequate accessibility in relation to all principal modes of transport
2. Whether the development identifies suitable demand management measures
5. How the development delivers sustainable transport options in a safe way that link to the wider transport network.

In terms of parking provision, the Transport Demand Management Matters SPD 2022 (TDMM) sets out the required parking requirements for different types of development. Deviation from the standard will only be acceptable where it has been robustly justified. In the case of this application, the main 2 uses are F1(f) and F2(b), with some ancillary uses on the site.

It is considered that the main F1(f) use is the main auditorium, with the kids rooms, kids multi-use room and parents lounge being somewhat more flexible in use between F1(f) and F2(b). However, in terms of the TDMM SPD, Use Class F1(f) requires a

higher amount of parking compared to F2 and so the higher amount has been calculated, based on a “worst case scenario”.

The auditorium will have a floor area of 623 sq. m. At first floor, the rooms created as part of the rear extension will add an additional 608 sq. m of floor space. Therefore, a total of 1,231 sq. m of F1 floor space is proposed. In addition, the front extension proposed 4 multi-purpose rooms to the ground floor and a training room to the first floor resulting in 228 sq. m of proposed F2 floor space.

The TDMM SPD requires 1 parking space per 5 sq. m of F1 floor space and 1 space per 22 sq. m of F2 floor space. For this development a total of 257 car parking spaces are required.

The current site has 45 car parking spaces laid out to the side, although there is also an informal overflow car park to the rear of the site. This development proposes just 139 car parking spaces, which is less than phases 1 and 2. This is a result of the front extension, which removes 19 car parking spaces. The resultant development would have a shortfall of 118 car parking spaces.

The larger auditorium proposed under this development will increase the seating capacity by 250. This, in combination with the large number of children’s rooms, parents lounge, café and general meeting space will result in the church being a main hub and meeting point, which in turn will likely increase the number of visitors compared to existing.

The Highway Authority consider that the findings within the Transport Note are not sufficiently detailed for a full assessment to be made. Firstly, the travel and parking survey has solely focused on the auditorium in a “worst case scenario” in order to determine the parking requirements, due to the applicant confirming that no other uses would be used at the same time i.e. only F1 uses could be carried out on the site with no F2 uses, and vice versa.

However, planning officers consider that it would not be possible to condition this nor condition the use of the site as just for use by the Life Church.

When assessing planning conditions, the NPPF (2023) sets out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (paragraph 55).

It goes on to state that Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (paragraph 56). It is considered that in this case, the condition for a management plan or restriction on how the building can be utilised, or a condition limiting the occupation to a particular church would be neither reasonable nor enforceable. For these reasons, the potential future uses therefore also need to be considered based on the use class being a place of worship as well as a community use facility.

It is considered that the site could be used by different religious groups, which may include those who do not have services on Sundays. Parts of the site could also be rented out to community groups etc.

It is also clear that service times can change even within the same days. Historic street view images show that service times of 9:45am and 11:30am were in place in 2017. This moved to 10:30 only in 2018 up to the October 2023 image. Furthermore, it is known that other churches including the nearby church (known as The Little Chapel) host evening services at 6:00pm and therefore there would be nothing to prevent such a change occurring at this site.

The Highway Authority do not consider that the results of the survey which have been carried out are acceptable. The travel survey was completed on Sunday 7th July 2024. It should be noted that the Sunday service currently comprises of two services at 9:30 and 11:30. In conjunction with this survey, a parking beat survey of the surrounding roads was completed for a 500m area in according with the Lambeth parking methodology for non-residential land uses. The survey comprised of an on-street parking survey and a parking survey of nearby public car parking facilities which took place at 7:00am before the first service and 10:15am during the first service.

The findings of the survey of the car parks are as follows:

- Spitalfields Car Park 1 – 93 spaces (90 regular, 3 disabled), 8-minute walk to Life Church (550m), Sunday Tariff: 08:00 to 18:00 £1.50;
- Spitalfields Car Park 2 – 36 spaces (33 regular, 3 disabled), 8-minute walk to Life Church (550m), Sunday Tariff: 08:00 to 18:00 £1.50;
- Bedworth Railway Station Car Park – 20 spaces (19 regular, 1 disabled), 2-minute walk to Life Church (140m), Sunday Tariff: 08:00 to 18:00 £1.50; and
- Miners Welfare Car Park – 49 spaces (44 regular, 5 disabled), 8-minute walk to Life Church (600m), Sunday Tariff: Free parking all day.

Table 3.2 Public Car Park Capacity – All Car Parks

	Public Car Parks	
	Beat 1 (07:00)	Beat 2 (10:15)
Total Stock	198	198
Observed Demand	31	70
Reserve Capacity	167	128
Parking Stress	16%	35%

With regard to wider on-street capacity the parking survey assessed an area comprising of 500m from the site, in accordance with the Lambeth parking survey methodology.

Table 3.3 On-street Parking Capacity

	On-Street Parking Capacity	
	Beat 1 (07:00)	Beat 2 (10:15)
Total Stock	761	770
Observed Demand	402	408
Reserve Capacity	359	362
Parking Stress	53%	53%

In terms of the existing travel habits of the existing congregation of the Life Church which on 7th July was 548 formed of 223 attendees during service 1 and 325 attendees during service 2. 205 responses were received to a travel survey questionnaire equating to a 37% response rate.

Of the 205 responses, 130 respondents were car drivers and 61 car passengers. The remainder walked to the site. The response indicates that the majority of the existing congregation (96%) travel to and from the site via private car either as a driver (34%) or passenger (62%), with just 4% of the congregation who walk to the site. Based on this information it was concluded that there is an average vehicle occupancy of 2.82 persons per vehicle. It is considered that the response rate of the travel survey is very poor and does not provide a robust or clear result.

The Highway Authority state that the method of the parking survey methodology was not agreed beforehand by the Highway Authority in order to ensure that the survey carried out is acceptable. The survey carried out is not in accordance with the Lambeth methodology. The Lambeth methodology involves recording the number of parked vehicles overnight within a defined small-scale study area and is used to assess parking stress by comparing parking supply (number of parking spaces) with parking demand (number of parked vehicles). For commercial developments, the Methodology should typically cover an area within 500m walking distance of a site.

The survey is not in accordance with the Methodology, as only 1 of the public car parks surveyed was within the 500m distance. Furthermore, the Lambeth methodology sets out that hourly beats should be carried out within opening hours. For this survey, only 2 snapshots were carried out which is insufficient and would not be considered representative or robust.

As previously stated, the time of service have and can change. It is considered that a survey carried out at 7:00am and 10:15am would not be representative of a service which took place at 10:30am. In addition, a further survey should have been carried out for the 2nd service time, whereby a cross-over of those attending the first service and those arriving for the second service could take place. Furthermore, as the TN confirms the 2nd service is busier with more than 100 additional people in attendance, it is considered essential to understand the parking capacity during such times.

It is noted that a number of the on-street car parking spaces which have been observed are on streets which are located to the rear of the site. Although at present there is a rear access to the site located off Mitchell Road, this is proposed to be closed as a result of this development. Therefore, a number of the car parking spaces such as those on Mitchell Road, The Priors and Lady Warwick Avenue, will be above the defined 500m. It is also noted that these locations are where the majority of the observed on-street spaces are found (as per Appendix B – Parking Beat Survey).

The Lambeth Methodology is clear that the following areas should be excluded from surveys:

- Areas which may present highway or personal safety issues or difficulty in accessing the parking such as on major road or areas with poor surveillance.

The spaces which are shown on Bulkington Road (B4029) can be described as a major road and should have been excluded from the survey.

The results of the survey, which although are insufficient, show that the spaces which would remain within 500m walking distance from the site are mostly located at the maximum range from the site such as on Tewkesbury Drive, York Avenue and Poplar Avenue. Conversely, the on-street parking closest to the site such as on Earl Street, New Street and Queen Street were occupied during both of the surveyed times.

Therefore, it can be assumed that vehicles which are forced to park on-street will have to park a reasonable walk (typically 6-7 minutes) from the site, or they will park in unsuitable locations closer to the site.

The method to which parking stock has been calculated is unclear. Part 3.3.13 of the TN states that the 'total stock' varies because of how people were parked which is an incorrect method. The total available on-street parking spaces should not change based on people's parking habits but rather should be based on the total measurements of the roads surveyed reduced by any restrictions such as dropped kerbs, 15m from junctions etc. How people park will impact on the observed demand, but not the total stock.

In terms of calculating the required on-site parking spaces the highway authority consider that more parking is required for the ancillary uses on site such as the coffee space etc. However, the Council are content that subject to an appropriate condition, the coffee space shall remain as ancillary only and should not be considered within the floor space requirements when calculating parking requirements.

The Transport Note has determined that the net increase in parking demand generated by the resultant development will result in 74 vehicles needing to find parking outside of the site, either within the existing on-street parking or nearby public car parks. This figure has been calculated using the existing parking situation i.e. the number of attendees at present.

The Council and Highway Authority consider that, as the methodology behind the parking survey has not been agreed prior, that it's findings cannot be fully considered. The Council consider that in this instance, a 500m or up to a 7 minute walk to the site from on-street parking is excessive. This development will be used by families

including children and young children and it is therefore considered that it is extremely unlikely that families with children will voluntarily park up to a 7 minute walk away from the site, but rather than unsuitable parking will occur closer to the site possibly to the detriment of highway safety. As has also been discussed, the location of a number of car parking spaces which have been considered will be in excess of 500m or are located in unsuitable locations.

The Council also consider that the public car parks located in excess of 500m, and which would require users to pay as completely, unsuitable off-site car parking spaces and should not be given any weight in this consideration.

On balance, it is considered that the development should be designed as such that all of the car parking which is required for the size of the development to be located within the confines of the site and not rely on off-site parking such as on-street parking. It is considered the development proposed would be in excess in floor area in relation to the proposed number of car parking spaces resulting in a considerable under supply of car parking of 118 spaces (as per the TDMM SPD). It is noted that this differs considerably from the findings of the parking survey, however, the survey has only considered the sites current arrangement in terms of number of visitors. The survey has not fully considered the very likely effects that this development would have in terms of number of visitors which will increase as the church becomes a main hub for the Life Church.

It is considered that the proposal fails to comply with the Council's adopted Transport Demand Matters – Parking Standards SPD which weighs significantly against the application.

5. Flooding and Drainage

Policy NE4 of the Borough Plan 2019 relates to managing flood risk, sustainable drainage systems and water quality. The policy also states that new development will be required to implement appropriate sustainable drainage system techniques in order to manage surface water run-off. For all sites, surface water discharge rates should be no greater than the equivalent site-specific greenfield run-off rate, unless otherwise agreed by the Lead Local Flood Authority (LLFA).

Paragraph 165 of the NPPF (2023) sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 173 of the NPPF (2023) states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 175 of the NPPF (2023) states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

WCC Flood Risk Management Team as the LLFA have reviewed the application and further information was requested. The site wide attenuation will be provided in the form of permeable paving. Whilst permeable paving provides water quality/quantity benefits it does not provide any amenity and biodiversity benefits. As such the LLFA would recommend 'management train' approach to the drainage design incorporating source control measures more widely across the site.

The site wide drainage outfalls into an existing STW system. The LLFA will need to see evidence of discussions with STW, such as a Developer Enquiry, which show that a connection to their asset is appropriate in principle at the proposed location and discharge rate.

Furthermore, the submitted FRA states that no survey has been done of the drainage infrastructure associated with the existing premises. The LLFA would expect this to be done at this stage and would also like to see a plan demonstrating how the existing system operates.

It was also noted that there is an existing dwelling on site. Details should be provided as to how this dwelling drains.

Finally, it was needed to demonstrate that consideration has been given to any exceedance flow and overland flow routing, using topography of the site to ensure there is no increase to flood risk both within and outside of the site boundary. This plan should also contain external levels in support.

Following the submission of the required additional information in the form of an amended FRA and surface water drainage strategy, the LLFA removed their objection and confirmed that they had no objection subject to conditions. The conditions are included at the end of this report.

Subject to these conditions, it is considered that the scheme would be acceptable in terms of flooding and drainage.

6. Ecology, biodiversity and trees

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: "a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions."

Paragraph 180 of the NPPF (2023) states at criterion d, that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 186 of the NPPF (2023) states at criterion d that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Policy NE3 of the Borough Plan 2019 sets out that development proposals will ensure ecological networks and services, and biodiversity and geological features are conserved, enhanced, restored and, where appropriate, created. The policy further states that development proposals affecting the ecological network and/or important geological features will be accompanied by a preliminary ecological assessment and/or, where relevant, a geological assessment.

Following WCC Ecology's comments being received on the application, it is noted that several trees are proposed to be removed and these works were said to have the potential to affect bats. An initial bat survey was requested to assess if a bat roost could be present.

This application has been submitted alongside an arboricultural impact assessment (AIA) and method statement and a preliminary roost assessment which have all been assessed. The trees were found to be negligible in terms of potential bat roosts. However, the removal of the trees and the removal of the grassed area to the rear (proposed as car park) has triggered the need for Biodiversity Net Gain calculations to be submitted to show that there would be no net loss on site.

BNG calculations as well as a pre- and post- development habitat plan has been submitted. The survey which was undertaken on 16th August 2023 showed that the site is composed of sealed surfaces with patches of shrubs and grassland and a number of trees. The planned development of the building and car park would result in the loss of almost all of the noted habitats, with the exception of some broadleaved trees located on the site perimeter. However, the ecological impact is partly offset by the creation of some ornamental shrub beds to the east, south and western boundaries as well as some small individual patches within the car park.

The current proposal would cause the loss of all grassland and woodland habitat which significantly contributes to the site's biodiversity value of 1.59 units, thus causing a net habitat loss of -39.41%. The proposal would result in the loss of 0.65 habitat units, although, BNG targets could be met through off-site biodiversity enhance schemes with contributions required.

As per Policy NE3, biodiversity offsetting will be required as a last resort once all other available options in the mitigation hierarchy have been explored. The mitigation hierarchy states that the following sequential steps should be undertaken:

8. Avoidance - the first step of the mitigation hierarchy comprises measures taken to avoid creating impacts from the outset, such as careful spatial placement of infrastructure, or timing construction sensitively to avoid or disturbance. Avoidance is often the easiest, cheapest and most effective way of reducing potential negative impacts, but it requires biodiversity to be considered in the early stages of a project.
9. Minimisation - these are measures taken to reduce the duration, intensity and/or extent of impacts that cannot be completely avoided. Effective minimisation can eliminate some negative impacts, such as measures to reduce noise and pollution, designing powerlines to reduce the likelihood of bird electrocutions, or building wildlife crossings on roads.
10. Rehabilitation/ restoration - The aim of this step is to improve degraded or removed ecosystems following exposure to impacts that cannot be completely avoided or minimised. Restoration tries to return an area to the original ecosystem that was present before impacts, whereas rehabilitation only aims to restore basic ecological functions and/or ecosystem services – such as through planting trees to stabilise bare soil.
11. Offsetting - this aims to compensate for any residual, adverse impacts the previous three steps of the mitigation hierarchy have been addressed. Biodiversity offsets are of two main types: 'restoration offsets' which aim to rehabilitate or restore degraded habitat, and 'averted loss offsets' which aim to reduce or stop biodiversity loss in areas where this is predicted.

Due the number of car parking spaces which are required for the proposed development, although it was requested by the Ecology officer to retain more of the trees, this would result in a reduced number of car parking spaces which would in turn make the scheme unacceptable. On balance, the scheme would result in the loss of 0.65 units of habitat and these will be required to be offset through offsite enhancements should the application be approved. The calculations are provided in the planning obligations section of this report.

Subject to contributions in the form of Section 106 agreement, it is considered that the impact on ecology and biodiversity is acceptable.

7. Archaeology and Heritage impacts

Policy BE4 of the Borough Plan states that development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas scheduled monuments, registered parks and gardens, archaeology, historic

landscapes and townscapes, will be approved. The site is does not contain any heritage assets.

The proposed development is said to lie in an area with significant archaeological potential to the east of the suggested historic medieval settlement at Bedworth (Warwickshire Historic Environment Record MWA9499). The site of the proposed development fronts onto Bulkington Road and lies within an area that was subject to significant development during the late 19th and early 20th centuries. The application site itself was formerly the Bedworth town gas works (MWA6692). During a site visit, undertaken to inform the Archaeological Desk-Based Assessment submitted with this application, building foundations possibly relating to the former gasworks were observed. There is therefore a potential for archaeological features and deposits relating to Bedworth's industrial past to survive across this area.

WCC Archaeology states that they have no objections subject to a written scheme of investigation for a programme of archaeological work be carried out and submitted. Such details can be conditioned to be submitted and approved and will be required prior to commencement of works.

Subject to such a condition, it is considered that the scheme would have no detrimental impact upon archaeology or heritage.

8. Noise, air quality and land contamination

In terms of noise, this is an existing building with planning approval for use as a church. The new scheme does not propose to alter or change the position of the auditorium within the existing building fabric. The internal capacity increases as existing internal walls are stripped, but the structural shell and roof remains. The use as a church involves numerous "noisy" activities including live music on Sunday's as well as band practice during weekday evenings.

As part of the development, a plant deck is proposed to the two-storey roof which will contain the plant for the HVAC system for the building. NBBC Environmental Health officers would normally advise that plant is not located in an elevated position, but instead recommend that the building is designed and utilised as a barrier to help mitigate against any noise migration, protecting nearby residents against noise from this source.

There is also the possibility of increased noise from cars as a result of the rear car parking area adjacent to residential dwellings gardens.

NBBC Environmental Health have requested a noise assessment be carried out to ensure that that the building is designed so that the cumulative noise levels from the centre should not be adding to the prevailing background sound level. The assessment should include Sundays when the background noise levels are generally quieter. The noise assessment should clearly identify all sources of noise, including but to limited to:

- Noise from the auditorium
- Noise from the Plant deck

- Noise from any other external plant, including kitchen odour ventilation and extraction systems.
- Noise from the car park

The assessment should also detail how they propose to mitigate against each noise source so that there is no observable noise impact to nearby residents. This will ensure that the works they are proposing will be designed to enable the Centre to operate as they wish – but will not have a detrimental impact on the surrounding area.

A further condition relating to demolition and construction works is also recommended, to ensure that works are not carried out outside of appropriate hours.

In terms of contaminated land, the extensions to the rear of the development appear to be on land that was formerly occupied by the gas works. Although the building will be covering the ground and this in a sense reduces the risk. However, there is the possibility of gases and volatile compounds affecting the building. As such, suitable conditions relating to a contaminated land assessment is requested to be included on the decision notice.

As per Policy HS2 of the Borough Plan, The council supports the provision and integration of emerging and future intelligent mobility infrastructure that may help to deal with the issue of air quality, such as including electric vehicle charging points. Proposals must consider how they accord with the Transport Demand Management Matters and Air Quality SPD.

The TDMM states that new developments are expected to include appropriate provision for electric vehicle charging. In accordance with the air quality SPD, non-housing developments such as this site require 10% of car parking spaces to provide EV charging points. As this scheme proposes 131 spaces, 13 of these spaces will be required to be fitted with EV charging points. These are not shown on the proposed plans, as such, a suitable condition shall be included on the decision notice.

The application site falls within the defined Development High Risk Area; therefore, within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The planning application is accompanied by a Coal Mining Risk Assessment report (23 January 2023, prepared by GIP Ltd).

The Coal Authority have confirmed that they concur with the conclusions within the Coal Mining Risk Assessment report that coal mining legacy potentially poses a risk to the proposed development and that further investigations are required, along with possible remediation measures, in order to ensure the safety and stability of the proposed development. They submit a response of no objection subject to a condition.

9. Planning Obligations

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 57 of the NPPF 2023 notes that these obligations should only be sought where they meet all of the following tests:

- g. necessary to make the development acceptable in planning terms;
- h. directly related to the development; and
- i. fairly and reasonably related in scale and kind to the development.

Paragraph 93 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
WCC Ecology	Biodiversity Net Gain offsetting scheme	£42,313	

10. Conclusion and Planning Balance

In conclusion, the NPPF 2023 (Paragraph 11) promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

The potential impacts of the proposed development in relation to the principle of the development, residential amenity, visual amenity, highway safety, flood risk and drainage, land contamination, ecology and biodiversity, archaeology, noise and air quality have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances and in some instances, where potential adverse impacts are identified, it would be possible to mitigate against these through the use of conditions.

The exception to this is the impact on on-site car parking. The parking survey which has been submitted has confirmed that 96% of existing attendees of the church travel to the site by private car. Secondly, it has confirmed that the proposed number of car parking spaces within the site would be insufficient for the expected number of attendees on a Sunday. Although an assessment of on-street car parking has been carried out, it has highlighted that the majority of on-street parking would be located a considerable distance from the site at around 500m walking distance which would represent a 6-7 minute walk. When considering the use of the site and its attendees which would likely be families with children, this length of walk is found to be excessive and likely unrealistic.

It is considered that the development should provide sufficient car parking on-site for the expected number of vehicles based on the proposed floor area. It is found that this development would result in 88 cars being parked outside of the site. Given that the findings of the parking survey cannot be fully relied upon due to some inaccuracies and failure to agree a methodology with the Council, the development is found to be

unsuitable and fails to comply with the Council's adopted Transport Demand Matters - Parking Standards SPD.

REASONS FOR REFUSAL

1 (i) Policy HS2 of the Borough Plan (2019) states that where a development is likely to have transport implications, planning applications are required to clearly demonstrate how the following issues are addressed:

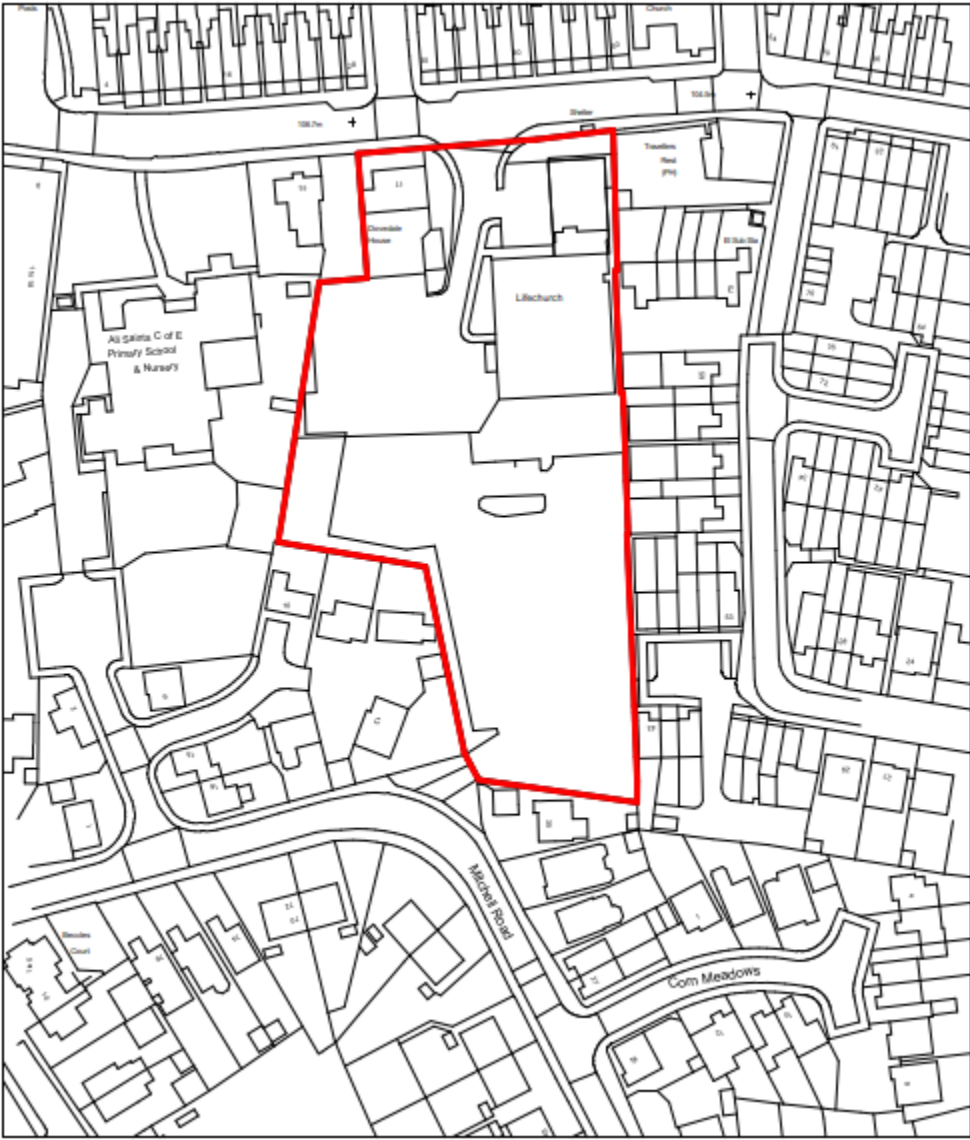
1. How the development ensures adequate accessibility in relation to all principal modes of transport
2. Whether the development identifies suitable demand management measures
5. How the development delivers sustainable transport options in a safe way that link to the wider transport network.

(ii) The proposed development is contrary to this policy in that it fails to provide adequate on-site car parking spaces in accordance with the adopted Transport Demand Matters (TDMM) - Parking Standards SPD. The application fails to robustly justify why the proposal cannot meet the prescribed standard (as required by paragraph 5.1 of the TDMM). This considerable shortfall will lead to increased dependency on on-street parking which is considered to be unsuitable for this scheme.

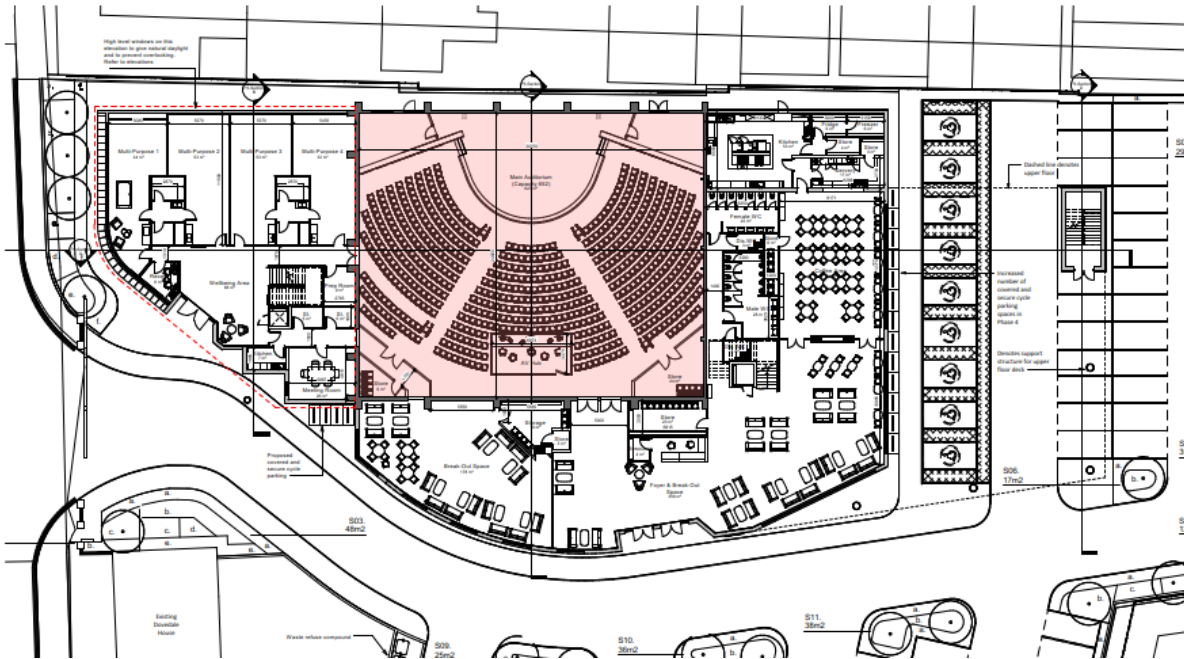
NOTES

For the avoidance of doubt this application has considered the plans contained in the following schedule:

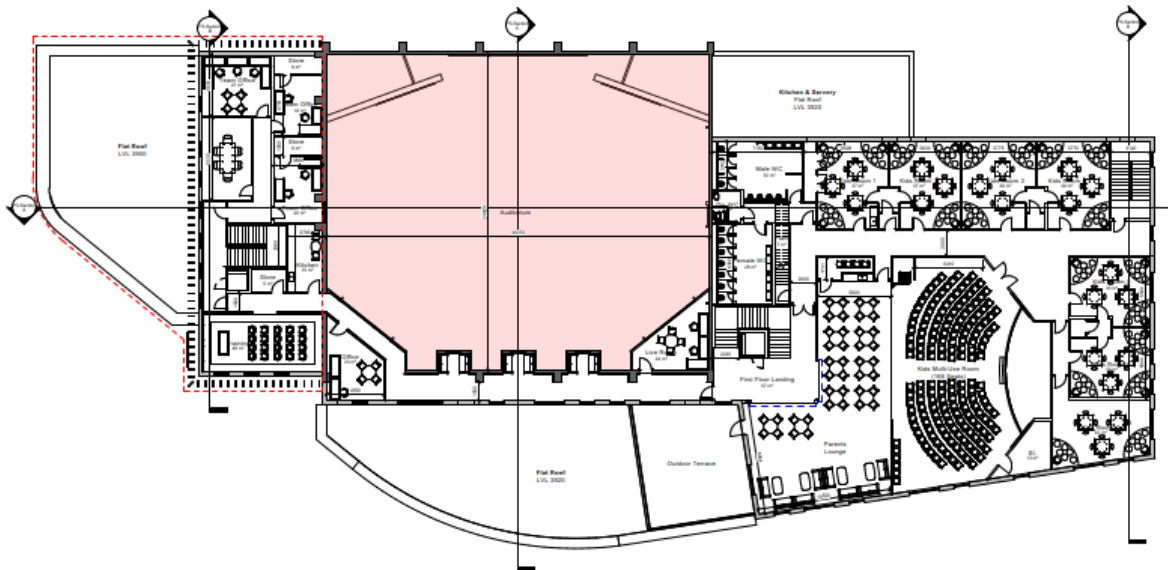
Description	Plan No.	Date Received
Location plan	LM-001	05/05/2023
Site plan	20109-HPA-P3-00-DR-A-0001-P02	01/09/2023
Proposed ground floor plan	20109-HPA-P3-00-DR-A-1000-P02	01/09/2023
Proposed first floor plan	20109-HPA-P3-01-DR-A-1001-P01	05/05/2023
Proposed roof plan	20109-HPA-P3-02-DR-A-1002-P01	05/05/2023
Proposed elevations	20109-HPA-P3-ZZ-DR-A-2000-P01	05/05/2023
Proposed sections	20109-HPA-P3-ZZ-DR-A-3000-P01	05/05/2023
Proposed roof site plan	20109-HPA-P3-02-DR-A-1003-P02	01/09/2023
Detailed planting plan	2250.01	05/05/2023
Plant schedule	N/A	05/05/2023



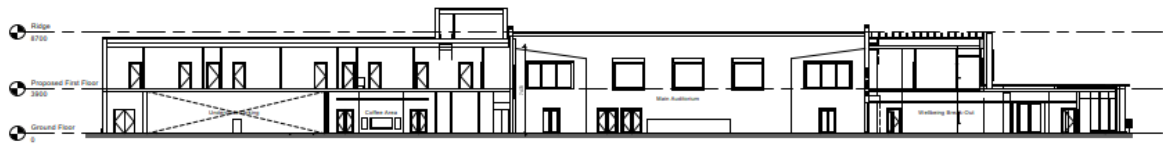
Location Plan



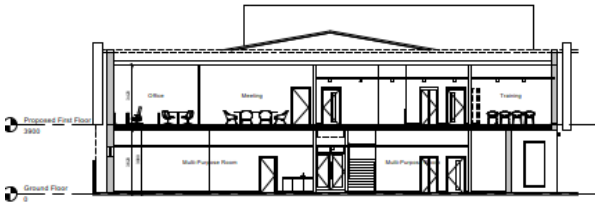
Proposed ground floor plan



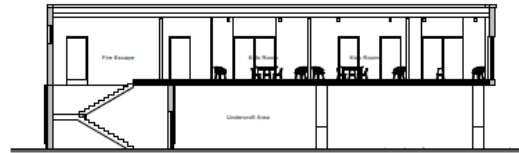
Proposed first floor plan



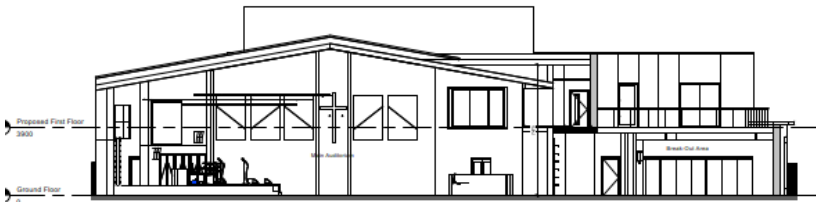
Proposed Section A
Scale 1:150



Proposed Section B
Scale 1:100



Proposed Section D
Scale 1:100



Proposed Section C
Scale 1:100



Proposed sections

REFERENCE No. 040333

Site Address: 58 Camp Hill Road, Nuneaton, Warwickshire CV10 0JH

Description of Development: Proposed change of use from a dwellinghouse to a House in Multiple Occupation (HMO) with a rear dormer and single storey extension.

Applicant: Ms Annie Qtum

Ward: CH

RECOMMENDATION:

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

INTRODUCTION:

Proposed change of use from a dwellinghouse to a House in Multiple Occupation (HMO) with a rear dormer and single storey extension at 58 Camp Hill Road Nuneaton Warwickshire CV10 0JH.

The application property is a two-storey C3 semi-detached dwelling located along Camp Hill Road. The exterior is characterised by red brickwork, grey slate roof tiles, a hipped roof design and white UPVC windows and doors. The front of the property features a prominent gable, two bay windows, a driveway and a carport. At the rear, the property features a small rear single-storey rear projection and a garden with several outbuildings and is located adjacent to an open field. The application site is surrounded by residential properties which overall differ in size and architectural style.

The development involves converting a three-bedroom dwelling into an eight-bedroom House in Multiple Occupation (HMO). The proposal includes constructing a single-storey rear extension, a loft conversion with a rear dormer extension and an additional window on the ground floor.

RELEVANT PLANNING HISTORY:

- 020114 Detached double garage (Condition Approval: 9/5/1997).
- 020015 Erection of double garage (Refused: 9/3/1997).

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Affordable Housing SPD 2020.

- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, WCC Highway Authority, NBBC Private Sector Housing, NBBC Refuse, WCC Fire Safety & WCC Fire & Rescue.

CONSULTATION RESPONSES:

No objection from:

NBBC Environmental Health, WCC Highway Authority, NBBC Private Sector Housing & WCC Fire & Rescue

No response from:

NBBC Refuse & WCC Fire Safety

NEIGHBOURS NOTIFIED:

The neighbouring properties consulted on this application are 41,51,55,56,59,60,61 & 63 Camp Hill Road & The Land to the rear of No.58.

Neighbouring properties were sent letters notifying them of the proposed development on the 18th June 2024, 22 July 2024 & 6th August 2024.

NEIGHBOUR RESPONSES:

There have been 5 objections from 5 addresses. The comments are summarised below;

1. Insufficient parking availability.
2. Noise disturbance.
3. Concerns regarding anti-social behaviour.
4. Safety concerns.
5. Loss of Privacy.
6. Decline in nearby property values.
7. Overcrowding within the property and surrounding area.
8. Increased waste, leading to health and safety/ pest control issues.

APPRAISAL:

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

1. The Principle of the Development
2. Impact on Residential Amenity
3. Impact on Visual Amenity
4. Impact on Highway Safety
5. Flooding and Drainage
6. Waste and Refuse
7. Conclusion and Planning Balance

1. The Principle of Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development. Sustainable development is in three key constituents which are economic, social and environmental (paragraph 8). It sets out one of the core principles of the planning system is to encourage the effective use of underutilised land and buildings. The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) and states that proposals that accord with the policies in the Borough Plan will be approved without delay unless material considerations or adverse impacts indicate otherwise.

Policy DS2 states that Nuneaton has the primary role for housing. The site is located in the defined settlement boundary of Nuneaton.

Policy DS3 states that new development within the settlement boundaries, will be acceptable subject to there being a positive impact on amenity, the surrounding environment and local infrastructure. The site is within the defined settlement boundary of Nuneaton (DS3). It is considered that given the existing building is a residential dwellinghouse, the principle of the conversion to form an HMO is considered acceptable.

2. Impact on Residential Amenity

Policy DS3 of the Borough Plan states there should not be a negative impact to the amenity of the surrounding environment or residents. Policy BE3 – Sustainable Design and Construction refers to development having to comply with the Council's Sustainable Design and Construction SPD in order to protect residential amenity of adjacent properties.

The existing property is a 3 bedroomed semi-detached dwelling and is being converted into an 8-bedroom, 8 person HMO unit.

The way buildings relate to each other, their orientation and separation distance must provide and protect acceptable levels of amenity for both existing and future residents. These standards in the Sustainable Design and Construction Supplementary Planning Document (2020) can be used flexibly, depending on house layout and on-site circumstance. The impacted neighbouring properties to be considered within this application are: 55-63 (odd), 56 & 60 Camp Hill Road, the land at the rear of No.58 & the future occupiers themselves.

Impact on Neighbouring Properties

Impact on 55-63 (odd) Camp Hill Road

Nos. 55-63 (odd) Camp Hill Road are neighbours located to the south of the application site. The properties will not be affected by the proposal, given that it shall be separated by the highway of Camp Hill Road, with a separation distance of a minimum of 24.0 metres. Additionally, while the front-facing ground floor window will be converted into a bedroom, it is important to note that the original scheme already included a habitable room in that location, so the impact shall remain largely unchanged. It is therefore considered that there would be no unacceptable detrimental impacts by way of overlooking, overshadowing or overbearing impacts on this property.

Impact on the land at the rear of No.58

The Land to the rear of No.58 would be not affected, given it is open field space and features no residential properties or uses and so has no residential amenity to protect.

Impact on No.56 Camp Hill Road

No.56 Camp Hill Road is the attached neighbour to the west of the application site. Section 11.9 of the Council's adopted Sustainable Design and Construction Supplementary Planning Document (SPD) states that near the boundary of an adjoining usable rear private amenity space a proposed single storey extension shall be less than 4 metres long. The proposed single-storey rear extension complies with this regulation at 2.00 metres. When combined with No.58's existing rear projection, the total extends to 4.7 metres. Although, this exceeds the allowance by 0.7 metres, No.58's existing rear projection already extends to this length. The extensions height adjacent to No.56 will also match that of No.58's existing rear projection height of 3.2 metres to the parapet and therefore it would not be considered warrant enough for a refusal. Additionally, the boundary treatment which separates No.58 & No.56 has a height of 1.8 metres.

The same paragraph of the SPD sets out that an extension should not infringe on a line drawn at 60 degrees from the centre point of the window of an adjacent habitable room of the same floor level. The adjacent window of No.56 located on the lean-to projection cannot be protected as it serves an uninhabitable room (a downstairs toilet).

It is important to note that the proposed extensions will not include any side-facing windows toward No.56 and similarly, No.56 has no side-facing windows towards No.58. Therefore, as No.58 features no side-facing windows towards No.56 as previously mentioned the internal modifications will have no additional impacts.

The proposal shall also feature a loft conversion with a rear dormer extension. The rear dormer extension would not affect No.56 as it only features a rear side facing window which would directly face the existing rear garden of No.58. It should also be noted that No.58's existing dwelling would largely shelter the proposed extension.

A bin storage will be positioned adjacent to the boundary of No.56. The structure will have a flat roof with a maximum height of 1.5 metres and a total length of 3.1 metres. These dimensions are significantly below the limits set by permitted development, which allows for a height of up to 2.5 metres. The rear outbuilding will be retained and repurposed as a dedicated cycling storage area.

To add to this, there are no significant land level changes between No.56 & 58. Therefore, it is considered that there would be no unacceptable detrimental impacts by way of overlooking, overshadowing or overbearing impacts on this property and rear amenity space.

Impact on No.60 Camp Hill Road

No.60 Camp Hill Road is the unattached neighbour to the east of the application site. The proposed single storey rear extension will not affect No.56, as it will be located approximately 5.2 metres from the shared property boundary and will not extend beyond the length of the existing rear projection. To add to this, the extension does not feature a side-facing window towards No.56 and does not breach upon the 60-

degree line. The boundary treatment which separates No.58 & 60 has a height of approximately 1.8 metres.

The proposal shall also feature a loft conversion with a rear dormer extension. The rear dormer extension would not affect No.60 as it only features a rear side facing window which would directly face the existing rear garden of No.58.

The proposal will include internal modifications that will increase the number of bedrooms in the dwelling from 3 to 8. On the ground floor, the sitting room, dining room and WC will be converted into bedrooms, while the kitchen/dining room will remain unchanged. An additional window will be introduced (bedroom 3). The additional window would not affect No.60, as it is located on a ground floor and would directly face the side elevation of No.60. Furthermore, the addition of a ground-floor window would be classified as permitted development if submitted as a householder application. Moreover, since all existing side-facing windows at ground-floor level currently serve habitable rooms their conversion to bedroom windows will have no additional impact.

No.60 Camp Hill Road features one first floor side facing window which cannot be protected as it does not serve a habitable room.

The bedroom layouts on the first floor will remain largely unchanged. However, it will include a new bedroom (bedroom 5) which will be created in the space previously occupied by a bathroom. The Sustainable Design and Construction SPD states that habitable room windows above ground floor which overlook neighbouring private amenity space shall be at least 7 metres from the boundary. Although bedroom 5's side facing window does not comply with this requirement at approximately 5.0 metres, both windows will primarily face the side elevation of No.60. It is also worth noting that bedroom 4, originally a bedroom in the existing dwelling, is similarly positioned 5.0 metres from the property boundary.

A bin storage will be located approximately 7.0 metres away from the shared property boundary. The structure will have a flat roof with a maximum height of 1.5 metres and a total length of 3.1 metres. These dimensions are significantly below the limits set by permitted development, which allows for a height of up to 2.5 metres. The rear outbuilding will be retained and repurposed as a dedicated cycling storage area.

To add to this, there are no significant land level changes between No.56 & 60. Therefore, it is considered that there would be no unacceptable detrimental impacts by way of overlooking, overshadowing or overbearing impacts on this property and rear amenity space.

Impact for future occupiers

Paragraph 11.10 of the Sustainable Design and Construction SPD emphasises the importance of providing all habitable rooms with access to adequate natural light with windows situated to allow occupants to view of the outside environment. The proposal meets this criterion, as all proposed habitable rooms feature windows that provide sufficient natural light. Each habitable rooms includes a window of appropriate size,

ensuring that space receives adequate amenity and adequate natural light. NBBC Environmental Health were consulted and had no adverse comments to the scheme.

Paragraph 11.11 further advises that gardens should be of a usable rectangular garden shape to maximise space efficiency and enhance user amenity. The property features a large garden to the rear of the property which is of an adequate size and would provide suitable space for the drying of clothes and outdoor recreational activities.

Whilst there are no specific planning policies governing minimum sizes for bedrooms and living/dining/kitchen areas in House in Multiple Occupation (HMOs), obtaining an HMO license is mandatory. The proposal will need to comply with the requirements set forth by the Licensing/ Private Sector Housing Team at that stage. Notably, after adjustments to the kitchen/dining space, the NBBC Private Sector Housing/ Licensing team raised no objections to the scheme.

3. Impact on Visual Amenity

The visual impact of the proposed alterations is minimal and is therefore considered acceptable. Since there will be no alterations to the front elevation, the property's appearance will remain largely unchanged.

The proposed additions, including a rear dormer window, a single-storey rear extension and an additional ground floor window, will not be visible from public vantage points. As a result, these alterations will not be prominent or detrimental to the character and design of the street scene. Although the proposal will not be visible from the highway, this does not imply that poor design will be supported, as emphasised in the National Planning Policy Framework.

Based on the submitted plans, the design is considered acceptable, with materials matching the existing structure, which will be secured through a condition. Therefore, the proposal is deemed acceptable in terms of visual amenity.

4. Impact on Highway Safety

The Sustainable Design and Construction SPD (2020) states that where more than six units are proposed, one off-street parking space per two bedrooms is provided so as not to adversely affect the amenities of the occupiers of neighbouring properties. No off-street parking will be required if the property is within or adjacent to a Town Centre. The proposed HMO will feature 8 bedrooms and therefore requires 4 parking spaces.

WCC Highways were consulted on the application and raised no objections. The Highways Officer noted that the proposal would result in 3 additional vehicles parking on-street. However, it was observed that under permitted development rights, the property could be converted into a 6-bed HMO, which would require 3 spaces (1 onsite and 2 on-street). Therefore, it was determined that the proposal would only result in a net increase of 1 on-street parking space, which is unlikely to significantly impact highway safety.

This aligns with paragraph 115 of the NPPF (2023) which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the

road network would be severe. Therefore, in regards of highway safety the proposal is considered acceptable.

In terms of cycling provisions, the Transport Management Parking Standards SPD 2022 outlines in table 2 the amount of cycle spaces needed for an application of this kind. This application would be classified as the Sui Generis class as it is proposed for more than 6 people (8 bedrooms). Therefore, the Sui Generis use should be done on case-by-case basis and so the guidance from a C4 use is used. This states that one space should be provided per unit and so 8 units requires 8 spaces. The proposal on the plan labelled '240501-P002-G-Existing & Proposed GAS' indicate 8 cycling racks located in the existing rear shed. Therefore, the cycling provision is considered acceptable.

5. Flooding and Drainage

The site is located within flood zone 1, with a very low risk of surface water flooding. This classification places the proposal in the zone with the lowest flood risk and that no further information or assessment is required.

6. Waste and Refuse

NBBC Waste and Refuse were consulted on the application. No response was received, and it is therefore deemed that there was no objection towards the scheme.

The proposal includes a clearly defined and labelled bin storage (x8) facility located at the rear of the property. The storage area is considered adequately sized to accommodate the waste and recycling needs for a development of this scale. Furthermore, it has been demonstrated that the bins will be displayed off the Highway.

7. Conclusion and Planning Balance

The NPPF 2023 (Paragraph 11) 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 is for a change of use from a dwellinghouse to a House in Multiple Occupation (HMO) with a rear dormer and single storey extension which shall feature 8 bedrooms. The potential impacts of the proposed development in relation to the principle of development, residential amenity, visual amenity, highway safety, flooding and drainage and waste and refuse have all been considered. The assessment has subsequently shown that there would be no adverse impacts.

The site is located within the defined settlement boundary of Nuneaton and it is considered that given the existing building is a residential dwellinghouse, the principal of the conversion to form an HMO is considered acceptable. The proposed development has been thoroughly assessed and the impact on both residential and visual amenity is deemed acceptable, in which Environmental Health raised no adverse comments to. Furthermore, since the site is located in Flood Zone 1, which has the lowest risk of flooding, no additional mitigation measures were required.

WCC Highways raised no objections to the proposal, noting that whilst it would add 3 additional vehicles to on-street parking, the net increase is only 1 space compared to a potential 6 bed HMO under permitted development rights, which is unlikely to significantly impact Highway Safety. The proposal was also supported by 8 cycling spaces, one per unit. It is also considered that the waste storage is of an adequate size to accommodate the waste and recycling needs for a development of this scale. Therefore, it can be concluded that it is acceptable on all of the main assessment points.

Taking into account the above assessment, it is consequently considered that the proposed development be in accordance with Policy BE3 and other policies within the NPPF. It is therefore considered that the proposed development would achieve sustainable development which should consequently be approved subject to conditions.

REASONS FOR APPROVAL:

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

SCHEDULE OF CONDITIONS:

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

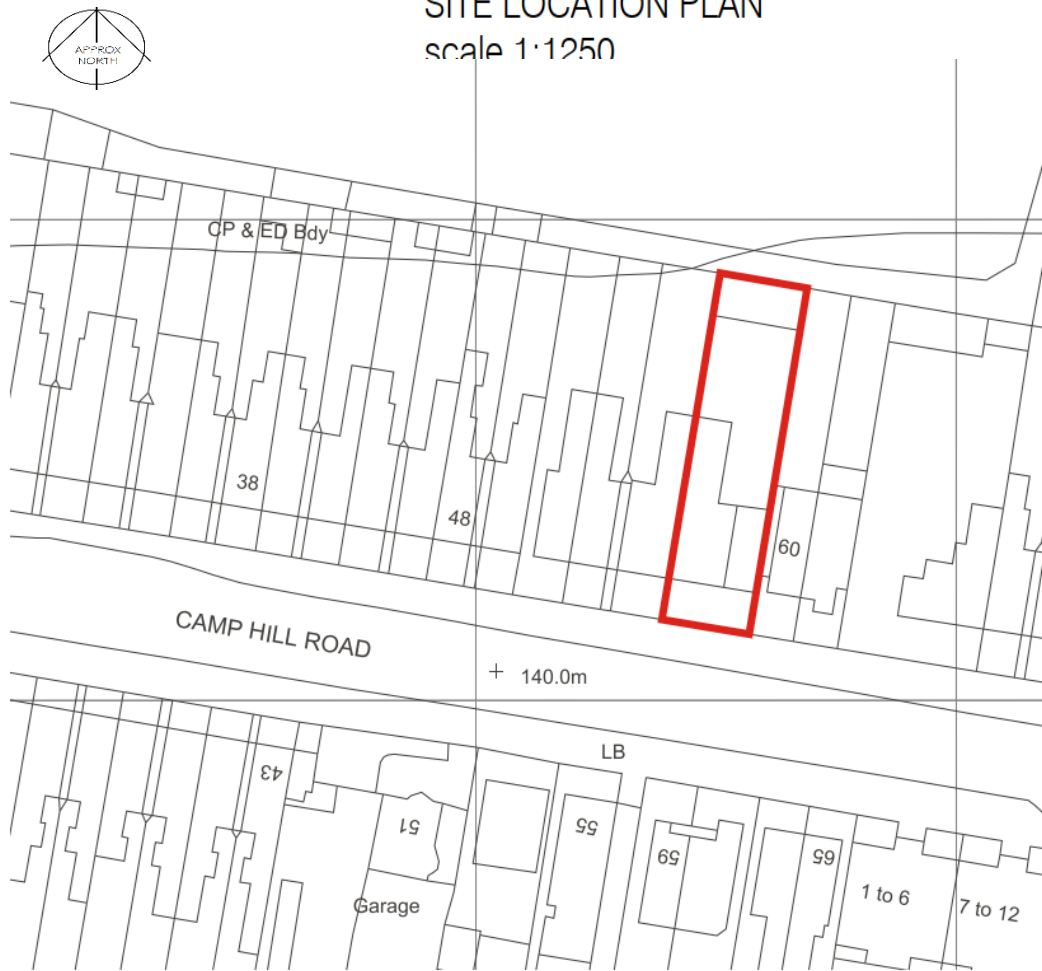
Plan Description	Plan No.	Date Received
Existing & Proposed GAs	P001 F	6 th August 2024
Existing & Proposed GAs	P002 G	28 th August 2024
Elevations	P003 F	28 th August 2024
Section	P004 C	28 th August 2024

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

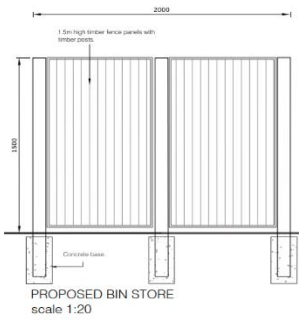
4. The cycle racks shall be installed and made fully operational prior to the occupation of the development.



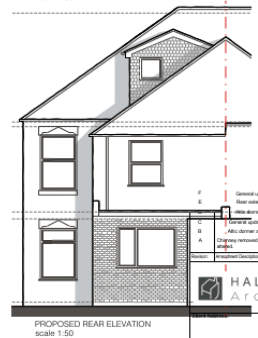
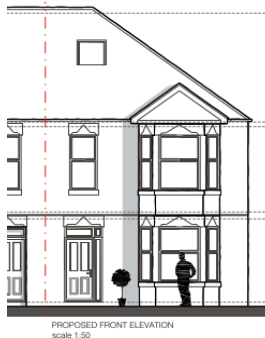
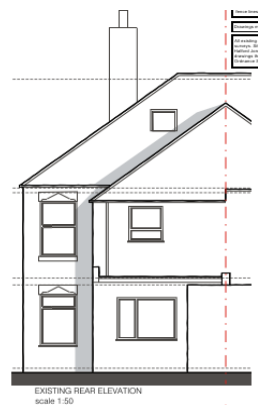
SITE LOCATION PLAN
scale 1:1250

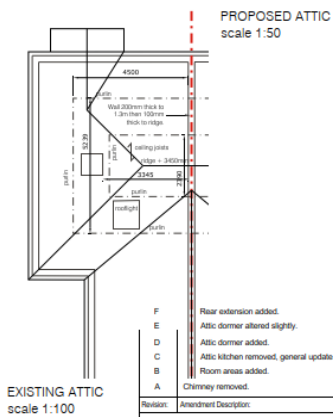
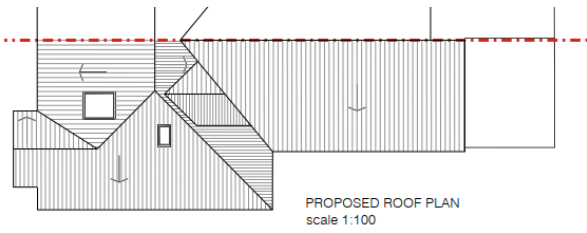
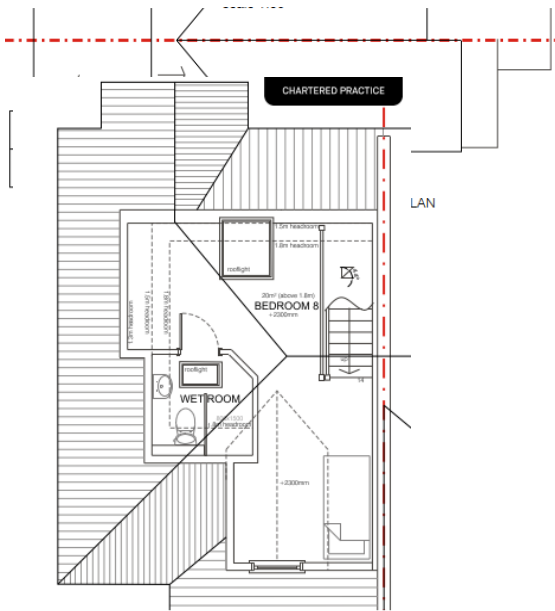
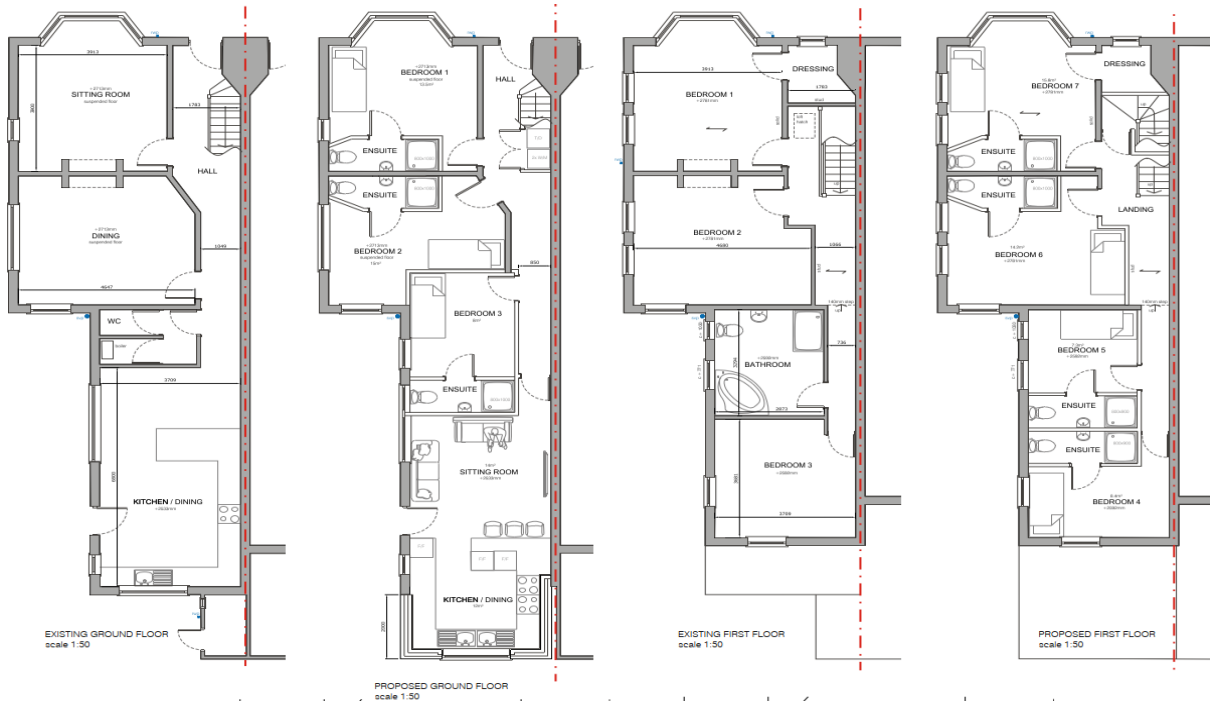


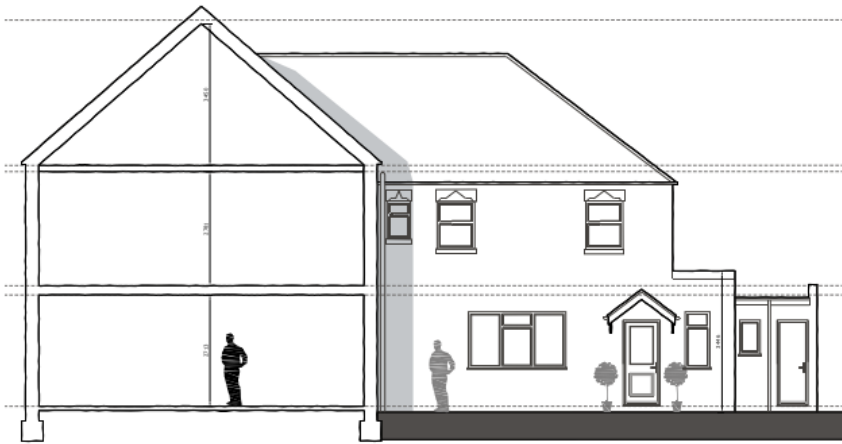
EXISTING SITE PLAN
scale 1:500



PROPOSED CYCLE STORE
within existing secure shed
NTS



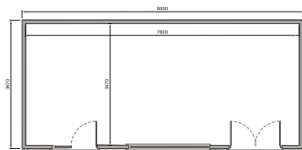




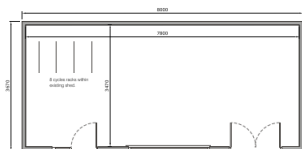
EXISTING SECTION
scale 1:50



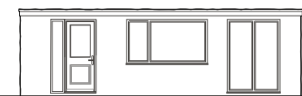
PROPOSED SECTION
scale 1:50



EXISTING FLOOR PLAN (shed)
scale 1:50



PROPOSED FLOOR PLAN (shed)
scale 1:50



EXISTING FRONT ELEVATION (shed)
scale 1:50



EXISTING SIDE ELEVATION (shed)
scale 1:50



EXISTING SIDE ELEVATION (shed)
scale 1:50



EXISTING REAR ELEVATION (shed)
scale 1:50

No proposed changes to elevation.

Information may be subject to planning permission only.

All existing and proposed drawings are based on the latest available information. The drawings are based on the information provided by the client. The architect does not guarantee the accuracy of the information provided. The architect does not accept any liability for any errors or omissions. The drawings are for information only and should not be used for any other purpose.



Glossary

Adoption – The final confirmation of a local plan, or planning document, by a local planning authority.

Advertisement consent – A type of consent required for certain kinds of advertisements, such as shop signs and hoardings. Some advertisements are allowed without the need for an application by the Town and Country Planning (Control of Advertisement) (England) Regulation 2007.

Affordable housing – Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Authority monitoring report – A report that allows the Local Authority to assess the extent to which policies and proposals set out in all the local development documents are being achieved.

Appeal – The process by which a planning applicant can challenge a planning decision that has been refused or had conditions imposed.

Area action plan – A document forming part of the local plan containing proposals for a specific defined area.

Article 4 direction – A direction restricting permitted development rights within a specified area. They are often used in conservation areas to provide protection for things like windows, doors, chimneys, etc.

Brownfield – Land which has had a former use.

Conservation area – An area of special architectural or historic interest, the character and appearance of which are preserved and enhanced by local planning policies and guidance.

Conservation area consent – Consent needed for the demolition of unlisted buildings in a conservation area.

Consultation – A communication process with the local community that informs planning decision-making.

Certificate of lawfulness – A certificate that can be obtained from the local planning authority to confirm that existing development is lawful. Change of use – A material change in the use of land or buildings that is of significance for planning purposes e.g. from retail to residential.

Character appraisal – An appraisal, usually of the historic and architectural character of conservation areas.

Community – A group of people that hold something in common. They could share a common place (e.g. individual neighbourhood) a common interest (e.g. interest in the environment) a common identity (e.g. age) or a common need (e.g. a particular service focus).

Community engagement and involvement – Involving the local community in the decisions that are made regarding their area.

Design and access statement – A short report accompanying a planning permission application. Describes design principles of a development such as layout, townscape characteristics, scale, landscape design and appearance.

Design Code - A design code provides detailed design guidance for a site or area they prescribe design requirements (or 'rules') that new development within the specified site or area should follow.

Development – Legal definition is “the carrying out of building, mining, engineering or other operations in, on, under or over land, and the making of any material change in the use of buildings or other land.”

Development management control – The process of administering and making decisions on different kinds of planning application.

Development plan – A document setting out the local planning authority's policies and proposals for the development and use of land in the area.

Duty to co-operate – A requirement introduced by the Localism Act 2011 for local authorities to work together in dealing with cross-boundary issues such as public transport, housing allocations or large retail parks.

Economic development – Improvement of an area's economy through investment, development, job creation, and other measures.

Enforcement – Enforcement of planning control ensures that terms and conditions of planning decisions are carried out.

Enforcement notice – A legal notice served by the local planning authority requiring specified breaches of planning control to be corrected.

Environmental impact assessment – Evaluates the likely environmental impacts of the development, together with an assessment of how these impacts could be reduced.

Flood plain – An area prone to flooding.

Front loading – An approach to community engagement in which communities are consulted at the start of the planning process before any proposals have been produced. General (Permitted Development) Order The Town and Country Planning General (Permitted Development) Order is a statutory document that allows specified minor kinds of development (such as small house extensions) to be undertaken without formal planning permission

Greenbelt – A designated band of land around urban areas, designed to contain urban sprawl (not to be confused with 'greenfield').

Greenfield site – Land where there has been no previous development (not to be confused with Greenbelt).

Green infrastructure – Landscape, biodiversity, trees, allotments, parks, open spaces and other natural assets.

Green space – Those parts of an area which are occupied by natural, designed or agricultural landscape as opposed to built development; open space, parkland, woodland, sports fields, gardens, allotments, and the like.

Green travel plan – A package of actions produced by a workplace or an organization setting out how employees, users or visitors will travel to the place in question using options that are healthy, safe and sustainable, and reduce the use of the private car.

Highway authority – The body with legal responsibility for the management and maintenance of public roads. In the UK the highway authority is usually the county council or the unitary authority for a particular area, which can delegate some functions to the district council.

Historic parks and gardens register – The national register managed by English Heritage which provides a listing and classification system for historic parks and gardens.

Housing associations – Not-for-profit organisations providing homes mainly to those in housing need.

Independent examination – An examination of a proposed neighbourhood plan, carried out by an independent person, set up to consider whether a neighbourhood plan meets the basic conditions required.

Infrastructure – Basic services necessary for development to take place e.g. roads, electricity, water, education and health facilities.

Inquiry – A hearing by a planning inspector into a planning matter such as a local plan or appeal.

Judicial review – Legal challenge of a planning decision, to consider whether it has been made in a proper and lawful manner.

Legislation – The Acts of Parliament, regulations, and statutory instruments which provide the legal framework within which public law is administered.

Listed buildings – Any building or structure which is included in the statutory list of buildings of special architectural or historic interest.

Listed building consent – The formal approval which gives consent to carry out work affecting the special architectural or historic interest of a listed building.

Local authority – The administrative body that governs local services such as education, planning and social services.

Local plan - The name for the collection of documents prepared by a local planning authority for the use and development of land and for changes to the transport system. Can contain documents such as development plans and statements of community involvement.

Local planning authority – Local government body responsible for formulating planning policies and controlling development; a district council, metropolitan council, a county council, a unitary authority or national park authority.

Material considerations – Factors which are relevant in the making of planning decisions, such as sustainability, impact on residential amenity, design and traffic impacts.

Micro-generation – The small-scale generation of renewable energy usually consumed on the site where it is produced.

Mixed use – The development of a single building or site with two or more complementary uses.

National Planning Policy Framework (NPPF) – The government policy document first adopted in 2012 was updated in 2021. The NPPF introduces a presumption in favour of sustainable development. It gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Neighbourhood planning – A community initiated process in which people get together through a local forum or parish or town council and produce a neighbourhood plan or neighbourhood development order.

Non-determination – When a planning application is submitted and the local authority fails to give a decision on it within the defined statutory period.

Operational development – The carrying out of building, engineering, mining or other operations in, on over, or under land; part of the statutory definition of development (the other part being material changes of use of buildings or land).

Permitted development – Certain minor building works that don't need planning permission e.g. a boundary wall below a certain height.

Policy – A concise statement of the principles that a particular kind of development proposal should satisfy in order to obtain planning permission.

Parking standards – The requirements of a local authority in respect of the level of car parking provided for different kinds of development.

Plan-led – A system of planning which is organised around the implementation of an adopted plan, as opposed to an ad hoc approach to planning in which each case is judged on its own merits.

Planning gain – The increase in value of land resulting from the granting of planning permission. This value mainly accrues to the owner of the land, but sometimes the local council negotiates with the developer to secure benefit to the public, either through section 106 planning obligations or the setting of a community infrastructure levy.

Planning inspectorate – The government body established to provide an independent judgement on planning decisions which are taken to appeal.

Planning obligation – Planning obligation under Section 106 of the Town and Country Planning Act 1990, secured by a local planning authority through negotiations with a developer to offset the public cost of permitting a development proposal. Sometimes developers can self-impose obligations to pre-empt objections to planning permission being granted. They cover things like highway improvements or open space provision.

Planning permission – Formal approval granted by a council allowing a proposed development to proceed. Planning Practice Guidance (PPG) The government's PPG can be read alongside the NPPF and is intended as a guidebook for planners. It is not a single document but an online resource which is kept current through regular updates. Presumption in favour of sustainable development The concept introduced in 2012 by the UK government with the National Planning Policy Framework to be the 'golden thread running through both plan making and decision taking'. The National Planning Policy Framework gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Public inquiry – See Inquiry.

Public open space – Open space to which the public has free access.

Public realm – Areas of space usually in town and city centres where the public can circulate freely, including streets, parks and public squares.

Regeneration - Upgrading an area through social, physical and economic improvements.

Retail – The process of selling single or small numbers of items directly and in person to customers. The use category defined as Class E in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Rural – Areas of land which are generally not urbanised; usually with low population densities and a high proportion of land devoted to agriculture.

Scheduled ancient monument – A nationally important archaeological site, building or structure which is protected against unauthorised change by the Ancient Monuments and Archaeological Areas Act 1979.

Section 106 – see Planning obligation.

Sequential test – A principle for making a planning decision based on developing certain sites or types of land before others, for example, developing brownfield land before greenfield sites, or developing sites within town centres before sites outside town centres.

Setting – The immediate context in which a building is situated, for example, the setting of a listed building could include neighbouring land or development with which it is historically associated, or the surrounding townscape of which it forms a part.

Space standards – Quantified dimensions set down by a local planning authority to determine whether a particular development proposal provides enough space around it so as not to affect the amenity of existing neighbouring developments. Space standards can also apply to garden areas.

Supplementary planning document – Provides detailed thematic or site-specific guidance explaining or supporting the policies in the local plan.

Sustainable development – An approach to development that aims to allow economic growth without damaging the environment or natural resources. Development that “meets the needs of the present without compromising the ability of future generations to meet their own needs”.

Town and Country Planning Act 1990 – Currently the main planning legislation for England and Wales is consolidated in the Town and Country Planning Act 1990; this is regarded as the ‘principal act’.

Tree preservation order – An order made by a local planning authority to protect a specific tree, a group of trees or woodland. Tree preservation orders (TPOs) prevent the felling, lopping, topping, uprooting or other deliberate damage of trees without the permission of the local planning authority.

Use classes order – The Town and Country Planning (Use Classes) Order 1987 (as amended) is the statutory instrument that defines the 8 categories of use of buildings or land for the purposes of planning legislation. Planning permission must be obtained to change the use of a building or land to another use class.

Urban – Having the characteristics of a town or a city; an area dominated by built development. Urban design – The design of towns and cities, including the physical characteristics of groups of buildings, streets and public spaces, whole neighbourhoods and districts, and even entire cities.

Urban fringe – The area on the edge of towns and cities where the urban form starts to fragment and the density of development reduces significantly.

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

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

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

Class E (Commercial, business and service uses),

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

Class F.2 (Local community uses)