

To: The Deputy Leader and Members of the Planning and Development Board

Councillors Simpson, Bates, Bell, Chapman, Dirveiks, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jarvis, Parsons, H Phillips, Reilly, Ridley and Ririe.

For the information of other Members of the Council

For general enquiries please contact the Democratic Services Team on 01827 719237 via e-mail – democraticservices@northwarks.gov.uk

For enquiries about specific reports please contact the officer named in the reports.

The agenda and reports are available in large print and electronic accessible formats if requested.

PLANNING AND DEVELOPMENT BOARD AGENDA

12 JUNE 2023

The Planning and Development Board will meet on Monday, 12 June 2023 at 6.30pm in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire.

The meeting can also be viewed on the Council's YouTube channel at [NorthWarks - YouTube](#).

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**

REGISTERING TO SPEAK AT THE MEETING

Anyone wishing to speak at the meeting, in respect of a Planning Application, must register their intention to do so by 1pm on the day of the meeting, either by email to democraticservices@northwarks.gov.uk or by telephoning 01827 719237 / 719221 / 719226.

Once registered to speak, the person asking the question has the option to either:

- (a) attend the meeting in person at the Council Chamber; or
- (b) attend remotely via Teams.

If attending in person, precautions will be in place in the Council Chamber to protect those who are present however this will limit the number of people who can be accommodated so it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should join the meeting via Teams or dial the telephone number (provided on their invitation) when joining the meeting and whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they may need to mute the sound on YouTube when they speak on the phone to prevent feedback). The Chairman of the Board will invite a registered speaker to begin once the application they are registered for is being considered.

- 4 **Minutes of the meeting of the Board held on 22 May 2023** – copy herewith, to be approved and signed by the Chairman.

ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 5 **Planning Applications** - Report of the Head of Development Control

Summary

Town and Country Planning Act 1990 – applications presented for determination.

- 5a **Application No: PAP/2022/0374 - Land North Of Stone Cottage, Lower House Lane, Baddesley Ensor**

Construction and operation of a solar PV farm plus ancillary infrastructure and equipment, landscaping and access.

- 5b Application No's: PAP/2022/0569 and PAP/2022/0570 - 95, Long Street, Atherstone, CV9 1BB**
- a) Display of fascia advertisement, and
 - b) Listed Building Consent for internal and external painting of premises and for the display of non-illuminated fascia sign.
- 5c Application No: PAP/2022/0620 – Public Conveniences, Station Street, Atherstone**
- Conversion of existing toilet block to include change of use to Sue Generis 'Hot Food Takeaway' & public disabled toilet.
- 5d Application No's: PAP/2022/0457 and PAP/2022/0458 – Coach Hotel, High Street, Coleshill, B46 3BP**
- Retrospective approval for pergola/shelter within the rear courtyard of the Coach Hotel.
- 5e Application No: PAP/2023/0058 – 25, Wood Street, Wood End, Tamworth, CV9 2QJ**
- Single storey rear extension.
- 5f Application No: PAP/2023/0117 – 89-91, Main Road, Austrey, Atherstone, CV9 3EG**
- Variation of condition no: 4 of planning permission PAUSAV/0602/96/FAP (PAP/1996/3856) dated 14/08/1996 relating to use of swimming pool limited to clients covered under The Public Sector Equality Duty (PSED) and specifically with reference to section 149 of the Equality Act 2010.
- 5g Application No: PAP/2022/0350 – 164 Long Street, Dordon, Tamworth, B78 1QA**
- Outline planning permission for development of land for six dwellings with landscaping, parking and access. Details of access submitted for approval in full, all other matters reserved.
- 5h Application No: PAP/2022/0544 – Land 550 Metres of Vauls Farm, Astley Lane, Astley**
- Proposed construction of renewable energy generating solar farm together with transformers, inverters, control building, DNO substation, store room, security measures, associated infrastructure and works, landscaping and biodiversity enhancements.

The Contact Officer for this report is Jeff Brown (719310).

STEVE MAXEY
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

22 May 2023

Present: Councillor Simpson in the Chair

Councillors Barnett, Bates, Bell, Chapman, Dirveiks, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jarvis, H Phillips, O Phillips, Ridley and Reilly

Apologies for absence were received from Councillors Parsons (Substitute O Phillips) and Ririe (Substitute Barnett)

The Chairman asked for thanks be passed on to previous Members who were no longer standing Members.

1 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Barnett disclosed a Pecuniary interest in Minute No 6b (Peel House, 79 Witherley Road, Atherstone, CV9 1NA) by reason of being an Atherstone Town Council member and took no part in the discussion and voting thereon.

Councillor Reilly declared a Non-Pecuniary interest in Minute No 6g (164, Long Street, Dordon, Tamworth, B78 1QA) by reason of being Clerk to Dordon Parish Council.

Note: Due to the number of members of the public who had attended in relation to the Applications at Minute No 6 below the Chairman proposed and the Board agreed to consider those items first.

2 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 3 April 2023, copies having previously been circulated, were approved as a correct record, and signed by the Chairman.

3 **Government Consultation – Infrastructure Levy**

The Head of Development Control brought this report for information only and described the Government's proposals for replacement of the Community Infrastructure Levy and the use of Section 106 Agreements, with a mandatory Infrastructure Levy in order to assist in the delivery of new infrastructure related to new development.

Resolved:

That the Report be noted and that further reports are brought to the Board so that the implications of the change can be considered and to detail any further Government announcements.

4 Government Consultation - Environmental Outcomes Report

The Head of Development Control brought this report for information only and described the Government's proposals for replacement of the current way which the Environmental Effects of new developments are to be assessed and monitored.

Resolved:

That the report be welcomed and noted and that further reports are brought to the Board so that the implications of the change can be considered and to detail any further Government announcements.

5 Submission of Nether Whitacre Neighbourhood Plan for Public Consultation

The Chief Executive informed Members of the submission of the Nether Whitacre Neighbourhood Plan and sought approval to go out for a formal consultation in accordance with regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Resolved:

That the Nether Whitacre Neighbourhood Plan be publicised for a six-week public consultation.

6 Planning Applications

The Head of Development Control submitted a report for the consideration of the Board.

Resolved:

- a That in respect of Application No PAP/2023/0071 (Land 800 Metres South Of Park House Farm, Meriden Road, Fillongley) Board noted the receipt of this application and agreed that a site visit be arranged prior to its determination;**

[Speakers Diana Wardley and Lee Adams]

- b That Application No PAP/2020/0164 (Peel House, 79 Witherley Road, Atherstone, CV9 1NA) be granted, subject to the conditions set out in the report of the Head of Development Control and to an additional condition requiring the removal of Class E Part One permitted development rights and that condition 3 be amended to also ensure that the building be used for garaging purposes only;**

[Speaker Lawrence King]

- c That in respect of Application No PAP/2023/0108 (Dafferns Wood, St Michaels Close, New Arley, Warwickshire) the Management Plan be agreed subject to a review date in May 2027 and that the Council be notified when those works are to be carried out;**

[Speaker Edward Asbury]

- d That Application No PAP/2023/0133 (Hartshill Hayes Country Park, Oldbury Road, Hartshill) be granted, subject to the conditions set out in the report of the Head of Development Control;**

[Speaker Christopher Lewis]

- e That Application No PAP/2023/0058 (25, Wood Street, Wood End, Tamworth, CV9 2QJ) be deferred for a site visit;**

[Speaker Gordon Richards]

- f That Application No PAP/2022/0544 (Land 550 Metres East of Vauls Farm, Astley Lane, Astley) be deferred to await the outcome of a forthcoming Parish Council meeting; and**

[Speakers Debra Spicer and Ben Parkins]

- g That Application No PAP/2022/0350 (164, Long Street, Dordon, Tamworth, B78 1QA) be deferred for a site visit.**

[Speaker S Glover]

7 Tree Preservation Order Land West of Water Orton

The Head of Development Control informed Members of the action taken in respect of the making of an Emergency Tree Preservation Order, following the receipt of authority to serve under delegated powers, and sought further confirmation of the action taken.

Resolved:

- a That the Board confirms the action taken in the issue of an Emergency Tree Preservation Order for the protection of 15 trees on land to the west side of Water Orton.**
- b That a further report considering confirmation of the Order be brought back to the Planning and Development Board following the passage of the opportunity for receipt of representations.**

8 Tree Preservation Order 81 Austrey Road, Warton

The Head of Development Control sought confirmation of action taken by the Chief Executive in respect of the making of a Tree Preservation Order for a London Plane tree at this address.

Resolved:

That the Board confirmed the making of a Tree Preservation Order in respect of a London Plane tree at 81 Austrey Road, Warton.

9 Proposed New Use Class

The Head of Development Control described a consultation initiated by the Government to introduce a new Use Class for the “Short Term Lets” of residential property.

Resolved:

That the Report be noted and that a further report be brought to the Board in due course once final details governing the new Use Class are known.

10 Appeal Update

The Head of Development Control brought Members up to date on recent appeal decisions.

Resolved:

That the report be noted.

11 **Tree Preservation Order Warton Lane, Austrey**

The Head of Development Control reported on a Tree Preservation Order that has been placed on two Cedar Trees located on Warton Lane, Austrey. It came into force on 9 December 2022 and lasts six months until the 9 June 2023. This report sought to make the Order permanent.

Resolved:

- a **That the Chair of the Board confirmed that by reasons of special circumstances, namely the fact that the Order will cease to protect the trees if this matter is not considered by the Board, this report should be considered as a matter of urgency.**
- b **That the Board confirmed the making of a Tree Preservation Order for the protection of 2 Cedar Trees located on Warton Lane, Austrey.**

12 **Exclusion of the Public and Press**

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by paragraphs 5 and 6 of Schedule 12A to the Act.

13 **Confidential Extract of the Minutes of the Planning and Development Board held on 3 April 2023**

The confidential extract of the minutes of the Planning and Development Board held on 3 April 2023, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

M Simpson
Chairman

Agenda Item No 5

Planning and Development Board

12 June 2023

Planning Applications

Report of the Head of Development Control

1 Subject

- 1.1 Town and Country Planning Act 1990 – applications presented for determination.

2 Purpose of Report

- 2.1 This report presents for the Board decision, a number of planning, listed building, advertisement, proposals, together with proposals for the works to, or the felling of trees covered by a Preservation Order and other miscellaneous items.
- 2.2 Minerals and Waste applications are determined by the County Council. Developments by Government Bodies and Statutory Undertakers are also determined by others. The recommendations in these cases are consultation responses to those bodies.
- 2.3 The proposals presented for decision are set out in the index at the front of the attached report.
- 2.4 Significant Applications are presented first, followed in succession by General Development Applications; the Council's own development proposals; and finally Minerals and Waste Disposal Applications.

3 Implications

- 3.1 Should there be any implications in respect of:

Finance; Crime and Disorder; Sustainability; Human Rights Act; or other relevant legislation, associated with a particular application then that issue will be covered either in the body of the report, or if raised at the meeting, in discussion.

4 Site Visits

- 4.1 Members are encouraged to view sites in advance of the Board Meeting. Most can be seen from public land. They should however not enter private land. If they would like to see the plans whilst on site, then they should always contact the Case Officer who will accompany them. Formal site visits can only be agreed by the Board and reasons for the request for such a visit need to be given.

4.2 Members are reminded of the “Planning Protocol for Members and Officers dealing with Planning Matters”, in respect of Site Visits, whether they see a site alone, or as part of a Board visit.

5 **Availability**

5.1 The report is made available to press and public at least five working days before the meeting is held in accordance with statutory requirements. It is also possible to view the papers on the Council’s web site: www.northwarks.gov.uk.

5.2 The next meeting at which planning applications will be considered following this meeting, is due to be held on Monday 10 July 2023- at 6.30pm in the Council Chamber

6 **Public Speaking**

6.1 Information relating to public speaking at Planning and Development Board meetings can be found at:
https://www.northwarks.gov.uk/info/20117/meetings_and_minutes/1275/speaking_and_questions_at_meetings/3.

Planning Applications – Index

Item No	Application No	Page No	Description	General / Significant
5/a	PAP/2022/0374	1	<p>Land North Of Stone Cottage, Lower House Lane, Baddesley Ensor</p> <p>Construction and operation of a solar PV farm plus ancillary infrastructure and equipment, landscaping and acces5</p>	General
5/b	<p>PAP/2022/0569 & PAP/2022/0570</p>	45	<p>95 Long Street, Atherstone</p> <p>Advertisement consent to Install 1 x Facia Signage (with halo light) and Install 2 x 49" Samsung Screens</p> <p>Listed Building Consent to Repaint the front of the office space in dulux heritage burgundy. Install of Fascia Signage with halo light to the front of the office space. Install of Samsung 49" Advertising Screens in 2 front windows of the office space. Repainting interior of office space. Laying new flooring upon the existing flooring.</p>	General
5/c	PAP/2022/0620	63	<p>Public Conveniences, Station Street, Atherstone</p> <p>Conversion of existing toilet block to include change of use to Sue Generis 'Hot Food Takeaway' & public disabled toilet</p>	
5/d	<p>PAP/2022/0457 & PAP/2022/0458</p>	71	<p>The Coach Hotel, High Street, Coleshill</p> <p>Planning and Listed building applications for retrospective approval for pergola/shelter with the rear courtyard</p>	

5/e	PAP/2023/0058	83	28 Wood Street, Wood End Single storey rear extension	
5/f	PAP/2023/0117	89	89 -91 Main Road, Austrey Variation of condition 4 of planning permission PAUS/0602/96/FAP (PAP/1996/3856) dated 14/8/1996 relating to use of swimming pool limited to clients covered by the Public Sector Equality Duty (PSED) and specifically with reference to Section 149 of the Equality Act 2010	
5/g	PAP/2022/0350	131	164 Long Street, Dordon Outline planning permission for development of land for six dwellings, with landscaping, parking and access. Details of access submitted for approval in full, all other matters reserved	
5/h	PAP/2022/0544	151	Land 550 metres east of Vaul's Farm, Astley Lane, Astley Proposed construction of renewable energy generating solar farm together with transformers, inverters, control building, DNO substation, store-room, security measures, associated infrastructure and works, landscaping and bio-diversity enhancements	

General Development Applications

(5/a) Application No: PAP/2022/0374

Land North Of Stone Cottage, Lower House Lane, Baddesley Ensor,

Construction and operation of a solar PV farm plus ancillary infrastructure and equipment, landscaping and access, for

Fields Form Solar Ltd

1. The Site

- 1.1 This site amounts to 10.7 hectares of agricultural land to the south of the former Baxterley Colliery rail line beyond the current Birch Coppice Business Park and west of Lower House Lane (Appendix A).
- 1.2 To the west of the site are two large blocks of woodland planting. To the south of the site boundary is Lower House Lane, where some isolated residential dwellings are located. Lower House Lane leads to the A5. The site is approximately 4.5km northwest of Atherstone, 2km west of Baddesley Ensor, and 0.9km north-east of Wood End. The site is approximately 2.4km southeast of Junction 10 of the M42.
- 1.3 The site drops gently north towards the old railway line and the wider landscape is undulating. The site, and individual field parcels therein, benefit from strong hedgerow boundaries with tree plantations to the immediate west and the disused railway line having an established linear tree belt.
- 1.4 The backdrop to the site is the large Birch Coppice Industrial Estate, which is to the north of the site, characterised by large distribution centres and warehouses.
- 1.5 There are two public footpaths which dissect the site, one heading north into the Birch Coppice Business Park, with the other heading west from Lower House Lane towards the footpath north of Wood End. These footpaths are also shown on Appendix B.

2.The Proposal

- 2.1 This is for the construction of a photovoltaic installation with a maximum capacity of up to 5MW which would generate sufficient electricity for around 1500 houses, together with associated infrastructure and biodiversity enhancements on the land.
- 2.2 The key elements of the scheme include arrays of solar PV panels They are non-reflective and are arranged and positioned in a north-south alignment. They will be approximately 1.3 to 1.8m tall at the top of the frame (0.3m high) depending on their orientation. The solar panels will vary their rotation correlating to the position of the sun in the sky. The panels will only be at a maximum height for a short period of the day. The nature of the panels are such they can be removed

easily when the site is not longer needed. The life time of the applciaiton is estimated to be 40 years and require limited ongoing servicing and maintenance.

- 2.3 The proposal also includes associated infrastructure such as substations, transformers and invertor systems which are not expected to exceed 2.67 metres in height. CCTV will be mounted on 4m high poles. The solar farm will be enclosed by a 2m deer fence, with the compound enclosed by 2.4m steel mesh fencing. The point of connection to the Grid is at the substation 0.5 km to the southwest locared off Lower House Lane.
- 2.4 The overall layout is at Appendix B
- 2.5 The Landscape Mitigation Plan is attached at Appendix C and illustrates the strengthening of the existing field boundaries and enhancements around existing ponds.
- 2.6 The development will be accessed via Lower House Lane, with a maintenance track leading into it, constructed so that vehicles can access the substation. This will be a 4 metre wide gravel track. The construction period is expected to last for six months with a total of 22 two-way movements a working day of which 2 would be deliveries.
- 2.7 Along with the application, the following documents have been submitted

Planning Statement
Design and Access Statement
Heritage Assessment
Geophysical Survey
Glint and Glare Study
Ecology Impact Assessment
Biodiversity Impact Assessment
Ground Conditions Phase 1 Desk Study
Flood Risk Assessment
Design and Access Statement
Landscape and Visual Impact Assessment
Transport Statement
Construction Traffic Management Plan
Arboricultural Impact Assessment
Noise Assessment
Geophysical Survey

3. Background

- 3.1 In 2015 an application for the erection of ground mounted solar panels with an electrical output of approximately 4MW along with associated infrastructure, landscaping and ancillary structures, was refused planning permission. A copy of the Notice is at Appendix D and the refused plan is at Appendix E.

4. Development Plan

North Warwickshire Local Plan 2021 - LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP14 (Landscape), LP15 (Historic Environment), LP16 (Natural Environment), LP29 (Development Considerations), LP30 (Built Form), LP33 (Water Management) and LP35 (Renewable Energy and Energy Efficiency)

5. Other Relevant Material Considerations

National Planning Policy Framework 2021 - (the “NPPF”)

North Warwickshire Landscape Character Assessment 2010

National Policy Statements EN1 and EN3

Energy White Paper: Powering Our Net Zero Future (December 2020)

National Infrastructure Strategy (November 2020)

The Electricity Storage Facilities (Exemption) (England and Wales) Order 2020

North Warwickshire Borough Council - Full Council 22nd October 2019

Clean Air Strategy (2019)

The Committee on Climate Change’s report ‘Net Zero – the UK’s contribution to stopping global warming’ (May 2019).

British Energy Security Strategy 2022

Energy Security Bill 2022

NWBC Supplementary Planning Guidance: Air Quality SPD

6. Consultations

Birmingham Airport - No objections

Warwickshire Police – No objections

Warwickshire County Council as Lead Local Flood Authority - It initially objected to the proposal, but a number of amendments were made such there is now no longer an objection subject to conditions.

Warwickshire County Council (Footpaths) - No objection subject to a series of conditions and notes safeguarding footpath routes.

Warwickshire County Council (Highways) – No objections subject to a conditions

Warwickshire County Council (Archaeology) – Initially objected to the proposal, but following further works there are now no objections subject to conditions

Warwickshire County Council (Trees) – No objection

North Warwickshire Environmental Health Officer – No objections subject to conditions

7. Representations

Two letters of objection have been received raising the following points:

- The application is the same as that previously refused under PAP/2015/0614.
- Application is smaller but policy has not changed position.
- Impact on listed buildings
- Highway safety
- CCTV will impact invade privacy of the residential dwellings
- Actuators enabling solar panels to aligned in optimum positions are noisy
- If allowed would set a precedent in the future on agricultural land.
- The road is unsafe, there have been a number of accidents within the last year.
- High fencing an eye sore to existing properties.
- Glare off the solar panels.

8 Observations

a) Introduction

- 8.1 Perhaps the main consideration in the assessment of the application is whether the current proposal overcomes the previous reasons for refusal in 2015. In determining that application, the Council concluded that the public benefits arising from the renewable energy development did not outweigh the harm to landscape character, the setting of heritage assets and to the potential archaeological interest in the site. This latter concern, at that time, had not been thoroughly investigated.
- 8.2 Since the previous decision, there have been a number of material changes.
- 8.3 Firstly in particular and of substantial weight, is the adoption of the 2021 Local Plan. Policy LP35 explicitly refers to renewable energy projects saying that they will be supported where they respect the capacity and sensitivity of the landscape and community to accommodate them.
- 8.4 Secondly, the National Planning Policy Framework has also been updated on more than one occasion. This now says that “the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure”. It also says that when determining planning applications, “local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy”, and importantly, “approve the application if its impacts are (or can be made) acceptable.”

- 8.5 Thirdly, Government policy through the more recent publications referred to above in Section 5, reflects its focus on renewable sources, as well as on sustaining its supply.
- 8.6 Additionally, the applicant has made material revisions to the 2015 proposal. In summary these are:
- Undertaking an Archaeological Impact Assessment – within the Heritage Statement referred to above.
 - A reduction in the area covered by the panels through the removal of the field alongside Lower House Lane and immediately to the west of Stone Cottage – compare Appendix B and E.
 - A series of enhanced mitigation measures including strengthening of existing field boundaries as well as perimeter planting and widened buffers alongside the footpaths and centrally around the pond – compare Appendix C and E.
- 8.7 These matters will now be taken forward into the final assessment of whether the current proposal overcomes the refused scheme.

b Landscape impact

- 8.9 The site does not contain any statutory landscape designations. The Borough's 2010 Landscape and Character Assessment shows the site falling within the "Tamworth–Urban Fringe Uplands" landscape character area. This is summarised as "an indistinct and variable landscape with relatively flat open arable fields and pockets of pastoral land, fragmented by restored spoil heaps, large scale industrial buildings and busy road and bordered by the settlement edges of Tamworth, Dordon and Kingsbury and with wooded horizons to the south." It continues by drawing attention to the mining legacy with remnant restored spoil heaps, referring to the one at Birch Coppice described as being "particularly large and a visual detractor within the local area, the base of which is now encircled by large modern industrial units". Although farmland makes up a significant proportion of the landscape, much of this land has "a run-down character, with gappy, poorly managed hedgerows". Tree cover is low, but there are woodland blocks to the south. In overall terms the value of the landscape here is concluded to be of "local" significance.
- 8.10 The applicant's Landscape Visual Impact Assessment concludes that there would be limited change to the landscape. He says that the development site is located on a northern facing and sloping piece of land within a small valley surrounded by higher land. He suggests that as indicated on the Landscape Plan at Appendix C, strengthening of planting through hedgerow and tree planting will re-enforce existing field boundaries and provide perimeter screening. The removal of the field immediately alongside Lower House Lane from the proposal further benefits the proposal. His view is that as a consequence, the impact on the landscape will be reduced from "moderate" in the 2015 scheme to "limited" under the current proposal.
- 8.11 It is considered that weight should be given to this change as the proposal does now better "fit" into the landscape. However, it was considered previously that the overall landscape character could be affected through the cumulative impact of

the proposal together with the large-scale commercial buildings that are present in this urban fringe landscape. It is thus necessary to re-assess the cumulative impact. The Landscape Character description refers to “an indistinct and fragmented landscape” with “fields and pockets” of pastoral land. Previous concerns indicated that the proposal would lead to further fragmentation of the landscape resulting in there being less pastoral land and a greater proportion of urbanising influences. It is considered that this still applies, but that the weight that can be given to it is reduced, because of the removal of the front field and the substantial increase in new landscaping. Additionally, it is also of weight that the former railway line, which has regenerated naturally, will also be strengthened on its application site side. In other words, its value in the landscape will be enhanced as a firm visual and physical feature separating the site and Birch Coppice.

8.12 It is in all of these circumstances, that it is concluded that the current proposal would give rise to “limited” local landscape harm.

8.13 Local Plan Policy LP14 says that development “should look to conserve, enhance and where appropriate, restore landscape character as well as promote a resilient functional landscape”. Given the conclusion above there would not be compliance with this policy, but the degree of harm caused would be limited.

c) Visual Amenity

8.14 As with the landscape character issue, it is agreed that visual amenity impacts would be local in extent. Both the amenity of residents and visitors travelling past the site will need to be addressed. There would be a negligible impact on drivers using the Birch Coppice estate roads as they are already within an urban environment. There would be a low impact on motorists using Lower House/Boulters Lane due to the removal of arrays from the adjoining field, the intervening hedgerows and trees, the additional planting and the transitory nature of the impact. There are a number of public footpaths – the AE58, AE59, AE60 and AE61- which cut through or are close the site. Pedestrians using the paths over the site and from the one extending down from Hill Top in Baddesley, would experience adverse visual impacts because the proposal would be clearly visible as the paths adjoin or pass through the development. However, the proposals include strengthened hedgerow and tree planting which will reduce the overall extent of the development. The experience too would be transitory, and the proximity of the Birch Coppice buildings would still be apparent. Overall, it is considered that the impact for walkers would be “limited”.

8.15 In terms of residents, then the closest panels in the direct line of sight from Cope’s Rough Lodge would be some 70 metres distant. When the surrounding hedgerows are grown to three metres then there should be no view from ground level windows, but first floor windows would overlook the site. Intervening hedges and trees would lessen any impacts. Overall, there is considered to be a moderate impact here. Stone Cottage is to the south of the site and there is hedgerow and tree screening and there is an offset to rear of this property now. However, there would be moderate adverse impacts from the property’s side windows. Baddesley Farm is on the opposite side of the road and higher windows would overlook the site. There would be moderate adverse impact.

Overall, there would be moderate adverse impacts. All of these impacts would be long term, although allowing for peripheral planting to grow taller, these would be lessened.

- 8.16 The residential properties at the far western end of Hill Top and Manor Close in Baddesley will have partial and limited views of the far northern section of the proposed site. Given the very wide panoramas already visible from these locations, the additional impact of the development would be limited and proportionally would not amount to a material increase in the urbanising features within that wide landscape.
- 8.17 It cannot be argued that the development would not be visible within the general vicinity of the site and thus when all of the above matters are taken together it is considered that the proposal will have moderate visual harm.
- 8.18 Local Plan policy LP1 says amongst other things, that development should “integrate appropriately with the natural environment protecting rights of way where appropriate” and “demonstrate a high quality of design that positively improves the quality of an area”. It is considered that the proposal would not accord with this policy, but that the harm caused would be moderate.

d) Heritage Impact

- 8.19 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of their Conservation Areas. Section 66(1) of the same Act places a statutory obligation on local authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.20 With regards the NPPF, chapter 16 sets out the government's advice on conserving and enhancing the historic environment. Paragraph 199 advises great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para 200 states that any harm to or loss of significance of a designated heritage asset (from its alteration, destruction or from development within its setting) requires clear and convincing justification. Para 202 states that where there is less than substantial harm to a designated heritage asset, then that harm has to be weighed against the public benefits of the proposal.
- 8.21 There are no Conservation Areas affected here. However, the site lies in close proximity to three Grade 2 Listed Buildings – Stone Cottage and an associated outbuilding together with Baddesley Farm. There are no other designated heritage assets within a kilometre of the site's boundaries
- 8.22 Stone Cottage is a mid to late 18th Century stone building formerly divided into two, reflecting both internal and external contemporaneous characteristics. The outbuilding is late 18th Century. Their heritage significance derives from this physical fabric evidential of the vernacular style of the time; their grouping and

their historic value as being remnants of the rural economy. The cottage is surrounded by gardens enclosed by mature trees and hedgerows. This provides a strongly defined immediate setting contributing to its significance. The wider agricultural land surrounding this curtilage—that containing the application site—was once part of the same landholding in the late-18th and mid-19th Centuries. The building's wider setting therefore does contribute to its significance. The proposed development is unlikely to adversely impact on the principal factors contributing to this overall significance – the architectural detail; the grouping, the road facing principal elevations and the well defined immediate curtilage. However, there would be limited harm to the wider setting through the removal of the agricultural characteristic of the location.

8.23 Baddesley farmhouse is believed to be 17th Century, but it was re-faced and extended in the 18th Century. There are contemporaneous internal and external architectural features. Its principal significance is thus as a vernacular farmhouse illustrating its historic and architectural interest. The farmhouse is within a working farm complex and this together with an enclosed garden contributes to its overall setting and thus its significance. The wider area includes agricultural land maintaining a link to the farmhouse and thus is historic significance. However, there is no historic link to the land on the other side of the road. The proposed development is unlikely to adversely impact on the principal factors contributing to the significance of the asset itself nor on the immediate setting. There would be limited harm to the wider setting removing the agricultural characteristic of the location.

8.24 The scheme does differ from that of the previous 2015 application and removes an area to the west of Stone Cottage and north of Baddesley Farm. The landscape offset and buffers to the north of Stone Cottage also reduce the impact. As such the intervening planting and topography reduce the intervisibility between the site and the heritage assets. Whilst Stone Cottage and Baddesley Farmhouse would each experience limited harm, it is considered that the cumulative impact would be greater. The applicant considers that both properties are in separate ownership and have separate land holdings. As such, any grouping is therefore incidental and does not particularly contribute to the heritage interest of the buildings. Shared setting it is said is a term generally used for a connected group (e.g. the house and outbuilding at Stone Cottage could be considered to have a shared setting) rather than for disparate assets that have no evidential or historic association, but are located within a similar area. Here the applicant is saying that shared setting relates at most, to the rural landscape generally. This is acknowledged, but the two assets are close to each other and they have similar architectural and historic characteristics. As such, it is considered that the cumulative heritage harm caused is less than substantial, rather than there being no cumulative harm.

8.25 As a consequence of all of these assessments, it is considered that the overall level of harm to these existing heritage assets would be less than substantial.

8.26 The previous reason for refusal in 2015 related to there being no archaeological site evaluation undertaken. That has now been completed and the County Archaeologist is satisfied that the proposal can continue subject to the inclusion

of pre-commencement conditions. As such this particular reason for refusal would no longer be appropriate.

- 8.27 Overall, it is considered that the current proposal would cause less than substantial heritage harm. As indicated earlier – para 8.20 - this harm has to be weighed against the public benefits of the proposal and this assessment will be undertaken in the final planning balance below.

e) Ecological Impacts

- 8.28 The site currently has an ecological value and thus the applicant has submitted an Ecological Impact Assessment as well as a Biodiversity Impact Assessment. Members will know that the Local Plan Policy LP15 as well as the NPPF require there to be bio-diversity gains as a consequence of new development proposals. The habitat enhancements now proposed within and around the site show a biodiversity gain of around 25.3%.

f) Flood risk

- 8.29 The main concern of flood risk resulting from the scheme is the area of impermeable hardstanding associated with the supporting infrastructure of the road. The proposal indicates that surface water run-off can be managed and mitigated on site and not be increased. The Local Lead Flood Authority initially objected. However, during the course of the application this was withdrawn, subject to conditions relating to the submission of a detailed surface water drainage scheme to be submitted along with a maintenance plan. As a consequence, it is not considered that there is a material flooding risk.

g) Agricultural Land

- 8.30 This land is all graded 3b in terms of its classification and is thus not the best and most versatile land. As Members are aware from other such proposals, the land will not be permanently lost from agricultural use and the quality of the soils will improve over time as they left untouched.

h) Other Issues

- 8.31 The Highway Authority has no objection to the proposal and has suggested conditions to improve the access on Lower House Lane. The applicant has agreed to change the bell-mouth access to a dropped kerb verge crossover. The size of the access will be large enough for articulated vehicles during construction. Post construction, the access will be narrowed as larger vehicles will not be required to access the site. Therefore, the proposal is in accordance with Development Plan Policy and the NPPF.
- 8.32 While also relevant in terms of landscape impact, the effects of glint and glare on road users as well as aircraft safety have been assessed and there have been no objections from Birmingham Airport. No comments have been received from East Midlands Airport or the Civil Aviation Authority.

8.33 As Members are aware when looking at similar proposals elsewhere in the Borough, there have been concerns about the noise impact from the operational equipment on these sites. The Environmental Health Officer has on each occasion recommended a series of conditions based on maximum thresholds at identified residential properties. Similarly here, there is no objection in principle and the matter can be conditioned through a pre-commencement planning condition requiring a Noise Impact Assessment and subsequent agreement on the relevant noise thresholds.

i) The Harm Side of the Planning Balance

8.34 From the above, the harm side of the planning balance includes the limited landscape harm, the moderate visual harm and the less than substantial heritage harm.

j) The Applicants Considerations

8.35 The applicant has put forward what he considers are the benefits and arguments in support of the proposal which would lie on the opposite side of the planning balance. This substantially rests on the need for renewable energy sources and the National and Local planning policy support for proposals that deliver them. This was outlined in the introductory section above in paragraphs 8.4 and 8.5, and he refers to the other material planning considerations again outlined above – section 5. This proposal would form an important component for sustainable energy supply and more particularly it would align with the updated energy security strategies which are now in place. In short, he is saying that the benefits of the proposal are even more significant than they were in 2015 and he provides the evidence to support that position.

8.36 In addition to the Council's own Local Plan Policy LP35, he refers to the Council declaring a climate emergency and setting out an action plan to address the Council's impact on climate change which aligns with national planning objectives and to take a more proactive approach to adapting to climate change, including moving to a low carbon economy. The proposal will support this as well as the Climate Change Emergency declared by Warwickshire County Council in July 2019.

8.37 Another benefit identified would be the bio-diversity net gain that would arise.

8.38 It is considered that when treated together, these considerations carry substantial weight.

k) The Final Planning Balance

8.39 The starting point in this report was the 2015 refusal and the central issue identified was whether there were material differences to warrant a reconsideration of that decision with the current proposal. It is considered that there are.

8.40 There has been a significant change in the content of the proposal with the removal of the arrays from the field that is most visible and closest to a heritage asset, together with significant increases in both site and perimeter landscaping.

Moreover, the concern over the potential archaeological value of the site has been resolved. As such the proposal has changed for the “better”, in that the combined level of harm has reduced in weight. On the other hand, the weight to be given to the case for supporting the proposal has significantly increased given the changes to the national and local planning background against which the proposal has to be considered.

- 8.41 From the evidence submitted, there is substantial weight given to the need for the development from a climate change perspective. Given the national and local policy in providing renewable energy and increased emphasis on climate change, it is considered that these factors are now of sufficient weight to outweigh the limited and moderate harms caused in this instance. Based on this, it is considered that the proposal is in accordance with the Development Plan and the NPPF when taken together as a whole. Planning permission should be granted for the proposal.

Recommendation

That planning permission be GRANTED subject to the following conditions:

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

REASON

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004

2. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered :
Site layout 003C 22/05/2023
Location Plan 14/07/2022
Landscape mitigation Plan PL03 22/05/2023
Solar panels details received 20/03/2023

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

Pre-commencement conditions

3. No development shall commence until details of the substation, transformers, invertors system, internal road, point of connection, CCTV, lighting and perimeter fencing details have been submitted including details of colour and materials, have all been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented and retained for the life of development, unless otherwise agreed in writing by the Local Planning Authority.

REASON

In the interests the visual amenity of the area and in accordance with policy.

4. Notwithstanding the submitted details prior to the commencement of any works, a Construction Management Plan shall be submitted in writing to and approved by the Local Planning Authority. Development shall be carried out in compliance with the approved Construction Method Statement, unless otherwise approved in writing by the Local Planning Authority.

REASON

In the interests of residential amenity, to ensure the details are acceptable to the Local Planning Authority and to avoid significant adverse impacts.

5. The development hereby permitted, including site clearance work, shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition, the Authority expect to see details concerning pre-commencement checks and working practices for badgers, amphibians, bats, breeding birds and appropriate working practices and safeguards for wildlife and habitats that are to be employed whilst works are taking place on site. The agreed Construction Environmental Management Plan shall thereafter be implemented in full.

REASON

To ensure that protected species are not harmed by the development and to ensure the protection of important habitats during development.

6. A bio-diversity and ecological management plan (BEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the BEMP shall generally be in accordance with the ecological impact assessment and bio-diversity enhancement plan and shall include the following.
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implantation of the plan.
 - h) Ongoing monitoring and remedial measures. The BEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where results from monitoring show that conservation aims and objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity

objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON

To ensure a net biodiversity gain in accordance with NPPF

7. The proposed development site shall be built in accordance with the approved FRA and Drainage Strategy (SHF.3007.003.HY.R.001.A September 2022) and in particular the following mitigation measures:
 - a. Solar panels to be mounted a minimum of 150mm above the 0.1 AEP flood level as per the Environment Agency Risk of Flooding from Surface Water map.
 - b. Each solar panel will maintain a gap between each individual panel to allow for surface water to run off at multiple points on to the vegetation below to prevent the concentration of run off.
 - c. While it is accepted runoff may not increase given typical solar farm design, the concentration of runoff along the drip-edge of panels can lead to erosion issues, therefore it is important that the sites vegetation is well maintained, through grazing or light mowing where necessary.
 - d. Filter drains shall be incorporated into the scheme to capture runoff, reduce erosion and aid infiltration, in accordance with indicative drainage layout (SHF.3007.003.HY.D.012).

REASON

To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity.

8. The development hereby approved shall not be brought into use until a detailed, site specific maintenance plan is provided to the LPA in consultation with the LLFA. Such maintenance plan should:
 1. Provide the name of the party responsible, including contact name, address, email address and phone number
 2. Include plans showing the locations of features requiring maintenance and how these should be accessed.
 3. Provide details on how surface water each relevant feature shall be maintained and managed for the life time of the development.
 4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance

REASON

To ensure the future maintenance of the sustainable drainage structures.

9. No development shall commence until temporary three-way signals have been installed fronting the site to control traffic flows. The signals shall be retained throughout the construction period on the site.

REASON:

In the interests of highway safety.

10. Access for vehicles to the site from the public highway (Lower House Lane C7) shall not be made other than at the position identified on the approved drawing number WA5260-1PD providing a dropped kerbed verge crossover access no less than 6.0 metres in width. The access to the site shall be surfaced with abundant material for a distance of 20 metres, as measured from the near edge of the public highway carriageway. During demolition and construction no gates shall be hung within the vehicular access to the site as to open within 20 metres of the near edge of the public highway carriageway and shall not be closed when the workforce are on site. Post construction the gates shall be located to the original position 12 metres from the near edge of the public highway carriageway.

REASON:

In the interests of highway safety.

11. No development shall commence until the construction compound has been constructed providing a turning area within the site so as to enable general site traffic and construction vehicles to leave and re-enter the public highway in a forward gear, and providing off-street parking. No vehicles associated with the development shall park on the public highway.

REASON:

In the interests of highway safety.

12. No development shall take place until:

- a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.

- b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.

- c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved documents, shall be undertaken in accordance with those documents.

REASON

To enable the recording of any items of historical or archaeological interest, in accordance with the requirements of LP15 of the adopted North Warwickshire Local Plan, coupled with the requirements of paragraphs 194 - 198 of the National Planning Policy Framework 2021.

15. No development shall commence until a plan and details have been submitted and approved which indicating any works involving disturbance or alteration of the surface of any public footpath; and the exact position of fencing, gates or landscaping within 5 metres of the footpaths that cross the site. The development shall be carried out in accordance with approved details.

REASON

To ensure the protection of the public footpath and its users.

16. Notwithstanding the submitted noise impact assessment no development shall commence until a noise impact assessment has been submitted and approved in writing by the local planning authority, which includes the specific sound level from industrial/commercial sources within the development arising from the operation of solar farm equipment including the solar inverter stations, transformers, battery storage, heating ventilation and air conditioning equipment as well as the operation of the vertical farm including any associated coolers and air handling units, at day time and night time.

REASON

To avoid significant adverse impacts on health and quality of life, to mitigate and minimise adverse impacts on health and quality of life and where possible contribute to the improvement of health and quality of life at noise sensitive receptors. [NPPF paragraph 174, NPPF paragraph 185, Noise Policy Statement for England 2010 and PPG on noise].

17. Within six months of the commissioning of the new development hereby permitted, the applicant shall undertake compliance noise monitoring. The applicant shall submit the results of the noise measurements in writing to the Local Planning Authority. The submission should confirm whether the specific sound level from industrial/commercial sources within the development arising from the operation of the solar farm and vertical farm meet noise condition 16. If the specific sound level from industrial/commercial sources within the development operational noise limits set up in noise impact assessment 16 are exceeded, additional mitigation measures should be developed and implemented. Any additional mitigation measures shall be permanently retained and maintained in proper working order for the duration of the operational life of

the development. The assessment should be carried out by a suitably qualified professional.

REASON

To demonstrate compliance with noise condition 21 and promote the aims and objectives of planning policy and guidance as well as national noise policy and planning (and noise) guidance to avoid significant adverse impacts on health and quality of life, to mitigate and minimise adverse impacts on health and quality of life and where possible contribute to the improvement of health and quality of life at noise sensitive receptors.

18. All hard and soft landscape works as shown on the approved plan shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the use of the development hereby approved being brought into use, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON

To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with policy.

19. The development and construction shall be carried out in accordance with the Arboricultural Method Statement 16/09/2022.

REASON

To ensure the protection of the existing trees in the vicinity of the development.

20. The development hereby approved is granted for a limited period only expiring 40 years after the date on which electricity is first generated by the installation, on or before which date the solar panels and associated buildings, structures, tracks and fencing shall be removed and the site reinstated to the satisfaction of the Local Planning Authority unless, prior to that date, permission has been granted for an extended period pursuant to an application made to the Local Planning Authority in that regard. The array operator shall inform the Local Planning Authority within 10 working days of the first date on which electricity is first generated.

REASON

In the interests of the visual amenities of the area, so not to risk redundant equipment, structures, buildings and boundary treatments being left in place in

perpetuity, compromising the productive use of the land and the character and appearance of the area thereafter.

21. Within six months of the cessation of the first export of electrical power from the site, a scheme for the de-commissioning of the solar farm and its ancillary equipment shall be submitted to the Local Planning Authority. The scheme shall make provision for the removal of the solar panels and associated above ground works approved under this permission. The scheme shall also include the details of the management and timing of the de-commissioning works, together with a traffic management plan to address any likely traffic impact issues during the decommissioning period, and an environmental management plan to include details of the measures to be taken during the de-commissioning period to protect wildlife and habitats as well as details of site restoration measures. For the avoidance of doubt, the landscape planting and bio-diversity improvements approved under this permission shall all be excluded from this condition.

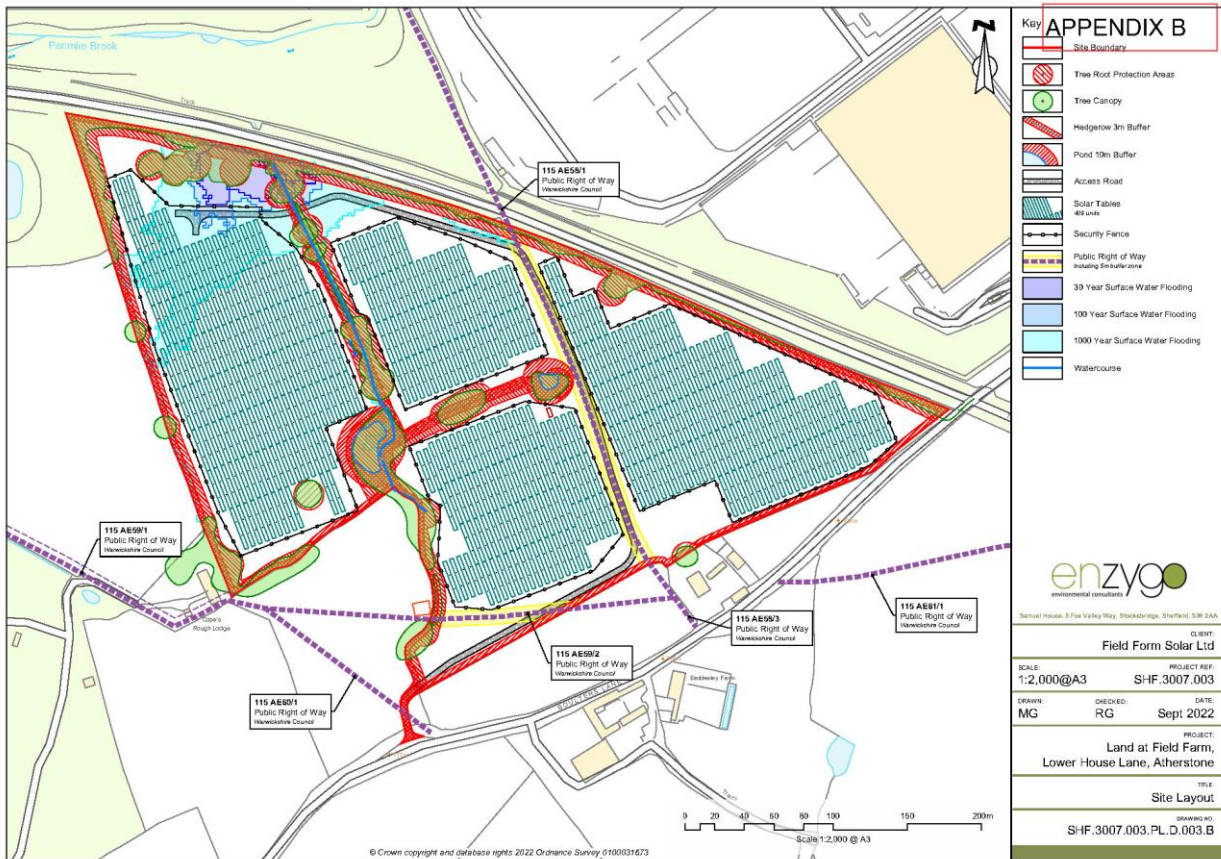
REASON

In order to confirm that this permission is for a temporary period only and to ensure the re-instatement of the land following expiration of this period.

22. The scheme as agreed in writing by the Local Planning Authority under condition 21 shall be implemented in full within six months of the cessation of the site for the commercial export of electrical power, whether that cessation occurs under the time period set out in Condition 21, but also at the end of any continuous cessation of the commercial export of electrical power from the site for a period of twelve months.

REASON

In order to ensure the satisfactory re-instatement of the land.



APPENDIX C



NOTES

- All proposed and to-be-removed planting
- All proposed and to-be-removed trees and shrubs
- The proposed solar farm is to be constructed within the proposed solar farm boundary and associated infrastructure
- All proposed planting including trees and shrubs are to be installed and verified by the client
- All proposed planting to be removed, removed or to be removed or to be removed by the client
- All proposed planting to be removed, removed or to be removed or to be removed by the client

KEY

- Site Boundary
- Proposed Track
- Solar Alleyways
- Fence
- Footway - Footpath
- Existing Planting
- Existing Tree
- Proposed New Shrub
- New Woodland
- Proposed Hedge
- Wildflower Mix
- Cracking Meadow Mix

Scale: 1:2500
Date: 18/06/2024
Client: Fields Farm
Project: Fields Farm, Lower House Lane, Ashburton

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18/06/2024
18/06/2024
18/06/2024



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Website: www.northwarks.gov.uk

Date: 15 December 2015

The Town & Country Planning Acts
The Town and Country Planning (Listed Buildings and
Conservation Areas) Act 1990
The Town & Country Planning (General Development)
Orders
The Town and Country Planning (Control of
Advertisements) Regulations 1992 (as amended)

DECISION NOTICE

Major Full Planning Application

Application Ref: **PAP/2015/0614**

Site Address

Land North of Stone Cottage, Lower House Lane, Baddesley Ensor,
CV9 2QB

Grid Ref: Easting 425550.68
Northing 298799.42

Description of Development

Erection of ground mounted solar panels with an electrical output of approximately 4MW along with associated infrastructure, landscaping and ancillary structures

Applicant

Mr Scott Newhouse - Blue Planet Solar

Your planning application was valid on 7 October 2015. It has now been considered by the Council. I can inform you that:

Planning permission is **REFUSED** for the following reasons:

1. Notwithstanding the support given in the Development Plan for renewable energy projects and the likelihood of a Community Trust in this case, it is considered that the greater public benefit in the Council's view is the protection of the landscape character in this particular area of the Borough. The proposed development is considered to have moderate harm to landscape character; visual amenity and to the setting of heritage assets, which when combined have sufficient weight to override the support referred to above. As a consequence the proposal does not accord with Policies NW11 and NW13 of the North Warwickshire Core Strategy 2014.
2. The proposed development is not supported by a thorough archaeological site evaluation which would enable a detailed assessment of the character and extent of any archaeological deposits of importance likely to be threatened to be considered and thus allow a full assessment to be made of the impact of the development. This approach is supported by saved policy ENV16 of the North Warwickshire Local Plan 2006; Policy NW14 of the Core Strategy 2014 and the National Planning Policy Framework.

Authorised Officer: _____

Date:

15 December 2015

Page 1 of 2



APPEALS TO THE SECRETARY OF STATE

- (1) If you are aggrieved by the decision of the Local Planning Authority, you can appeal to the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
- (2) If you want to appeal against your local planning authority's decision, then you must do so within 6 months of the date of this notice.
- (3) Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, or online at www.planning-inspectorate.gov.uk and www.planningportal.gov.uk/pes.
- (4) The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (5) The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- (6) The Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

NOTES

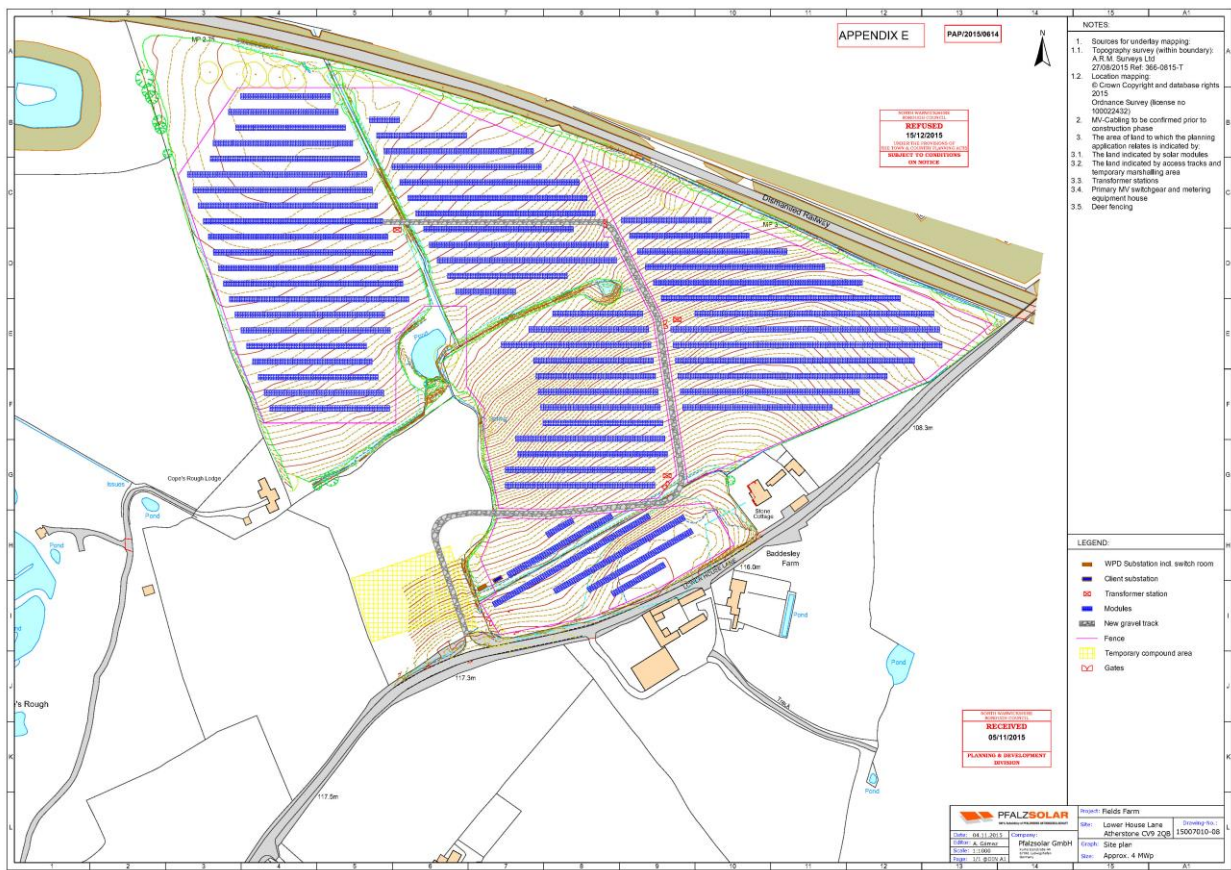
1. This decision is for the purposes of the Town and Country Planning Act only. It is not a decision under Building Regulations or any other statutory provision. Separate applications may be required.
2. A report has been prepared that details more fully the matters that have been taken into account when reaching this decision. You can view a copy on the Council's web site via the Planning Application Search pages <http://www.northwarks.gov.uk/planning>. It will be described as 'Decision Notice and Application File'. Alternatively, you can view it by calling into the Council's Reception during normal opening hours (up to date details of the Council's opening hours can be found on our web site <http://www.northwarks.gov.uk/contact>).
3. Plans and information accompanying this decision notice can be viewed online at our website <http://www.northwarks.gov.uk/planning>.

Authorised Officer: _____

Date:

15 December 2015

Page 2 of 2



(11) **Application No: PAP/2015/0614**

Land North Of Stone Cottage, Lower House Lane, Baddesley Ensor, CV9 2QB

Erection of ground mounted solar panels with an electrical output of approximately 4MW along with associated infrastructure, landscaping and ancillary structures, for

Mr Scott Newhouse - Blue Planet Solar

Introduction

The receipt of this application was referred to the Board at its November meeting and it was resolved that the site be visited prior to determination.

A copy of the previous report is attached at Appendix A for convenience. The site visit has been organised, but will take place after publication of the agenda for this December Board meeting and thus a record of that visit will have to be circulated at the meeting itself.

Additional Information

Since the last report there have been three additional matters which Members should be aware of.

The first is that a supplementary appraisal was prepared in respect of the potential visual and landscape impact arising from the proposed development using the end of the roads at Hill Top and Manor Close in Baddesley Ensor as the "receptor" locations together with the public footpath that runs from here to Lower House Lane. This concludes that, "the proposed solar panels in Field 3 would be partially visible from these locations, surrounded by trees. The scale of visual effect is assessed as low to low/medium. The geographic extent would be low/medium and the duration of the effect would be long term". The overall level of visual effect is considered to be minor".

The supplementary report is at Appendix B

The second relates to the prospect of a Community Trust. The applicant has confirmed that the applicant aims to set up a trust or a share-buying scheme by which the community would benefit directly from the proposal. This is similar to other schemes that they have undertaken.

The third relates to an amended plan. This was submitted to take account of the Warwickshire Footpaths Section. There is no material change to the overall layout or appearance of the proposal. The amendment just retains the definitive line of public paths through the site. Appendix C is a copy of this amended plan.

Representations

Four letters of objection have been received. The matters referred to include:

- The industrialisation of this part of North Warwickshire
- Impact on the setting of heritage impacts
- Alteration in the character of the immediate area
- This will not enhance or protect the landscape character
- Noise and Construction traffic
- The site has been land-filled in the past

6/149

- Panels should be placed on the rooves of the industrial buildings
- Detrimental Visual impact
- Potential for Birch Coppice to spread

Consultations

Warwickshire County Council as Highway Authority – No objection subject to conditions

Warwickshire County Council as Lead Flood Authority – No Objection

Warwickshire County Council Public Rights of Way – No objection

Warwickshire Police – No objection subject to standard advice

Birmingham Airport – No comments received

Environmental Health Officer – No objection subject to conditions

Warwickshire Museum – Objection as the scheme is not supported by a proper and detailed assessment of the extent of any archaeology deposits which could be threatened by the proposal.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW10 (Development Considerations), NW11 (Renewable Energy), NW12 (Quality of Development), NW 13 (The Natural Environment), NW14 (The Historic Environment), NW15 (Nature Conservation) and NW17 (Regeneration)

Saved Policies of the North Warwickshire Local Plan 2006 - Core Policy 10 (Agriculture and the Rural Economy): ENV4 (Trees and Hedgerows), ENV6 (Land Resources), ENV8 (Water Resources), ENV12 (Building Design), ENV14 (Access Design), ENV16 (Listed Buildings), ECON8 (Farm Diversification), TPT1 (Transport Considerations) and TPT2 (Traffic Management)

Other Material Planning Considerations

The National Planning Policy Framework 2012 – (the "NPPF")

National Planning Practice Guidance 2014 – (the "NPPG")

Meeting the Energy Challenge White Paper 2007

The UK Renewable Energy Strategy 2009

UK Solar PV Strategy

Government's Written Statement 2015

Observations

a) Introduction

The site is not in the Green Belt.

Planning policy in respect of renewable energy projects is found in the Development Plan and the National Planning Policy Framework. The latter supports "the transition to a low carbon future" and the "encouragement of the use of renewable resources" as guiding principles. It also says that "small scale projects provide a valuable contribution to cutting

greenhouse emissions". The National Planning Policy Framework therefore concludes that Local Planning Authorities should have a positive strategy to promote energy from renewable sources and "approve applications if their impacts are or can be made acceptable". The relevant policy in the Core Strategy is NW11 which says that "renewable energy projects will be supported where they respect the capacity and sensitivity of the landscape and communities to accommodate them. In particular they will need to be assessed on their individual and cumulative impact on landscape quality, sites or features of natural importance, sites or buildings of historic or cultural importance, residential amenity and the local economy". This reflects the approach of the National Planning Policy Framework where it says that, "when determining applications, local planning authorities should approve the application if its impacts are acceptable unless material planning considerations indicate otherwise. The Government's NPPG on renewable energy projects again reflects this approach. In general terms this reiterates the commitment to increasing the amount of energy from renewable technologies. In respect of solar farms the guidance identifies a number of factors which will need to be assessed. These include whether the land is green field or brown field; the agricultural grading of the land, bio-diversity impacts, the effect of glint and glare, the need for additional infrastructure, the visual impact, the effect on landscape character together with the impacts on heritage assets.

The common theme running through these documents is that the presumption is in favour of the grant of planning permission unless the impacts are so significant that they cannot be mitigated or made acceptable through design or planning conditions. This therefore is the starting point for the assessment of this application.

It is proposed to deal with all of the matters raised by the NPPG. The most significant matters in respect of this particular case are those relating to visual impacts; the impact on landscape character and thirdly on heritage assets. Before addressing these, a number of other matters will be dealt with.

b) Agricultural Land

It is agreed with the applicant that this land is Grade 3b. As such there is no harm arising from consideration of this particular issue. The land will be put to pasture thus enabling some agricultural use. Members will also be aware that the proposal is reversible and time limited to 25 years.

c) Drainage

Given the advice of the Local Lead Flooding Authority there is no objection here in principle.

d) Bio-Diversity

There is no evidence submitted in rebuttal of the conclusions found in the applicant's own ecological survey which recommends that there is a good opportunity here to enhance bio-diversity within and around the site – the peripheral zones; the additional tree planting, the introduction of pasture and the installation of nesting boxes. Suitable conditions, including a further badger survey can protect the management of existing flora and fauna. There is no material adverse impact here.

e) Construction

The Environmental Health Officer has not raised any issues in respect of the construction management plan. This was to be expected given the temporary nature of the construction period (11 to 12 weeks); the limited amount of work and the nature of that work to be undertaken.

6/151

f) Access Arrangements

The Highway Authority has not raised objection whether the proposal is operational or during the construction period. Suitable conditions are recommended including the need for temporary signalisation during construction.

g) Noise, Glint and Glare

The Environmental Health Officer raised concern about the proximity of one of the sub-stations to an existing residential property. This can be resolved through an appropriately worded condition. It is noteworthy that he has raised no issue in respect of glint and glare.

h) Residential Amenity

There are few residential properties directly affected by the proposed development. However there are two that adjoin the site – Cope’s Rough and Stone Cottage – and a third that is on the opposite side of the road – Baddesley Farm. All occupiers have objected to the proposals. Additionally residents at the end of the culs-de-sac in Hill Top and Manor Close at Baddesley were included in the applicant’s appraisal. An objection has been received from one of these occupiers too.

These objections cover a number of issues as outlined above and these are dealt with in the various sections here. Their main objection is considered to be the visual impact on the outlook from their properties. This will be explored further in the subsequent section. It is considered that other harm to residential amenity through noise, pollution or overshadowing would be limited.

i) Landscape Character

Dealing first with the likely impact on landscape character then it is agreed that the site lies in the “Tamworth –Urban Fringe Uplands” landscape character area as defined by the North Warwickshire Landscape Character Assessment. As such the base-line against which to assess impact are the key characteristics defined in this Assessment for this area. This is best summarised as “an indistinct and variable landscape with relatively flat open arable fields and pockets of pastoral land, fragmented by restored spoil heaps, large scale industrial buildings and busy road and bordered by the settlement edges of Tamworth, Dordon and Kingsbury and with wooded horizons to the south.” Attention is drawn to the mining legacy with remnant restored spoil heaps, referring to the one at Birch Coppice described as being “particularly large and a visual detractor within the local area, the base of which is now encircled by large modern industrial units”. Although farmland makes up a significant proportion of the landscape, much of this land has “a run-down character, with gappy, poorly managed hedgerows”. Tree cover is low but there are woodland blocks to the south. In overall terms it is agreed with the applicant that the value of the landscape here is of “local” significance.

It is first necessary to ask whether or not the landscape character as defined above would be altered as a consequence of this proposal – in other words could it be accommodated without changing that character. It is considered that there are factors that suggest that it could. These are the low height of the arrays; retention of the existing field pattern, ground levels and surrounding hedgerows and enhancement with additional planting. Moreover the slope of the land is towards the south within a small valley with surrounding higher land. Whilst the site itself is 11 hectares (28 acres) in extent, it still would be a small element within the overall landscape area and the development is reversible. However there is one factor that suggests that the proposal would affect the overall landscape character – and this

is the cumulative impact of this proposal together with the other non-agricultural elements on the character of this urban fringe landscape. The character description refers to "an indistinct and fragmented landscape" with "fields and pockets" of pastoral land. It is considered that this proposal would be a further step in fragmenting that landscape even further resulting in there being less pastoral land and a greater proportion of urbanising influences. It would thus add to its "indistinctiveness" whereas Development Plan policy is to set to enhance and protect local distinctiveness – NW13 of the Core Strategy. Of particular weight in coming to this conclusion are the adjoining Birch Coppice estate and the significance of the former colliery line in providing a very firm visual and physical boundary between urban and rural landscape characteristics. It is thus considered that for these reasons the cumulative impact of the proposal carries greater weight than the mitigating matters raised earlier in this paragraph. It is considered that there would be harm to the landscape character hereabouts and that that harm would be moderate.

j) Visual Amenity

As with the landscape character issue it is agreed that visual amenity impacts would be local in extent. Both the amenity of residents and visitors travelling past the site will need to be addressed. There would be a negligible impact on drivers using the Birch Coppice estate roads as they are already within an urban environment. There would be a low impact on motorists using Lower House Lane due to intervening hedgerows and trees; additional planting and the transitory nature of the impact. Pedestrians using the public footpaths over the site and from the one extending down from Hill Top in Baddesley would experience high adverse impacts because the proposal would be clearly visible as the paths adjoin or pass through the development. Regardless of the proximity of the Birch Coppice buildings, this would be an immediate and additional adverse impact even though it would be transitory.

In terms of residents then the closest panels in the direct line of sight from Cope's Rough Lodge would be some 70 metres distant. When the surrounding hedgerows are grown to three metres then there should be no view from ground level windows but first floor windows would overlook the site but intervening trees would lessen any impacts. Overall there is considered to be a moderate impact here. Stone Cottage is to the south of the site and there is hedgerow and tree screening. However there would be moderate adverse impacts from the property's side windows. Baddesley Farm is on the opposite side of the road and higher windows would overlook the site. There would be moderate adverse impact. Overall therefore there would be moderate adverse impacts. All of these impacts would be long term although allowing peripheral planting to grow taller would mitigate them.

The residential properties at the far western end of Hill Top and Manor Close in Baddesley will have partial and limited views of the far northern section of the proposed site. Given the very wide panoramas already visible from these locations, the additional impact of the development would be limited and proportionally would not amount to a material increase in the urbanising features within that wide landscape.

In planning terms Members will be aware that there is no provision to protect private views or outlooks – this is why there is no such reference in Policy NW10 of the Core Strategy. Appeal decisions provide a useful indicator here and recent cases suggest that the visual impacts of new development on the outlook from a private property should be "overwhelming to the degree that a property would become widely regarded as an unattractive and unsatisfactory place to live" in order to give rise to a refusal. This is the "test" that is likely to be applied here if there is an appeal. It is suggested that this situation would not arise here.

k) Heritage Impacts

There are no designated heritage assets in the site. There are three Grade 2 Listed Buildings close by – Stone Cottage and an associated outbuilding together with Baddesley Farm. There are no other designated heritage assets within a kilometre of the site's boundaries.

The applicant's submitted evidence suggests that there may be a low likelihood of archaeological interest here. However the response from the Warwickshire Museum suggests that this evidence has not been thoroughly based on a full assessment as there has been no site evaluation. It thus raises an objection until further analysis is undertaken. As a consequence this objection would align with the approach taken in saved policy ENV16 of the Local Plan. Without the more detailed evidence available it is not possible to assess the impact of the proposal on the potential heritage of the area in respect of its archaeological interest. There is thus non-compliance with the NPPF.

The remit of the Council in assessing the impact here on the listed buildings is to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. In all three cases here it is considered that the material issue is to assess the impact of the development on the setting of the buildings.

Stone Cottage is a mid to late 18th Century stone building formerly divided into two, reflecting both internal and external contemporaneous characteristics. The outbuilding is late 18th Century. Their heritage significance derives from this physical fabric evidential of the vernacular style of the time; their grouping and their historic value as being remnants of the rural economy. The cottage is surrounded by gardens enclosed by mature trees and hedgerows. This provides a strongly defined immediate setting contributing to its significance. The wider agricultural land surrounding this curtilage – that containing the application site - was once part of the same landholding in the late-18th and mid-19th Centuries. The building's wider setting therefore does contribute to its significance. The proposed development is unlikely to adversely impact on the principal factors contributing to this overall significance – the architectural detail; the grouping, the strong road facing principal elevations and the strongly defined immediate curtilage. However there would be limited harm to the wider setting removing the agricultural characteristic of the location.

Baddesley farmhouse is believed to be 17th Century but it was re-faced and extended in the 18th Century. There are contemporaneous internal and external architectural features. Its principal significance is thus as a vernacular farmhouse illustrating its historic and architectural interest. The farmhouse is within a working farm complex and this together with an enclosed garden contributes to its overall setting and thus its significance. The wider area includes agricultural land maintaining a link to the farmhouse and thus is historic significance. However there is no historic link to the land on the other side of the road. The proposed development is unlikely to adversely impact on the principal factors contributing to the significance of the asset itself nor on the immediate setting. However there would be limited harm to the wider setting removing the agricultural characteristic of the location.

As a consequence of these assessments it is considered that the overall level of harm to these existing heritage assets would be moderate. Whilst Stone Cottage and Baddesley Farmhouse would each experience limited harm, it is considered that the cumulative impact would be greater. This is because of the proximity of the two assets to each other and their similar architectural and historic characteristics. In particular it is their shared setting of the wider agricultural surrounding land that adds more weight here.

Additionally there is the objection raised by the Museum leading to a refusal reason.

6/154

I) Conclusions

The introduction pointed out that both the NPPF and the Development Plan support renewable energy projects in principle, provided that there is no overall significant harm caused. The assessment of the various factors above, points to there being moderate harm to landscape character; visual amenity and to the setting of heritage assets. The issue for the Board is thus to see whether the combination of these impacts is of sufficient weight to override that support.

In this case it is considered on balance that it is. Development Plan policy NW13 requires the quality, character, diversity and local distinctiveness of the natural environment to be protected and enhanced. Policy NW11 says that renewable energy projects will be supported where they respect the capacity and sensitivity of the landscape and communities to accommodate them. In particular it is the individual and cumulative impacts that will need to be considered. The combination of the impacts here does not achieve these objectives. In particular it is the fact that the proposal here oversteps a significant visual and physical marker in the landscape character of the area – the former railway line. This provides an evident boundary between the urban features found on its northern side and the rural features on its southern side. The development would in the language of the landscape character assessment, further fragment this area and significantly increase the proportion of urbanisation in this urban fringe area. This is supplemented by the consequential visual amenity impacts on the most immediate residential occupiers and the wider agricultural setting of two heritage assets. The Council is already acting to define the Meaningful Gap between Tamworth and Polesworth and Dordon as required by Development Plan policy NW19. It is not suggested that this site is in that Gap, but that issue raises the role of the Council in maintaining the balance between new urban development; the retention of settlement identity and the protection of the rural character particularly along an urban fringe.

Moreover the objection from the Museum and the uncertainty about the impact on archaeological assets is supported by Development Plan policy.

Recommendation

That planning permission be **REFUSED** for the following reasons:

1. "Notwithstanding the support given in the Development Plan for renewable energy projects and the likelihood of a Community Trust in this case, it is considered that the greater public benefit in the Council's view is the protection of the landscape character in this particular area of the Borough. The proposed development is considered to have moderate harm to landscape character; visual amenity and to the setting of heritage assets, which when combined have sufficient weight to override the support referred to above. As a consequence the proposal does not accord with Policies NW11 and NW13 of the North Warwickshire Core Strategy 2014"
2. "The proposed development is not supported by a thorough archaeological site evaluation which would enable a detailed assessment of the character and extent of any archaeological deposits of importance likely to be threatened to be considered and thus allow a full assessment to be made of the impact of the development. This approach is supported by saved policy ENV16 of the North Warwickshire Local Plan 2006; Policy NW14 of the Core Strategy 2014 and the National Planning Policy Framework".

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0614

Background Paper No	Author	Nature of Background Paper	Date
1	Mr McCabe	Objection	18/10/15
2	Mr and Mrs Roberts	Objection	17/10/15
3	D Snow	Objection	30/10/15
4	Mr Cole	Objection	21/10/15
5	Warwickshire Museum	Consultation	19/10/15
6	Case Officer	E-mail	20/10/15
7	Applicant	E-mail	23/10/15
8	Warwickshire Police	Consultation	28/10/15
9	Warwickshire Rights of Way	Consultation	28/10/15
10	Warwickshire County Council Highways	Consultation	30/10/15
11	Environmental Health Officer	Consultation	16/10/15
12	Environmental Health Officer	Consultation	3/11/15
13	Warwickshire Museum	Consultation	6/11/15
14	Case Officer	Letter	10/11/15
15	Applicant	E-mail	11/11/15
16	Applicant	Amended plans	5/11/15
17	Applicant	E-mail	17/11/16
18	Warwickshire County Council (Flooding)	Consultation	23/11/15
19	Warwickshire Museum	Consultation	24/11/15

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

(13) Application No: PAP/2015/0614

Land North Of Stone Cottage, Lower House Lane, Baddesley Ensor, CV9 2QB

Erection of ground mounted solar panels with an electrical output of approximately 4MW along with associated infrastructure, landscaping and ancillary structures, for

Mr Scott Newhouse - Blue Planet Solar

Introduction

This application is reported to the Board for information at this time. A further determination report will be produced in due course. This current report will describe the proposals and identify the relevant Development Plan policies applicable to the application.

The Site

This amounts to 12.45 hectares of agricultural land to the south of the former Baxterley Colliery rail line beyond the current Birch Coppice Business Park and west of Lower House Lane. Wood End is some 900 metres to the west. Fields Farm and Baddesley Farm are located on the other side of Lower House Lane. There is scattered residential property to the south – noticeably Cope's Rough which adjoins the site to the south-west, the Wood End Leisure Park and Stone Cottage to the south-east. Beyond this there are large woodland areas. The far western end of Baddesley Ensor – Hill Top and Manor Close - is further to the east and on higher ground than the application site.

The site has a distinct slope running south to north with a height difference of around 25 metres.

There are public footpaths crossing the site – the AE59 and AE60 – which run essentially east/west through the whole site and a further one skirts the eastern boundary – the AE58.

The site is illustrated at Appendix A.

The Proposals

This is a proposal for a solar farm to generate renewable electricity for a period of 25 years. The ground mounted panels would have an electrical output of around 4MW along with associated infrastructure, landscaping and ancillary structures. It is said that this would provide annual power for around 1216 residential properties. The associated development includes power inverter stations, transformer stations, security fencing and associated access gates. Gravelled roads are also proposed within the development for access and maintenance.

4/200

6/157

5a/31

The panel layout would run east/west across the whole site. The arrays are ground mounted and would be around 0.7 to 2.4 metres high so as to give a 25 degree angle to maximise solar gain. The arrays would be blue/black matt coloured and treated with a coating to minimise solar glare. They would be 8.5 metres apart. Three inverter/transformer buildings would be located throughout the site – each being a pre-cast concrete building, 5 by 3 by 3 metres tall. The substation would be at the far south western corner of the site – 6 by 2.4 by 3.5 metres tall. The development would link to the National Grid to the south of the site via an underground connection.

A deer fence of two metres in height would be erected around the perimeter and be supported on wooden poles. Gaps will be retained for the movement of animals. CCTV cameras would be pole mounted at regular intervals along this fence.

A Landscape and Bio-Diversity Plan has also been prepared to ensure that existing vegetation and new planting is managed appropriately. Existing trees are to be coppiced in order to reduce over-shadowing and the main features of the proposals include retention of existing hedgerows at three metres in height; additional trees to be added to hedgerows where appropriate, wildflower and grass sward planting in the fields and the addition of bat boxes, habitat piles and pond management.

A temporary construction compound is to be located in the far south western corner with direct access onto Lower House Lane. Construction is likely through an 11/12 week period and HGV deliveries are estimated to amount to some 125 movements in that time.

The proposed arrangements as set out above are shown at Appendix B.

A cross section through the site is shown at Appendix C

There are several supporting documents that accompany the application.

The Transport Assessment says that construction will take around 11 or 12 weeks with a start being made in the Spring of 2016. The development would be completed in one phase. The assessment indicates a likely 125 deliveries in that period – 250 actual movements – with a frequency of around three or four a day. Smaller and lighter vehicles would amount to some ten movements a day. All access to the construction compound would be via an upgraded existing field gate access onto Lower House Lane and the routes taken would be to the north to the A5. A wheel wash would be provided.

An Arboricultural report says that trees are largely limited to the northern boundary of the site alongside the railway line embankment with others as individual specimens around the perimeter or within the hedgerows in the site itself – eighteen in total together with nine other small groups of trees and eight lengths of hedgerows. The trees do “shade” the panels and if the maximum capability of the site is to be achieved, the eighteen individual trees would have to be removed. Hedgerows are around 2 metres tall and would not affect overall capability if kept at this height.

An Agricultural Land Classification Assessment concludes that due to the soil structure and texture the site is Grade 3b. This is described as moderate quality land capable of producing moderate yields of a narrow range of crops or lower yields of a wider range such as grass which can then be grazed.

4/201

6/158

5a/32

A Habitat Survey concludes that the site is characterised by arable land, poor semi-improved grassland bordered by ditches, hedgerows and woodland with a single pond. The report concludes that the proposed development would be unlikely to have any adverse impacts on a nearby SSSI – Kingsbury Wood 1.8 km away – or on the nine Local Wildlife Sites around the site. Retention of as many of the hedgerows and trees is recommended together with enhancements such as nesting boxes and bat boxes. A pre-commencement badger survey is recommended and mitigation measures installed. The bio-diversity enhancements proposed in the perimeter corridors will be a positive step.

A Heritage Statement concludes that the development proposals will have no physical impact on any known heritage assets. There is a low-level of prehistoric activity in the local landscape and no specific evidence suggests that the site is thus affected. Roman activity is likely to be concentrated to the north. The site appears to have formed part of the agricultural hinterland of the surrounding farmsteads and village settlements of the medieval period. There is evidence of ridge and furrow from photographs but on-site work suggests that modern plough work has removed these features. The hedgerows may well represent historic boundaries and thus should be retained. There are three Grade 2 Listed Buildings within a kilometre of the site – Stone Cottage; Stone Cottage outbuildings and Baddesley Farmhouse - but none would be adversely affected with only small levels of harm to their setting.

A Landscape and Visual Assessment states that the site is in the "Tamworth – Urban Fringe Farmlands" designation as defined by the North Warwickshire Landscape Character Assessment. This is described as being an undulating landform with predominantly open arable land part of a fragmented landscape comprising a complex mix of agricultural, industrial and urban fringe land uses, heavily influenced by the adjoining settlements and highway network. Views are said to be generally "internal" contained within the wider landscape by peripheral settlements, woodland and landform. It concludes that the overall effect on the existing landscape would be adverse but to a minor degree; the effects of new planting, both for trees and hedgerows would be beneficial with the overall effect on the character of the landscape as being adverse but to a minor degree. In terms of visual impact then publically accessible views from the footpaths would be heavily affected but would be transitory and of moderate impact in longer term views. Impacts from the surrounding scatter of residential property is said to be adverse but only to a moderate degree.

A Planning Statement incorporates a Design and Access Statement. This sets out the planning policy background identifying Saved Policies of the 2006 Local Plan and the 2014 Core Strategy. Attention is also drawn to the relevant sections of The National Planning Policy Framework and to the same in the National Planning Practice Guidance. Specific Guidance on Solar PV projects is also referenced. The overall conclusion is that the development would bring significant benefit outweighing any harm

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW10 (Development Considerations), NW11 (Renewable Energy), NW12 (Quality of Development), NW13 (The Natural Environment), NW14 (The Historic Environment), NW15 (Nature Conservation), NW17 (Regeneration),

4/202

6/159

5a/33

Saved Policies of the North Warwickshire Local Plan 2006 – Core Policy 10 (Agriculture and the Rural Economy); ENV4 (Trees and Hedgerows), ENV6 (Land Resources), ENV8 (Water Resources), ENV12 (Building Design), ENV14 (Access Design), ENV16 (Listed Buildings), ECON8 (Farm Diversification), TPT1 (Transport Considerations), TPT2 (Traffic Management).

Other Material Planning Considerations

The National Planning Policy Framework 2012

The National Planning Practice Guidance 2014

Meeting the Energy Challenge White Paper 2007

The UK Renewable Energy Strategy 2009

UK Solar PV Strategy

Government's Written Statement 2015

Observations

As with other such projects Members will have to balance the likely harm created by this proposed development on a number of factors against the general support that is outlined in a number of material planning considerations specifically related to renewable energy projects and for solar projects in particular. The future report to the Board will address that balance. In the interim it is strongly recommended that the Board undertakes a site visit to and around the site in order that Members have a better understanding of the development and how it might impact visually and on the character of the local landscape.

Recommendation

That Members visit the site and its surroundings.

4/203

6/160

5a/34

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0614

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	7/10/15

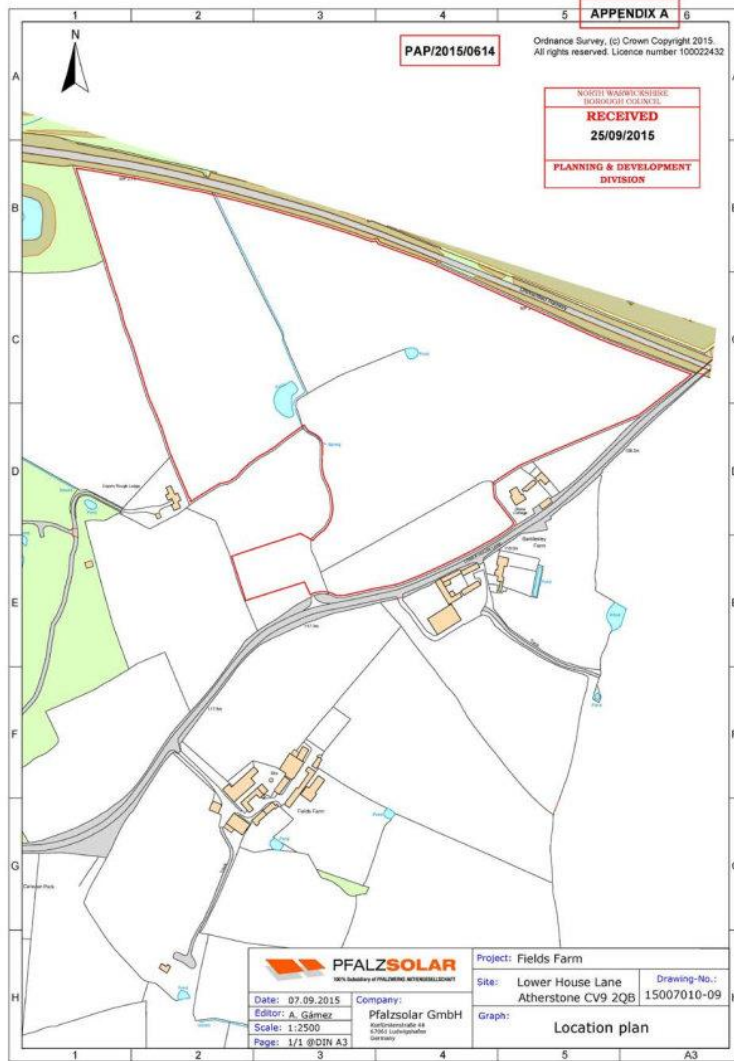
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

4/204

6/161

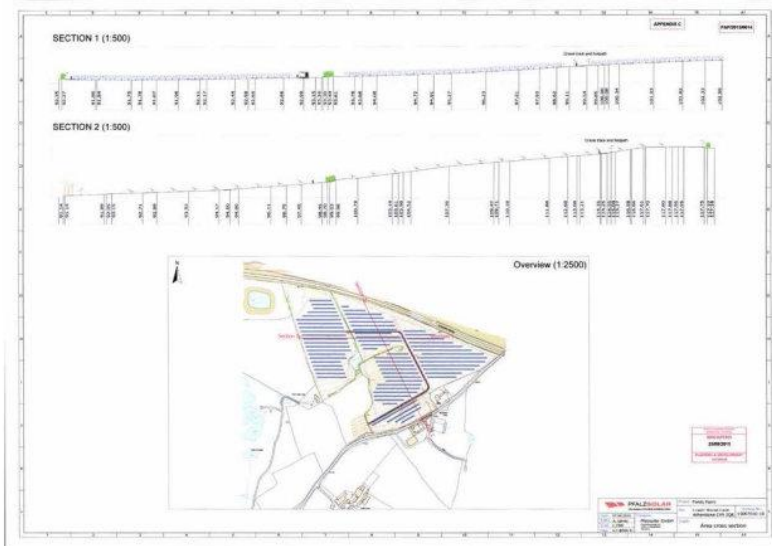
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4/205

6/162

5a/36



4/206

6/163

5a/37



**PROPOSED SOLAR FARM AT
FIELDS FARM, LOWER HOUSE LANE
BADDESLEY ENSOR, WARWICKSHIRE**

**LANDSCAPE & VISUAL IMPACT APPRAISAL
ADDENDUM**

Prepared for:
Blue Planet Solar

Prepared by:
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Culmeyre House
Holmer Lane
Telford
TF3 1QJ
October 2015

1.0 ADDITIONAL VISUAL RECEPTORS

- 1.1 North Warwickshire Council's Case Officer has made a request for additional visual receptors to be assessed on the western edge of Baddesley Ensor at Hill Top/Manor Close.
- 1.2 There are approximately 7 or 8 dwellings at Hill Top/Manor Close with potential middle distance views of Field 3. These properties are approximately 850-920m away from the application site at an elevation of 130m AOD.
- 1.3 In addition there is a public footpath that runs from Hill Top to Lower House Lane with a similar view.
- 1.4 The Visual Receptor Plan (Appendix 1) has been updated to include these receptors. The view from the footpath is illustrated in Photograph 11 (Appendix 2).

2.0 VISUAL IMPACT ASSESSMENT

- 2.1 An addendum to the Summary of Assessment of Visual Effects (Table 17) has been provided below summarizing the visual impact assessment for these additional receptors.
- 2.2 The users of the public footpath have been assessed as having Medium/High susceptibility to change in the same way that the other footpaths were assessed. The occupants of residential properties at Hill Top/Manor Close have been assessed as having Medium susceptibility on the basis that these are properties on the edge of an existing urban area. In both cases the value of the views are of Local Level value.
- 2.3 The proposed solar panels in Field 3 would be partially visible from both these receptor locations, surrounded by trees. The scale of visual effect is assessed as Low to Low/Medium. The geographical extent would be Low/Medium and the duration of effect would be Long Term in both cases.
- 2.4 The overall level of visual effect is considered to be Minor adverse in both cases.

**Allan Moss BA (Hons), BPI, MRTPI, Dip LA, CMLI
October 2015**

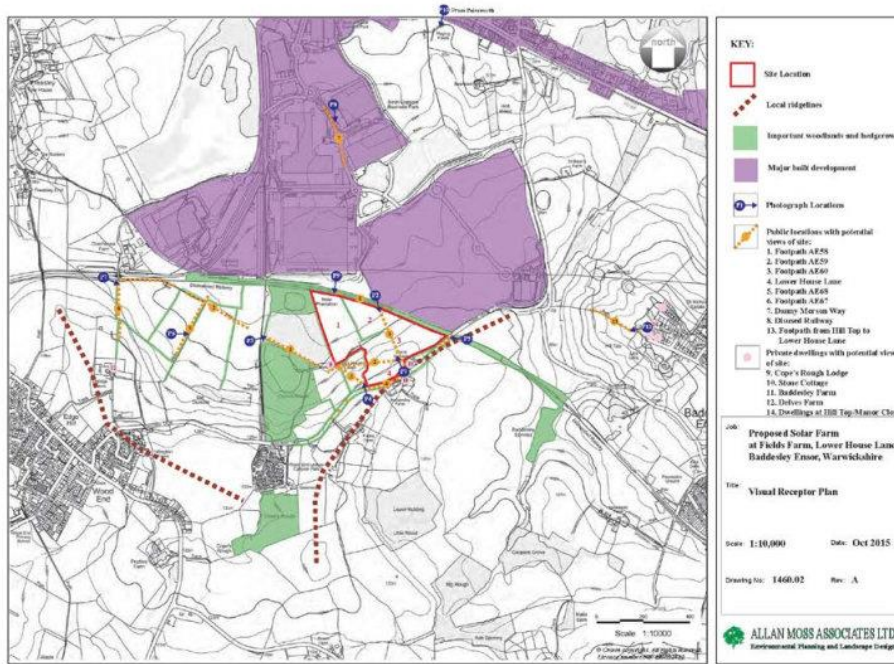
Table 17 (Addendum): Summary of Assessment of Visual Effects							
Ref	Effect	Sensitivity of Visual Receptor		Magnitude of Visual Effect		Level of Visual Effect	
		Visual Amenity Value	Visual Receptor Susceptibility	Scale of Visual Effect	Geographical Extent		Duration & Reversibility
13	Public Views: Footpath from Hill Top to Lower House Lane Walkers	Local	Medium/High	Low to Low/Medium adverse	Low/Medium	Long Term	Minor adverse
	Private views:						
14	Dwellings at Hill Top/Manor Close Residents/visitors	Local	Medium	Low to Low/Medium adverse	Low/Medium	Long Term	Minor adverse

APPENDIX 1

Visual Receptor Plan Rev A

6/167

5a/41



APPENDIX 2

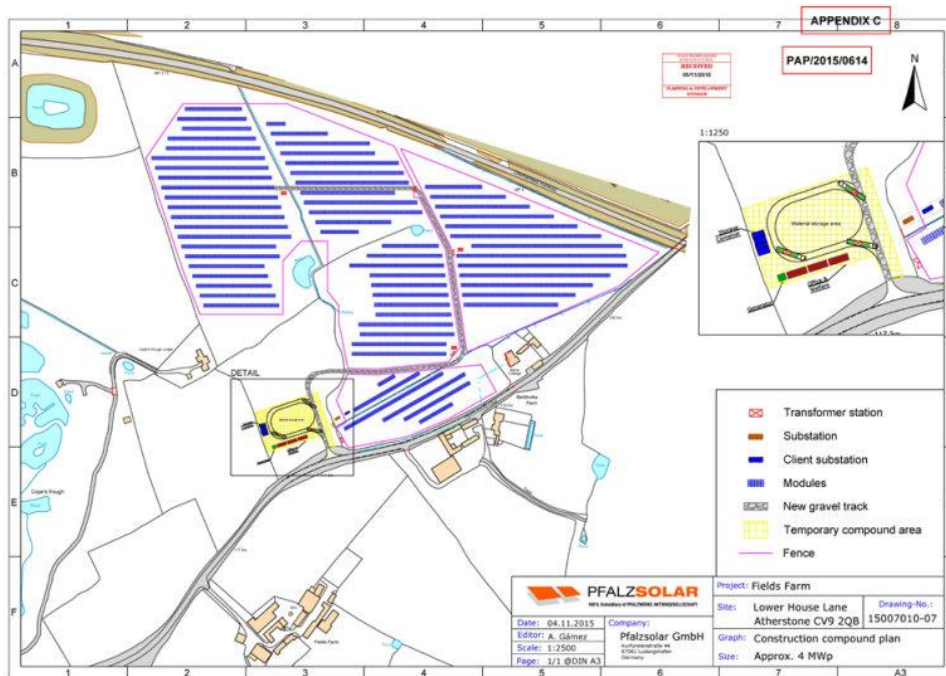
Photograph 11

6/169

5a/43



Photograph 11: View from footpath from Hill Top to Lower House Lane looking westwards.



6/170

5a/44

General Development Applications

(5/b) Application No:s PAP/2022/0569 and PAP/2022/0570

95, Long Street, Atherstone, CV9 1BB

- a) Display of fascia advertisement, and**
- b) Listed Building Consent for internal and external painting of premises and for the display of non-illuminated fascia sign**

Both for Mr Brandon Carter - Carters Estate Agents

Introduction

These retrospective applications are brought to the Planning and Development Board to ask for authority to take action to remove an illegal advertisement, should the Board not approve them in determining the applications.

The Site

The application site is a three storey, mid terraced Grade II Listed Building and lies within the Atherstone Development Boundary, the Town Centre and its Conservation Area. The property was previously known as the Three Tuns Public House. The use as an estate agent is limited to the ground floor with accommodation above falling outside of the application.

Appendix A illustrates the location

Appendix B is a copy of the list description

The Proposals

The application for Advertisement Consent involves a new fascia set within the bounds of the existing arrangements, together with the installation of fascia signage (with halo light), together with two 49-inch Samsung screens inside the premises, but displayed within the windows.

As the property is a Listed Building, a Listed Building Consent is also needed for all of these advertisements. This application also includes the redecoration of the shopfront and interior.

Appendix C shows a copy of the proposal.

As indicated above these are retrospective applications

Development Plan

North Warwickshire Local Plan 2021 - LP15 (Historic Environment); LP29 (Development Considerations), LP30 (Built Form) and LP31 (Frontages, Signage and External Installations)

Other Relevant Material Considerations

National Planning Policy Framework 2021 – (the “NPPF”)

NWBC Supplementary Planning Guidance - Shopfront Guide, 2003

Institute of Lighting Engineers Standard Advice

Consultations

Warwickshire County Council as Highway Authority – It objects as the screens are causing distraction to drivers because the premises are opposite a junction with traffic approaching from Market Street. However it would not object to amendments if they contained the mitigation measures set out at the end of this report.

Environmental Health Officer – concerns have been expressed given the impact on neighbours. He too would not object if the measures identified were included in amended plans.

Representations

Atherstone Town Council – No comment

One objection has been received raising the following concerns:

- Plagued with light pollution from the two, 49-inch display screens which are left blazing out until 12 o'clock midnight. They also switch screens regularly which causes a pulsing effect.
- The screens could be dimmed at night or switched off at a reasonable time.

Observations

There are two elements to these proposals – the signage and the painting. The signage too can be divided into two – the fascia sign and the illuminated screens.

a) The Advertisements – the fascia

Looking at the advertisements first, then the remit of the Council in determining such applications is wholly limited to do with matters of highway safety and public amenity. Dealing with the fascia sign first, then there is no highway objection here as the sign is similar to and within a frontage of similar displays. It does not cause a distraction. There is neither a visual amenity issue as the sign is made up of individual letters fixed to a coloured background which is the preferred approach in the town centre. The halo lighting is similar to other premises on Long Street.

The other element of the public amenity issue is that of heritage amenity. The site is a Listed Building within the Conservation Area. The Council has a statutory duty to give special attention to the desirability of preserving or enhancing the character and appearance of its Conservation Areas. In order to make this assessment the Board should understand the heritage significance of the Area and make an assessment as to whether the proposal would adversely harm that significance. Here the significance of

the Atherstone Conservation Area is that it covers an extensive area of the town centre displaying the towns' architectural and historic evolution through many time periods whilst retaining substantial external contemporaneous characteristics both in design and use. This particular part of the Area is characterised by its three storey frontages reflecting the residential townhouses of the 18th and early 19th Century, but which are now converted to commercial uses at ground floor. Many still retain these Victorian and Edwardian characteristics. The proposed fascia sign at number 95 would not harm the significance of the overall appearance or character of this part of the Conservation Area. This is because the appropriate materials and design have been used and the scale is in proportion to the frontage shop front. The colours are generally in accordance with the recommended heritage colours. The individual fascia lettering is considered to be low key and is not harmful to the Conservation Area. It is considered that the signage would preserve the character and appearance of this part of the Conservation Area and thus cause no harm. It is also considered that it would accord with the Council's SPD on advertisements.

In respect of the listing, then the Council is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

In terms of significance, then the building has been included for its group value. It is seen in association with neighbouring buildings of a similar architectural language, that when combined add a significant contribution to the built historic route through the market town. The overall architectural detailing is restrained, but enhanced window surrounds add status to the otherwise modest frontage. The shopfront itself has seen recent improvements that have enhanced the look of the building, which still features the details of note as described in the listing. The canted bay is an unusual architectural feature in the area where most frontages are flat or have less robust bays of timber frame (that may date to more recent times). Therefore, whilst the building has been included for its group contribution, there are aspects of the frontage which are of local architectural significance in their own right also. It is not considered that the fascia sign causes harm to the significance of the listed building as characterised above. It is in keeping, subdued and entirely appropriate to the function of the building and its architectural interest.

b) The Advertisements – the Screens

It is not considered that the same conclusions can be reached in respect of the two screens. The highway authority objects because of the distraction caused at a significant highway junction – the brightness and the changing images being the issues. There is too an impact on the residential amenity of neighbouring occupiers. This has the support of the Environmental Health Officer. Additionally, the illuminance of the lights does not meet the standard advice in the Institute of Lighting Engineers guidance – it is too bright for the setting. On top of this, there is the adverse visual impact of having signage that is not at all in keeping or reflective of the general appearance of the street. Significantly too there is a harmful impact on the significance of the heritage assets here – the Conservation Area and the Listed Building.

The significance of these assets was set out above. Of particular note in respect of the screens is that the building's frontage is located in a prominent position facing towards St Mary's Church which includes views along Market Street. Therefore, the building has particular significance as a key building enclosing views from Market Street and from the Church. Also, as a former public house the building would have naturally formed a key community focus and will have many long-standing associations for residents in Atherstone.

National and local planning policy states that illuminated signage is to be resisted in Conservation Areas due to likely adverse impacts on traditional elements that an Area identifies as attributes which add to its character and therefore its significance. Moreover, illuminated signage added to Listed Buildings is generally unacceptable due to resulting adverse impacts on the historic and architectural interests from overpowering prominence of the signage which diminishes the importance and visibility of the notable architectural elements or distract from identified significance such as the contribution of a building to the character of a wider area, as is the case here.

The illuminated screens here placed just inside the windows, detract from the architectural significance of the building and are a discordant feature in the Conservation Area. This results in harm to the designated assets (the Listed Building and the Conservation Area). The large display screens just inside the shop windows do have an appreciable level of impact which detracts from the identified architectural and historical significance of the building and also on the character of the Conservation Area, due to the brightness and size of the displays. The location of the display screens means that they are directly visible from Market Street which is a key view from St Mary's Church and the core of the Conservation Area. Therefore, harm to designated assets occurs.

In such a circumstance the Board will need to consider whether there are any public benefits which would outweigh this harm. It is considered that commercial reasons for the use of this type of signage should not be a factor of weight in the consideration of this assessment. It is neither considered that the signage has been shown to directly enhance footfall or patronage and it is not seen as being essential or desirable at night-time hours. The priority here is the amenity value of the significance of the heritage assets. Such large bright signage and the adverse impacts on the designated heritage assets do not represent benefit to the public at large.

The proposed illuminated screen signage does not accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, and Policy LP15 of the North Warwickshire Local Plan 2021.

c) The Painting

The same statutory duties apply to the external painting of the shop front. However it is not considered that the significance of the heritage assets here is harmed. The colour is a heritage colour and one that preserved the character and appearance of the Area. This aspect of the proposals can be supported.

d) Conclusions

In respect of the Advert applications, then the fascia sign is considered to accord with Development Plan policy, but not the two display screens. If the Board agrees, then it is possible to issue a split decision. It is not possible to do so for the Listed Building application and that would require a separate recommendation of refusal.

e) Further Action

The listed building application and the advertisement consent for the screens are recommended for refusal as set out below. As these are retrospective applications, the matter of whether to commence enforcement action needs to be considered.

Displaying advertisements without consent and carrying out works to a Listed Building are both criminal offences. The applicant has been notified that it is illegal to display advertisements that require express consent without Consent, or to make alterations to a Listed Building without Consent. As the applications are both retrospective, he has been advised that refusal of consent of either Advertisement Consent and/or Listed Building Consent could result in the Council commencing enforcement proceedings. The applicant has been advised that for this reason, the applications have been referred to the Planning and Development Board for determination.

As can be seen from the report, the main issue is the two screens. It is however considered, as mentioned in the consultation section above, that the harm caused could be mitigated either through their voluntary removal, or if not, then their replacement with posters or display panels inside the windows as is seen in other commercial frontages in Long Street. Advice can be given on whether such replacement signage would meet the Advertisement Regulations. Moreover, if this course was followed there would be unlikely to be the need for Listed Building Consent, thus removing the potential of formal enforcement proceedings

As a consequence, officers have been liaising with the applicant attempting to seek mitigation measures. These have included the following:

1. Synchronising the two screens in terms of changes – i.e. when things change, they would change at the same time.
2. No videos would be played on the screens
3. The screens would change no quicker than once every 10 seconds
4. The luminance levels of the screens would be reduced to 600 candelas per square metres.
5. The two screens would be repositioned, set back 1 metre behind the front of the shopfront but still facing forward.

Officers have informally taken advice on these potential measures. Highway officers and the Environmental Health Officer would not object to them if they were incorporated into a revised submission. However, advice from the Heritage Officer indicates that

there would be no support for them as they still have a demonstrable adverse impact on the character of the listed building and the conservation area.

The recommendations below reflect the current position in respect of the harm caused.

As the applications are retrospective, authority is sought for enforcement. It is considered that as the key concern is the adverse heritage impact, that this would best be taken through the issue of a Listed Building Enforcement Notice. That Notice would require only the removal of the two display screens for the reasons set out above and a compliance period of three months is considered appropriate in the circumstances. Members will be aware that there is a right of appeal against such a Notice.

Recommendations

A) PAP/2022/0569 – The Advertisement Application

That a “split” decision is issued, such that:

i) the retention of the two display screens is REFUSED Consent for the following reasons:

1. The advertisements consisting of two 49” display screens mounted vertically in the shopfront, by reason of their brightness and positioning has an adverse effect on the amenity of the area which includes the host Grade II Listed Building, the surrounding street scene in the Conservation Area and adjacent residential properties. The display screens do not accord with Policies LP15 and LP31 of the North Warwickshire Local Plan 2021 and North Warwickshire’s Guide for Shopfront Design 2003.
2. The advertisements consisting of two 49” display screens mounted vertically in the shopfront, by reason of their brightness and positioning has an adverse effect on highway safety, due to visual interference in close proximity with road traffic signs in contravention of Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007. The position, glare and intermittent images relating to the screens within the shopfront immediately facing the oncoming traffic exiting from Market Street are considered to be a distraction that is considered to be detrimental to highway safety such that the proposal does not accord with policy LP29 of the North Warwickshire Local Plan 2021.

ii) and that Advertisement Consent is GRANTED for the remainder of the proposals subject to the following conditions:

1. This consent shall be for a limited period of five years from the date of this notice.

REASON

As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations.

2. The development hereby approved shall not be carried out otherwise than in accordance with the drawing labelled Carters Estate Agents - Signage Dimensions, and the site location plan, received by the Local Planning Authority on 02 November 2022.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. The new works shall be carried out with the Installation of 1 x Facia Signage (with halo light)
 - (a) HIGH-TAC cut vinyl detail, weed and transfer taped, applied directly to existing background;
 - (b) Built up 0.9mm stainless steel text 'CARTERS' & 'ESTATE AGENTS'; and
 - (c) HIGH-TAC printed vinyl detail, weed and transfer taped, applied directly to existing background & logo, 50mm deep, powdercoated white/bronze, halo-illuminated via white LEDs, stood off from fascia panels via nylon locators HIGH-TAC cut vinyl text, weed and transfer taped, applied directly to existing background.

REASON

In the interests of the amenities of the area and the building concerned.

4. There shall be no illuminated and/or non-static advertisements or display located within direct view of the window or door opening.

REASON

To ensure that the advertisement display does not create a danger to drivers or cause a nuisance to neighbours.

5. The luminance of the advertisement shall not exceed 600 candela per square metre; and shall be of a static non-intermittent type.

REASON

In the interests of the amenities of the area.

6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

REASON

To comply with Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

7. No advertisement shall be sited or displayed so as to –

- (a) endanger persons using any highway,
- (b) obscure, or hinder the ready interpretation of, any traffic sign, or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

REASON

To comply with Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

8. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

REASON

To comply with Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

9. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON

To comply with Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

10. The illuminated sign hereby consented shall not be illuminated between 22:00 hours and 08:00.

REASON

In the interests of the amenities of the area.

11. The consent hereby granted does not include the two 49” display screens.

REASON

For avoidance of doubt.

12. The Standard Conditions set out in Schedule 2 to the Town and Country Planning (Control of Advertisements) Regulations 2007 shall apply to the display of the advertisements permitted.

REASON

To comply with Regulation 14(1)(a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

B) PAP/2022/0570 – The Listed Building Application

i) That Listed Building Consent be REFUSED for the following reason:

1. The advertisements consisting of two 49” display screens mounted vertically in the shopfront, by reason of their brightness and positioning have an adverse effect on the significance of the host Grade II Listed Building and the character and appearance of the Atherstone Conservation Area. It is considered that there is no public benefit attributed to this illuminated internal signage that would outweigh the harm. The display screens do not therefore accord with Policies LP15, LP30 and LP31 of the North Warwickshire Local Plan 2021 and North Warwickshire’s Guide for Shopfront Design 2003
2. That officers are given authority to serve a Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect solely of the two display screens for the reasons outlined in this report and that a compliance period of three months is included on the Notice.

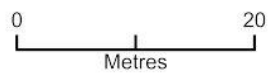


NORTH WARWICKSHIRE
BOROUGH COUNCIL

RECEIVED

02/11/2022

**PLANNING & DEVELOPMENT
DIVISION**



Plan Produced for: North Warwickshire Planning

Date Produced: 26 Oct 2022

Plan Reference Number: TQRQM22299152505354

Scale: 1:500 @ A4

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DEE BOUTIQUE THE THREE TUNS PUBLIC HOUSE

Official list entry

Heritage Category: **Listed Building**

Grade: II

List Entry Number: **1034731**

Date first listed: **30-Mar-1988**

List Entry Name: **DEE BOUTIQUE THE THREE TUNS PUBLIC HOUSE**

Statutory Address 1: **DEE BOUTIQUE, 93, LONG STREET**

Statutory Address 2: **THE THREE TUNS PUBLIC HOUSE, LONG STREET**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

Understanding list entries (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

Corrections and minor amendments (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory Address: **DEE BOUTIQUE, 93, LONG STREET**

Statutory Address: **THE THREE TUNS PUBLIC HOUSE, LONG STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Warwickshire**
District: **North Warwickshire (District Authority)**

Parish: **Atherstone**

National Grid Reference: **SP 30792 97816**

Details

ATHERSTONE LONG STREET SP3097 (South-west side) 9/54 Nos. 93 (Dee Boutique) and 95 (The Three Tuns Public House) GV II Shop and public house. Right range is early C19; left part is mid/late C19. Rendered throughout. Plain-tile roofs. T-plan, with long irregular range to rear. Right part has banded rustication to ground floor and a string course; upper floors have alternating quoins and moulded cornice. Brick ridge stack. 3 storeys; 3-window range. Entrance to The Three Tuns on the left has half-glazed double-doors and wide shallow porch of Tuscan columns supporting a plain entablature. Central shop front to No.93. has half-glazed 4-panelled door and plain fanlight set off-centre, 2 bays with late C20 glazing bars, and continuous fascia. Rusticated arch to passage on right. First floor has sashes, of 16 panes to first and second bays. Central window has rendered surround with simple consoles and cornice. Second floor has 12-pane sashes; third bay has late C20 top-hung window. Left range has brick right end stack. 3 much higher storeys; 2-window range. Moulded 4-panelled door and fanlight on left. Large ground-floor canted bay has segmental-arched plate glass sashes. Wide C20 wood mullioned and transomed 4-light window with fascia on right. Upper floors have segmental-arched 4-pane sashes in rendered architraves, moulded, chamfered and with consoles and cornices to first floor. Interiors not inspected. Included for group value.

Listing NGR: SP3079297816

Legacy

The contents of this record have been generated from a legacy data system.
Legacy System number: **309141**

Legacy System: **LBS**

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.



Map

This map is for quick reference purposes only and may not be to scale.
This copy shows the entry on 15-Mar-2023 at 13:23:04.

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End of official list entry

APPENDIX C

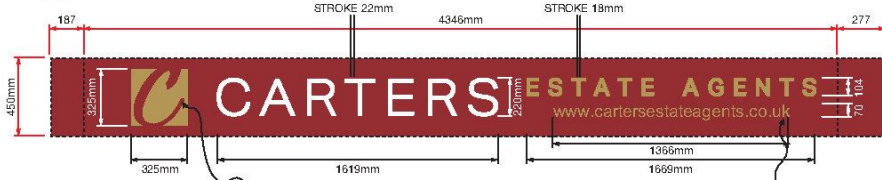
PAP/2022/0569

Item A
 City 1
 HIGH-TAC cut vinyl detail, weed and transfer taped, applied directly to existing background
 Size: 1273mm x 280mm
 Scale 1:10



NORTH NANTS ESCRIBE
 BOROUGH COUNCIL
RECEIVED
 02/11/2022
 PLANNING & DEVELOPMENT
 DIVISION

Item B
 City 1
 Built up 0.9mm stainless steel text 'CARTERS' & 'ESTATE AGENTS' & logo, 50mm deep, powdercoated white/bronze, halo-illuminated via white LEDs, stood off from fascia panels via nylon locators
 HIGH-TAC cut vinyl text, weed and transfer taped, applied directly to existing background
 Size: see below
 Scale 1:10



NOTE: DUE TO NATURE OF LOGO BRUSH STROKE EFFECT AND ACTUAL SIZE THE BUILTUP LOGO WILL NOT BE AN ACCURATE 1:1 WITH MANY SMALL DETAILS UNABLE TO BE REPRODUCED AT SUCH A SMALL SCALE

web address to be self-adhesive vinyl applied directly to background



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Client: Carters of Bedworth
 Project: Atherstone Shop
 Estimator: Ben Ashdown

Signage Colours

Job No: 32303
 Issue: 4
 Date: 18/07/22
 Designer: A, Ensor
 Page: 1 of 4

Item C
 City 1
 HIGH-TAC printed vinyl detail, weed and transfer taped, applied directly to existing background
 Size: 975mm x 485mm
 Scale 1:1



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Client: Carters of Bedworth
 Project: Atherstone Shop
 Estimator: Ben Ashdown

Signage Colours

Job No: 32303
 Issue: 4
 Date: 18/07/22
 Designer: A, Ensor
 Page: 2 of 4



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Signage Colours

Job No: 32303
 Issue: 4
 Date: 18/07/22
 Designer: A. Ensor
 Page: 3 of 4



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 Estimator: Ben Ashdown

Signage Colours

Job No: 32303
 Issue: 4
 Date: 18/07/22
 Designer: A. Ensor
 Page: 4 of 4



49XS4F-B

49" 4000 nits FHD Window Facing

Key Features

- Brightness: 4,000cd/m² (Typ)
- Life Time: 50,000 Hours
- Bezel Width: 9.0 mm (T/B), 6.5 mm (L/R)

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Choose your Size

55"

49"

INQUIRY TO BUY

FIND A DEALER

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General Development Applications

(5/c) Application No: PAP/2022/0620

Public Conveniences, Station Street, Atherstone,

Conversion of existing toilet block to include change of use to Sue Generis 'Hot Food Takeaway' & public disabled toilet, for

Mr Will Kiteley

Introduction

This application is brought to the Planning and Development Board in accordance with the adopted Scheme of Delegation because the premises are owned by North Warwickshire Borough Council.

The Site

The site is a former public toilet block adjacent to the bus station on Station Street, Atherstone and located centrally within a highway refuge between the bus stops and the road. There are a variety of commercial and residential properties surrounding the site.

A general location plan is at Appendix A.

The Proposal

The application is for the conversion of the former toilet block to a 'Hot Food Takeaway' and to a disabled toilet for use of the public.

A plan of the proposals is illustrated in Appendix B.

Representations

One letter has raised the following matters:

- There are already take-aways in the town
- The risk of school children being injured by buses
- Take-aways should not be encouraged where children congregate
- Increased pressure arising from on-street car parking from customers
- It will give rise to anti-social behaviour
- It will not enhance the heritage value of the area

Atherstone Town Council – No objection

Consultations

Warwickshire County Council as Highway Authority – No objection. This is a sustainable location in front of the bus station. There are double yellow lines in front of the building with nearby parking spaces.

Environmental Health Officers – No objection subject to conditions

Development Plan

North Warwickshire Local Plan 2021 - LP21(Services and Facilities); LP29 (Development Considerations) and LP30(Built Form)

Other Relevant Material Considerations

National Planning Policy Framework

Observations

The site is within the town centre as defined by the Local Plan and thus is a sustainable location with the bus station and taxi ranks nearby. The introduction of a new commercial use here is thus supported in principle. The addition of having public access to a wheelchair accessible toilet is also supported.

The hot food takeaway will provide a varied menu through the day to allow for breakfast, lunch and light meals to suit the demand. The hours of business have been considered to suit the existing activity associated with the bus station and is therefore unlikely to result in any material additional disturbance to neighbouring properties. Provisions are to be put in place for the cleaning of rubbish associated with the business as well as for the storage of waste.

The existing building would remain with minor alterations to the existing openings. The floor level is to be lowered to enable level access and to omit the ramps that were initially proposed. The internal layout has been amended to accommodate full disabled access for wheelchair users and the requirements of Environmental Health for food hygiene. The proposal is to utilise the existing openings where possible, with new openings as necessary to suit the business need, with materials to match.

The final details for the extraction flue, ventilation and refrigeration systems can be reserved to later determination.

The Council is under a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of its Conservation areas. The significance of this part of the Atherstone Area is its continuing commercial role within the larger town centre and its historic links to former markets. Architecturally it has a predominantly two storey built form reflecting Victorian characteristics with more modern additions and alterations. The proposed use would not cause harm to this significance and the reuse of the building for an appropriate alternative use would maintain the appearance of the area. There are also Listed Buildings in the vicinity surrounding the bus station. The Council is under a statutory duty to have regard to the desirability of preserving such buildings and their settings. Here it is the latter point that is the main issue. As with the conclusion on the Conservation Area, there is not considered to be any harm to the setting of the nearby listed buildings due the wider commercial activity and uses that are already present.

The Council should also consider, and give appropriate weight to, the benefits of provision of a wheelchair accessible public toilet in the Town Centre, close to a transport hub. This would advance equality of opportunity for persons with a disability in that the additional facility in the Town Centre will make travel to and from Atherstone more accessible.

Recommendation

That planning permission be GRANTED subject to the following conditions:

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

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered 332 - PL - 001 - A Site Location Plan and the Heritage Statement 17.02.23, received by the Local Planning Authority on 22 February 2023; and the plans numbered 332 - PL - 120 - B Proposed Floor Plan & Visuals and 332 - PL - 150 - B Proposed Elevations, received by the Local Planning Authority on 17 May 2023.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. There shall be no business operations other than between 0600 hours and 2300 hours on Mondays to Saturdays inclusive and between 0900 hours and 1900 hours on Sundays. There shall be no business operations whatsoever at any time on Bank Holidays, Good Friday, Easter Sunday or Christmas Day.

REASON

To prevent additional disturbance to the occupiers of nearby properties.

4. There shall be a collection of rubbish associated with the business between 1400 and 1700 hours together with one at the immediate end of the business operation hours on all days that the business is operational. Rubbish will be collected from a 10 metre radius of the proposed business use and stored at the premises or an alternative agreed location until collected by appropriate waste collection services.

REASON

To ensure that the local area is not adversely impacted by litter associated with the business, and that the business does not attract pests.

5. The daily food waste from the business is to be collected within the premises, and transferred regularly (at least daily) to an agreed off premises commercial waste collection point.

REASON

To prevent a build up of waste within the premises and the attraction of pests.

6. The use hereby permitted shall not be brought into use until full details and specifications for the heating, cooling, extraction and ventilation systems to be introduced into the kitchen and toilet areas have first been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall then be installed onsite.

REASON

To ensure adequate ventilation of the kitchen and toilet areas, and the ambient temperature of the seating area, and to ensure that any external equipment does not adversely impact the conservation area.

7. No development shall take place until a Site Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include:
 - Measures to control the emission of dust during construction and demolition;
 - How the use of diesel or petrol powered generators can be avoided with the and use of mains electricity or battery powered equipment where practicable;
 - Noise control measures during construction so as to accord with BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites; and
 - Details of the contact for any local concerns with the construction activities on the site

The approved Site Environmental Management Plan shall be adhered to throughout the construction period of the development.

REASON

In the interest of the amenity of neighbouring properties and to minimise the environmental impact of the construction process.

Notes

1. The developer is reminded that the Control of Pollution Act 1974 restricts the carrying out of construction activities that are likely to cause nuisance or disturbance to others to be limited to the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, with no working of this type permitted on Sundays or Bank Holidays. The Control of Pollution Act 1974 is enforced by Environmental Health.
2. Advertisement Consent is required under a separate procedure of the Town and Country Planning Act 1990. Should any advertisements, signs, name boards, or other devices to attract attention, be intended in respect of this development, the Local Planning Authority will be pleased to advise you on all associated aspects prior to the erection of any such advertisements, and provide you with application forms.
3. The applicant is advised that this permission is in respect of a change of use of the premises only and any external alteration to the building will require a separate planning permission.
4. Any alterations to the paving to form ramped or level access to the public toilet and burger bar entrance require works to be carried out within the limits of the public highway. Before commencing such works the applicant should contact the Highway Authority's Area Team which will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and any necessary consents. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant. The Area Team at Coleshill may be contacted by telephone: (01926) 412515.
5. Prior to the occupation of the approved development, please contact our Street Name & Numbering officer to discuss the allocation of a new address on 01827 719277 or 719477 or via email to SNN@northwarks.gov.uk. For further information visit the following details on our website: https://www.northwarks.gov.uk/info/20030/street_naming_and_numbering/1235/street_naming_and_numbering_information
6. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.
7. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway; or surface water to flow - so far as is reasonably

practicable - from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

8. The applicant's attention is drawn to the provision of the Equalities Act 2010, as amended, which places a statutory duty upon providers of services and facilities to make reasonable and practicable provision for the means of access, and the use of the facilities and services offered to others, to meet the needs of all people with disabilities, including invisible disabilities. This includes the provision of seating and tables, and to the serving hatch or counter, and the layout of the toilet facilities. Part M Volume 2 of the approved documents to the Building Regulations provide the minimum physical standards for accessibility for all customers and employees, however there is also a requirement for softer provisions such as staff training and equipment such as induction loops, and contrasting surfaces.
9. The details of the flue should be close to the illustrative flue shown on the plans and elevations, and should be black in colour to avoid the flue becoming over dominant or intrusive in the Conservation Area.
10. Any gas boilers to be installed or replaced shall be a low NOx Boiler. The boiler must meet a dry NOx emission concentration rate of <40mg/kWh. The specification of the gas boiler(s) shall be submitted to and approved in writing by the Local Planning Authority before they are fitted, and the approved specification shall be implemented prior to the first occupation of the development.
11. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through /suggesting amendments to improve the quality of the proposal/ meetings and negotiations and quickly determining the application. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

APPENDIX A

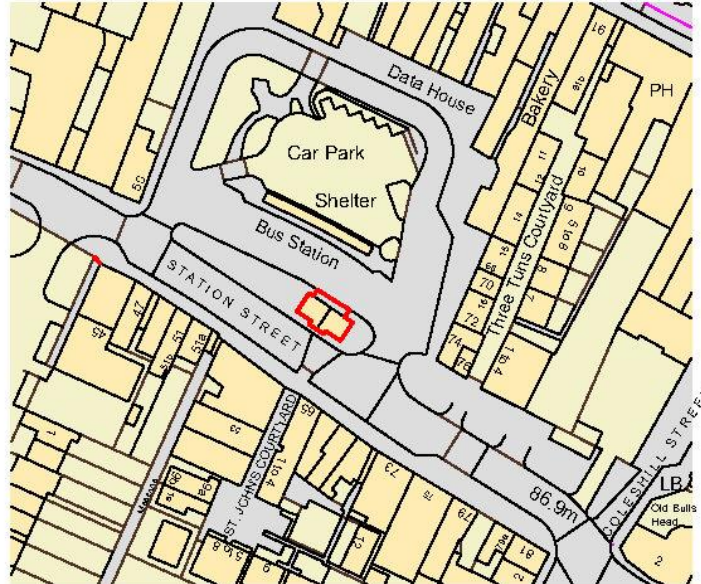
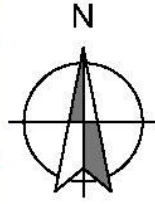
PAP/2022/0602

NORTH WARWICKSHIRE
BOROUGH COUNCIL

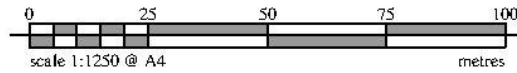
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22/02/2023

PLANNING & DEVELOPMENT
DIVISION



Site Location Plan



Revision:	Date:	Details:		Client:	Mr W Kitaley		
A	17.02.23	Red line updated		Job:	Former public WC's - Station Street Atherstone		
				Drawing title:	Site Location Plan		
				Project Ref.	Stage	Drawing Ref.	Rev.
				Drawing Number:	332 - PL - 001 - A		
				Scale @A4:	As Shown		
			Date:	April 2022			
			Drawn by:	SDS	Checked by:	PJH	

NORTH WARWICKSHIRE
BOROUGH COUNCIL
RECEIVED
17/05/2023
PLANNING & DEVELOPMENT
DIVISION
PAP/2022/0620

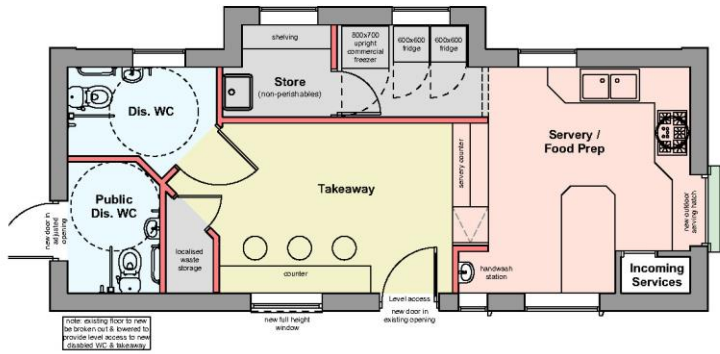
APPENDIX B



Proposed 3D Visual
from Station Street



Proposed 3D Visual
from Bus Stop



Proposed Floor Plan



Revision	Date	Notes	Notes
A	17/01/22	Proposed contract file added	1. Localised waste storage as indicated is intended only as temporary bagged waste storage generated from daily operation - waste to be removed at the end of each working day & disposed off site by relevant haulier.
B	07/01/22	Plan completed & notes added re: localised waste storage, 3D visuals updated	
		to include proposed floor area, equipment, and final design drawings	

P S L LTD.	Client:	M/W K&W
	Job:	Former public WC's - Station Street Attractions
	Drawing Title:	Proposed Floor Plan & Visuals
	Drawing Number:	332 - PL - 120 - B
	Scale:	As Shown
Date:	April 2022	
Drawn by:	SCB	Checked by: PAB

General Development Applications

(5/d) Application No: PAP/2022/0457 and PAP/2022/0458

Coach Hotel, High Street, Coleshill, B46 3BP

Retrospective approval for pergola/shelter within the rear courtyard of the Coach Hotel, for

Mr Leo McGroarty

Introduction

These applications are referred to the Board for it to assess the expediency of enforcement action should there be no support for the retention of the shelter.

The Site

This is substantial three storey hotel building located on the west side of the High Street within the town centre. The frontage here comprises similar buildings with the Coleshill Hotel immediately to the south. To the north is an access leading to residential property and there is a mixture of two and three storey residential and commercial buildings on the opposite side of the road. The building has a rear range and there is a more modern function room at its rear. The car park is accessed directly off the High Street. There is a free-standing outbuilding within the car park running along the northern boundary

There is residential property backing onto the rear of the premises – Lyon Court and in Parkfield Road.

A general location plan is at Appendix A.

The Proposals

It is proposed to retain a shelter/pergola structure attached to the north elevation of the rear range. It is constructed as a timber frame with timber cladding and has pitched Perspex panel roofing. It measures some 37 square metres in floor area and three metres at its apex. It provides outdoor seating as well as being a smoking area.

A Plan and a photograph are at Appendix B

Background

The Site is within the Coleshill Conservation Area.

The building is a Grade 2 Listed Building dating from the 19th Century. The Listing description is attached at Appendix C.

Planning and Listed Building Consents were granted in late 2021 for the erection of bedroom accommodation at the rear of the function room running along the rear boundaries of the properties in Lyon Court. The plan and elevations are shown at Appendices D and E.

Photographs from 2011 and 2017 show similar earlier shelters located on the same footprint – see Appendices F and G.

Representations

Coleshill Town Council – No objection

Consultations

Heritage Officer – The proposal has an adverse impact on the significance of the heritage assets and its retention cannot be supported.

Development Plan

North Warwickshire Local Plan 2021 – LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP15 (Historic Environment), LP21 (Town and Neighbourhood Centres), LP29 (Development Considerations) and LP30 (Built Form)
Coleshill Neighbourhood Plan

Other Material Planning Considerations

The National Planning Policy Framework

The Coleshill Conservation Area Designation Report

Observations

a) Introduction

There is no objection in principle here as the proposal is within the town centre where development associated with the vitality and viability of its services is supported by planning policy. Moreover, it is a development incidental to the lawful use of the premises.

There have been no objections received from the Environmental Health Officer nor from local residents. The proposal too does not lead to a material reduction in the available car parking accommodation on the site.

b) Heritage Harm

The main issue here is the potential heritage impact given its location in the town's Conservation Area and it being within the curtilage of a Listed Building. In other words, the Board has to address the planning balance of determining whether any harm caused to these assets is outweighed by any public benefits.

The Council is under a Statutory Duty to pay special attention to the desirability of preserving or enhancing the character and appearance of its Conservation Areas. In order to do so in the case of proposed development, it is necessary to identify the heritage significance of the Area within which it is located. An Assessment can then be made on the impact of the proposal on that significance. Here the significance of the Area lies in the fact that it covers the whole of the town centre reflecting its architectural and historic evolution over time, but with a particular representation of the Georgian

period and its role in providing coaching accommodation. This has resulted in three storey frontage development along practically the length of its linear High Street characterised by contemporaneous architectural attributes. There is also a significant community significance to the Area given that the old coaching function has been retained through its contemporary role as hotel and other hospitality uses. The proposal in principle would align with this overall significance in providing a development that is ancillary to the function of this particular property. Additionally, it is not wholly visible when viewed from the access onto High Street and neither does it obstruct or interfere with the views of the group of buildings which make up the property. On the other hand, the proposal does not reflect the architectural attributes or characteristics of the predominant Georgian style of the Conservation Area. It is also large, being out of scale in its setting to the extent that it also covers the elevation of the rear range. As a consequence, the proposal does not conserve or enhance the character and appearance of the Conservation Area. Overall, the harm caused is considered to be less than substantial because the structure is temporary, any harm caused is reversible and it is not visually prominent in the street scene.

The Council is also under a Statutory Duty to the desirability of preserving a Listed Building, its setting or any features of special architectural or historic interest it possesses. In this case the significance of the Listed Building here its retention as an original 18th Century example of a Coaching Inn with its contemporaneous architectural attributes and historic characteristics. Its community significance is also continued. The proposal does not directly affect the internal historic floor layout. It neither directly impacts on the external rear elevation of this part of the rear range as the openings here are retained and not altered and neither is their loss of historic fabric. However, the shelter obscures some architectural elements including first floor oriel windows and inhibits appreciation of the whole of the asset. Additionally, the materials and detailing have no link or connection with the detail of the “host” building. The openness of the rear courtyard is a feature of the historic value of the building as a former coaching Inn and the size of the proposal together with its visual prominence, degrades the character of this space and leads to a loss of openness. Overall, there is harm caused to the significance of the asset here, particularly to its setting. As above, the degree of harm is considered to be less than substantial for the same reasons.

Therefore, there is harm caused to the heritage assets here. For a number of reasons, this is considered to be less than substantial and importantly this harm is to the setting of the Listed Building itself, rather than directly to its fabric or layout and to its setting in the context of the Conservation Area. This harm has to be weighed against the public benefits of the proposal in addressing the final planning balance in this case.

c) Public Benefits

The applicant says that these benefits are the business requirement for providing sheltered external space and in order to accommodate smokers given legislative requirements. Recent COVID restrictions also needed to be factored in. Whilst these are all acknowledged and understood, there has been no evidence submitted to support this case and perhaps more importantly, no analysis undertaken of looking at different solutions including different designs and locations for outdoor sheltered accommodation. The present occupier has just repaired and refurbished an existing structure.

d) Other Material Planning Considerations

Although not being “public benefits” in the terms of national planning guidance on heritage matters, the Board should be aware of two material planning considerations that need to be added into the assessment of the final planning balance. These are the fact that there has been an outdoor shelter here at this location to the rear of the site since at least 2011. This appears to have been repaired and refurbished over time to result in the present arrangement. The present structure may therefore be immune from enforcement action because it is over four years old. Even if this is not the case, the fact that a similar structure has been on the exact same site since 2011, would be a material consideration of significant weight in any assessment of the expediency of commencing planning enforcement action. However, there is no such time limit in the case of the need to obtain Listed Building Consent. Listed Building enforcement could thus be taken but providing evidence to show that there is a material difference between this structure and its predecessors in terms of listed building harm caused, would be a mitigating factor of some weight in the applicant’s defence. Secondly, the present structure can be removed without damage to the asset itself or to its setting. In other words. it is reversible. If wholly removed and not replaced, then any harm can be removed. However, removal and replacement with a more appropriate structure, could reduce the harm caused such that the weight of the public benefits side of the final planning balance, could outweigh that harm.

e) Conclusions

When all of these matters are considered together, it is concluded that the best way forward may be to grant temporary consents for the present structure. The applicant would then be advised that any applications to renew these structures would not find support. In the interim, between the date of the grant of any temporary consent and its expiry, the applicant would be advised to meet with officers in order to explore different solutions to the provision of sheltered accommodation.

Recommendations

A) That both planning permission and Listed Building Consent be GRANTED subject to the following conditions:

1. This planning permission/listed building consent shall expire on 31 May 2024 and the sheltered accommodation as shown on the plans defined in Condition 2 below shall be wholly removed from the site before 30 August 2024, with all of the resultant materials removed from the site.

Reason

In view of the harm caused to the heritage assets being the Coleshill Conservation Area and the Grade 2 Listed Building known as The Coach Hotel.

2. Standard Plan numbers condition – the location plan 1483-LOC 01 and plan number 1483-22 both received on 5/9/22

Reason

To ensure that the development is carried out strictly in accordance with the approved plans.

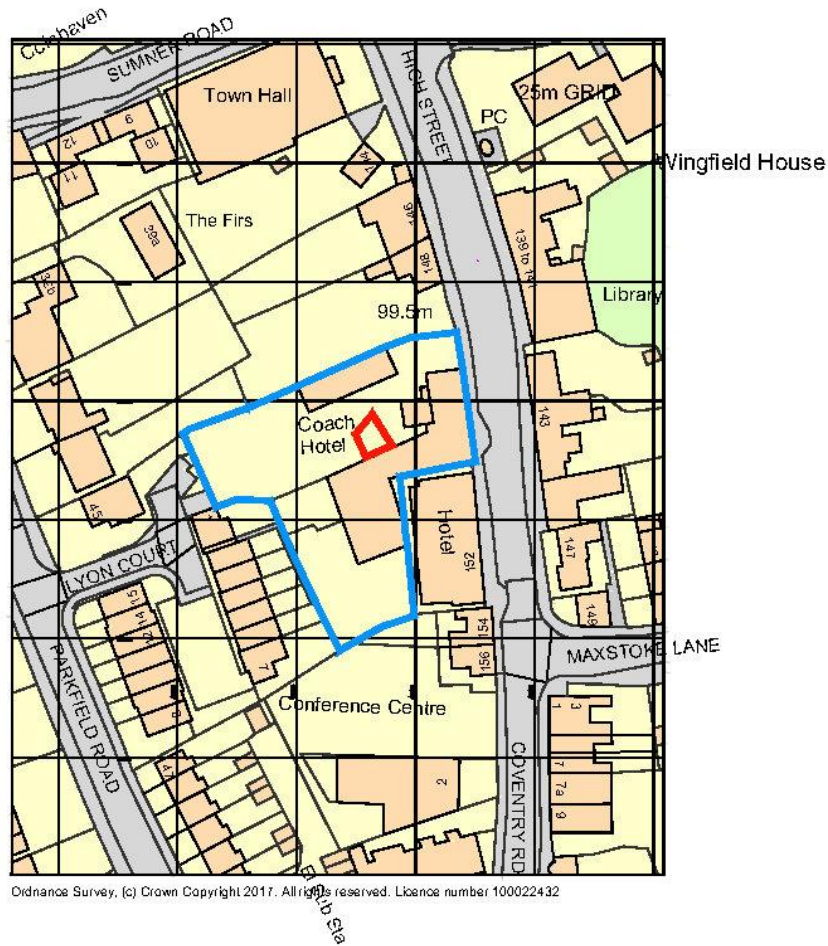
3. No work shall commence on the demolition of the sheltered accommodation and in particular, its removal from the north facing elevation of the rear range to the Coach Hotel, until a Method Statement for that removal and demolition together with details of any subsequent re-instatement needed for the repair of that elevation, has first been submitted to and approved in writing by the Local Planning Authority. Only works within the approved Statement shall then be carried out on site.

Reason

In the interests of the heritage value of the Listed Building.

Notes

1. The Local Planning Authority has met the requirements of the NPPF in this case through providing a course of action that can lead to a positive outcome bearing in mind all of the material planning considerations present.
2. That the applicant be informed that any application to renew these consents is unlikely to be supported unless the size, design and appearance of the structure is amended and therefore that he be invited to engage with officers at the earliest opportunity to explore an alternative arrangement.

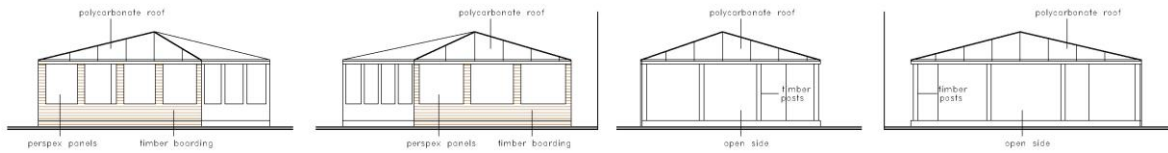


LOCATION PLAN
SCALE 1:1250 @A3

THE COACH HOTEL
150 HIGH STREET, COLESHILL



1483-LOC 01

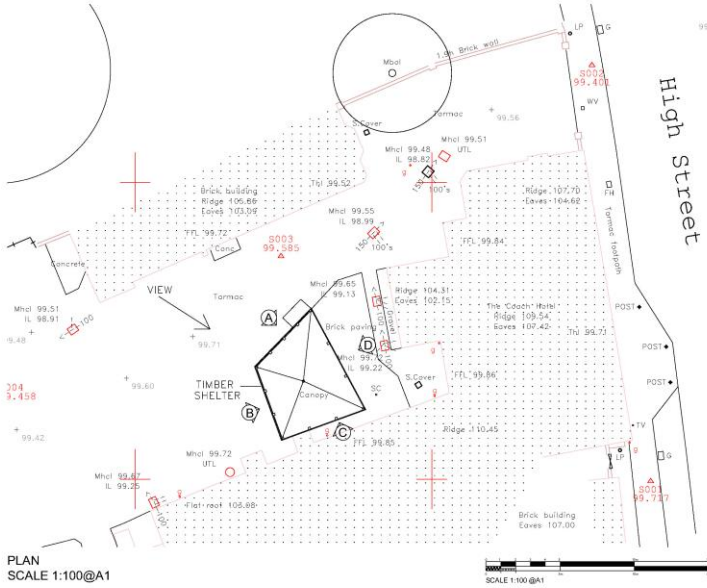


ELEVATION A
SCALE 1:50@A1

ELEVATION B

ELEVATION C

ELEVATION D



PLAN
SCALE 1:100@A1

SCALE 1:100@A1



PHOTOGRAPH OF SITE FROM PARKING AREA



Client	
Project	
Location	
Date	
Scale	
Author	
Check	
Drawn	
Discussed	
Approved	
Project Manager	
Client Representative	

Planning
THE COACH HOTEL
150 HIGH STREET, COLESHILL
EXTERNAL SHELTER
PLANS AND ELEVATIONS

Scale	1:50
Scale	1:100
Scale	1:200
Scale	1:500
Scale	1:1000

fb Architecture

SP2088-2188
11/51
11/11/52

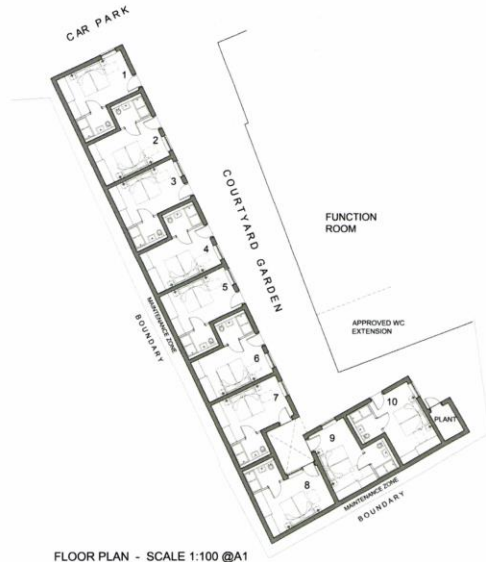
COLESHILL

HIGH STREET
(West side)
No.150 (The Coach Hotel)
(Formerly listed as Coach
Hotel)

GV

II

Public house. Early C19 with later alterations and additions. Roughcast brick; hipped plain tile roof; brick stack behind the ridge. 3 storeys, reduced proportions to second floor; dentilled eaves band. 2 bays: tripartite glazing bar sashes with segmental heads and raised keys. 4-panel door to the right with pilastered doorcase and rectangular overlight. Double gabled extension to the right: 2 storeys; 4 bays of glazing bar sashes and casements. Further extensions to the rear. The interior has been altered but contains an C18 cast iron fireplace surround.



SITE LAYOUT AND ROOF PLAN - SCALE 1:200 @ A1



RECEIVED
 25/11/2019
 PLANNING & DEVELOPMENT DEPARTMENT

fb Architecture

FOR PLANNING:
 THE COACH HOTEL,
 190 HIGH STREET, COLESHILL,
 PROPOSED BEDROOM ANNEX,
 PROPOSED SITE PLAN AND
 FLOOR PLAN

DATE: 25/11/2019
 TIME: 14:30
 BY: J.B.
 FOR: J.B.



THE COACH HOTEL, COLESHILL - PROPOSED HOTEL BEDROOM ANNEX



REVISED WINDOW OPTION A

Aerial view of Courtyard

THE COACH HOTEL, COLESHILL - PROPOSED HOTEL BEDROOM ANNEX



REVISED WINDOW OPTION A

View of Courtyard looking North

THE COACH HOTEL, COLESHILL - PROPOSED HOTEL BEDROOM ANNEX



THE COACH HOTEL, COLESHILL - PROPOSED HOTEL BEDROOM ANNEX

APPENDIX F



PHOTOGRAPH FROM SEPTEMBER 2017



VIEW FROM CAR PARK (AUG 2022)



VIEW FROM CAR PARK (AUG 2022)



VIEW FROM CAR PARK ACCESS (AUG 2022)



COACH HOTEL - DESIGN AND HERITAGE STATEMENT

The Coach Hotel is a long established business in the centre of Coleshill, which has been operating on this site since the early C19th. It occupies a Grade II listed Georgian building in a prominent location on the High Street. The building extends to the rear, with a C20th Function Room on the rear part of the Hotel site. There is a detached building to the north, creating a semi-enclosed courtyard which includes and external terrace. This application relates to an existing structure located in the



LOCATION PLAN

courtyard at the rear of the Coach Hotel which provides a free-standing smoking shelter / outdoor customer seating area associated with the Hotel. The structure was first constructed on the external terrace of the Hotel in 2011 (when it can be seen on aerial photography). It has been adapted and repaired in the intervening time.

The shelter is a 'temporary', lightweight, timber structure with a translucent polycarbonate roof. It is open on the two sides facing the hotel building, (in compliance with regulations for smoking shelters), and enclosed with perspex panels on the north and west sides. This provides the structure with transparency and daylight and also helps provide some acoustic enclosure for the external terrace.

The structure is necessary to provide a sheltered area for smokers and it also provides a well defined, enclosed outdoor area for customers. It is located adjacent to the bar access doors, and discretely shielded from public viewpoints and neighbouring residential uses by the existing buildings on the site. The lightweight and 'temporary' character of the structure minimises its impact on the listed building.

The continuance of the viable Hotel business use on this site is important to secure the future of the listed Coach Hotel building.

The structure, which is the subject of this retrospective application, meets the Hotel business requirement for providing a sheltered external space in the most appropriate way for the site.



GOOGLE EARTH VIEW
DATED SEPTEMBER 2011

General Development Applications

(5/e) Application No: PAP/2023/0058

25, Wood Street, Wood End, Tamworth, CV9 2QJ

Single storey rear extension, for

Mr John Skeldon

Introduction

This case was referred to the last Board meeting, but determination was deferred in order to enable Members to visit the site. This took place after the publication date for these papers and thus there will be a verbal update given of this visit at the meeting.

The previous papers are attached at Appendix A

Additional Information

Reference was made during the Board's discussion of this case to the Building Regulations. Officers understand that an Inspector has visited the site and has been looking at the drainage and foundations as well as advising on the fire regulations.

As Members have been advised, these matters will be dealt with under the Building Regulations which are managed separately to Planning legislation, by the Central Building Control Partnership.

Recommendation

That planning permission be GRANTED as set out in Appendix A

General Development Applications

(8/e) Application No: PAP/2023/0058

25, Wood Street, Wood End, Tamworth, CV9 2QJ

Single storey rear extension, for

Mr John Skeldon

Introduction

This application is reported to the Board due to the concern of a Local Ward Member about adverse impacts to neighbouring residential amenities.

The Site

The application site is a bungalow on a residential street in Wood End. The neighbouring properties are also bungalows of similar design with two storey dwellinghouses to the rear of the site boundary.

A Location Plan is at Appendix A.

The Proposal

This is a retrospective application to retain a single storey rear extension.

Images of the extension can be found at Appendix B

A block plan showing the relationship of the extension to neighbouring properties can be found at Appendix C

Development Plan

The North Warwickshire Local Plan 2021 – LP29 (Development Considerations) and LP30 (Built Form)

Other Relevant Material Considerations

The National Planning Policy Framework 2021 – (the "NPPF")

The Householder Design Guide

Representations

An objection has been received referring to the following:

- The extension breaches the '45 Degree Rule' for light and possibly the 50% rule for volume
- It is not a conservatory as originally stated on the application form
- The extension is too high

e/31

- The extension does not comply with building regulations

Observations

Local Plan Policy LP30 requires that all development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. The design of the extension is sympathetic to the host dwellinghouse, with its lower ridge line and matching brickwork.

The roof of the extension attempts to match the neighbouring property's conservatory as closely as possible, as shown in Appendix B. There are similar conservatories and extensions on neighbouring properties in the locality of the property.

Local Plan Policy LP29 (9) states that developments should amongst other things, avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution. Officers consider that the extension causes no adverse impact on the amenities of the neighbouring properties.

It is however necessary to address the planning concerns raised by the objector.

Members are aware that the 45-degree matter is only guidance. Here both neighbouring properties have conservatories which either line up with this extension or extend beyond it. Therefore, the 45-degree rule has not been breached on this occasion as light is already impeded from entering habitable rooms by these neighbouring conservatories.

The reference to a 50% volume rule carries no weight as it does not appear in the Local Plan, nor does it appear in the Householder Residential Design Guide.

The original submission described the works as a conservatory. The applicant has agreed to change this to a 'single storey rear extension'.

Officers consider the height of the extension is appropriate with the total height of the bungalow being around 3.5m and the ridge height being 2.3m. This is the typical height for a single storey extension.

At the time of writing this report the applicant is seeking an inspection from Building Control colleagues. The Board will be updated on the outcome of this inspection but as Members are aware, the Regulations are a separate piece of legislation which is not enforced by the Authority.

Overall, therefore it is considered the constructed extension is in accordance with the Development Plan

Recommendation

The planning permission be granted subject to the following condition:

1. Standard plan numbers condition.

Appendix A



Appendix B



e/34

5e/87

Appendix C

