

**To: The Deputy Leader and Members of the Planning and Development Board
Councillors Simpson, Bell, T Clews, Deakin, Dirveiks, Downes, Hayfield, D Humphreys, Jarvis, Lebrun, Morson, Parsons, H Phillips, Symonds, A Wright**

For the information of other Members of the Council

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For general enquiries please contact Democratic Services on 01827 719221 or 719450 or via e-mail – democraticservices@northwarks.gov.uk

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

PLANNING AND DEVELOPMENT BOARD AGENDA

13 January 2020

The Planning and Development Board will meet in The Council Chamber, The Council House, South Street, Atherstone, Warwickshire, CV9 1DE on Monday 13 January 2020 at 6.30 pm.

AGENDA

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

ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

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

Summary

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

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

5 **“The Funky Bear” Public House, Cliff** – Report of the Head of Development Control

Summary

The report brings Members up to date in respect of its decision to serve a Listed Building Enforcement Notice in respect of this property.

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

6 **Exclusion of the Public and Press**

Recommendation:

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 Schedule 12A to the Act.

EXEMPT INFORMATION (GOLD PAPERS)

7 **Land Adjacent Orchard House, Cliff** – Report of the Head of Development Control

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

STEVE MAXEY
Chief Executive

Agenda Item No 4

Planning and Development Board

13 January 2020

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, 3 February 2020 at 6.30pm in the Council Chamber at the Council House.

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
1	PAP/2019/0524	4	Lea Marston Sports Ground, Blackgreaves Lane, Lea Marston, Erection of amenities block for existing 5 no: caravan pitches at c.l.5 caravan site and construction of hardstanding pitches for 5 caravans	General
2	PAP/2019/0561 PAP/2019/0562 PAP/2018/0563 MIA/2019/0037	13	Hatters Arms, Church Road, Warton, and 3-6 Trinity Road Warton Erection of No.6 two bedroom houses. Change of use to 4 apartments with parking. Demolition of 4 dwellings and erection of 4 two bedroom dwelling with parking. Minor amendment for changes to condition 2 of PAP/2018/0765	General
3	PAP/2019/0570	64	5, Roman Way, Dordon, Erection of two storey side extension	General
4	PAP/2019/0685	73	Wathen Grange School, Church Walk, Mancetter, Conversion and extension of former school building plus erection of new building to provide 27 dwellings, access and associated parking plus demolition of existing single storey outbuildings	General

General Development Applications

(1) Application No: PAP/2019/0524

Lea Marston Sports Ground, Blackgreaves Lane, Lea Marston,

Erection of amenities block for existing 5 no: caravan pitches at c.I.5 caravan site and construction of hardstanding pitches for 5 caravans, for

Mr Guy Breeden

Introduction

This application is being reported to the Development and Planning Board at the request of local members concerned about potential impacts.

The Site

The site lies within the Green Belt and is accessed from Blackgreaves Lane. It is situated adjacent to Blackgreaves Farm. The application site comprises of a caravan site which can accommodate up to 5 caravans/motor homes for up to 28 days in a calendar year without requiring a planning application. There are residential properties to the south west in the now converted barns of the original Blackgreaves Farm. To the north and west of the application site is a golf course and to the east is a cricket field beyond which is the Lea Marston Hotel.

Photographs of the site together with an aerial photo of the whole area are below.

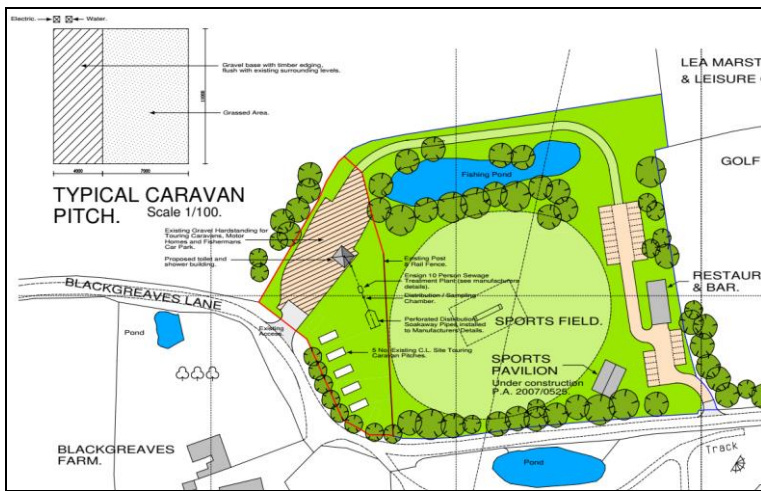




The Proposal

Planning permission is sought for the erection of a single storey building to provide a toilet and shower block to service up to five caravans/motorhomes using Lea Marston Shooting Club's licenced Certified Location at Lea Marston Camping Site. It already provides a maximum of five caravan bays. Planning permission is also sought for the gravelled access track and gravelled hard standing pitches for the five caravan bays.

The building would measure 6.7metres in width by 6.2 metres in length and a height of 2.5m to the eaves. The building would have a 1.2 metre wide hard-surfaced external path along the northern, western and southern edges to provide a level, surfaced access for all users in all weathers. The overall building footprint, excluding the external pathways would be 42.26m².



Reclaimed clay plain "Starburst Blue" roof tiles.
 Central cladding - Marley Eternit Colour Oak.
 Facing brickwork - Manselton Grey Red Multi.

Elevation - facing Blackgreaves Lane.
 Scale 1/100.

Elevation - facing Golf Course.
 Scale 1/100.

Elevation - facing Fishing Pond.
 Scale 1/100.

PLANNING & DEVELOPMENT DIVISION

Rev.A. Title change. 22/02/19.
 Rev.B. Minor change. 09/09/19.
 Rev.C. Additional notes added. 03/10/19.

BAILEY DESIGN LIMITED
 ARCHITECTURAL, PLANNING & DEVELOPMENT CONSULTANTS

43a MITCHELLS COURT LOWER GUNGATE TAMWORTH
 STAFFORDSHIRE B79 7AS Tel 01827 314862

ERECTION OF AMENITIES BLOCK & CONSTRUCTION OF
 5 No. CARAVAN PITCHES AT EXISTING CL SITE,
 BLACKGREAVES SPORTS GROUND, BLACKGREAVES LANE, LEA MARSTON

Floor Layout.

Elevation - facing Restaurant.
 Scale 1/100.

The applicants have indicated that the amenity building is essential to the users of the fishing pools; caravan visitors to the site and visitors camping. They say that there are 30 fishing pegs on site which are well used during the summer, with fishermen often camping in bivouac without any facilities. It is outlined that they have many disabled shooters who visit the site with their mobility aids in touring caravans. The facilities available in non-adapted caravan's facilities are restrictive. The disabled facilities incorporated in the design of the amenity block are essential to avoid discrimination. Temporary facilities are provided for their use, at present, but these are far from ideal.

The run off from the hard-standing will be into the adjacent ditch or the existing drainage system on site. The site is well screened from the road, with the landscaping reinforcement planted over the past ten years coming to maturity. Historically there were twelve poplar trees planted on the verge in front of the camp site which we would like to replace.

Background

PAP/2014/0507 - Planning permission was refused in 2015 for the change of use of land for the stationing of sixteen touring caravans with hardstanding's and showers and WC accommodation in two porta-cabin type moveable units.

Planning permission was granted under ref: PAP/2007/0525 for the erection of a cricket pavilion consisting of toilets and changing facilities with a footprint of some 130 square metres to a height of 4.5 metres.

Development Plan

North Warwickshire Core Strategy (October 2014) - NW1 (Sustainable Development); NW3 (Green Belt), NW10 (Development Considerations), NW12 (Quality of Development), NW13 (Natural Environment) and NW16 (Green Infrastructure)

North Warwickshire Local Plan 2006 (Saved Policies) - ENV13 (Building Design)

Other Relevant Material Considerations

National Planning Policy Framework 2019 – (the “NPPF”)

The North Warwickshire Local Plan Submission Version, March 2018 – LP3 (Green Belt) and LP31 (Development Considerations)

Consultations

Environmental Health Officer - No objection

Representations

Lea Marston Parish Council – It has objected for the following reasons:

- The previous refusal is a material consideration.
- The building is too large.
- The facilities are not essential for 5 caravan pitches.
- It is not considered that there are very special circumstances for the proposal.

- Question whether they are a certified location for caravans.
- One pitch should be for disabled access.
- Surface water flooding will be exacerbated by the development.
- The foul sewerage is inadequate.

Observations

The application site comprises a licensed caravan site which can accommodate up to five caravans/motor homes for up to 28 days in a calendar year without requiring a planning application, as it is permitted development. The site is licensed to the Lea Marston Shooting Club.

a) The Green Belt

The site lies within the Green Belt and so any development proposal should accord with advice contained within Policy NW3 in the North Warwickshire Core Strategy 2012 and the NPPF. It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the Framework states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, unless they fall under one of the listed exceptions. One of these exceptions and not therefore to be considered inappropriate development is for the, 'provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.'

The proposed amenities block would provide toilet and shower provision for an existing touring caravan site operated by the Lea Marston Shooting Club (i.e. a recreational organisation), it would also provide such facilities for people using the fisheries and would be accessible to disabled users of the facility. It is therefore considered that the building would represent an essential facility to support the existing tourism/recreational use of the site. Moreover, given its modest size and relatively enclosed nature of the site, the development would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

The caravan pitches created are also present, however they are not at present hardsurfaced and as such the proposal will increase and improved the usability of the pitches throughout the year. In terms of the impact on the Green Belt, this will be limited through design and position behind existing hedgelines. Thus, the structure and hardstandings would not represent inappropriate development in the Green Belt and would therefore accord with Policy NW3 of the Core Strategy and the Framework in this regard.

b) Character and Appearance

Part one of saved policy ENV13 relates to the physical characters of built form, only permitting development where the 'scale, massing, height and appearance of the proposal positively integrates into its surroundings'.

The application site is largely obscured from public views along Blackgreaves Lane by the existing established landscaping with the building being visible from the entrance to the site and from views from the adjacent cricket ground. Due to its position set back in the plot, existing landscaping and modest size, the proposed structure would not appear unduly prominent from public vantage points.

Consequently, the development would preserve the character and appearance of the countryside, including the impact on important trees. In this respect, it would accord with saved policy ENV13 of the 2006 Local Plan.

c) Residential Amenity

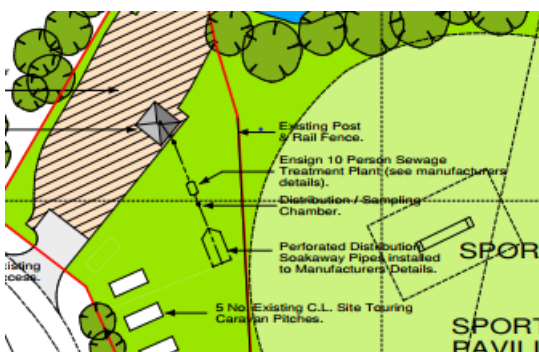
The 2014 Core Strategy Policy NW10 (9) requires all development proposals to avoid and address unacceptable impacts upon neighbouring properties. The site is an existing caravan site and therefore its use as a touring caravan site is lawful. It is therefore necessary to establish whether a proposed amenity building of this location would impact on the residential amenities of nearby occupiers. As the site only benefits from a license for up to 28 days in each calendar year for a maximum of five caravans/mobile homes, any potential noise and disturbance generated by the use of the amenity building on neighbouring properties is likely to be limited. Therefore, the proposal would preserve the residential amenities of neighbouring occupiers and accord with Policy NW10 of the Core Strategy.

d) Highway Safety

Given that the site is an existing lawful use, it is considered that the introduction of an amenity block would not result in an increase in vehicular traffic on Blackgreaves Lane. Therefore, the proposal will not negatively impact on highway safety in the area. As such the proposal will comply with Policy ENV14 (Access Design) in the Core Strategy 2014.

e) Other Considerations

Concern was expressed previously about the foul drainage and surface water drainage. This is to be provided by a new ensign treatment plant which then extends to a soakaway. Environmental Health are happy with this method of foul disposal. Surface water issues will be dealt with a condition which will ensure that surface water run-off will not be exacerbated by the proposal which meets with the requirements of the NPPF.



A previous application for pitches and amenity block was refused. However, this was for substantially more development than now proposed. This included sixteen caravans and two porta-cabins. This was refused on grounds of green belt and highways. In this

instance this application is very different and proposes hard standing to five permitted pitches and a small amenity block. Overall, on balance it is considered that the proposal is justified and well considered and therefore is recommended for approval subject to conditions.

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 9518.01B received on the 12 September 2019, 9518.02C received on the 11 November 2019 and 9518.03C received by the Local Planning Authority on 3 October 2019.

REASON

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

3. The development shall be carried out in accordance with the submitted foul and surface water attenuation as detailed on plan 9518.03C and Marsh Ensign Tank 10PE details, which shall also include surface water drainage to the soakaway from the proposed hardstanding caravan pitches unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure that the development has satisfactory foul and surface water provision.

4. The number of caravans stationed within the site hereby approved shall not exceed 5 at any time.

REASON

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

5. Notwithstanding drawing 9518-02C, no development shall commence until a landscaping scheme has been submitted and approved in writing by the Local Planning Authority. The development hereby approved shall not be brought into use until the approved landscaping has been provided.

REASON

In the interests of the visual amenity of the area.

Notes

1. The proposed works may require building regulations consent in addition to planning permission. Building Control services in North Warwickshire are delivered in partnership by Central Business Control Partnership <https://centralbc.org.uk/>.
2. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through 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.

BACKGROUND PAPERS

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

Planning Application No: PAP/2019/0524

Background Paper No	Author	Nature of Background Paper	Date
1	Agent	Application Forms, Plans	12/09/2019
2	Agent	2c Amended layout	11/11/2019
3	Agent	3c Amended Elevations	03/10/2019
4	Agent	Waste details	05/12/2019
5	Consultation response	Lea Marston PC	10/11/2019
6	Consultation response	Environmental Health	05/12/2019
7	Applicant	Further justification	17/12/2019

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.

2) Application Numbers PAP/2019/0561, PAP/2019/0562, PAP/2019/0563 and MIA/2019/0037

A) PAP/2019/0561

Rear gardens to 3 – 6 Trinity Close, Church Road, Warton

Erection of No.6 two bedroom houses

B) PAP/2019/0562

Hatters Arms, Church Road, Warton

Change of use to No. 4 apartments with parking

C) PAP/2019/0563

3 – 6 Trinity Close, Warton

Demolition of No.4 existing dwelling and erection of No.4 two bed room dwellings with parking, all for

D) MIA/2019/0037

Non material minor amendment for changes to condition 2 of PAP/2018/0764, covering two additional parking spaces being provided

M J Fitzpatrick Ltd

Introduction

These applications are reported to the Board as the majority of the land covered by them is owned by the Borough Council.

The Sites

a) Rear gardens to 3 – 6 Trinity Close

This site comprises the rear former garden land to numbers 3-6 Trinity Close. A separate planning permission has been granted for 23 dwellings on land further to the south and this is now under construction. That left an “open” frontage which now forms the current site. The site is at a markedly lower level than Trinity Close – up to a 4 metres drop in levels. There is established housing around the site.

The site is illustrated below



b) Hatters Arms

The application building is currently an empty former public house which fronts Church Road just to the north of the access into the site granted for the 23 houses referred to above. It also includes part of that road in order to gain access to parking provision – part of the site as referred to in (a) above and part in the proposed car park for the 23 houses at the rear of houses in Church Road. This is why it has an odd shape as illustrated below.



c) 3 – 6 Trinity Close, Warton

The application site comprises two pairs of semi-detached dwellings with access off the Trinity Close cul-de-sac where there are other similar houses. The rear gardens of these properties are included in both sites (a) and (c) .



d) Land to rear of Trinity Close – MIA to PAP/2018/0764

The application site is the whole of that now under construction for the 23 houses referred to above as illustrated below.



The Proposals

a) Rear gardens to 3 – 6 Trinity Close

This is a detailed application for the erection of six dwellings with landscaping and twelve car parking spaces. All of the houses are to be affordable and the development would complete the “open” frontage as referred to above in the 23 house site. All access would be via the approved arrangements off Church Road. The houses are proposed as a frontage so as to create a street scene and thus the car parking is to the rear. The materials to be used and the appearance of the dwellings would be compatible with the development currently under construction. There will be a retaining wall to the rear of the parking area in order to respond to the change in level referred to earlier but they will have the same ground level as the approved houses.

The scheme will also contain a number of car charging points, along with bat boxes and hedgehog friendly fences.

Below is the proposed site layout plan and further plans can be viewed at Appendix A.



b) Hatters Arms

This is a detailed application for the conversion of the former public house into four one bedroom apartments. The parking for the flats is provided in two places - opposite the entrance adjacent to a parking area set out for the cottages on Church Lane and two spaces are provided as part of the separate application for six new dwellings as covered above. The apartments are to be affordable.

Below is the proposed site layout plan but further plans can be viewed at Appendix B.



c) 3 – 6 Trinity Close, Warton

This is a detailed application for the demolition of the existing four houses and the erection of replacement four two bedroom houses with landscaping and eight parking spaces. All of the houses are to be affordable. To the side of No.6 there will an additional area of parking for the residents of Trinity Close.

The materials are compatible with the local area and would be a mix of brick, rendering and roof tiles. The design is similar to the existing dwellings.

The scheme will also contain a number of car charging points, along with bat boxes and hedgehog friendly fences.

The ridge heights will be comparable to those being demolished. The site is Council owned.

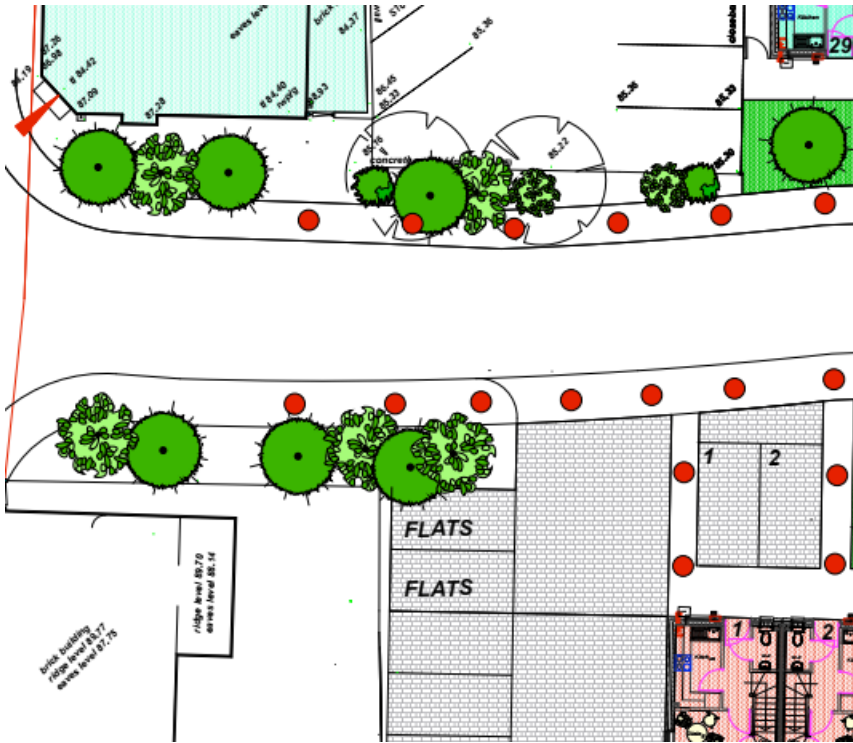
Below is the proposed site layout plan. Further plans can be viewed in Appendix C.



d) Land to rear of Trinity Close – MIA to PAP/2018/0764

The application is for a minor amendment to provide two additional parking spaces for the occupiers of the cottages on Church Road within the already approved car parking area. The spaces would be used for parking for two of the four apartments in the Hatters Arms. Below is a section of the site plan. The proposal would lead to the revision of conditions on the previous approval which refers to this parking area.

Below is the proposed plan. Appendix D shows the full plan and the previously approved plan.



Background

The Hatters Arms was approved for a conversion to two dwellings and parking in 2015 but that cannot now be taken up due to the passage of time.

In 2019, permission was granted for 23 dwellings comprising 2 and 3 bed houses with landscaping and parking spaces (41 in total). All of the houses are to be affordable. The site has a single vehicle access route, off Church Road and the proposal includes six parking spaces for residents of Church Row directly to their rear, who presently have to park on the road.

Development Plan

This relates to all four application sites.

The Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW4 (Housing Development), NW5 (Split of Housing Numbers), NW6 (Affordable Housing Provision), NW10 (Development Considerations), NW11 (Renewable Energy and Energy Efficiency), NW12 (Quality of Development), NW13 (Natural Environment), NW14 (Historic Environment), NW15 (Nature Conservation), NW16 (Green Infrastructure) and NW22 (Infrastructure)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV4 (Trees and Hedgerows); ENV6 (Land Resources), ENV8 (Water Resources), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), ENV15 (Heritage Conservation); TPT1 (Transport Considerations), TPT3 (Access and Sustainable Travel and Transport) and TPT6 (Vehicle Parking).

Other Material Planning Considerations

This relates to all of these four applications.

The National Planning Policy Framework 2019 - ("the NPPF")

The Submission Version of the Local Plan for November 2018 - LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP6 (Amount of Development), LP7 (Housing Development), LP9 (Affordable Housing Provision), LP11 (Economic Regeneration), LP14 (Landscape), LP15 (Historic Environment), LP16 (Natural Environment), LP31 (Development Considerations), LP32 (Built Form) and LP35 (Water Management)

Consultations

a) Rear gardens to 3 – 6 Trinity Close

Environmental Health Officer – No objection subject to standard conditions.

NWBC Heritage officer – No objection

Warwickshire County Council as Highway Authority – It has concerns because access is through use of a road currently under construction and not yet adopted. There are concerns about visibility if landscaping obstructs the access into the parking area.

Warwick Museum – No response received

WCC Fire service – No objection subject to a standard condition

b) Hatters Arms

NWBC Heritage officer – No objection

Warwickshire County Council as Highway Authority – It has concerns because the parking is distant from the flats.

Warwick Museum – No response received

c) 3 – 6 Trinity Close

Environmental Health Officer – No objection subject to standard conditions.

NWBC Heritage officer – No objection

Warwickshire County Council as Highway Authority – No objection

d) Land to rear of Trinity Close – MIA to PAP/2018/0764

Nothing has been received.

Representations

Five letters have been received from local residents referring to the following matters which relate to all of the four applications:

- Intensification of development in the village and particularly now in this part of it.
- Impact on already over - stretched services including schools and lack of public transport
- Highway and parking issues will worsen giving rise to further safety and congestion issues particularly with on-street parking and Church activities
- There will be amenity impacts on the Church Road cottages as well as houses in Trinity Close and Ivycroft Road

Observations

a) Rear gardens to 3 – 6 Trinity Close

i) The Principle of Development

The site lies within the Warton development boundary. Notwithstanding that it is not an allocated site in the 2014 Core Strategy, the principle of development here is accepted because of this location. This position is carried forward in the Submitted Regulation 19 Local Plan. The development too is an extension of an existing approved development. As such there is no objection in principle to the development as it is infill development within a sustainable location.

Moreover the proposal is for a 100% affordable housing development which would provide a substantial benefit to Warton and fully comply with Development Plan policy.

The main issues here as thus to assess whether there is any significant demonstrable harm likely to arise that would outweigh the presumption of approval.

ii) Highways

Policy NW10 (6) in the Core Strategy requires development to provide for proper vehicular access in accordance with adopted standards. The access to the site off Church Road, has been found to be acceptable by the Highway Authority for the additional six houses. The parking is to the rear of the six dwellings and this is considered to be acceptable.

iii) Residential Amenity

The application has been submitted with cross section plans which show the proposed properties would be backing onto established residential back gardens on Trinity Close, which are also proposed to be demolished. The six units are lower than Trinity Close, however given the boundary treatment and separation distances are between 22 and 30 metres, this is considered to be acceptable. The separation distance from the frontages to the previously approved frontages is around 22 metres which again is acceptable. Any side windows or bathroom windows can be conditioned to be obscured. Overall there is no rise to an amenity issue. The future occupiers' amenity is also considered acceptable.

The site is adjacent to the Office public house including its car park. A noise assessment sets out that through mitigation measures, the impact is acceptable and these measures can be conditioned as such.

It is not considered that the residential amenity of neighbouring occupiers will be materially affected by the new development thus leading to a significant demonstrable adverse harm.

iv) Design and Layout

The scheme has been designed to reflect the previously approved scheme, and to meet the size and constraints of the site. This means that the layout is for all intents and purposes has to be designed as three pairs of semis. Much attention has therefore been given to the design of the houses and to their detailed positioning so as to enhance the overall appearance and quality of the development. This has led to them being in line with the previously approved dwellings, and set back off the main road slightly, with landscaping, and arrange of materials and to a slightly different built form. As a consequence the development fully accords with Development Plan policy.

v) Landscaping and Ecology

The application has not been submitted with a landscaping scheme, however it is expected to follow larger approved site. The site shows private gardens, public areas of amenity and landscaped areas. Additionally conditions can require bat and bird boxes. It is considered the landscaping will provide some balance against the removal of the existing site landscaping and ecology through the development.

vi) Listed Building

There is a Grade 2 Listed Church to the south-west of the site. The Council is thus statutorily required to have special regard to the desirability of preserving this building or its setting or any features of special architectural or historic interest it possesses. The proposal must be assessed against Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, Policy NW14 of the North Warwickshire Core Strategy and saved policy ENV 16 of the current Local Plan (2006).

In this case it is the impact of the new development on the setting of the Church that is considered the most important consideration.

The church stands alone within a churchyard with much landscaping. It already has housing development to the south. It is considered that this already affects the setting of the church. The proposal site is not adjacent to the church boundary. The previously approved development was considered acceptable, and resulted in an appropriate design of housing than existing and will retain boundary vegetation. The separation distance between the nearest dwelling to the church is considered to be acceptable so not to result in unacceptable harm. Overall it is considered that the development would cause less than substantial harm.

The NPPF states at paragraph 196 that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposal will provide six affordable houses, which is a significant public benefit and it will also clean up a site which has become unused. As a consequence it is considered that these benefits would

outweigh the less than substantial harm caused and thus not lead to an unacceptable impact. The development thus accords with the relevant policy background.

vii) Services

There was concern raised about the impact on local services. However, this is a 100% affordable housing development that will be managed by a Registered Provider in partnership with the Borough Council. As a consequence the occupants of these properties will already be likely to be resident in Warton and its immediate surroundings through the letting arrangements. There would thus be little additional demand placed on existing facilities. All of the new Social Housing for rent in Warton will be allocated in accordance with the Councils Lettings Scheme. The Scheme sets out qualifying criteria which includes a local connection requirement. This has a residential element and also a family association element.

viii) Other Issues

All other matters can be dealt with by condition in the event of an approval.

b) Hatters Arms

i) The Principle of Development

The site lies within the Warton development boundary. Notwithstanding that it is not an allocated site in the 2014 Core Strategy, the principle of development here is accepted because of this location. This position is carried forward in the Submitted Regulation 19 Local Plan. Indeed there has been an earlier consent here for residential conversion. As such there is no objection in principle to the development as re-uses an existing vacant building. It is development within a sustainable location.

Moreover the proposal is for a 100% affordable housing development which would provide a substantial benefit to Warton and fully comply with Development Plan policy.

The main issues here as thus to assess whether there is any significant demonstrable harm likely to arise that would outweigh the presumption of approval.

ii) Highways

There is to be no direct vehicular access for this site. Parking is thus split into two areas. One is to provide two additional spaces in the already approved parking area to the west of the site at the rear of the four Cottages on Church Road. The other two parking spaces are within the rear parking area to the proposed six dwellings as covered above. Highways raise concerns over the separation distance being greater than 10 metres to the building. This is noted, however given the nature of the building and that it has no adjacent parking, there will be on street parking or parking nearby. The provision of four spaces does provide a reasonable alternative and opportunity. There is also the additional consideration that the building would remain vacant and disused.

iii) Residential Amenity

The building is existing. The main impact is upon the surrounding properties, and the separation distances cannot be changed. The proposed nearest dwelling on the six dwelling house site is 16 metres with a car park in-between. The separation distance to the side of the nearest cottage to the south is 15 metres. None of the distances are

considered to give rise to an unacceptable impact. No additional openings are proposed. No gardens are proposed for the apartments, however the surrounding area does have a recreation ground / park very close, and the larger previously approved site has landscaping.

The parking is not adjacent to the building, however it is not possible to provide parking any closer. Residents who live in the apartments would know this was the issue when moving in.

The site is adjacent to the Office public house including its car park. A noise assessment sets out that through mitigation measures that the impact is acceptable, and can be conditioned as such.

It is not considered that the residential amenity of neighbouring occupiers will be materially affected by the new development thus leading to a significant demonstrable adverse harm.

v) Design and Layout

The scheme does not seek to revise the external appearance of the building which is a building of local character. The layout of the building is considered to be acceptable and to provide sufficient space for future occupants. Limited internal and external alterations are being proposed, which are considered to be acceptable. A new window is proposed but is of an appropriate design. The proposal will lead to the loss of the chimneys, however this is not considered to warrant refusal.

As a consequence the development fully accords with Development Plan policy.

vi) Listed Building

There is a Grade 2 Listed Church to the south-west of the site. The Council is thus statutorily required to have special regard to the desirability of preserving this building or its setting or any features of special architectural or historic interest it possesses. The proposal must be assessed against Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, Policy NW14 of the North Warwickshire Core Strategy and saved policy ENV 16 of the current Local Plan (2006).

The proposal will not lead to any new development but the retention of the existing building. When considered with the four Cottages and the Church as listed, the historic context of the street scene will be retained.

In this case it is the impact of the new development on the setting of the Church that is considered the most important consideration.

The church stands alone within a churchyard with much landscaping. It already has housing development to the south. It is considered that this already harms the setting of the church. The proposal site is not adjacent to the church boundary. The previously approved development was considered acceptable, and resulted in an appropriate design of housing than existing and will retain boundary vegetation. The proposal is to convert the building and the impact upon the church is considered to be acceptable so not to result in unacceptable harm. Overall it is considered that the development would cause less than substantial harm.

The NPPF states at paragraph 196 that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposal will provide 6 affordable houses, which is a significant public benefit and it will also clean up a site which has become unused. As a consequence it is considered that these benefits would outweigh the less than substantial harm caused and thus not lead to an unacceptable impact. The development thus accords with the relevant policy background.

vii) Services

There was concern raised about the impact on local services. However, this is a 100% affordable housing development that will be managed by a Registered Provider in partnership with the Borough Council. As a consequence the occupants of these properties will already likely to be resident in Warton and its immediate surroundings through the letting arrangements. There would thus be little additional demand placed on existing facilities. All of the new Social Housing for rent in Warton will be allocated in accordance with the Councils Lettings Scheme. The Scheme sets out qualifying criteria which includes a local connection requirement. This has a residential element and also a family association element.

c) 3 – 6 Trinity Close, Warton

i) The Principle of Development

The site lies within the Warton development boundary. Notwithstanding that it is not an allocated site in the 2014 Core Strategy, the principle of development here is accepted because of this location. This position is carried forward in the Submitted Regulation 19 Local Plan. As such there is no objection in principle to the development as it replaces a like for like number of dwelling, being four. it is development within a sustainable location.

Moreover the proposal is for a 100% affordable housing development which would provide a substantial benefit to Warton and fully comply with Development Plan policy.

The main issues here as thus to assess whether there is any significant demonstrable harm likely to arise that would outweigh the presumption of approval.

ii) Highways

Highways have not raised an objection as the proposal is essentially a like for like development. The parking provided two spaces for each dwelling which is in line with guidance. The proposal would also provide nine new vehicles parking spaces for other Trinity Close residents where there is no organised arrangements presently.

iii) Residential Amenity

The siting of the replacement dwellings is set back slightly from the existing. The dwellings opposite are on slightly higher land due to the Trinity Close topography. The separation distances between No.3 and No.15 is 15 metres, No.4 to No.14 is 16 metres and No.5 to No.13 is 21 metres, which are slightly greater than existing and leading to a small improvement. No.2 Trinity Close is a bungalow, and whilst the 45-degree rule could be breached, the existing dwelling is closer and also set back and therefore no considered greater loss of amenity. The separation distances to the proposed 6 dwellings to the rear as covered under PAP/2019/0561, would also be acceptable, and

his application site is higher. The new parking area to the side of No. 6, and facing towards No.7 and 8 Trinity Close, is not considered to lead to unacceptable harm, given the existing grass verge is used for parking. The future amenity of the occupiers of the dwellings is also considered to be acceptable. No additional openings are proposed.

No gardens are proposed for the apartments, however the surrounding area does have a recreation ground / park very close, and the larger previously approved site has landscaping.

The site is adjacent to the Office public house including its car park. A noise assessment sets out that through mitigation measures that the impact is acceptable, and can be conditioned as such.

It is not considered that the residential amenity of neighbouring occupiers will be materially affected by the new development thus leading to a significant demonstrable adverse harm.

iv) Design and Layout

The scheme does not seek to revise the external appearance of the building which is a building of local character. The layout of the building is considered to be acceptable and provide sufficient space for future occupants. Limited internal and external alterations are being proposed, which are considered to be acceptable. A new window is proposed but is of an appropriate design.

As a consequence the development fully accords with Development Plan policy.

vi) Landscaping and Ecology

No landscaping is proposed within the red line, given the proposal covers the application building and vehicle parking. Landscaping can be conditioned but is expected to be fences, paving and grass.

vii Listed Building

There is a Grade 2 Listed Church to the south-west of the site. The Council is thus statutorily required to have special regard to the desirability of preserving this building or its setting or any features of special architectural or historic interest it possesses. The proposal must be assessed against Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, Policy NW14 of the North Warwickshire Core Strategy and saved policy ENV 16 of the current Local Plan (2006).

The proposal will lead to four replacement dwellings. The design and siting is comparable to the current arrangement. In this case it is the impact of the new development on the setting of the Church that is considered the most important consideration.

The church stands alone within a churchyard with much landscaping. It already has housing development to the south. It is considered that this already harms the setting of the church. The proposal site is not adjacent to the church boundary. The previously approved development was considered acceptable, and resulted in an appropriate design of housing than existing and will retain boundary vegetation. The proposal is rebuild 4 dwellings and the impact upon the church is considered to be acceptable so

not to result in unacceptable harm. Overall it is considered that the development would cause less than substantial harm.

The NPPF states at paragraph 196 that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposal will provide four affordable houses, which is a significant public benefit and it will replace dwellings with improved designs and make use of a large site, which will also contain six new dwellings under a separate application. As a consequence it is considered that these benefits would outweigh the less than substantial harm caused and thus not lead to an unacceptable impact. The development thus accords with the relevant policy background.

vii) Services

There was concern raised about the impact on local services. However, this is a 100% affordable housing development that will be managed by a Registered Provider in partnership with the Borough Council. As a consequence the occupants of these properties will already be likely to be resident in Warton and its immediate surroundings through the letting arrangements. There would thus be little additional demand placed on existing facilities. All of the new Social Housing for rent in Warton will be allocated in accordance with the Councils Lettings Scheme. The Scheme sets out qualifying criteria which includes a local connection requirement. This has a residential element and also a family association element.

d) Land to rear of Trinity Close – MIA to PAP/2018/0764

It is material that planning permission has been granted for 23 dwellings on the site. This application needs to be read in conjunction with the other two applications which will also use the access as covered in the report being PAP/2019/0561 and PAP/2019/0562. The proposal will lead to part of the removal of some landscaping along the access road, whilst still retaining some landscaping. Below is the approved (left) and to the right the proposed revision)

Approved

Proposed change



The approved access point to the six spaces will be retained as approved but with two additional spaces. The six approved spaces will be retained as required by condition.

The proposal is not considered to result in an amenity issue that is unacceptable to existing and future occupiers of the car park area. The proposal is considered to be acceptable to highways, in that extra parking spaces are provided, and can meet the on-site requirements of the Hatters Arms conversion (PAP/2019/0562).

Condition 2 from PAP/2018/0764 will need to be revised to cover the revised site plan and condition 12 which covers the approved 6 parking spaces for Church Road cottages.

Recommendations

a) PAP/2019/0561

That the application **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 relevant plans and reports - Details to be added later.

REASON

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

3. Notwithstanding the approved report of 'Warton Phase 2 Development Ground Investigation Report' Fitzpatrick Group Ltd December 2019 as covered under condition 2, that basic gas protection measures as described in the report if a suspended beam and block floor is to be used. If any other gas protection measures are to be used, then full details shall be submitted and approved in writing by the Local Planning Authority and implemented in full.

REASON

To ensure that risks from land contamination to the proposed end users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. No works shall commence to construct the external surfaces of the buildings until the 100% on-site affordable housing as part of the development hereby permitted has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 to the National Planning Policy Framework (or any future guidance that replaces it). The scheme shall include:

- i) the type, tenure and location on the site of the affordable housing units;
- ii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing units; and
- iii) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON

To ensure that the development provides housing for social needs.

5. No development shall commence until a Arboricultural Method Statement has been approved in writing by the Local Planning Authority. The Statement will show how the developer intend to protect the trees that are to remain on the site during the development.

REASON

In the interests of the amenities of the area.

6. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and Local Highway Authority. The Construction Management Plan shall be strictly adhered to and shall provide for but not limited too:

- the anticipated movements of vehicles; the parking and loading/unloading of staff, visitor, and construction vehicles;
- the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; a turning area within the site for construction vehicles;
- wheel washing facilities and other measures to prevent mud/debris being passed onto the public highway; a construction phasing plan; and a HGV routing plan
- Storage of plant materials used in conjunction with the development
- Measures to control the emission of dust during construction
- Noise levels on the site
- Site lighting details,
- details of the contact for any local concerns with the construction activities on the site
- Avoid use of petrol/diesel powered generators and use mains electricity or battery powered equipment where practicable.
- Measures to control the emission of dust and dirt during construction and demolition
- Details of contacts for any local concerns with the construction and demolition activities on the site

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

REASON

In the interests of the amenities of the area and safety on the public highway.

7. The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to occupation of any dwelling to the satisfaction of the Local Planning Authority

REASON

In the interests of Public Safety from fire, and the protection of Emergency Fire Fighters.

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

REASON

To ensure the future maintenance of the sustainable drainage structures.

9. There shall be no occupation of any dwellings until details have been provided to the Local Planning Authority until the two flats spaces to the rear of plots 24-29 have been marked to define how the parking spaces for area for 6 vehicles will be marked out. These spaces shall be retained as such at all times for two partments within the Hatters Arms under PAP/2019/0562. The parking spaces shall retain in use for the Hatters Arms apartments at all times.

REASON

In the interests of the amenities of the area.

10. No occupation of the dwellings shall take place on site until details of the street lighting including light spillage, has been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed, operated and maintained in accordance with the approved scheme before the development is first occupied.

REASON

In the interests of the amenities of the area.

11. Prior to occupation of any of the dwellings hereby approved details of hedgehog friendly fencing, bat and bird nest boxes as covered under condition 2 shall be implimented in full and as such maintained as such at all times thereafter.

REASON

In the interests of nature conservation, thus achieving sustainable development objectives set out in the National Planning Policy Framework.

12. Before occupation details of the electric charging points as set out on the approved layout plan under condition 2 shall be provided to the Local Planning Authority for approval. The charging points shall be installed prior to first occupation on the site, and the electric charging points and bays shall be installed in accordance with the approved details and shall thereafter be maintained for the life of the development.

REASON

In the interests of the amenities of the area.

13. Before occupation of any dwelling a landscaping scheme shall be submitted to the Local Planning Authority for approval.

REASON

In the interests of the amenities of the area.

14. No development whatsoever within Class A, B, C, E and F of Part 1, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall commence on site without details first having been submitted to and approved by the Local Planning Authority, in writing.

REASON

In the interests of the amenities of the area.

15. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal fitting out, shall take place before the hours of 0800 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON

To protect the amenities of the occupiers of nearby properties during the construction period.

16. The development shall not be occupied until the highway works have been constructed in accordance with standard requirements.

REASON

In the interests of the amenities of the area and safety on the public highway.

17. No burning shall be carried out on the site.

REASON

In the interests of the amenities of the area.

18. No additional windows or door openings in all elevations and roof plains shall be made, other than as shown on the plans hereby approved, nor shall any approved windows or doors be altered or modified in any manner.

REASON

To protect the privacy of the occupiers of adjoining properties.

19. All side facing windows and any front or rear facing windows that serve bathrooms be permanently glazed with obscured glass which shall provide a minimum degree of obscurity equivalent to privacy level 4 or higher and shall be maintained in that condition at all times. For the avoidance of doubt privacy levels are those identified in the Pilkington Glass product range. The obscurity required shall be achieved only through the use of obscure glass within the window structure and not by the use of film applied to clear glass.

REASON

To protect the privacy of the adjoining property and to prevent overlooking.

20. The landscaping and planting scheme hereby approved under condition 2 and 13 shall be implemented before occupation of the site, and in the event of any tree or plant failing to become established within five years thereafter, each individual tree or plant shall be replaced within the next available planting season, to the satisfaction of the Local Planning Authority.

REASON

In the interests of the amenities of the area.

21. The construction of the estate roads serving the development including footways and verges shall not be other than in accordance with the standard specification of the Highway Authority.

REASON

In the interests of the amenities of the area and safety on the public highway.

Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.

2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>

3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues and by suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

4. Wildlife and Countryside Act 1981 - Birds. Please note that works to trees must be undertaken outside of the nesting season as required by the Wildlife and Countryside Act 1981. All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions. It is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment. You are advised that the official UK nesting season is February until

August.

5. The applicant is advised that to comply with the condition relating to the standard of works to trees, the work should be carried out in accordance with British Standard BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".

6. The applicant is advised that to comply with the condition relating to the protection of trees, the measures should be in accordance with British Standard BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".

7. 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.

8. Public footpath number M65 passes close to the site. Care should be taken, particularly during construction works, to ensure that this route is kept open at all times.

9. Highways have set out that the development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.

10. Condition number 21 requires that the estate roads including footways, verges and footpaths are designed and laid out in accordance with the principles set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001' and constructed in accordance with the Highway Authority's standard specification. The applicant / developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads. The approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980. An application to enter into a Section 38 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. 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 Street Works Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer 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.

11. 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.

12 Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

13. The applicant / developer is required to contribute £75 per dwelling for sustainable welcome packs and to help promote sustainable travel in the local area. For further information regarding Sustainability Packs. Contact Christine Lambert on 01926 412105.

14. With regarding to condition 4 and affordable housing you are advised to Contact Paul Roberts (Housing Strategy and Development Officer), on 01827 719459, to discuss the requirements and the mix of housing in Coleshill.

15. It is recommend that an independent noise consultant undertakes a comprehensive assessment to determine noise levels on the site. The same must identify any noise mitigation measures that might be required so to meet the standard of BS8233:2014 Guidance on sound insulation and noise reduction for buildings. The Contractor shall comply with the general recommendations set out in BS 5228: Parts 1 and 2 : 1997 'Noise and Vibration Control on Construction and Open Sites', together with any specific requirements in the contract.

16. With regards to refuse collections, you are advised to contact the Waste team to agree an indemnity to cover waste collections being undertaken on the site.

17. Warwickshire Police have no objections to this outline planning request that the below be incorporated into the design as they will go some way to ensuring the residents do not become victims of crime or anti-social behaviour.

- If the proposed development includes homes where there is rear access to multiple dwellings, evidence shows that the distribution of burglary in terraced housing with open rear access footpaths shows that up to 85% of entries occurred at the back of the house.
- Where there is rear access to multiple rear gardens this access needs to be gated at the front of the building line and with a self-closing spring, and a snap shut lock, that needs a key to release.
- All perimeter fencing should be 1.8 metre high close boarded fencing however where it backs onto open space it should be topped with 0.2 trellis, so the overall height is 2 metres in height.
- Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489-2:2016. A Uo value of 0.4 or 40% is recommended to ensure that lighting installations do not create dark patches next to lighter patches where our eyes would have difficulty in adjusting quickly enough for us to see that it was safe to proceed along any route.
- Fencing or similar be considered along the open space areas and balancing pools, this will refrain vehicles driving onto the open space causing anti-social behaviour or injuring someone who is using the space for play.
- Footpaths and emergency routes that lead onto the development should have staggered bollards installed to stop motor bikes riding onto the site. Building sites and in particular, site offices and storage areas are becoming common targets for crimes such as theft of plant and fuel. These sites should be made as

secure as possible. All plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company.

- Consideration should be given to the use of security patrols. Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for us in the case of an emergency. A grid reference for the site should be provided. This will help to reduce the possibilities of a delayed response
- Gates to the building frontages with secondary gates to the individual gardens and update the external works boundary fencing detail

b) PAP/2019/0562

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 relevant plans and reports - Details to be added later.

REASON

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

3. No works shall commence to construct the external surfaces of the buildings until the 100% on-site affordable housing as part of the development hereby permitted has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 to the National Planning Policy Framework (or any future guidance that replaces it). The scheme shall include:

- the type, tenure and location on the site of the affordable housing units;
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing units; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON

To ensure that the development provides housing for social needs.

4. No development shall commence until a Arboricultural Method Statement has been approved in writing by the Local Planning Authority. The Statement will show how the developer intend to protect the trees that are to remain on the site during the development.

REASON

In the interests of the amenities of the area.

5. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and LocalHighway Authority. The Construction Management Plan shall be strictly adhered to and shall provide for but not limited too:

- the anticipated movements of vehicles; the parking and loading/unloading of staff, visitor, and construction vehicles;
- the loading and unloading of plant and materials; the storage of plant and materials used in c onstructing the development; a turning area within the site for construction vehicles;
- wheel washing facilities and other measures to prevent mud/debris being passed onto the public highway; a construction phasing plan; and a HGV routing plan
- Storage of plant materials used in conjunction with the development
- Measures to control the emission of dust during construction
- Noise levels on the site
- Site lighting details, and
- Details of the contact for any local concerns with the construction activities on the site
- Avoid use of petrol/diesel powered generators and use mains electricity or battery powered equipment where practicable.
- Measures to control the emission of dust and dirt during construction and demolition
- Details of contacts for any local concerns with the construction and demolition activities on the site

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

REASON

In the interests of the amenities of the area and safety on the public highway.

6. There shall be no occupation of any apartment hereby approved until the four parking spaces as set on drawing number 2018-881-PH2F (site plan - phase two) as received on 11 December 2019 have been marked our for use for the apartments, as also covered under MIA/2019/0037 and PAP/2019/0561. The four parking spaces shall be retained as such at all times for use of the residents of the Hatters Arms apartments.

REASON

In the interests of the amenities of the area.

7. Before occupation of any dwelling a landscaping scheme shall be submitted to the Local Planning Authority for approval.

REASON

In the interests of the amenities of the area.

8. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal fitting out, shall take place before the hours of 0800 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON

To protect the amenities of the occupiers of nearby properties during the construction period.

9. No burning shall be carried out on the site.

REASON

In the interests of the amenities of the area.

10. No additional windows or door openings in all elevations and roof plains shall be made, other than as shown on the plans hereby approved, nor shall any approved windows or doors be altered or modified in any manner.

REASON

To protect the privacy of the occupiers of adjoining properties.

11. All side facing windows and any front or rear facing windows that serve bathrooms be permanently glazed with obscured glass which shall provide a minimum degree of obscurity equivalent to privacy level 4 or higher and shall be maintained in that condition at all times. For the avoidance of doubt privacy levels are those identified in the Pilkington Glass product range. The obscurity required shall be achieved only through the use of obscure glass within the window structure and not by the use of film applied to clear glass.

REASON

To protect the privacy of the adjoining property and to prevent overlooking.

12. The landscaping and planting scheme hereby approved under condition 2 and 15 shall be implemented before occupation of the site, and in the event of any tree or plant failing to become established within five years thereafter, each individual tree or plant shall be replaced within the next available planting season, to the satisfaction of the Local Planning Authority.

REASON

In the interests of the amenities of the area.

13. The construction of the estate roads serving the development including footways and verges shall not be other than in accordance with the standard specification of the Highway Authority.

REASON

In the interests of the amenities of the area and safety on the public highway.

Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues and by suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.
4. Wildlife and Countryside Act 1981 - Birds. Please note that works to trees must be undertaken outside of the nesting season as required by the Wildlife and Countryside Act 1981. All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions. It is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment. You are advised that the official UK nesting season is February until August.
5. The applicant is advised that to comply with the condition relating to the standard of works to trees, the work should be carried out in accordance with British Standard BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".
6. The applicant is advised that to comply with the condition relating to the protection of trees, the measures should be in accordance with British Standard

7. 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.
8. Highways have set out that the development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.
9. Condition number 13 requires that the estate roads including footways, verges and footpaths are designed and laid out in accordance with the principles set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001' and constructed in accordance with the Highway Authority's standard specification. The applicant / developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads. The approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980. An application to enter into a Section 38 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. 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 Street Works Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer 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.
10. 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.
11. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
12. The applicant / developer is required to contribute £75 per dwelling for sustainable welcome packs and to help promote sustainable travel in the local

area. For further information regarding Sustainability Packs. Contact Christine Lambert on 01926 412105.

13. With regarding to condition 3 and affordable housing you are advised to Contact Paul Roberts (Housing Strategy and Development Officer), on 01827 719459, to discuss the requirements and the mix of housing in Coleshill.
14. It is recommend that an independent noise consultant undertakes a comprehensive assessment to determine noise levels on the site. The same must identify any noise mitigation measures that might be required so to meet the standard of BS8233:2014 Guidance on sound insulation and noise reduction for buildings. The Contractor shall comply with the general recommendations set out in BS 5228: Parts 1 and 2 : 1997 'Noise and Vibration Control on Construction and Open Sites', together with any specific requirements in the contract.
15. With regards to refuse collections, you are advised to contact the Waste team to agree an indemnity to cover waste collections being undertaken on the site.
16. Warwickshire Police have no objections to this outline planning request that the below be incorporated into the design as they will go some way to ensuring the residents do not become victims of crime or anti-social behaviour:
 - If the proposed development includes homes where there is rear access to multiple dwellings, evidence shows that the distribution of burglary in terraced housing with open rear access footpaths shows that up to 85% of entries occurred at the back of the house.
 - Where there is rear access to multiple rear gardens this access needs to be gated at the front of the building line and with a self-closing spring, and a snap shut lock, that needs a key to release.
 - All perimeter fencing should be 1.8 metre high close boarded fencing however where it backs onto open space it should be topped with 0.2 trellis, so the overall height is 2 metres in height.
 - Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489-2:2016. A Uo value of 0.4 or 40% is recommended to ensure that lighting installations do not create dark patches next to lighter patches where our eyes would have difficulty in adjusting quickly enough for us to see that it was safe to proceed along any route.
 - Fencing or similar be considered along the open space areas and balancing pools, this will refrain vehicles driving onto the open space causing anti-social behaviour or injuring someone who is using the space for play.
 - Footpaths and emergency routes that lead onto the development should have staggered bollards installed to stop motor bikes riding onto the site. Building sites and in particular, site offices and storage areas are becoming common targets for crimes such as theft of plant and fuel. These sites should be made as secure as possible. All plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company.
 - Consideration should be given to the use of security patrols. Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for us in the case of an emergency. A grid

reference for the site should be provided. This will help to reduce the possibilities of a delayed response

- Gates to the building frontages with secondary gates to the individual gardens and update the external works boundary fencing detail

c) PAP/2019/0563

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 relevant plans and reports - Details to be added later.

REASON

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

3. Notwithstanding the approved report of 'Warton Phase 2 Development Ground Investigation Report' Fitzpatrick Group Ltd December 2019 as covered under condition 2, that basic gas protection measures as described in the report if a suspended beam and block floor is to be used. If any other gas protection measures are to be used, then full details shall be submitted and approved in writing by the Local Planning Authority and implemented in full.

REASON

To ensure that risks from land contamination to the proposed end users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. No works shall commence to construct the external surfaces of the buildings until the 100% on-site affordable housing as part of the development hereby permitted has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 to the National Planning Policy Framework (or any future guidance that replaces it). The scheme shall include:

- the type, tenure and location on the site of the affordable housing units;
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing units; and

- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON

To ensure that the development provides housing for social needs.

5. No development shall commence until a Arboricultural Method Statement has been approved in writing by the Local Planning Authority. The Statement will show how the developer intend to protect the trees that are to remain on the site during the development.

REASON

In the interests of the amenities of the area.

6. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and Local Highway Authority. The Construction Management Plan shall be strictly adhered to and shall provide for but not limited to:

- the anticipated movements of vehicles; the parking and loading/unloading of staff, visitor, and construction vehicles;
- the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; a turning area within the site for construction vehicles;
- wheel washing facilities and other measures to prevent mud/debris being passed onto the public highway; a construction phasing plan; and a HGV routing plan
- Storage of plant materials used in conjunction with the development
- Measures to control the emission of dust during construction
- Noise levels on the site
- Site lighting details,
- details of the contact for any local concerns with the construction activities on the site
- Avoid use of petrol/diesel powered generators and use mains electricity or battery powered equipment where practicable.
- Measures to control the emission of dust and dirt during construction and demolition
- Details of contacts for any local concerns with the construction and demolition activities on the site

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

REASON

In the interests of the amenities of the area and safety on the public highway.

7. No development shall commence until the existing proposed datum levels have been provided. For the avoidance of doubt the proposed datum levels relates to the proposed dwellings.

REASON

In the interests of the amenities of the area.

8. There shall be no occupation of any dwellings until the 9 parking spaces to the side of plot 4 have been laid out for parking purposes. These spaces shall be retained as such at all times.

REASON

In the interests of the amenities of the area and safety on the public highway.

9. Before occupation details of the electric charging points as set out on the approved layout plan under condition 2 shall be provided to the Local Planning Authority for approval. The charging points shall be installed prior to first occupation on the site, and the electric charging points and bays shall be installed in accordance with the approved details and shall thereafter be maintained for the life of the development.

REASON

In the interests of the amenities of the area.

10. Before occupation of any dwelling a landscaping scheme shall be submitted to the Local Planning Authority for approval.

REASON

In the interests of the amenities of the area.

11. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal fitting out, shall take place before the hours of 0800 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON

To protect the amenities of the occupiers of nearby properties during the construction period.

12. The development shall not be occupied until an access for vehicles has been provided to the site, in accordance with Drawing Number 2019-913-TC3C.

REASON

In the interests of the amenities of the area and safety on the public highway.

13. No burning shall be carried out on the site.

REASON

In the interests of the amenities of the area.

14. No additional windows or door openings in all elevations and roof plains shall be made, other than as shown on the plans hereby approved, nor shall any approved windows or doors be altered or modified in any manner.

REASON

To protect the privacy of the occupiers of adjoining properties.

15. All side facing windows and any front or rear facing windows that serve bathrooms be permanently glazed with obscured glass which shall provide a minimum degree of obscurity equivalent to privacy level 4 or higher and shall be maintained in that condition at all times. For the avoidance of doubt privacy levels are those identified in the Pilkington Glass product range. The obscurity required shall be achieved only through the use of obscure glass within the window structure and not by the use of film applied to clear glass.

REASON

To protect the privacy of the adjoining property and to prevent overlooking.

16. The landscaping and planting scheme hereby approved under condition 2 and 10 shall be implemented before occupation of the site, and in the event of any tree or plant failing to become established within five years thereafter, each individual tree or plant shall be replaced within the next available planting season, to the satisfaction of the Local Planning Authority.

REASON

In the interests of the amenities of the area.

17. The construction of the estate roads serving the development including footways and verges shall not be other than in accordance with the standard specification of the Highway Authority.

REASON

In the interests of the amenities of the area and safety on the public highway.

Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.

2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls,

boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>

3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues and by suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

4. Wildlife and Countryside Act 1981 - Birds. Please note that works to trees must be undertaken outside of the nesting season as required by the Wildlife and Countryside Act 1981. All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions. It is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment. You are advised that the official UK nesting season is February until August.

5. The applicant is advised that to comply with the condition relating to the standard of works to trees, the work should be carried out in accordance with British Standard BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".

6. 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.

7. Highways have set out that the development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.

8. Condition number 12 and 17 requires that the estate roads including footways, verges and footpaths are designed and laid out in accordance with the principles set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001' and constructed in accordance with the Highway Authority's standard specification. The applicant / developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads. The approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980. An application to enter into a Section 38 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. 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 Street Works Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer 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.

9. 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.

10. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

11. The applicant / developer is required to contribute £75 per dwelling for sustainable welcome packs and to help promote sustainable travel in the local area. For further information regarding Sustainability Packs. Contact Christine Lambert on 01926 412105.

12. With regarding to condition 4 and affordable housing you are advised to Contact Paul Roberts (Housing Strategy and Development Officer), on 01827 719459, to discuss the requirements and the mix of housing in Coleshill.

13. It is recommend that an independent noise consultant undertakes a comprehensive assessment to determine noise levels on the site. The same must identify any noise mitigation measures that might be required so to meet the standard of BS8233:2014 Guidance on sound insulation and noise reduction for buildings. The Contractor shall comply with the general recommendations set out in BS 5228: Parts 1 and 2 : 1997 'Noise and Vibration Control on Construction and Open Sites', together with any specific requirements in the contract.

14. With regards to refuse collections, you are advised to contact the Waste team to agree an indemnity to cover waste collections being undertaken on the site.

15. Public footpath AE11 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during works. The applicant must make good any damage to the surface of public footpath AE11 caused during works.

16. Warwickshire Police have no objections to this outline planning request that the below be incorporated into the design as they will go some way to ensuring the residents do not become victims of crime or anti-social behaviour;

- If the proposed development includes homes where there is rear access to multiple dwellings, evidence shows that the distribution of burglary in terraced housing with open rear access footpaths shows that up to 85% of entries occurred at the back of the house.
- Where there is rear access to multiple rear gardens this access needs to be gated at the front of the building line and with a self-closing spring, and a snap shut lock, that needs a key to release.

- All perimeter fencing should be 1.8 metre high close boarded fencing however where it backs onto open space it should be topped with 0.2 trellis, so the overall height is 2 metres in height.
- Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489-2:2016. A Uo value of 0.4 or 40% is recommended to ensure that lighting installations do not create dark patches next to lighter patches where our eyes would have difficulty in adjusting quickly enough for us to see that it was safe to proceed along any route.
- Fencing or similar be considered along the open space areas and balancing pools, this will refrain vehicles driving onto the open space causing anti-social behaviour or injuring someone who is using the space for play.
- Footpaths and emergency routes that lead onto the development should have staggered bollards installed to stop motor bikes riding onto the site. Building sites and in particular, site offices and storage areas are becoming common
- targets for crimes such as theft of plant and fuel. These sites should be made as secure as possible. All plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company.
- Consideration should be given to the use of security patrols. Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for us in the case of an emergency. A grid reference for the site should be provided. This will help to reduce the possibilities of a delayed response
- Gates to the building frontages with secondary gates to the individual gardens and update the external works boundary fencing detail

d) MIA/2019/0037

That the application be **GRANTED** and conditions 2 and 12 of PAP/2018/0764 be varied so as to read:

2. The development hereby approved shall not be carried out otherwise than in accordance with the Ground Investigation Report of September 2018, by Arena Geo received by the Local Planning Authority on 13 June 2019, to plan number 18-119-02 (soft landscaping proposals) received by the Local Planning Authority on 23 May 2019, to the Road Safety Audit Stage 1 of Mott Macdonald, David Tucker Associates, 18208/SK02 A, 18208/400, 18208/171, 18208/151A received by the Local Planning Authority on 2 April 2019; to plan 2018-881-03A received by the Local Planning Authority on 3 June 2019, to the plans 20447-03 (proposed site access and visibility splays), 20447-05, 2018-882-11, 2018-882-09, 2018-882-10, 2018-882-08, 2018-882-07, 2018-882-06, 2018-882-05, 2018-882-04 received by the Local Planning Authority on 17 May 2019, and to 2018-881-PH2G REV G received by the Local Planning Authority on 13 December 2019

REASON

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

12. There shall be no occupation of any dwellings until the parking area to the side of plot 1 and behind Church Row Cottages until details have been provided to the Local Planning Authority to define how the parking area for 6 vehicles will be marked out and

retained for use for 1 - 4 Church Row Cottages, Church Lane, Warton, and for the two parking spaces related to Hatters Arms as covered under PAP/2019/0562. The parking spaces shall retain in use for Church Row cottages and the Hatters Arms at all times.

REASON

In the interests of the amenities of the area and safety on the public highway.

Notes

1. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions 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.
2. This applicatoin should be read in connection with PAP/2018/0764

BACKGROUND PAPERS

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

a) Planning Application No: PAP/2019/0561

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	07/10/2019
2	Agent, Case officer and relevant parties	Exchange of emails	22/10/19 – 19/12/19
3	NWBC Waste	Consultation response	18/10/2019
4	NWBC Tree officer	Consultation response	21/10/2019
5	NWBC Waste	Consultation response	21/10/2019
6	WCC Fire Service	Consultation response	22/10/2019
7	NWBC Environmental Health	Consultation response	29/10/2019
8	WCC Highways	Consultation response	29/11/2019
9	Neighbour	Representation	16/10/2019
10	Neighbour	Representation	21/10/2019
11	Neighbour	Representation	4/11/2019
12	Neighbour	Representation	7/11/2019
13	Neighbour	Representation	8/11/2019
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	07/10/2019
2	Agent, Case officer and relevant parties	Exchange of emails	22/10/19 – 12/12/19
3	NWBC Waste	Consultation response	18/10/2019
4	NWBC Tree officer	Consultation response	21/10/2019
5	NWBC Waste	Consultation response	21/10/2019
19	NWBC Environmental Health	Consultation response	17/12/19 and 19/12/19

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.

b) Planning Application No: PAP/2019/0562

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	07/10/2019
2	Agent, Case officer and relevant parties	Exchange of emails	22/10/19 – 16/12/19
3	WCC Highways	Consultation response	5/11/19
4	WCC Highways	Consultation response	5/11/19
5	NWBC tree officer	Consultation response	21/10/19
6	NWBC Environmental Health	Consultation response	29/10/2019
7			
8	WCC Highways	Consultation response	26/11/2019
9	Neighbour	Representation	4/11/19
10	Neighbour	Representation	7/11/19
11	Neighbour	Representation	8/11/19
12	Neighbour	Representation	8/11/19
13	Neighbour	Representation	18/11/19

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.

c) Planning Application No: PAP/2019/0563

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	07/10/2019
2	Agent, Case officer and relevant parties	Exchange of emails	22/10/19 – 16/12/19
3	NWBC Waste	Consultation response	18/10/2019
4	NWBC Tree officer	Consultation response	21/10/2019
5	NWBC Waste	Consultation response	21/10/2019
6	WCC Fire Service	Consultation response	22/10/2019
7	NWBC Environmental Health	Consultation response	29/10/2019
8	WCC Highways	Consultation response	29/11/2019
9	Neighbour	Representation	16/10/2019
10	Neighbour	Representation	21/10/2019
11	Neighbour	Representation	4/11/2019
12	Neighbour	Representation	7/11/2019
13	Neighbour	Representation	8/11/2019
14	NWBC Environmental Health	Consultation response	17/12 and 18/12/19
15	WCC Highways	Consultation response	5/12/19

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.

d) Planning Application No: MIA/2019/0037

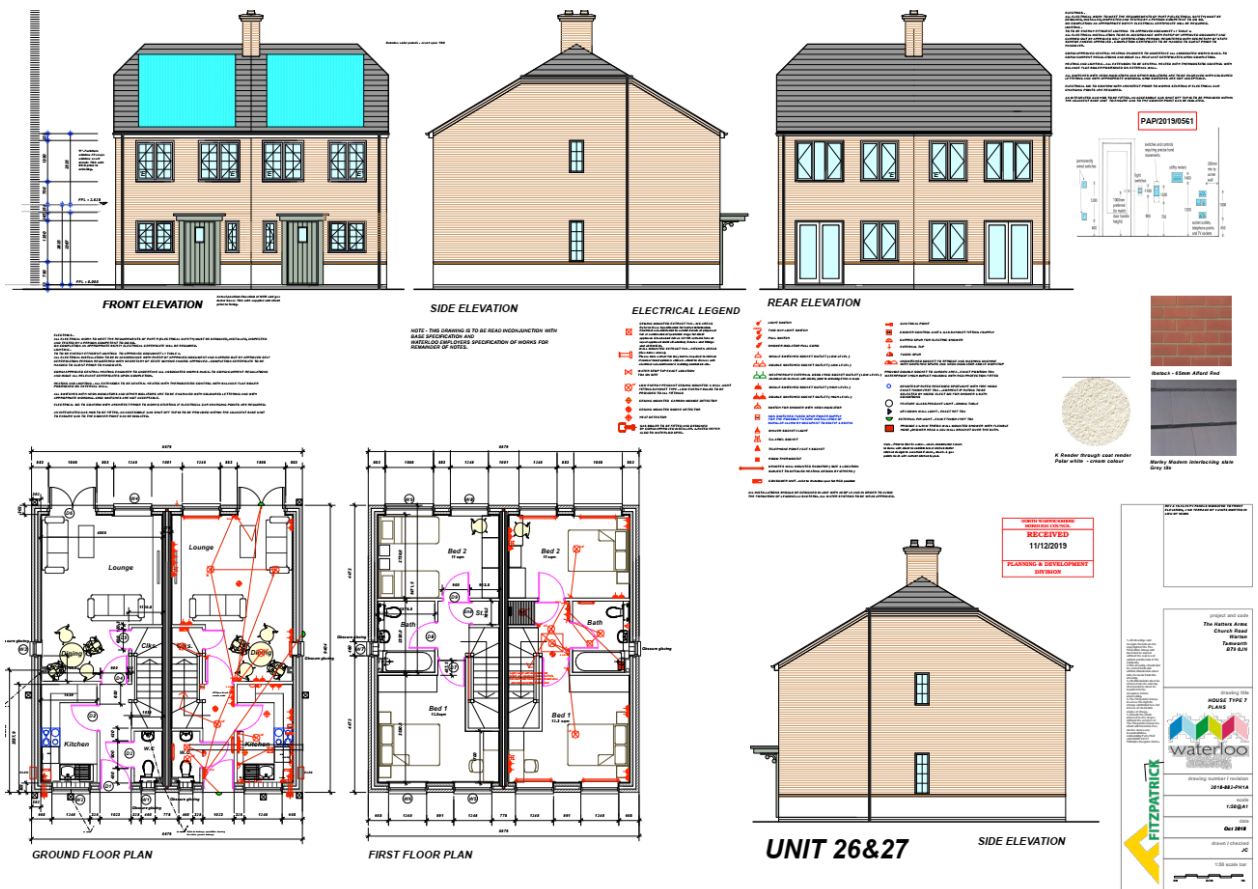
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	11/12/2019

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.

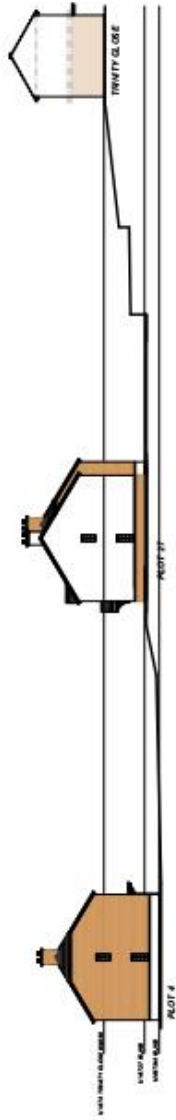
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

Appendix A - Hatters Arms / rear gardens to 3 – 6 Trinity



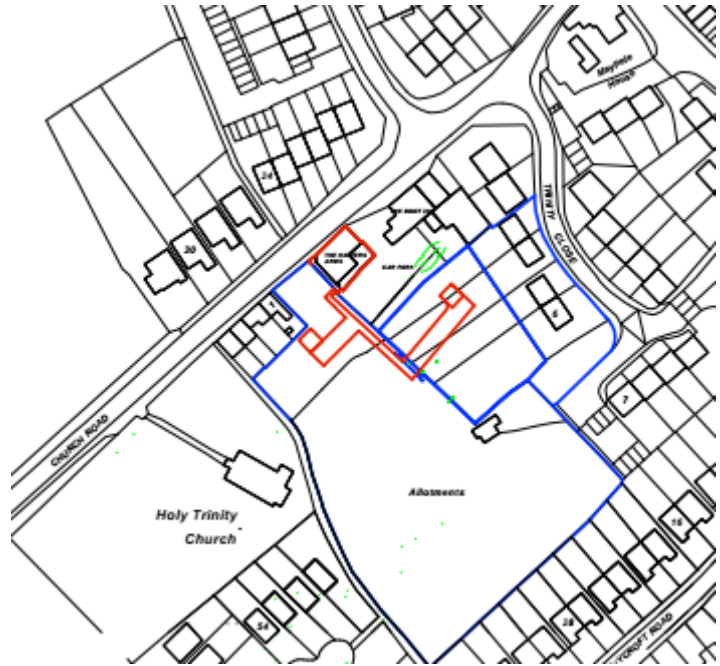






Appendix B - Hatters Arms





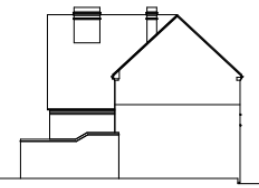
Existing North West elevation.



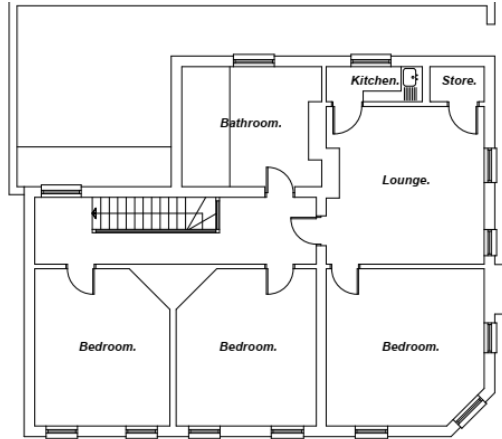
Existing South West elevation.



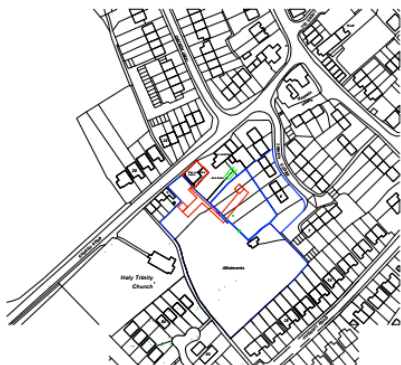
Existing South East elevation.



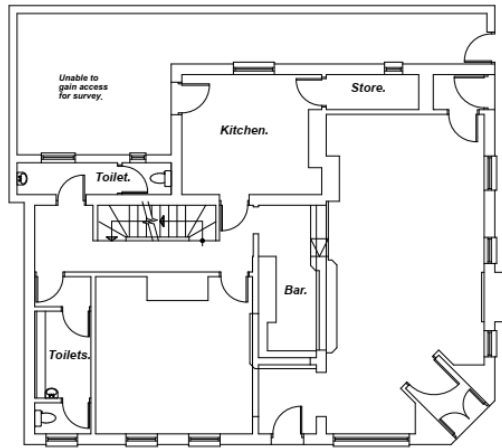
Existing North East elevation.



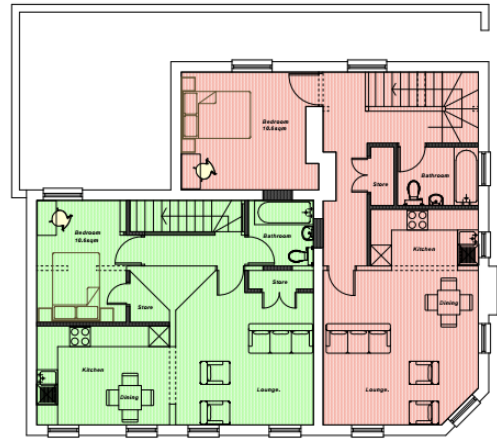
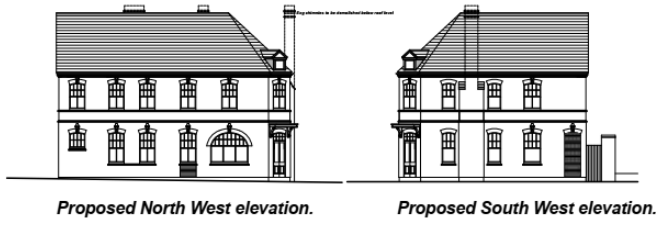
Existing first floor plan.



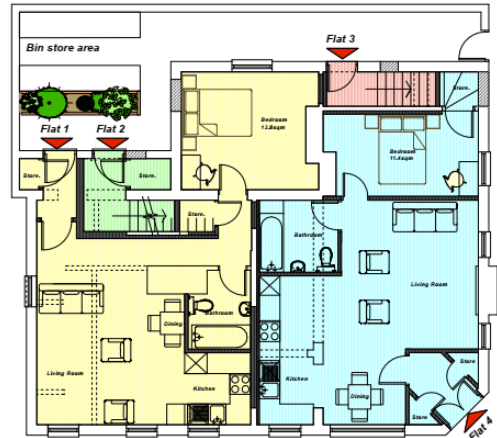
LOCATION PLAN 1:1250

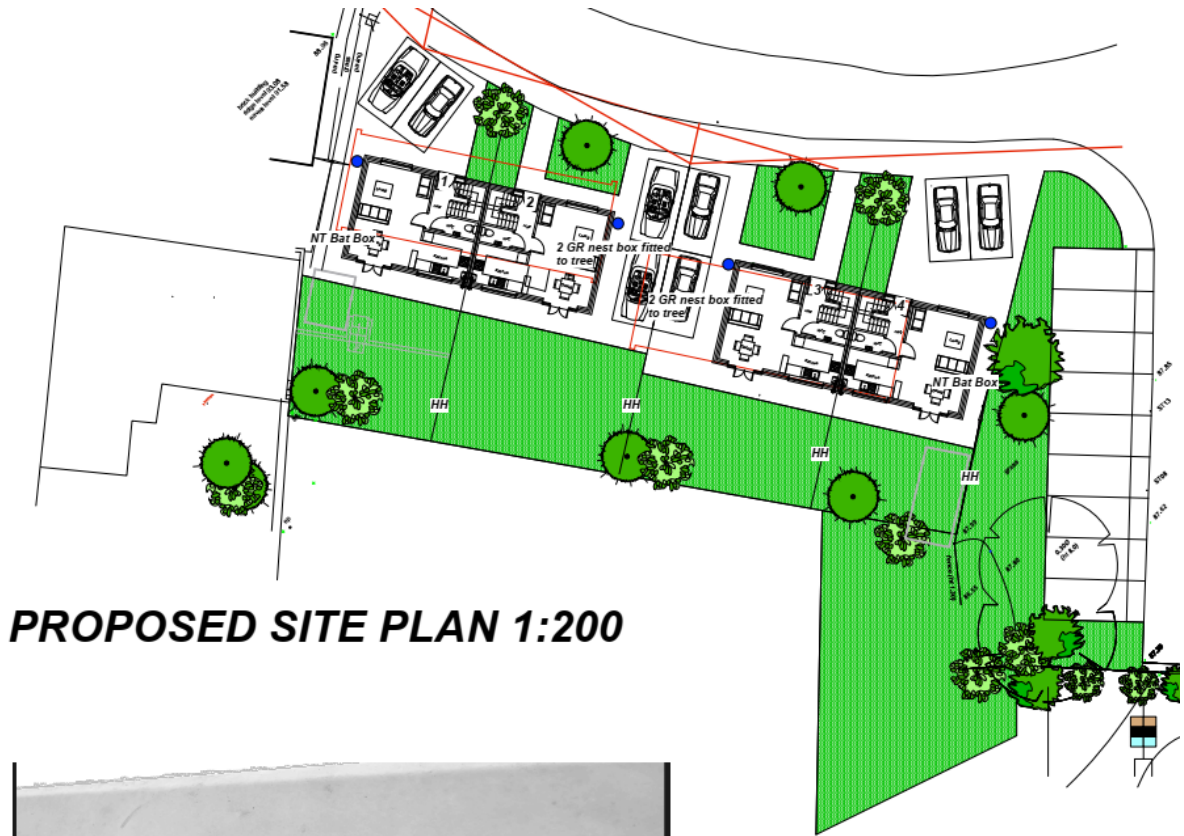


Existing ground floor plan.



SCHEDULE OF ACCOMMODATION
 Flat 1 - 1 Bed / 1 Person SS20M
 Flat 2 - 1 Bed / 1 Person SS20M
 Flat 3 - 1 Bed / 1 Person SS20M
 Flat 4 - 1 Bed / 1 Person SS20M





Schweger 2GR nest box with three-hole entrance
£23.15 EXCL. VAT

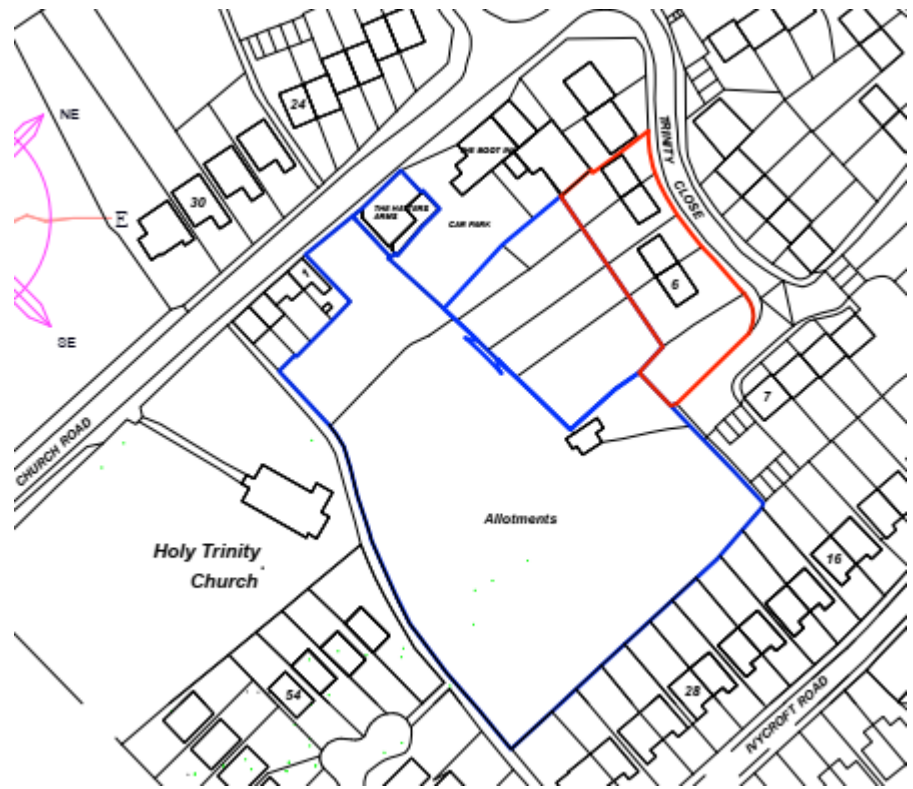
National Trust Bat Box

Waterloo
2819-813-7132
1306-1100 (EAT)
July 2018

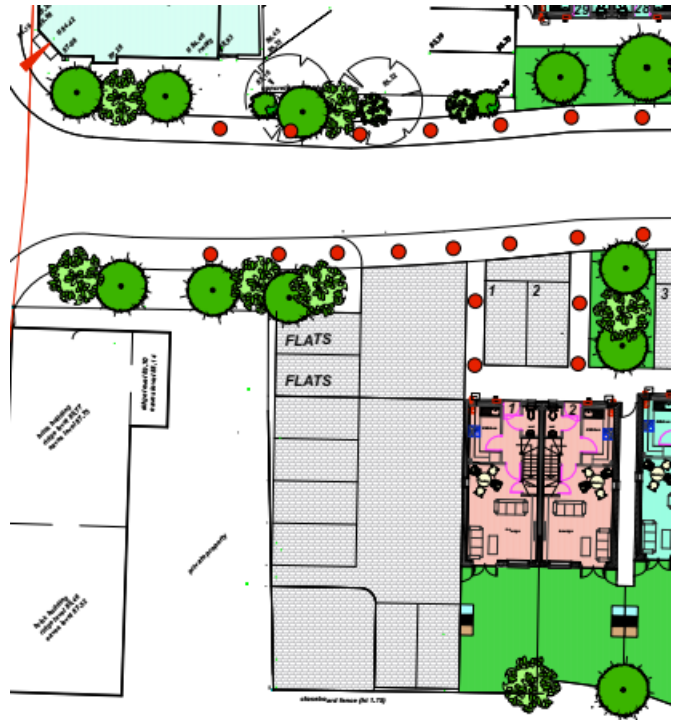


waterloo
2819-813-7132
1306-1100 (EAT)
July 2018

FITZPATRICK



Appendix D – MIA – Land to rear of Trinity Close



2018/0764 – Approved Plan

SCHEDULE OF ACCOMMODATION PAP/2018/07
 12 No. 2B/4P 70.4 SQM GIA
 9 No. 3B/5P 82.6 SQM GIA
 1 No. 3B/5P 89.6 SQM GIA
 1 No. 3B/5P 87 SQM GIA
 47 CAR PARKING SPACES



RECEIVED
 03/06/2019

incept studio
 ARCHITECTS & INTERIORS
 101 The Square
 Church Square
 Park Road
 Sandton
 2019-20
 SITE PLAN AND LOCATION
 OFFICE 12
 1-08

(3) Application No: PAP/2019/0570

5, Roman Way, Dordon, B78 1RD

Erection of two storey side extension, for

Mrs M Townsend

Introduction

This application is brought before the Board at the request of a Local Member concerned about the potential impacts.

The Site

The application site is a two storey detached dormer bungalow and lies within a residential frontage of similar buildings immediately at the rear of the Dordon Library.

The Proposal

It is proposed to demolish a side detached garage which stands at the rear and add a two storey side extension so as to provide a replacement garage/car port at ground level with two additional first floor bedrooms and a family bathroom on the first floor. A new porch is also proposed

Existing and proposed elevations are at Appendix A, B and C.

Development Plan

The North Warwickshire Core Strategy 2014 - NW10 (Development Considerations) and NW12 (Quality of Development)

Saved Policies of the North Warwickshire Local Plan 2006 - ENV12 (Urban Design); ENV13 (Building Design) and ENV14 (Access Design)

Other Material Planning Considerations

National Planning Policy Framework 2019 – (the “NPPF”)

The North Warwickshire Local Plan Submission Version 2018 - LP31 (Development Considerations); LP32 (Built Form) and LP36 (Parking)

Supplementary Planning Guidance - A Guide to the Design of Householder Developments, adopted September 2003.

Consultations

Warwickshire County Council as Highway Authority – No objection

Representations

Five letters of objection have been received from local residents and these refer to:

- There is a Covenant on the property which relates to shared access rights
- These houses were never intended to be “family” houses and this would be out of character
- Increased parking pressure
- Overlooking from the new windows.
- Over shadowing

There is also one letter from a local resident raising no objection.

Observations

The proposed development is a two storey side extension and porch to an existing private housing development of two bedroom dormer bungalows around a gated private shared surface finished in tarmac. The site was originally an old garage site located to the rear of the public library.

The issues here are all about the impact of the proposal on the residential amenity of the neighbouring residential properties. Members will know that Covenants are private matters and thus will carry no weight in the assessment of this application.

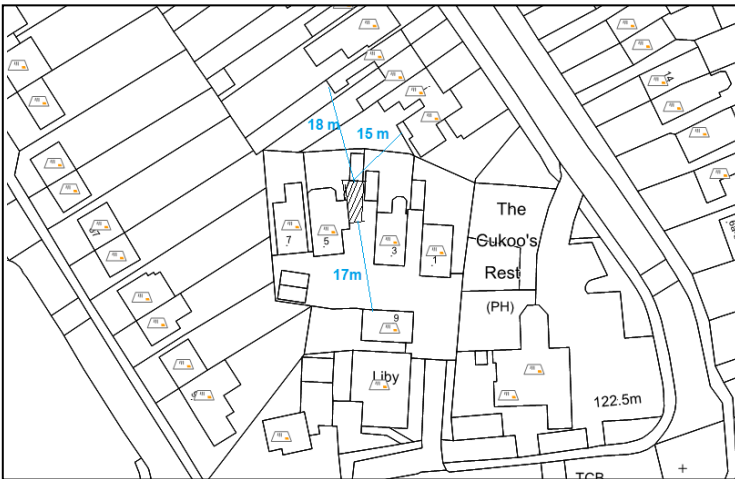
There are a number of factors to look at here but in general terms there is no objection.

The proposed two-storey extension is large and equates to approximately a 60% increase in the volume of the dwelling, but is also offset by the demolition of the existing detached garage. There are no restrictions on the proportion of the extension compared with the host dwelling, provided that the plot can accommodate the extension and maintain reasonable private amenity. There are no adopted guidelines on the area of private amenity that is to be provided, however the remaining garden size is considered to be comparable to that of other properties in the near vicinity.

The proposed materials, roof pitch and proposed dormer window and rear gable do match the existing house. The proposal is considered to be in keeping with the style of the host dwelling. The proposed extension is set back from the front elevation such that the extension appears subservient despite the similarity in ridge height.

Extensive work has been done to negotiate with neighbours who are most affected by the proposal. Although these neighbours continue to have concerns about the proximity of the proposed development, the modifications to the proposal during negotiations have satisfied their planning objections, however they still object to the principle of the development. The Party Wall Act will apply here. It is agreed that the new side elevation will be prominent. However there are no side windows at ground floor level on the neighbouring property. There is however first floor dormer bedroom window of the neighbouring property that faces towards the application site. The proposed extension is separated by the access to the neighbour's garage by approximately 3 metres. The orientation is such that the extension is set back north of the dormer window such that sunlight to the dormer window will not be impacted. The proposed extension does not impact the 45 degree guideline from the north facing rear windows of the neighbours property, as the first floor rear window is a bathroom and the ground floor rear window

closest to the proposed extension is a kitchen. These are not habitable rooms. The 45 guide rule does not affect the ground floor rear bedroom/ dining room and conservatory extension.



Site plan



View from first floor rear window

An additional rear facing bedroom window is proposed above the proposed garage. The two storey extension projects 3 metres back from the existing rear elevation of the house. This window is also the subject of objections from residents in Whitehouse Road. Distances are set out above on the plan. The properties to the rear are set at an acute angle and the shortest distance between windows is 15 metres. This is less than would normally be accepted when windows directly face each other. However in this case the angle of sight is material in reducing any significant impacts.

A replacement garage/ partial car port forms the ground floor of the proposed extension. In addition to the garage parking for a further two parking spaces is proposed within the demise, therefore there are three parking spaces proposed. Policy LP36 of the emerging North Warwickshire Local Plan requires that a four bedroom house requires a minimum of two parking spaces. The parking is contained within the private curtilage of the property that is identified by the existing block paving. Other properties in the development park to the front of their properties in the site area. The parking does not impinge on the shared turning and access surfaces that are identified by a bitmacadam finish. The proposal does not affect the shared access and turning areas identified by the bitmacadam surfacing. Therefore, all vehicles can turn within the site and go back onto the highway in a forward gear. Some cleaning or maintenance of these areas may become necessary as a result of the construction of the proposed extension.

The proposal is considered to be in accordance with Development Plan Policies, the NPPF and the supplementary planning guidance for the design of householder developments, 2003. It is considered that there is no impact on neighbours more than would be reasonably acceptable, and the design and materials are in keeping with the character of the host dwelling and the immediate vicinity. Therefore it is recommended that the proposal be supported subject to conditions.

Recommendation

That planning permission is **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 site location plans numbered received by the Local Planning Authority on 10 October 2019; and the plan numbered RW-01-04D received by the Local Planning Authority on 04 December 2019; and the plan numbered RW-01-03D received by the Local Planning Authority on 09 December 2019.

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 facing brickwork and plain concrete tiles, both to closely match the colour, shape, size and texture of those materials used in the host dwelling.

REASON

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

4. Parking for a minimum of two vehicles as indicated on the approved plans and bin storage for 3 no. 240 litre wheelie bins must be retained at all times for the exclusive use of 5 Roman Way, as such.

REASON

To ensure that there is adequate parking provision and space for bin storage within the curtilage of the dwelling.

5. No additional windows or door openings in all elevations and roof planes shall be made, other than as shown on the plans hereby approved, nor shall any approved windows or doors be altered or modified in any manner.

REASON

To protect the privacy of the occupiers of adjoining properties.

Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
3. 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.
4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

5. Radon is a natural radioactive gas which enters buildings from the ground and can cause lung cancer. If you are buying, building or extending a property you can obtain a Radon Risk Report online from www.ukradon.org if you have a postal address and postcode. This will tell you if the home is in a radon affected area, which you need to know if buying or living in it, and if you need to install radon protective measures, if you are planning to extend it. If you are building a new property then you are unlikely to have a full postal address for it. A report can be obtained from the British Geological Survey at <http://shop.bgs.ac.uk/georeports/> located using grid references or site plans, which will tell you whether you need to install radon protective measures when building the property.

For further information and advice on radon please contact the Health Protection Agency at www.hpa.org.uk. Also if a property is found to be affected you may wish to contact the Central Building Control Partnership on 0300 111 8035 for further advice on radon protective measures.

6. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues and suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of 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/2019/0570

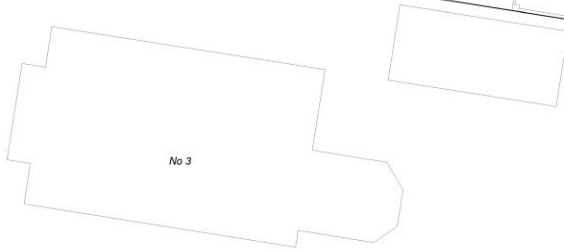
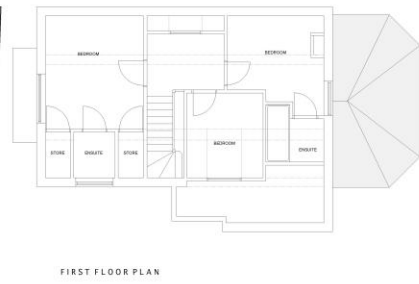
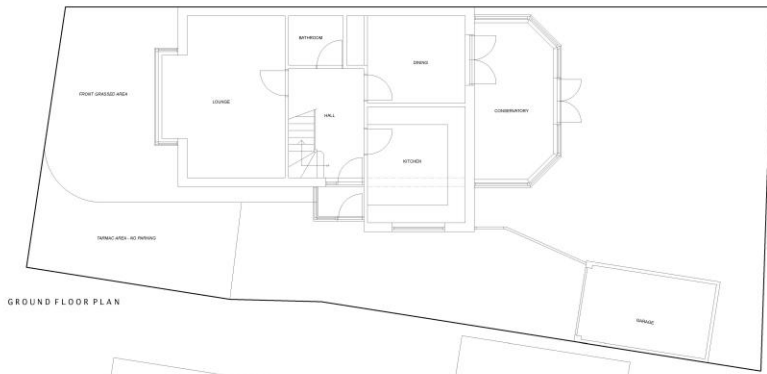
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms & Plans	10/10/19 04/12/19 09/12/19
2	Highways Authority	Informal Consultation Response – No objection	28/11/19
3	Neighbour - 7 Roman Way	Objection	30/10/19
4	Neighbour – 1 Whitehouse Rd.	Objection	08/11/19
5	Neighbour– 1A Whitehouse Rd	Objection	18/11/19
6	Neighbour - 3 Roman Way	Objection	15/11/19
7	Neighbour - unknown	Objection	27/11/19
8	Neighbour – Melmerby, Tamworth	Support	29/11/19

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.

EXISTING PLANS:

PAP/2019/6670



RECEIVED
14/11/2019
PLANNING & DEVELOPMENT
DIVISION

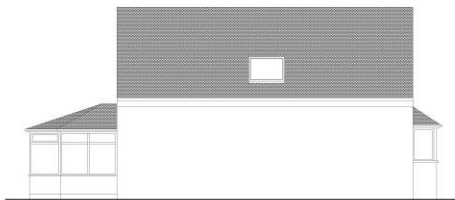
NOTE: THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE DEVELOPMENT APPLICATION AND ALL OTHER INFORMATION PROVIDED TO THE COUNCIL. THE COUNCIL IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO IT BY ANY OTHER PERSON.

ALL INFORMATION AND DOCUMENTS TO BE PROVIDED TO THE COUNCIL MUST BE PROVIDED IN ORIGINAL AND COPY FORM. THE COUNCIL IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO IT BY ANY OTHER PERSON.

PROJECT	3 Bedroom Single Storey Extension
ADDRESS	14/11/2019
DATE	14/11/2019
SCALE	1:1250
DATE	14/11/2019

PAP/2019/6670

EXISTING ELEVATIONS:



RECEIVED
14/11/2019
PLANNING & DEVELOPMENT
DIVISION

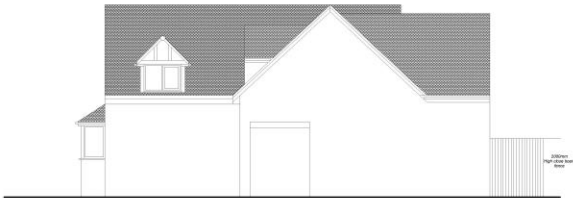
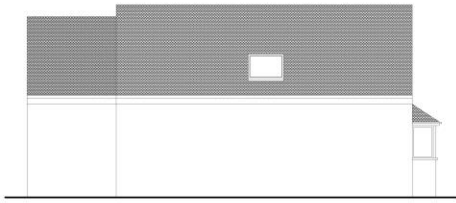


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PROJECT	3 Bedroom Single Storey Extension
ADDRESS	14/11/2019
DATE	14/11/2019
SCALE	1:1250
DATE	14/11/2019

PROPOSED ELEVATIONS:



WINDY CITY ARCHITECTS
ARCHITECTS
04/12/2019
PLANNING & DEVELOPMENT
DIVISION

NOTE: THIS DRAWING IS TO BE USED FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Project:	5 Starway Way Darien Cook County 60412-1019
Drawing No.:	Proposed Elevations
Project Name:	5 Starway Way
Drawing Number:	04/12/2019
Drawing Scale:	1/8" = 1'-0"
Date:	September 2019
Author:	WCA
Checker:	WCA

(4) Application No: PAP/2019/0685

Wathen Grange School, Church Walk, Mancetter, CV9 1PZ

Conversion and extension of former school building plus erection of new building to provide 27 dwellings, access and associated parking plus demolition of existing single storey outbuildings, for

Silverleaf Capital Ltd

Introduction

The receipt of this application is reported to the Board because of its past decision to make an Article Four Direction in respect of this school building, preventing its demolition.

The current proposal is submitted after a number of meetings that have been held between the applicant, officers and Members in order to retain the school building within any redevelopment scheme. That outcome has been achieved and the report introduces the current proposal to the Board for later determination.

The Site

The former Mancetter Primary School stands at the corner of Church Walk and Manor Road in Mancetter opposite the Post Office. There is residential development around the site – the 1960's three storey Gramer Court blocks opposite; the very recent three storey Laurel Gardens Extra Care Home to the north and a series of bungalows fronting Manor Road to the west dating from the same time.

The School dates from the late Victorian period but there have been more recent extensions at its rear. There is a small presently vacant area immediately to the north within the current application site.

The general location is illustrated at Appendix A.

Background

Earlier this year there was a proposal to demolish the former school in preparation for a prospective residential redevelopment. In view of the strength of local community feeling and the fact that the school building was explicitly recognised in the Mancetter Neighbourhood Plan as a potential non-designated local heritage asset, the Council served an Article Four Direction. This effectively prevented the demolition works. In doing so, the Board invited representatives of the land owner to meet in order to see if any redevelopment proposals could retain the building. Those meetings were entered into in good faith by the land owner and the current planning application is a direct result of those discussions.

The Proposals

These can really be treated as being in two parts – the retention of the school and a separate residential block. In total 27 one bedroom new flats would be created – seventeen in the new block and ten in the converted and extended school building

Overall 20 car parking spaces are to be provided.

The former retains the present school building but would demolish the rear modern extensions and replace them with a two and a half storey extension to the rear of the school. The main frontage to the school thus remains unaltered. The rear extension comprises an “H” form which enables the roof scape to be divided into three gables. These rise above the main school ridge line.

The new block would be constructed on the vacant land to the north. This would be a four storey block again with a heavily gabled roof scape. The ground floor would provide undercroft parking spaces.

The layout is shown at Appendix B with elevations in street scape terms at Appendix C.

Development Plan

The North Warwickshire Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW6 (Affordable Housing Provision), NW10 (Development Considerations), NW12 (Quality of Development) and NW14 (Historic Environment) Saved Policies of the North Warwickshire Local Plan 2006 – ENV12 (Building Design); ENV13 (Urban Design) and TPT6 (Vehicle Parking)

Mancetter Neighbourhood Plan 2017 – DP2 (Settlement Boundaries); H1 (Smaller Infill Sites), BE2 (Protecting and Enhancing Local Character)

Other Material Planning Considerations

The National Planning Policy Framework

The Submitted Local Plan 2018 – LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP15 (Historic Environment), LP31 (Development Considerations), LP32 (Built Form) and LP36 (Parking)

Observations

This application will be brought back to the Board for determination once all of the consultations have taken place and any consequential amendments are submitted. Local residents have also been invited to make representations.

Members should be aware that whilst this application results from the Article Four Direction, it does not mean that the proposal should not be treated on its merits and such an assessment, might lead to there being little or no support for the current proposals. The final planning balance will be assessed once the full consultation process has been completed.

Recommendation

That the receipt of the application be noted

BACKGROUND PAPERS

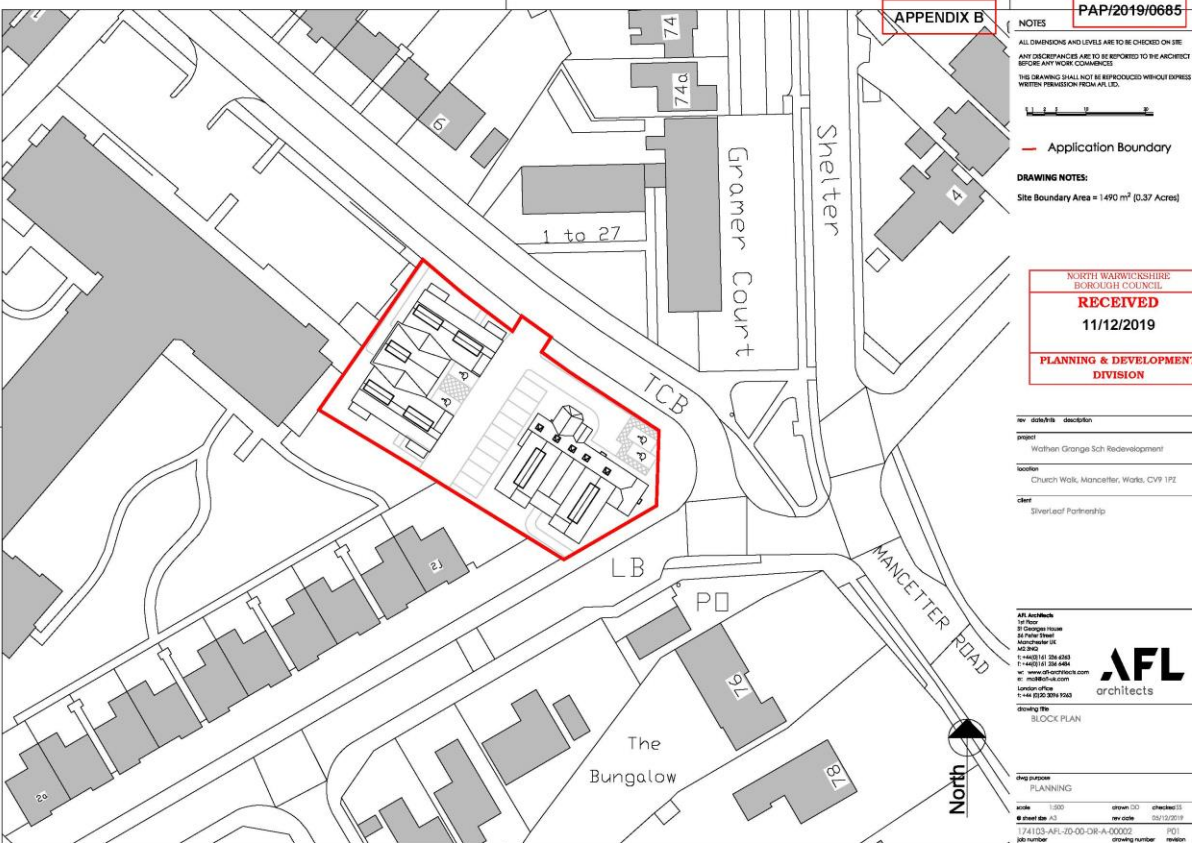
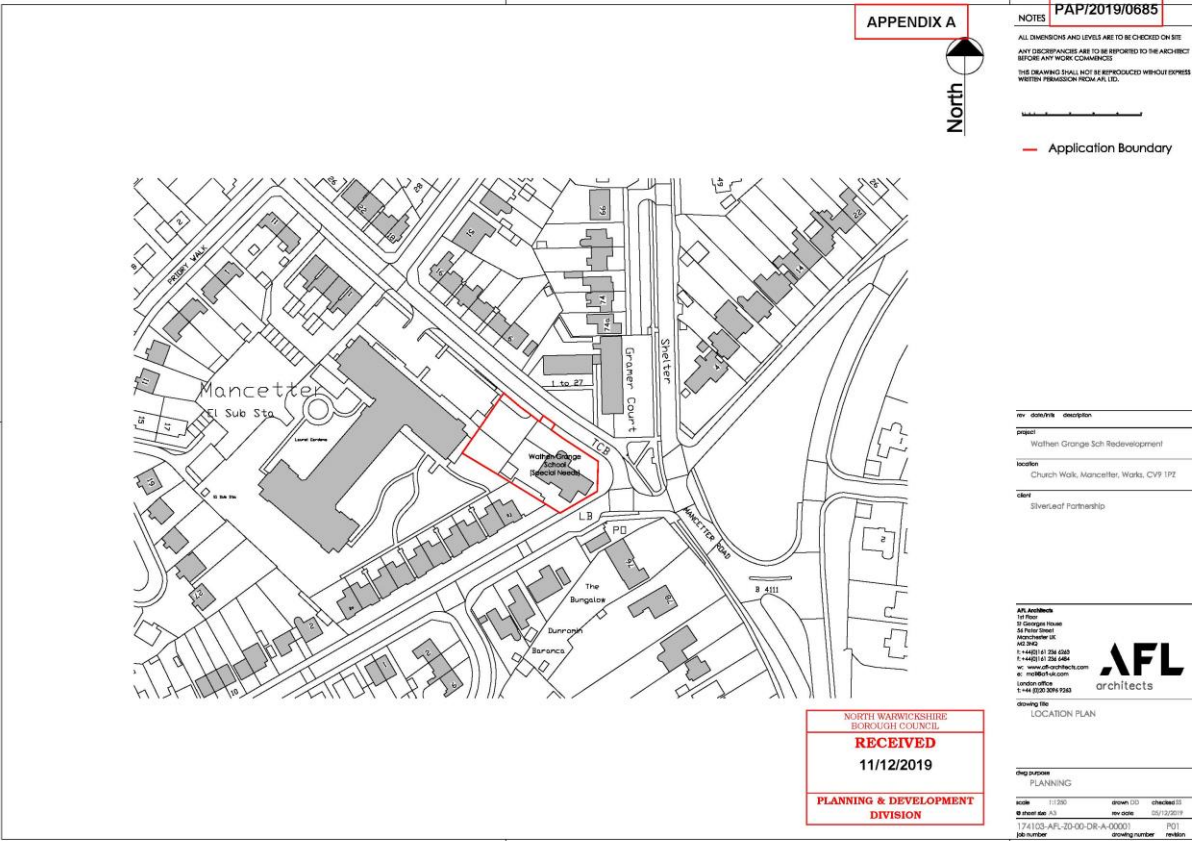
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2019/0685

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	11/12/19

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.

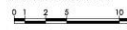
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



NOTES

ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE
ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT
BEFORE ANY WORK COMMENCES

THIS DRAWING SHALL NOT BE REPRODUCED WITHOUT EXPRESS
WRITTEN PERMISSION FROM AFL LTD.



DRAWING NOTES:

Elevations should be read in conjunction with
drawings 174103-ZI-00-DR-A-20200 to 20201.



Site Elevation 01 (Church road looking south east)



Site Elevation 02 (Manor road looking east)

NORTH NORTON-BURTON
BURKSHIRE COUNCIL
RECEIVED
11/12/2019
PLANNING & DEVELOPMENT
DIVISION

ref	date/rev	description
		Walthen Grange Sch Redevelopment
		Church Walk, Mancetter, Warks, CV9 1PE
		Silverleaf Partnership

AFL Architects
14 Floor
25 George House
54 Peter Street
Northampton UK
NN2 2JG
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F: +44(0)116 276 6588
www.afl-architects.com
afl@afl-architects.com
London office
T: +44 (0)20 3076 1562



DRAWING TITLE			
PROPOSED SITE SECTIONS			
DRAWING PURPOSE			
PLANNING			
SCALE	DATE	DRAWN BY	CHECKED BY
1:200	12/12/2019		
DRAWING NO.	REV.	DATE	BY
174103-AFL-ZI-00-DR-A-20202	01	12/12/2019	
JOB NUMBER	DRAWING NUMBER	REVISION	

Agenda Item No 5

Planning and Development Board

13 January 2020

**Report of the
Head of Development Control**

**“The Funky Bear” Public House,
Cliff**

1 Summary

- 1.1 The report brings Members up to date in respect of its decision to serve a Listed Building Enforcement Notice in respect of this property.

Recommendation to the Board

That the Board is satisfied that there is compliance with the Notice requirements in this case.

2 Background

- 2.1 This building has formerly been known under a series of different names, but it has retained its use as a Public House in the last few decades. It is a Grade 2 Listed Building located on the east side of the Kingsbury Road at its junction with Cliff Hall Lane.
- 2.2 Earlier this year it changed hands again and almost immediately, it was painted in a dark pink colour which drew a number of local complaints. Upon investigation it was also found too that the paint used was poor quality and not at all appropriate for an historic building, as it would prevent it from “breathing”. The Board resolved to issue a Listed Building Enforcement Notice in light of the substantial harm caused to the building’s heritage significance. That required removal of the then paintwork and its replacement with an appropriate lime based material, preferably white in colour. The Notice was not appealed.
- 2.3 There was no move to comply with the Notice and as a consequence evidence was being collected to commence prosecution in the Courts, but the property then changed hands. An immediate call was made to the new owner – Marstons – and they have agreed to undertake the Notice requirements.
- 2.4 This work was completed in mid-December and officers have visited the site. It was very encouraging to see that all of the unauthorised paint had been removed and replaced with a far more appropriate specification and in an appropriate colour. Officers can also confirm that the unauthorised paintwork has not appeared to have had any internal consequences – mainly because it was not left long enough to cause damage.

3 Observations

- 3.1 This is a successful outcome and should be welcomed. Whilst there are time delays in the issue of Notices and then chasing compliance, it can be seen that formal action is appropriate in some circumstances and that in this case, that has had the required result.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 All costs associated with this case have been taken from existing budgets.

4.2 Links to Council's Priorities

- 4.2.1 The action taken is in accord with and pursuance of the objective of seeking to protect the Borough's rural character and heritage.

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

Agenda Item No 6

Planning and Development Board

13 January 2020

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

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 Schedule 12A to the Act.

Agenda Item No 7

Land Adjacent Orchard House, Cliff – Report of the Head of Development Control

Paragraph 6 – by reason of the need to consider the legal implications.

The Contact Officer for this report is Amanda Tonks (719221)