

## **Agenda Item No 4**

### **Planning and Development Board**

**3 September 2018**

### **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](http://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, 8 October 2018 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: [www.northwarks.gov.uk/downloads/file/4037/](http://www.northwarks.gov.uk/downloads/file/4037/).
- 6.2 If you wish to speak at a meeting of the Planning and Development Board, you may either:
- e-mail [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk);
  - telephone (01827) 719222; or
  - write to the Democratic Services Section, The Council House, South Street, Atherstone, Warwickshire, CV9 1DE enclosing a completed form.

**Planning Applications – Index**

| Item No | Application No                              | Page No | Description  | General / Significant |
|---------|---|---------|--|-----------------------|
| 1       | CON/2018/0026                               | 5       | <b>Land at M42, Junction 11, Stretton-en-le-Field,</b><br>Part full/part outline planning application for the development of land  | General               |
| 2       | PAP/2017/0219                               | 23      | <b>Black Swan Inn, Watling Street, Grendon,</b><br>Demolition of former public house and erection of drive thru' coffee shop (use class A1/A3) with access, drive thru' lane, car parking, signage, plant, bin store and other associated works  | General               |
| 3       | PAP/2017/0539                               | 36      | <b>Angel Ale House, Church Street, Atherstone,</b><br>Erection of 6 dwellings  | General               |
| 4       | PAP/2017/0561                               | 51      | <b>Charity Farm, Main Road, Baxterley,</b><br>Retrospective application for change of use for extra caravan storage and erection of CCTV camera  | General               |
| 5       | PAP/2017/0602                               | 71      | <b>Land 160m South Of North Warwicks Sports Ground, Tamworth Road, Polesworth,</b><br>Outline - residential development up to 150 dwellings, open space, landscaping, drainage features and associated infrastructure. Detailed approval is sought for principal means of access, with all other matters reserved  | General               |
| 6       | PAP/2017/0659<br><br>&<br><br>PAP/2017/0660 | 97      | <b>Co-op Late Shop, New Street, Dordon,</b><br>Demolition of existing convenience store and construction of 2 no: 3 bed and 9 no: 2 bed dwellings, associated parking and access<br><br><b>Cuckoo's Rest, Whitehouse Road, Dordon</b><br>Demolition of existing public house and construct new convenience store (Use Class A1) with separate A1/A2 Use unit (Shop/professional services) parking and access | General               |
| 7       | PAP/2018/0065                               | 157     | <b>The Boot Inn Public House, Watling Street, Grendon,</b><br>Change of use from public house (A4 use) to a mixed use development comprising of a convenience store (A1 use), business offices (A2/B1) and community use (D1/D2) including building works and extensions.  | General               |

|    |   |     |   |         |
|----|---|-----|---|---------|
| 8  | PAP/2018/0321                               | 173 | <b>Land to the Rear of The Elms, Austrey Road, Warton,</b><br>Outline application for demolition of existing buildings and erection of up to 9 dwellings, with access arrangements. Appearance, Landscaping, Layout and Scale to be Reserved Matters.□  | General |
| 9  | PAP/2018/0377<br><br>&<br><br>DOC/2018/0051 | 194 | <b>Ashleigh, Coventry Road, Fillongley,</b><br>Variation of condition no: 2 of planning permission PAP/2015/0687 (APP/R3705/W/16/3245303) relating to Plot 3 - increase in ridge height, Plots 1-5 various elevation & internal layout amendments; in respect of Residential development of 5 new dwellings, 1 detached garage and associated highways, landscaping and external works. Demolition of the ""Ashleigh"" garage and morning room<br><br>Approval of details required by conditions 3, 4 and 12 of planning permission APP/R3705/W/16/3145303 dated 29/7/16 in respect of facing materials, landscaping and lighting details | General |
| 10 | PAP/2018/0477                               | 245 | <b>Copperfields, Dog Lane, Nether Whitacre,</b><br>Alteration to previously approved scheme PAP/2018/0058 residential conversion to increase height of building and design  | General |

## **General Development Applications**

**(1) Application No: CON/2018/0026**

**Land at M42, Junction 11, Stretton-en-le-Field,**

**Part full/part outline planning application for the development of land, for**

**IM Hill Top Estates Ltd**

### **Introduction**

This application has recently been submitted to the North West Leicestershire District Council and the Borough Council has been invited to make representations as a neighbouring Local Planning Authority.

This is an application for major development accompanied by a substantial amount of supporting information. This report will provide a summary of the proposals, but Members are advised to view the whole application and its documentation on the planning pages of the North West Leicestershire District Council's website. The planning reference is 18/01443/FULM.

### **The Site**

This is an area of 97 hectares of agricultural land at Hill Farm immediately west of Junction 11 of the M42 Motorway with boundaries to both the A444 and the B5493. It is relatively flat and has little in the way of surrounding development.

This location is right at the northern extremity of North Warwickshire. The closest settlement is No Man's Heath some around 600 metres from the western application site boundary.

The site is illustrated at Appendix A.

### **The Proposals**

The header to this report summarises the proposals, but in essence it is for a distribution campus similar in concept to the Birch Coppice development in the Borough.

Whilst the application is split into part outline and part detailed, it is perhaps easier to deal with the proposal as a single development.

The applicant has provided an Executive Summary of the proposal and for convenience this is attached at Appendix B. Apart from describing the proposal in general terms it also outlines the planning case that is being put forward.

The plan at Appendix C illustrates the full extent of the development proposal.

## **Development Plan**

The Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy); NW9 (Employment), NW10 (Development Considerations), NW12 (Quality of Development) and NW13 (Natural Environment)

Austrey Neighbourhood Plan – AP3 (Views)

## **Other Material Planning Considerations**

The National Planning Policy Framework 2018

National Planning Policy Guidance

The Submitted North Warwickshire Local Plan 2018 – LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP6 (Amount of Development), LP11 (Economic Regeneration), LP14 (Landscape), LP16 (Natural Environment) and LP31 (Development Considerations)

## **Observations**

### **a) Introduction**

This is a substantial development proposal right on the “door-step” of North Warwickshire where the rural character of the Borough is its overriding appearance and concern. Clearly North West Leicestershire will determine the application primarily against its own Development Plan, but that determination has to include an assessment of “other material planning considerations”. Those will definitely need to include the potential harmful impacts of the proposal on the wider setting and other communities including those of North Warwickshire.

In this regard the main recommendation set out below is to seek an early meeting with the developer so that he can better understand the Borough Council’s concerns.

Those concerns are likely to be widespread.

### **b) The Economic Impact**

The applicant’s case here is set out in more detail at Appendix D. This clearly argues the case based on need and the shortage of large sites in which to accommodate that need both in the West and East Midlands. From the Borough’s perspective then the proposal, if it is approved, is unlikely to prejudice the content of the Submitted Local Plan. That Plan explicitly focuses on the B2 allocation in connection with the MIRA site and not on additional large scale other employment provision. The proposal here is materially different to the scope of the MIRA allocation. Indeed it could be argued that an approval at Junction 11 might remove some of the immediate pressure on the Borough to promote large scale distribution sites.

The proposal will increase opportunities for employment for North Warwickshire residents. Whilst welcome, this does have other impacts – increased travel to work movements and queries about the skills that might be offered. Moreover an approval could lead to increased pressure for housing, so as to accommodate the additional employment provision and to reduce commuting distances.

At the present time therefore, the Borough's position is recommended to be one of taking a neutral stance on the principle of the development.

### **c) Highways and Access**

The highway impact of the proposal is a major concern for the Borough.

As Members are aware the site is poorly served by public transport links and much of the surrounding highway network, apart from the M42 and A444, is rural in character.

The primary access to the site would via a new three arm roundabout about 100 metres to the west of an improved Junction 11 onto the Motorway. There would also be a secondary access in the form of a priority controlled T-junction with a ghost right hand turn lane, at the far south western end of the site off the B5493. All existing access points into the site would be closed.

Road Safety Audits recommend appropriate overtaking warnings and carriageway makings along the B5493 in the vicinity of the new secondary access in light of the straight lengths of road here and the average speed of existing traffic – 55 to 59 mph.

Additionally changes will be required at Junction 11 and the design of the new roundabout to prevent queueing between the two junctions.

In terms of trip generation then it is estimated that there would be 6783 additional traffic movements generated over a twelve hour period – from 0700 hours. This would be made up of 5667 light vehicle movements and 1116 heavy goods vehicle movements. It is anticipated that 12% of the light traffic generated would use the B5493 in North Warwickshire with there being no use of the B5493 in the Borough by the HGV traffic generated. Impacts on the wider highway network including Junction 10 of the M42 and the Redgate junction of the A444 with the A5 are said to show no material adverse capacity impacts.

It is anticipated that bus services would be extended into the site but there are no firm proposals at this stage.

Car and HGV parking provision is said to satisfy Leicestershire County Council requirements.

Members are expected to have several concerns in order to limit any adverse impacts arising from the traffic generated by this proposal – ensuring that the layout and road junctions are designed such that HGV movements are not feasible along the B5493; that “rat-running” of lighter vehicles through the local rural highway network with its villages is controlled, that there are sufficient HGV parking spaces on-site to prevent on-street parking on the main roads in the Borough and that there is provision made for extending bus services.

As a consequence until these matters are resolved the proposal would not be considered to satisfy Core Strategy Policy NW10.

### **d) Landscape and Visual Impact**

As indicated above the site is in a wholly rural landscape. The North Warwickshire Landscape Character Assessment identifies the No Man's Heath to Warton Lowlands as the closest landscape character area to the application site. This describes that area

as being a well ordered agricultural landscape with scattered farmsteads and nucleated hill top villages, connected by a network of minor roads. It is a distinctly rural landscape with the only notable urban influence being the Motorway. The section of this area most affected by the development is that alongside the B5493 from No Man's Heath towards the Motorway junction which presents an open landscape with wide views. Moreover the change in levels over the site means that the higher existing ground levels are along this southern boundary.

In general terms the proposal will introduce a substantial built form of development within this distinctly rural open landscape. The massing, scale and rectangular buildings together with its associated lighting will have a landscape impact. Extensive perimeter landscaping and mounding, the lowering of levels – even along the southern edge - and the use of sympathetic materials and variable ridge heights will reduce this impact. However there will be a material change to the landscape when viewed from within the Borough along the length of the B5493, which essentially marks its southern boundary.

Members may be familiar with a similar situation along the A5 Watling Street at the Magna Park estate just outside Lutterworth. The change in the landscape along this stretch of road will be adverse with a high degree of change. Residents too will have their existing views foreshortened. Mitigation will not enable the proposed development to become absorbed within the landscape. The residual landscape impact will still be adverse – a conclusion also reached by the developer.

The same conclusion arises with the impact on visual amenity.

At the present time therefore the very scale and nature of the proposal gives rise to an objection in landscape and visual terms. The adverse impacts acknowledged above will not satisfy Core Strategy policy NW12 as the proposal would not “positively integrate” with the character, appearance and environmental quality of that part of North Warwickshire most affected. It would neither satisfy policy NW13 as it would not protect or enhance the quality, character and local distinctiveness of the natural environment of those parts of the Borough most affected.

#### **e) Other Impacts**

The proposal will be lit. Members are familiar with the effects of modern lighting technology and how this can reduce significant visual impacts – e.g. at Baxterley. It is acknowledged that different levels of lighting are needed throughout the site and that impacts can be reduced through having the right number of lighting columns and the correct angle for the luminaries. However there will always be a residual impact in that there will be a “glow” from the site even if the light sources are screened and not visible. This factor adds to the concerns expressed above in respect of the changes to the landscape and visual amenity.

The other issue here is the likely impact from noise emissions. Fortunately for North Warwickshire's perspective there is little in the way of a resident population close to the site. Nevertheless Members are fully aware of the impact of noise from further afield, rather than just around the perimeter of a site. There are two matters that need addressing with this proposal. The first is to ensure that the service yards are located within the site and not around the perimeter as is presently proposed along the southern boundary with the B5493. Not only are they then screened by other buildings but all of the potential activity associated with the use of the buildings is located centrally.



Members will be aware of the changes sought recently at Hams Hall to ensure that this arrangement was brought into use. It is essential here too. The second matter is to ensure that noise is mitigated at source. Hence air conditioning and refrigeration plant and particularly their exhausts should be fitted with baffles from the start and all loading bays should have electric pick up points.

Until satisfied on these matters the proposal would not accord with Core Strategy Policy NW10.

#### **f) Conclusions**

It is considered that the main thrust of the Council's representations here should relate to the actual and potential adverse impacts likely to be caused by the proposal.

As a consequence it is recommended that these concerns be forwarded to North West Leicestershire and that the developer be asked to meet with Council representatives in order to amplify these concerns. It would be appropriate that North West Leicestershire representatives were also invited.

#### **Recommendation**

- a) That North West Leicestershire District Council be informed of this Council's initial objections and concerns as expressed in this report and that
- b) Representatives of the Council meet the applicant together with representatives of the North West Leicestershire District Council in order to further discuss these concerns.

## BACKGROUND PAPERS

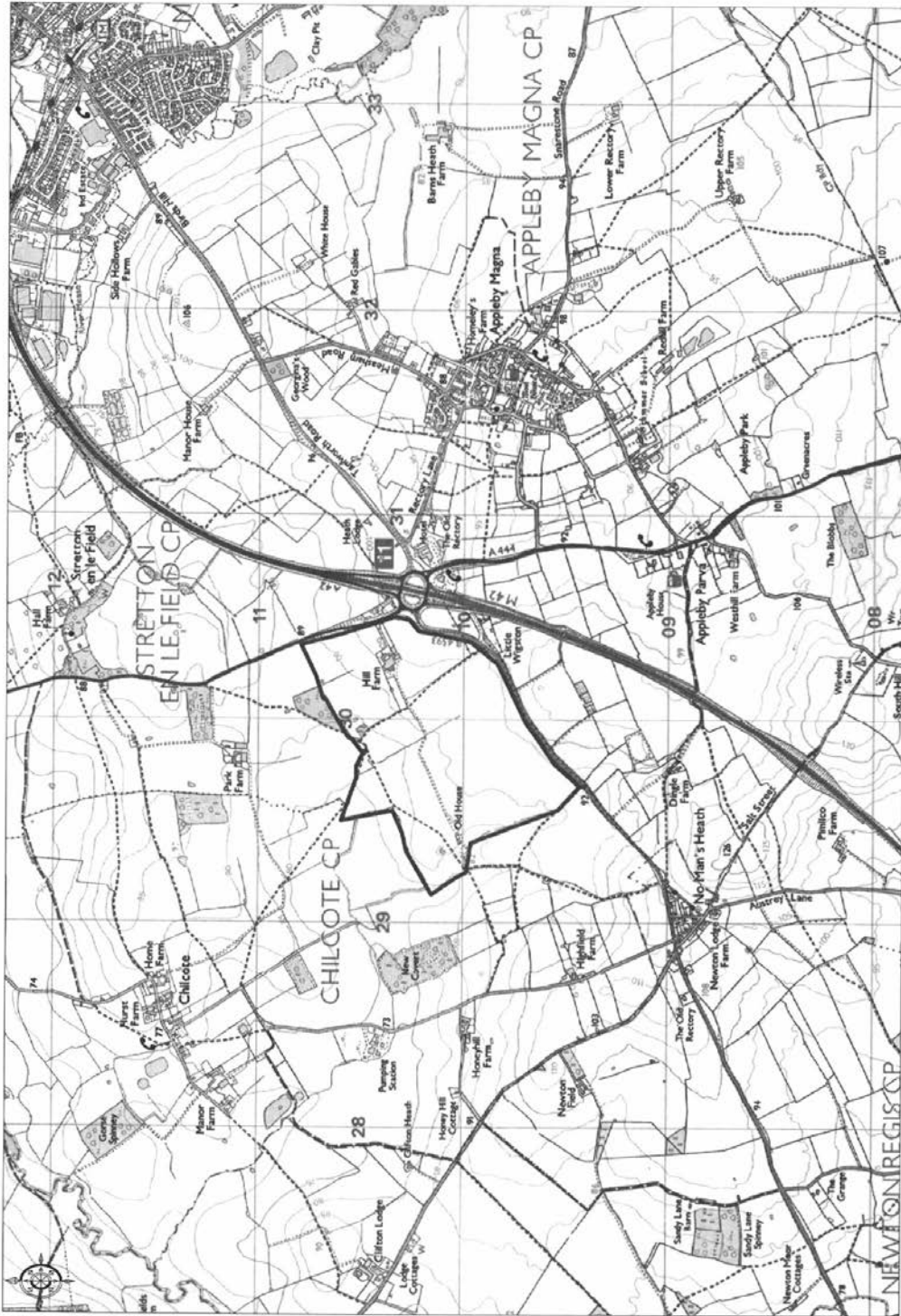
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: CON/2018/0026

| <b>Background Paper No</b> | <b>Author</b> | <b>Nature of Background Paper</b> | <b>Date</b> |
|----------------------------|---------------|-----------------------------------|-------------|
| 1                          | NWLDC         | Letter                            | 7/8/18      |

*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.*



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This plan is published for the convenience of identification only and although believed to be accurate, is not an authoritative record of the land.



## Executive Summary

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- i) This statement has been prepared on behalf of IMP Hill Top Estates Limited (the Applicant) in support of a hybrid planning application for B Class employment development at land at Junction 11, M42 (the Site). Its purpose is to explain the proposals and to justify them in the context of relevant planning policy and other material considerations.
- ii) The Site is situated immediately west of Junction 11, M42, with boundaries to both the A444 and B5493. The application site area measures 97.39 hectares (240.65 acres). The Site is relatively flat and featureless, has little if any surrounding development or settlement in the immediate vicinity of the Site, and is particularly suited to accommodate large industrial floorplate buildings. It has been farmed intensively as arable land.
- iii) The hybrid planning application comprises two elements. The first part is a full planning application for a new distribution park (Class B8) with ancillary offices (Class B1a) and associated works and access. The second part is an outline planning application for Class B1c, B2 and B8 employment uses with ancillary offices (Class B1a), including access, and associated commercial and amenity uses.
- iv) The full planning application comprises five units totalling 279,007 sq m (GEA) sited on a net development area of 51.16 hectares. The units range from 21,058 sq m to 97,792 sq m (GEA), with maximum building heights ranging from 19.5m to 22.5m. The units all have a low pitch and parapet roof. The elevations have a pixelated cladding system, with darker grey tones proposed at lower level and lighter grey tones at upper level to merge into the skyline. All units are served by numerous dock loading and level access doors with generous yard space and circulation. Car parking is separated and lies outside secure fencing for each unit.
- v) The outline planning application covers the remainder of the proposed built development of the site. This has an area of 13.19 hectares and has capacity for 70,993 sq m (GEA) of built floorspace. The units will be used for Class B1c, B2 and B8 and indicative layout plans for this plot show a large unit (Unit 6) of 56,712 sq m (GEA) with 550 car parking spaces, and a much smaller unit of 3,539 sq m (GEA), with 34 car parking spaces. The maximum height of Unit 6 will be 24.5m. The indicative layout plan shows also a gateway building fronting the main access to the site from the B5493. This building could be used for a number of uses, including as a management suite for the development, a creche, an office, a gym or a café. In addition, the plan shows an amenity area with a multi-use games area for the benefit of employees and local residents.
- vi) Access is proposed from two points on the B5493. The main access will be a new roundabout at the north east corner of the Site, with this access for cars, buses and HGVs. A secondary access will be provided in the south west corner of the Site by way of a priority junction with a right turn filter lane from the east, with this access restricted to cars and buses.
- vii) Surface water will be drained by attenuation through the use of two balancing ponds in the north of the site. Foul drainage will be pumped out of the River Mease catchment to Tamworth Treatment Works. Other services will be provided and reinforced as necessary.
- viii) Landscaping has been an important element in the scheme's development. There is extensive landscaping proposed to the perimeter of the Site, including mounding and bunding, with this averaging 50m in width, but as wide as 120m in places. This area absorbs 28 hectares (69 acres)– roughly 30% of the total gross area of the Site. The proposals will be screened by the planting of over 100,000 native trees with a range of semi-

- mature and young trees planted, resulting in over 11.8 hectares (29 acres) of new woodland. This will be supplemented by planting of new hedges and shrubbery. In addition, acoustic fencing is proposed in a number of places to mitigate against any potential noise disturbance.
- ix) The Site is crossed by two public footpaths. These footpaths will be diverted and will form part of the network of footpaths running through the landscaped amenity area which surrounds the development. This area will be accessible to staff employed on site and members of the general public.
- x) The proposed development is market driven. However, it is feasible that construction starts in 2019 and the development is fully operational by 2021, by which time the economic context both regionally and locally may be different. The proposals will contribute to the economic resilience of the District and the wider area.
- xi) The design process has been lengthy and extensive, involving a series of structured meetings with the Local Planning Authority, North West Leicestershire District Council. The objective has been to minimise visual intrusion and other environmental effects (e.g. noise, light pollution and traffic) as far as possible. This has required a balancing exercise to accommodate the likely operational requirements of industrial and logistic companies, who will bring significant economic and social benefits, and the resulting environmental impact of a large development in the countryside. The design evolved with this objective in mind. This has resulted in a number of changes to the principal design elements – layout, elevational treatment and landscaping. The latter has led to a significant increase in the width of mounding and depth of tree planting and a corresponding reduction in the capacity of the Site for built development, but has improved significantly the landscaped setting of the development.
- xii) A series of meetings have been held with Highways England, Leicestershire County Council (the Highway Authority) and North West Leicestershire District Council. This has been to agree the scope of the Transport Assessment, the Framework Travel Plan and the modelling and testing of the proposed development in the context of the wider road network. This process has led to the identification of a number of measures necessary to accommodate the proposed development and to limit its significant impacts as effectively as feasibly possible. The main measures proposed include:-
- The design of the site accesses.
  - Proposed improvements to Junction 11, including partial signalisation, widening of the southbound approach to the A444, amendments to the circulatory carriageway, and enhanced footpath provision.
  - Investment in sustainable travel.
- xiii) With regards to the latter, a number of sustainable travel measures have been considered by the Applicant in discussion with the Highway Authority and the District Council. These include a Sustainable Access and Transport Strategy (SATS) which enables the developer to respond to potential end user requirements to provide public and bespoke transport services, and other initiatives (e.g. car sharing), as a realistic alternative to single occupancy car use. The SATS will define:-
- A level of bus services from surrounding towns (e.g. Burton, Swadlincote, Tamworth, Coalville and Measham) to provide for and cater for the specific shift changes of operators.
  - The intended method of meeting that demand by either:
    - tender services with a local provider;

- site operated services with a local provider but for staff only; or
  - other site specific/demand response methods available at that time.
- xiv) Encouragement for staff to use public transport and other forms could be co-ordinated by a Travel Plan, once an operator is identified. The Travel Plan will contain a number of measures:-
- Subsidised bus passes for employees.
  - Travel packs.
  - Personalised travel planning.
  - Car sharing initiatives
  - Other initiatives (e.g. cycle storage, showers, lockers and other measures encouraging cycling and walking).
- xv) The proposals have been the subject to a full round of public consultation. This has included meeting with stakeholders (including Local Parish Councils) and a public exhibition held across four days in three different locations. The feedback received has demonstrated a broad spectrum of views and has led to the identification of a number of issues and concerns. These issues and concerns are covered and answered by the technical evidence that supports the application. In addition, the Applicant has identified mechanisms to monitor and review perceived impacts. This includes the setting up of a Local Transport Impact Fund.
- xvi) The proposals conform fully with relevant planning guidance contained in the NPPF and planning policy in the recently adopted Local Plan from North West Leicestershire.
- xvii) The NPPF sets out a number of key relevant objectives:-
- Contribute to the achievement of sustainable development by fulfilling its three principal dimensions of sustainable development – economic, social and environmental.
  - Proactively support sustainable economic growth, including facilitating the needs of business.
  - Secure high quality design and good standard of amenity for existing and future occupants of land and buildings.
- xviii) The proposed development supports fully and responds to these objectives. The application is supported by an Energy and Sustainability Strategy. This demonstrates that the proposals achieve a BREEAM 'Very Good' rating and 'Excellent' rating for water and energy.
- xix) Local Plan policy presumes in favour of new employment sites, including in the countryside, which meet an **immediate need or demand** for additional employment land which cannot be met from land allocated in the adopted Plan, and which meet three criteria as set out in Policies Ec2 and S3. The evidence we have presented, in an Employment Land Statement, demonstrates that there is **both an immediate need and demand** for employment land at this location of a type and quality that cannot be met elsewhere in the District and wider afield.
- xx) The proposed development is suitable, available and deliverable to meet the immediate demand we have identified and meets all the established criteria for strategic employment sites, specifically:-
- It is located at a motorway junction.

- It is in range to serve the strong West Midlands market, particularly the manufacturing sector.
- It enjoys a good catchment for labour, with significant housing growth (75,000 new homes) planned within a 30 minute drive time catchment.
- It is accessible to rail facilities at both Birch Coppice and Hams Hall.
- It has a sufficient scale and is able, currently, to accommodate large floorplate buildings of 1 million sq ft.
- It is located away from any adjoining, incompatible uses, such as housing.

xxi) The proposed development meets the three principal criteria set by Policy Ec2, as follows:-

- **Be accessible or be made accessible to a choice of means of transport** – The submitted Transport Assessment and Framework Travel Plan proposes a number of sustainable travel measures. This includes a Sustainable Access and Transport Strategy, which enables the developer to respond to potential end user requirements to provide public and bespoke transport services and other initiatives as a realistic alternative to single occupancy car use.
- **Good access to the strategic highway network** – The Site is located on Junction 11 of the M42 with excellent access to the strategic highway network. The Transport Assessment demonstrates that the impact of the network will be acceptable, subject to proposed improvements to Junction 11, as agreed with Highways England and Leicestershire County Council.
- **No detrimental impacts arising to amenities of nearby residential property or the wider environment** – The Site is not located near residential property and no significant detrimental impact will arise to residential properties. Careful consideration has been given to minimising visual intrusion, noise and light pollution through the design of the scheme, mounding and bunding, tree planting and acoustic fencing.

xxii) The application is supported by an Environmental Statement. This demonstrates that there are no overriding environmental constraints which would preclude the proposed development. The design of the proposals have taken into account the likely significant effects and, where necessary, mitigation measures will form an integral part of the proposed development. These mitigation measures will make the development acceptable in environmental terms and will be secured by the use of planning conditions or obligations.





## Executive Summary

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- i) This Statement presents an assessment of the need for a new strategic employment park of land at Junction 11 of the M42. It responds to national and local planning policy, alongside evidence of need and demand.
- ii) Relevant Planning Policy (Policy Ec2) places a positive presumption in favour of development proposals which meet an immediate demand or need for additional employment land, over and above that already consented or allocated, which cannot be met from land allocated in the recently adopted Local Plan.
- iii) This statement provides substantial evidence on the demand for additional employment land in the Midlands, particularly for large strategic employment sites to serve the market for large scale industrial and logistics units. This evidence covers national market trends, regional market trends, key market drivers, the large-scale return of speculative developments, the shortfall of suitable development land, and the qualitative requirement for development land, with particular reference to the importance of access to the national motorway network.
- iv) The take up of large scale units for Q1 2018 in the UK totalled 8.7 million sq ft. It marks the highest quarterly level of take up in the UK on record. The market of large scale units in the Midlands has improved dramatically over the last 5/6 years. This is due to economic growth, the renaissance in the manufacturing sector, and the increasing dynamism of the distribution sector.
- v) There is a significant shortfall of suitable development land for large scale industrial and distribution units. At the end of 2017, Grade A supply of premises represented less than 12 months of demand at current levels of take up. In addition, market signals (such as rents, yields and land values) provide further evidence of an increasing shortage of stock of suitable premises and land relative to demand.
- vi) This statement considers in more detail the demand for large scale units in the M42/A42 corridor – a key strategic road of geo-economic importance to the Midlands' economy. The M42/A42 provides a vital link to the West Midlands, is a key element to the Golden Triangle, and provides access to regional freight interchanges at Hams Hall, Birch Coppice and East Midlands Gateway.
- vii) The M42/A42 has accounted for a substantial slice of the Midlands market. Take up in this sector in the last two years totals just under 6 million sq ft – equating roughly to 30% of all floor space transacted in the Midlands over the same period.
- viii) We are aware of a significant number of active requirements for large units for the M42/A42 corridor through marketing sites and existing speculative buildings at Junctions 10 and 13 of the M42/A42 motorway. We have logged 70 active enquiries, with these ranging from 100,000 sq ft to 1 million sq ft.
- ix) IM Properties have not marketed the application site. Nevertheless, they have received very strong enquiries from a number of potential occupiers – one for well in excess of 1 million sq ft; another in excess of 500,000 sq ft. Both parties have expressed a very clear interest in the proposed development and are in negotiations with IM Properties. The proposed requirements, combined, would substantially exhaust the whole of the site.
- x) The extent of recent development activity, the number of active requirements, and the very strong interest received from a number of parties provide a strong indication of the immediacy of demand for additional employment land at this location.

- xi) We have appraised also the ability of suitable development land to accommodate this demand. The allocated Money Hill site is not suitable for development of large scale units. It is compromised by the mixed use nature of its allocation, with particular reference to housing. Instead, we see this site serving predominantly the local market. Sawley crossroads is no longer available, being taken by Aldi and the former Lounge site is fettered by HS2 and no longer being marketed. East Midlands Gateway is filling rapidly, tapping into the strong M1 market. There are no other allocated or permitted sites in the District along the M42/A42 corridor that can accommodate the proposed development and serve the market demand we have evidenced by reference to transactions and active requirements.
- xii) In addition, there is a relative shortage of deliverable sites to the south of the site, along the M42 corridor, to meet the immediate and strong demand we have demonstrated. The current supply of deliverable sites also lacks really large plots. None of these sites will be able to accommodate the two specific operators, who are in active discussions with IM Properties about development at the application site.
- xiii) Conversely, the application site is suitable, available and deliverable to meet the immediate demand we have identified. It meets also the established criteria for a strategic employment site, specifically: -
- It is located at a motorway junction.
  - It is in range to serve the strong West Midlands market, particularly the manufacturing sector.
  - It enjoys a good catchment for labour with significant housing growth (75,000 new homes) planned within a 30 minute drive time catchment.
  - It is accessible to rail freight interchanges at both Birch Coppice and Hams Hall.
  - It has sufficient scale and is able, currently, to accommodate large floor plate buildings of 1 million sq ft.
  - It is located away from any adjoining, incompatible uses, such as housing.
- xiv) It is for these reasons why the site has attracted very strong interest already even though marketing of the site has yet to commence.
- xv) A number of published studies and draft Local Plans have addressed the need for strategic employment land in the M42 corridor and the wider sub-region. These include:
- Leicester & Leicestershire Strategic Distribution Study, November 2014.
  - West Midlands Strategic Employment Sites Study, September 2015.
  - Coventry & Warwickshire Employment Land Use Study, September 2015.
  - Leicester & Leicestershire HEDNA, January 2017.
  - West Midlands Land Commission Land Report, February 2017.
  - North Warwickshire Draft Local Plan, November 2017.
  - Leicester & Leicestershire Strategic Growth Plan, Consultation Draft, January 2018.
- xvi) All of these studies point to the strength of the market for large scale distribution and manufacturing and there being an overall shortage of suitable and available development land over forecast need.
- xvii) Policy Ec2 requires evidence indicating an immediate need or demand. This statement provides a clear demonstration that **both need and demand** exist, with particular reference to the application site.

## 1. Introduction

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### Context

- 1.1. The principal planning policy context for the proposals is Policy Ec2 of the adopted Local Plan for North West Leicestershire. This policy allocates up to 16 hectares of new employment land to land north of Ashby-de-la-Zouch (Money Hill). However, for reasons referred to below, this policy also provides a positive presumption in favour of proposals which meet certain criteria.
- 1.2. This presumption is set out in Part 2 of Policy Ec2 and reads as follows:-

*“(2) Where evidence indicates an immediate need or demand for additional employment land (B1, B2 and B8) in North West Leicestershire that cannot be met from land allocated in this plan, the Council will consider favourably proposals that meet the identified need in appropriate locations subject to the proposal:*

  - (a) being accessible or will be made accessible by a choice of means of transport, including sustainable transport modes, as a consequence of planning permission being granted for this development; and*
  - (b) having good access to the strategic highway network (M1, M42/A42 and A50) and an acceptable impact on the capacity of that network, including any junctions; and*
  - (c) not being detrimental to the amenities of any nearby residential properties or the wider environment.”*
- 1.3. Paragraph 8.26 provides some justification. It notes that the allocated provision will result in a shortfall compared to that projected by the Housing and Economic Development Needs Assessment (HEDNA) for Leicester and Leicestershire, GL Hearn, January 2017. It states further that this will be addressed by the review to the Local Plan committed to by Policy S1 (including taking into account of any additional land which might be redistributed to the District from elsewhere in the Housing Market Area (HMA)) and through determination, against Ec2(2), of any planning applications which come forward in the meantime.
- 1.4. Paragraph 5.5 identifies the objectively assessed need, computed by HEDNA, of 66 hectares for the plan period to 2031. This overall requirement is set out in the context of completions (from 2011), commitments and an allowance for potential loss of employment land in Table 5. This deduces a shortfall of 39 hectares compared to the requirements identified in HEDNA.
- 1.5. However, it is important to note that this identified need (i.e. 66 hectares) makes no allowance for large or strategic distribution (B8 Class). This is confirmed in paragraph 5.5, which states:

*“The HEDNA has identified a need of 66 hectares of employment land (comprising those uses which fall within Class B1, B2 and B8 of less than 9,000 sq m (as defined by the Use Classes Order 2015)). A study in respect of the need for additional provision for distribution uses (Class B8) of more than 9,000 sq m has identified a need for both additional road and rail connected sites across the HMA but it does not identify any specific requirements for individual districts/boroughs.”*

- 1.6. A third element, apart from the overall quantitative shortfall in providing the objectively assessed need and no account being taken of strategic distribution, is the quality and range of sites. This was considered specifically by the Inspector to the recently adopted Local Plan to be an important justification for the approach set out in Policy Ec2(2).
- 1.7. The Inspector's reasoning is set out clearly in paragraphs 192 and 193 (in part) of this report. These are set out below for ease of reference:

*"192. However, Representors also question whether, irrespective of overall quantity, the Plan provides for a sufficient range of sites in size and location. These concerns are justified with respect to the degree of flexibility afforded by the Plan and the recognition of the strategic importance of the M42 corridor in relation to distribution across the wider transportation network.*

*193. The Council therefore now proposes MMs 40-41 to add a second clause to Policy Ec2 and expand the supporting text on New Employment Sites. This is to provide an appropriate level of flexibility in the choice and location of employment sites, including within the M42 corridor, in response to evidence of need or demand and subject to transport and amenity considerations..."*

- 1.8. Policy Ec2(2) refers to M1, A50 and M42/A42 in terms of the strategic highway network. It is notable that the Inspector singled out the M42 corridor in terms of its strategic importance. This stems from the evidence put before him and the need to insulate the Plan from challenges under the Duty to Co-operate.

### **Purpose**

- 1.9. Within this context, this statement seeks to demonstrate that there is an immediate demand and a clear need for new strategic employment development land along the M42 corridor in this location. In addition, it will seek to show that the proposed development of 350,000 sq m (3.75 million sq ft) of large scale industrial and distribution premises on a site of 96.4 hectares (238.3 acres) could not be accommodated on other allocated or consented land within the District or other consented land along the M42 corridor in neighbouring Warwickshire.
- 1.10. How the proposed development meets the three tests set out by Policy Ec2(2) is addressed by the Planning Statement, with reference also to the Transportation Assessment and Environmental Statement.

### **Scope**

- 1.11. Sections 2 and 3 of this statement provide evidence on demand, relative to supply, in terms of the market, for large scale industrial and logistics units. Section 4 provides an overview of the consequential need for large strategic employment land, with reference to published studies that relate to the M42 corridor and the wider market area.
- 1.12. Section 2 of this report provides an overview of the market for large scale industrial and logistics units at a national and regional level, with reference to the latest published research by JLL on demand for this sector. Consideration is given to key market drivers to this segment of the market and recent levels of speculative development – a good gauge of the health and confidence of a market sector. This section considers also the increasingly pressing requirement for strategic development land to serve this market sector and the qualitative requirements of occupiers for new development land in this sector in terms of location, situation, and siting. Particular consideration is given to the importance of direct motorway

access, with reference to a number of schemes in the Midlands which have been successful in accommodating demand for this sector and attracting inward investment.

- 1.13. Section 3 concentrates on the M42 corridor. Its geo-economic importance, as a link between the East to West Midlands, is addressed. Recent development activity in take up is summarised and the successful completed Birch Coppice scheme at Junction 10, M42 is considered as a case study. Section 3 analyses also current active requirements for large industrial warehouses which take in the M42 and refers also to direct enquiries made by two companies interested in the application site. Consideration is given to the scarcity of available and suitable employment development land along the M42 corridor, both within and outside the District to serve this market, and available labour within a 30 minute drive time.
- 1.14. Section 4 provides evidence of the shortfall between the need for strategic employment land and its supply along the M42 corridor. Reference is made to a number of studies and draft Local Plans which take in both the East and West Midlands. These include the Leicester and Leicestershire Strategic Distribution Study, 2014 (as updated); the West Midlands Strategic Employment Sites Study, 2015; the Coventry and Warwickshire Employment Land Use Study, 2015; the Leicester and Leicestershire HEDNA, 2017; the West Midlands Land Commission Land Report, 2017; the Draft North Warwickshire Local Plan, 2017; and the Leicester and Leicestershire Strategic Growth Plan, Consultation Draft, 2018.
- 1.15. Section 5 provides a summary and draws conclusions.

### **IM Properties**

- 1.16. IM Properties is one of the foremost investors and developers of industrial, distribution and office property in the East and West Midlands. Successful developments in the sub-region include:-
- Birch Coppice
  - Blythe Valley
  - Solihull Business Park
  - The Hub, Witton
  - 55 Colmore Row, Birmingham
- 1.17. Recently, IM Properties has received planning permission for a strategic employment development of 30 hectares (82 acres) at Junction 1, M69, Hinckley. This development, being marketed as Hinckley Park, will accommodate a new automated parcel hub for DPD of c 300,000 sq ft on 16 hectares (40 acres), alongside a further 1 million sq ft of B1c, B2 and B8 floorspace across the balance of the site. The extent of the occupier interest in this scheme underlies the Company's confidence in the market need for large employment sites in this location.

### **JLL**

- 1.18. JLL is the biggest commercial property agent serving the UK, with offices throughout the UK, including Birmingham, Manchester and Nottingham. It is a multi-disciplinary practice, but is particularly well known for its expertise and experience with industrial, distribution and office property. It produces a quarterly research report entitled UK Big Box Industrial and Logistics Market. It also produces an annual

report that tracks market sentiment on the demand and supply of industrial floor space throughout the UK.

1.19. JLL is an active agent in the sub-region in terms of employment property and land. Current instructions on the M42/A42 include:-

- Prologis Park, Hams Hall, Junction 9, M42 for Prologis
- Core 42, Junction 10, M42, for Hodgetts Estates
- CP153, Junction 10, M42, for St Modwen
- Zorro, Junction 13, A42, for Canmoor

1.20. The author of this report was involved in the collation of market data and evidence to support the findings of the West Midlands Strategic Employment Sites Study produced jointly by Peter Brett Associates and JLL on behalf of the West Midlands Local Authority Chief Executives, published in September 2015. In addition, the author has provided evidence that was quoted extensively by the West Midlands Combined Authority Land Commission Report of February 2017. Both these reports are referred to in greater detail in Section 4.

## **(2) Application No: PAP/2017/0219**

**Black Swan Inn, Watling Street, Grendon, CV9 2PY**

**Demolition of former public house and erection of drive thru' coffee shop (use class A1/A3) with access, drive thru' lane, car parking, signage, plant, bin store and other associated works, for**

**Wellesley Capital Investment Limited**

### **Introduction**

This application was referred to the last Board meeting but determination was deferred such that Members could meet with the applicant in order to discuss a number of issues that arose during the debate on the item. This meeting took place on 16 August and note is attached at Appendix A. The previous report is attached at Appendix B. The note of the site visit is at Appendix C.

### **The Meeting**

As can be seen from the note of the meeting, the proposal is to remain in principle as submitted. The last report summarised the recent history of these premises and this was re-emphasised at the meeting. There had only been the one interest expressed in the site over the last few years and that was from Costa. Its proposals could only function with the redevelopment of the site, as its purpose was wholly reliant on the circulatory system required for a “drive through” operation. As a consequence the existing buildings could not be re-used or adapted. The applicant wished to retain the proposed design and appearance of the new building on the site, but would be amenable to reviewing the facing materials to be used.

The majority of the meeting was taken up with highway and amenity issues.

The applicant indicated that the proposed use would be unlikely to generate more traffic. As a drive through operation its whole business case was based on “diverting” existing traffic already using the A5. To this end, survey information was submitted relating to two similar developments – at Didcot and at Banbury. This showed that 85% of customers were already travelling by car. The applicant indicated that the Grendon site was very unlikely to be any different.

The main issue however was the turning movement off the A5 and then into the site. The Highway Authority was particularly concerned about the potential for customers to queue to enter the site if the existing access onto Boot Hill was to be used. That queue could potentially lead back to the A5 because of the short distance of the existing access to the A5. As a consequence, the Highway Authority has agreed to a revised scheme with the access coming off Penmire Close, thus moving the right hand turning movement further along Boot Hill and further away from the A5. This recommendation has been followed by the applicant in the current proposal. From his point of view he has a proposal that carries the support of the relevant Highway Authority.

The issues to do with impact on neighbouring residential amenity, particularly affecting the residents of Penmire Close were also discussed. This is specifically a bungalow development occupied by the elderly. There were concerns with amenity because of the introduction of the site’s circulatory route passing at the rear of two of the gardens here and the hours that are proposed for opening. The applicant points out that the site has a

lawful A4 use and that this has to be treated as the “base-line” here in terms of assessing impacts. Moreover there are permitted changes of use allowed from A4 uses which do not require the submission of planning applications. In view of the particular circumstances here, the applicant has offered to review the design of the bin store such that it a solid structure with a roof; that the existing boundary wall be enhanced with an acoustic fence and that the opening hours of the premises be from 0730 rather than the originally proposed 0630.

At the Board meeting a question was asked about the scale of use likely to be seen at the site. From the information now received in respect of the other two sites referred to above, then the average hourly use was 32 customers an hour. Between 0600 and 0700 this was 15 an hour; between 0700 and 0900 it was 29 and between 0800 and 0900 it was 32.

## **Observations**

Rather than repeat matters addressed in the previous report, it is intended to focus on the discussion at the meeting.

Members heard at the last meeting that both the Tamworth and District Civic Society and the Atherstone Civic Society considered that the building should be retained in order to maintain local character and distinctiveness. However it is very unlikely that the Council could defend a refusal reason based on the wish to retain the existing building. It is not a Listed Building; nor is it close to another such building; it is not in a Conservation Area and neither is it recognised on any local list as a non-designated heritage asset. Moreover the recent history and marketing of the site is also of significant weight as is the continuing deterioration in its repair. Moreover the only expression of interest has been for the proposed use and that requires the redevelopment of the site. It is in these circumstances that it is recommended to Members that the redevelopment of the site should be supported in principle.

It is agreed that the proposed building does not reflect any detail from the existing public house as it is a “company” brand and style that is being proposed here. The building is appropriate in terms of scale and massing and it is also set back from the A5. The offer from the applicant to review materials is welcome and this should result in a building that better suits the neighbourhood – e.g. brick built with some contrasting render. Again there is little in the way of a reason for refusal given the very diverse appearance on existing built form along the A5 corridor here.

This therefore leaves the Board with reviewing the two main issues.

It is material to the case that the proposed use is unlikely to generate significant levels of additional traffic given the nature of the proposal and the evidence provided by the applicant of similar sites. This lessens the likelihood of a highway refusal reason being supported at appeal. The highway concern has always been the turning movements into the site. The applicant has followed the advice of the appropriate Highway Authority in proposing a solution that improves on the existing situation by moving that turning movement as far as possible away from the A5.

This happens to utilise Penmire Close. Further discussion with the Highway Authority by officers confirms that this is the best solution in highway terms. It is also pointed out, quite reasonably, that re-use of the existing use with the existing access arrangements could continue and that any other form of redevelopment here would almost inevitably also result in the Highway Authority preferring site access off Penmire Close –



particularly for other uses such as a retail outlet or for residential development. Hence even if this proposal is not developed out, any other redevelopment scheme would still very likely take access off Penmire Close. In all of these circumstances, Members are advised that there is not the evidence available to demonstrate significant highway harm being caused by this proposal.

Members are advised that there is more weight to concerns being expressed about the impacts on residential amenity. In terms of the impacts arising from noise, then the Council is not on strong ground. The Environmental Health Officer has no objection; the lawful use of the site is an A4 use which can involve lengthy opening hours together with entertainment and music and the wall alongside the A5 was acknowledged at the meeting to act as a significant noise mitigation measure. There is an existing tall wall – some two metres in height - comprising the boundary of the site with the rear gardens of the closest bungalows which would act in a similar way. However, the applicant recognises the particular circumstances here and has therefore offered to review the design of the bin-store; consider supplementing the wall with an additional acoustic fence on the application site side of that wall and significantly, to reduce the early morning opening to 0730 rather than the 0630 as originally proposed. Given this background, the Board is advised that there is not the substantial evidence available to secure a refusal reason. Moreover, as pointed out above, a preferred use might be a retail outlet or a residential scheme, but both of these would be likely to give rise to noise and disturbance at some time.

It is considered that there is more weight to the issue to do with potential misuse or inadvertent use by customers entering Penmire Close. Customers might be tempted to use the residents own parking areas or indeed the road itself, rather than the site car park. To deter this, the applicant has offered to look at design alternatives so as to reduce this possibility. At the time of preparing this report those options had not been submitted. In any event they would have to be passed by the County Council. As a consequence the recommendation below recognises this position.

## **Conclusion**

This is a case where the planning merits of dealing with a redevelopment scheme are perhaps “neutral”, but the concerns expressed are not straight forwardly translated into refusal reasons which could demonstrate the significant harm needed to successfully defend them at appeal. Members are advised that the proposal is sustainable development in respect of both the NPPF and the Development Plan and thus should be supported in principle.

As a consequence it is perhaps important to seek ways of minimising potential adverse impacts. The meeting with the applicant has resulted in a significant change – in the early morning opening – and there are offers to review other matters. These are all very welcome.

The key issue is perhaps that of the option for the re-design of the site access. This is probably technically possible but will require the approval of the Highway Authority. It is acknowledged that there has already been delay in working with that Authority on this case, but the recommendation below is presented in a balanced way so as to aim to assist the applicant and to address some of the concerns of the community.

## **Recommendation**

That the Board is minded to grant planning permission subject to the conditions set out in Appendix B as amended by the matters raised in this report, and that provided the Highway Authority agree to an amended site access which reflects the concerns expressed in this report, that the case be delegated to officers to clear. If there is no agreement from the Highway Authority then the matter be referred back to the Board.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2017/0219

| Background Paper No | Author                            | Nature of Background Paper | Date   |
|---------------------|-----------------------------------|----------------------------|--------|
| 1                   | Tamworth & District Civic Society | Objection                  | 2/8/18 |
| 2                   | Atherstone Civic Society          | Objection                  | 6/8/18 |
| 3                   | Grendon resident                  | Objection                  | 3/8/18 |
| 4                   | Grendon resident                  | Objection                  | 3/8/18 |

*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.*

**PAP/2017/0220**

**The Black Swan, Watling Street, Grendon**

**Meeting – 16<sup>th</sup> August 2018 at 1100 in the Council Offices**

Present: Councillors Sweet and A. Wright

G Swarbrick, G Wrightson and H Voelcker on behalf of the applicant

J Brown

1. The applicant re-iterated the recent history of the site from 2004 with its short term tenancies; it remaining vacant for several years and the lack of interest in the site for any alternative development apart from Costa.
2. The proposed user could not re-use the existing buildings or adapt them because of the nature and operation of the business which requires the on-site circulation system as an essential requirement.
3. There was very little support from the applicant to review the design and appearance of the proposed building because of the standard function of the unit and the required level of branding, but there was the offer of reconsideration of the facing materials.
4. There was a significant discussion on the highway impacts with the applicant focussing on the fact that the traffic using the site was already travelling on the highway network and that the proposed access arrangements were recommended and are supported by the appropriate Highway Authority. Members were concerned about the additional turning movements from the A5 onto Boot Hill and the potential for queueing. However their main concern was the potential mis-use of Penmire Close by customers – using the resident's parking spaces and as a turning space. The applicant agreed that they would see if the design of the access could be engineered so as to deter use of Penmire Close beyond the access.
5. There was also substantial concern expressed by Members about the potential impacts on the OAP residents of Penmire Close – noise; light, passing traffic at extended hours and the need for residents to have to cross the new access. The applicant agreed to look at ways to redesign the bin store, to add to the acoustic protection of the existing boundary wall and to bring the opening hours back from 0630 to 0730.
6. The applicant referred Members to the current lawful use of the site and to the potential harms that could be caused by that fall-back position particularly if the licensing hours were extended.

**Application No: PAP/2017/0219**

**Black Swan (PH) Watling Street, Grendon**

**Demolition of former Public House and erection of 'drive thru' coffee shop (Use class A3/A5) with access, drive thru lane, car parking, signage, plant, bin store and other associated works for**

**Wellesley Capital Investment Limited**

### **Introduction**

The application is referred to the Board at the request of local Members who are concerned about the potential impacts of the proposals

### **The Site**

The application site lies within the village of Grendon occupying a prominent position at the roundabout junction of Boot Hill and the A5 (Watling Street).

The site was formerly in use as a Public House but the last lease on the premises ended in March 2010. The property was subsequently vacant until June 2011 whereupon it was let to two consecutive short term tenants until August 2012. The applicant has stated that the site has remained vacant in the intervening period despite having been extensively marketed by an agent specialising in the lettings/sales of Public Houses.

The site is occupied by the former building and associated areas of car parking, which now have an unkempt appearance as a result of the extended period of inactivity.

The northern boundary of the site is formed by the roundabout junction of Watling Street and Boot Hill and there are existing bungalows to the west on Penmire Close and further residential property in Boot Hill

Vehicular access is currently taken from Boot Hill, which adjoins the eastern boundary of the application site.

A site location plan is at Appendix A

### **The Proposals**

The current application proposes the demolition of the former building and the erection of a 'drive thru' coffee shop (Use Class A3 / A5) with access, a drive thru' lane, car parking and other associated works.

It is proposed that the 'drive thru' unit will be located towards the northern boundary facing the Watling Street and will have a gross floor area of 167 square metres. It would have a 'drive thru' lane around the building with access from Penmire Close. It would be served by a total of nineteen car parking spaces plus two disabled bays. It is proposed that the building be single storey in height with a mono-pitched roof and be finished predominantly in rendered blockwork with horizontal timber cladding.

The opening hours are proposed as between 0630 to 2300 hours on all days, including Sundays and Bank Holidays.

The proposed layout is shown at Appendix B and the elevations are at Appendix C

### **Development Plan**

The Core Strategy 2014 - NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW10 (Development Considerations), NW12 (Quality of Development) and NW20 (Services and Facilities)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV12 (Urban Design); ENV13 (Building Design), ENV14 (Access Design) and TPT6 (Vehicle Parking)

### **Other Relevant Material Considerations**

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

### **Representations**

Grendon Parish Council – No comments received

Two letters of objection have been received referring to the following matters:

- Detrimental impact on local residents – increased noise and disturbance
- Impacts on the A5 traffic

One letter has been received supporting the proposal in principle

### **Consultations**

Highways England – No objection

Warwickshire County Council as Highway Authority - It originally objected to the proposals because it wanted additional information in order to assess potential impacts. This was particularly focussed on the original submitted proposal of taking access off Boot Hill because there might be “backing up” of traffic towards the A5. That additional information was submitted and revised plans were forwarded which show the access off the first portion of Penmire Close. As a consequence that objection was withdrawn and there is now no objection in principle from the Highway Authority.

Environmental Health Officer – No objections subject to conditions

Warwickshire Police (Architectural Liaison) – No objection subject to the provision of CCTV coverage for the whole site

### **Observations**

#### **a) The Principle of Development**

The site is within the development boundaries defined for Baddesley and Grendon by the Development Plan. As such these settlements are expected to take additional residential development as well as to accommodate new services and facilities. This approach is continued in the recently submitted Local Plan. As such there is no objection in principle to this proposal.

There are two considerations that need to be explored to see if this conclusion should be reversed. The first is the loss of the public house. There would be a loss of a local community facility with no reasonably located alternative. However the marketing evidence submitted with the application and the recent unsuccessful short term tenancies strongly

suggest that the continuation of the use is not viable. It is also noteworthy that the objections received do not refer to this particular issue. Another factor here is whether the loss of the facility is indeed the loss of a local service because in part, there would have been some custom from passing users of the A5. The attractiveness of such a facility to today's drivers may not be so great as in the past and as such, this will be a contributing factor in the overall loss of custom and thus viability.

In overall terms therefore it is considered that there is sufficient evidence to support the loss of this use as it would not materially affect the vitality of Grendon as a local service centre. As such there would be little to evidence a refusal based on policy NW10 of the Core Strategy.

The second consideration is whether the new use is itself a community facility that should be supported, depending as it does on a business case involving car born custom from the A5. In other words it would not enhance the vitality of the settlement. However the unit here is relatively small and indeed as a consequence, falls below the threshold defined for the need to produce a sequential or impact analysis on how the new facility would impact a local centre. The proposal is for a new use not already provided locally and there would still be a proportion of custom coming from the local area. Additionally it would provide up to ten jobs which is considered to be a local benefit. In general terms therefore it is not considered that there would be an adverse impact here on local community provision.

It is in these circumstances that the principle of the development can be supported.

#### **b) Highways and Parking**

The highway impacts of the proposal have been examined by the appropriate Highway Authority. A number of issues have arisen as a consequence of further discussion with the County Council – eg. queuing traffic in Boot Hill and on-site car parking provision. Amended plans have resulted, with the subsequent removal of the Authority's initial objection. Those amendments result in the access being relocated off the first section of Penmire Close. The level of car parking has been accepted by that Authority too, in view of the strong possibility that not all customers would stay parked up at the facility. It also has to be remembered that the lawful use is an A3 one, where the majority of customers would probably stay on site.

Given the lack of objection from the relevant Highway Authority it is not considered that a refusal reason can be supported at appeal given the NPPF advice that such reasons are only applicable when any highway adverse impact is likely to be "severe".

#### **c) Design**

The present appearance of the site is unkempt due to the prolonged non-use of the premises. The applicant has been asked to consider conversion and adaptation of the present building to accommodate its use but has indicated that such an approach would not be operationally viable because that use essentially depends on a through access provision. The comprehensive redevelopment of the site is thus a requirement of this proposal.

The existing premises are not Listed and neither are they in a Conservation Area. There is no Neighbourhood Plan for the area which might identify local non-designated heritage assets and a similar development has recently been approved just along the A5 at one of the petrol service stations.

It is agreed that a smaller building here and one that is contemporary in appearance may not be universally welcomed, but the objections received relate to other matters and there is

very little in the way of supporting evidence to demonstrate that this proposal would significantly introduce an adverse visual impact.

#### **d) Impact on Neighbouring Properties**

It is perhaps this issue that has raised the greatest local concern because of the site adjoining the rear gardens of the bungalow development at Penmire Close. Policy NW10 of the Core Strategy says that development should avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, fumes or other pollution.

In terms of the scale and location of the new building, then this is located further away from Penmire Close than existing buildings and is single storey in scale. As a consequence it is considered unlikely that the proposed development will have a detrimental impact on the rear outlook of the neighbouring bungalows on Penmire Close by virtue of overlooking or loss of light.

It is perhaps the potential noise issue that is the greatest concern. A noise assessment undertaken by the applicant has been verified by the Council's Environmental Health Officer thus leading to no objection being received. The noise environment is dominated by traffic noise on the A5 and thus there is little scope here to support a general refusal reason as noise emanating from the proposed use is unlikely to add to those ambient levels even outside of peak or day time hours. Conditions can be imposed on the location and noise emissions of all fixed plant and equipment. However the concerns here are the proximity of the drive around the site as this introduces traffic directly to the rear of the bungalows where there are presently built structures with the present car park on the Boot Hill frontage. The opposing argument is that the lawful use of the premises is as a public house and therefore there would already be disturbance and noise. However the current proposal introduces a new noise source at the rear of residential property and that that would continue over much longer hours than the former use – particularly in the early morning. The evidence from the Environmental Health Officer is that this should not give rise to disturbance that warrants a refusal and as such a refusal reason is not recommended.

#### **Recommendation**

That planning permission be granted subject to the following conditions:

- 1) Standard Three year condition
- 2) Standard Plan numbers – The location plan and elevations received on 28/2/17 and the revised site layout received on 24/7/18
- 3) All of the car parking spaces together with bicycle spaces/bike stands and spaces for motorbikes within the boundary of the facility as shown on the approved plan shall be made available for use prior to the operation of the facility, all to the satisfaction of the Local Planning Authority.

Reason: To ensure that the facility provides adequate levels of parking for cars, motorbikes and bicycles.

- 4) The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority within one week of its discovery. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority.



Reason: To ensure all contamination within the site is dealt with.

5) A scheme of landscaping including boundary treatments and details of trees and shrubs to be planted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on-site. Only the approved details shall then be implemented on site.

Reason: In order to protect the visual amenity of the surrounding area.

6) All planting, seeding, turfing and other works indicated on the approved landscaping plans shall be carried out in the first planting season following completion of the buildings granted consent.

Reason: In the interests of amenity, to ensure that the proposed development is provided with a suitable standard of landscaping and is assimilated into the surrounding area at the earliest practical stage.

7) Within three years of the completion of the approved landscaping scheme, any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased, or areas of grass which become eroded or damaged shall be replaced and reinstated by the end of the next planting season, to the satisfaction of the Local Planning Authority.

Reason: To ensure that the proposed scheme of landscaping is established and maintained in the interests of the amenity of the site and the surrounding area.

8) The site shall always be maintained in a neat and tidy condition to the satisfaction of the Planning Authority.

Reason: In order that the appearance of the site is controlled in the interests of the amenity of the area.

9) Samples of the materials to be used for the external walls and roof of the development granted permission shall be submitted to, and approved in writing by, the Planning Authority before any work starts on site. Only the approved materials shall then be used on site.

Reason: In order to achieve an acceptable form of external treatment.

10) No machinery shall be operated; no activity carried out and no deliveries received at or despatched from the site outside of the following hours during the construction and laying out of the approved development - 0800 to 1800 hours Monday to Friday and 0900 to 1300 hours on Saturdays - with no works whatsoever on Sundays and Bank Holidays.

Reason: To protect the occupants of nearby premises from excessive noise/disturbance associated with the implementation of this permission.

11) A scheme for the provision of CCTV to cover the whole site including the car park shall be submitted to and approved by the local planning authority prior to the proposed development being brought into use.

Reason: In order to provide a safe a secure development and to safeguard adjacent residential amenity.

Notes:

- i) The Local Planning Authority has met the requirements of the NPPF in this case through resolving technical issues in order to arrive at a positive outcome.

Background Papers

Application 28/4/17

Warwickshire Police (Architectural Liaison) Consultation 15/5/17

Highways England Consultation 23/5/17

Environmental Health Officer Consultation 23/5/17

WCC Highways Consultation 31/5/17

WCC Highways Consultation 6/12/17

WCC Highways Consultation 2/1/18

WCC Highways Consultation 13/6/18

R Green Representation 11/5/18

S Danks Representation 15/5/17

R Walsh Representation 26/10/17

**PAP/2017/0219**

**The Black Swan, Boot Hill, Grendon**

**Site Visit – 4 August 2018 at 1130**

Present: Councillors Bell, Chambers, Davis, Henney, Humphries, Jarvis, Phillips, Reilly, Simpson, Smitten and A Wright together with J Brown

1. Members parked in Penmire Close and viewed the site from this road.
2. The location of the proposed access was pointed out as was that of the existing off Boot Hill.
3. The location, scale and extent of the existing buildings were pointed out
4. The proposed layout was explained with the benefit of the proposed plans. Members were shown the circulatory system and the on-site car parking arrangements.
5. Members noted the boundary with the rear gardens of the existing bungalows in Penmire Close together with the current separation distances.
6. The visit concluded at around 1145

### **(3) Application No: PAP/2017/0539**

**Angel Ale House, Church Street, Atherstone, CV9 1HA**

**Erection of 6 dwellings, for**

**Arragon Properties**

#### **Introduction**

This application was referred to the July Board meeting but determination was deferred in order that Members could meet with the applicant to discuss a number of issues arising from the debate following a site visit.

That visit was undertaken on 4 August and a note is attached at Appendix A. The meeting was held on 16 August and a note is attached at Appendix B. A copy of the previous report is at Appendix C.

#### **The Meeting**

In particular Members raised the following matters with the applicant – the ongoing concerns about the small scale of the units and the impact on the amenity of future occupiers.

As can be seen from the note, the applicant provided some comparisons with existing developments in the town. In terms of the size of the units, then the current proposal amounted to 61.64 square metres for the two bed room units. Developments already approved at The Angel were 58.69 square metres for the same type of unit. In terms of density then the approved Angel development was 58 units per acre; at Phoenix Yard it was 65 per acre and for this development it was 55 per acre. As a consequence it was agreed that the present proposal was not out of character with neighbouring approved developments.

There had been no change to the design of units since the last meeting as the applicant argued that exactly the same arrangements had been approved elsewhere in the town; that the waiting list for this type of unit was growing and that there had been no negative feedback from tenants.

In short the applicant pointed out that in his view the proposal represented “town centre living” and should be seen as such.

#### **Observations**

The site visit and meeting have helped clarify a number of matters and the recommendation remains as before.

#### **Recommendation**

That planning permission be **GRANTED** and that the conditions to be included are delegated to the Head of Development Control.

**PAP/2017/0539**

**The Angel Inn, Atherstone**

**Site Visit – 4 August 2018 at 1000**

Present: Councillors Bell, Chambers, Davis, Henney, Humphries, Jarvis, Phillips, Reilly, Simpson Smitten and A. Wright together with J Brown

1. Members walked through The Angel premises from Church Street and stood at the existing edge of the site.
2. From here the extent and scope of the existing planning permission for the part demolition and rebuild at the rear of the Angel was explained and illustrated by way of the approved plan.
3. Members then saw the extent of the current application extending into the car park which had a pailsade fence boundary. They looked at the proposals for the site.
4. Whilst here the location of the Church was pointed out as was the range of the new residential buildings associated with the Phoenix Yard site just to the south of the site.
5. Members noted the changes in ground levels in the area.
6. The visit concluded at around 1015

**PAP/2017/0539**

**The Angel Ale House, Church Street, Atherstone**

**Meeting - 16 August at 1100 at the Council Offices**

Present: Councillor L Dirveiks; Jarvis and Sweet

Messrs Bennetts, Taylor and Wright on behalf of Arragon

J Brown

1. Following receipt of the deferral letter of 10 July the applicant had prepared more comparisons of the proposed development with other developments approved in the town centre on neighbouring sites. These showed that the units were slightly larger than these others and that the density was slightly less.
2. The new units would be stepped down from the approved scheme thus continuing and reflecting the ground level changes.
3. Arragon explained that the elevations and separation distances matched those on the neighbouring developments.
4. In conclusion it was said that the proposal represented "town living" and that it matched other approved schemes in the town.

**PAP/2017/0539**

**The Angel Ale House, Church Street, Atherstone**

**Erection of six dwellings for**

**Arragon Properties Ltd**

#### **Introduction**

This application was submitted at the end of last year and with the agreement of the Chairman, meetings with representatives of the Board and local Members were arranged to discuss details of the case prior to it being reported to the Board for determination. This followed up similar meetings with the same applicant on previous applications on adjoining land.

#### **The Site**

The Angel Inn is a two and a half storey building standing at the corner of Church Street and the Sheepy Road facing the Market Square and opposite St Mary's Church. There is a small gap in the Church Street frontage immediately to the south before a range of three storey buildings is reached. This gap leads into a small yard which serves as a beer garden and gives access to the rear of the site. Beyond this is the Council's Sheepy Road car park. The Phoenix yard redevelopment site is to the south.

The application site itself is immediately at the rear of the Angel Inn premises and is presently demarcated by a fenced off area extending into the car park referred to above.

The Angel Inn is not a Listed Building but it does lie in the town's Conservation Area. St Mary's is a Grade One Listed Building.

The site which includes the access onto the Sheepy Road is illustrated at Appendix A.

#### **Background**

Planning permission was granted in 2016 for part demolition of the rear range of The Angel together with some garages, and the erection of ten dwellings and further new frontage development. The main run of the dwellings at the rear would be a continuation of the existing rear range, fronting the Sheepy Road, with a further detached block.

This is illustrated at Appendix B

#### **The Proposals**

The current proposals would extend the approved redevelopment scheme into the car park through two ranges of three dwellings – a further six in total. The design and appearance of these units would match that of the approved scheme.

The proposed layout is at Appendix C and the elevations are at Appendix D.

### **Representations**

Atherstone Town Council – It objects on the grounds that the development is too intensive and that car parking space would be lost. There is also a query about the re-routeing of a CCTV cable that crosses the site.

Atherstone Civic Society – It objects because it is out of character; provides a poor living environment for future occupiers and the loss of parking.

### **Consultations**

The Council's Heritage Consultant - In principle the proposal would not cause harm to the heritage assets present but conditions are required to look at many detailed matters – such as materials and specifications for windows and chimneys.

Warwickshire County Council as Highway Authority – No objection

Environmental Health Officer – No objection subject to conditions requiring acoustically treated glazing and ventilation together with agreement on a construction management plan.

Warwick Museum- No objection subject to pre-commencement investigation

### **Development Plan**

The Core Strategy 2014 – NW2 (Settlement Hierarchy); NW5 (Split in Housing Numbers), NW6 (Affordable Housing Provision), NW10 (Development Considerations), NW12 (Quality of Development) and NW14 (Historic Environment)

### **Other Material Planning Considerations**

The National Planning Policy Framework

The Submitted North Warwickshire Local Plan 2018 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), LP7 (Housing Development), LP9 (Affordable Housing Provision), LP15 (Historic Environment) and LP31 (Development Considerations)

The Atherstone Conservation Area Designation Report 1994

The Draft Atherstone Conservation Area Appraisal – Consultation Document 2006

### **The Two Member Meetings**

As indicated above representatives of the Board met with the applicant during the course of this application. Notes of the two meetings held are at Appendices E and F. It will be seen that the first of these meetings dealt with a number of different detailed issues and that the second followed up on a number of revisions being considered as a consequence.



## **Observations**

Members will be aware that there is no objection here in principle as the proposals for new residential development within the centre of Atherstone accords fully with Development Plan policy and indeed the emerging policies in the Submitted Local Plan.

The issues here are the potential impact on the heritage assets; the details of the proposals and the potential impact on car parking. Each will need looking at in turn.

### **a) Heritage Impact**

The heritage assets here that need to be considered are the town's Conservation Area and also some Listed Buildings located nearby particularly the Church. Whilst the Angel itself is not a listed building it is a non-designated asset due to its position and setting within the Conservation Area.

There is a statutory duty for the Council to give special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area, and to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

The significance of the Conservation Area lies in its size, covering most if not all of the town centre and its surrounds, which reflects the evolution of the town historically and commercially with contemporaneous built form reflecting a number of different periods. The Market Place is the key central feature of the Area with its main focal point being the Church of St Mary's. From the south west corner of the Church there are important views to be had over the rear of the historic medieval burgage plots of Long Street and the rear ranges of Victorian commercial buildings collectively known, as Phoenix Yard. This location also presents visitors entering from Sheepy Road with their first view of the historic town centre.

It is considered that the impact of the additional six units on this overall significance will be less than substantial. The buildings would be set at a lower level than the Sheepy Road and seen with a backdrop of the old retained Phoenix Yard buildings and the recent newly constructed residential ranges extending back from Church Street beyond the proposed development. The view of the Long Street rear elevations and former industrial units would not be contained or impaired. Similarly looking the other way, St Mary's would remain the dominant feature. The built form and appearance of the proposals would match that already approved nearby and would remain consistent with the overall approach to new development in this part of the Conservation Area. The car park is not a historically or visually important open space which contributes to the overall heritage significance. Its most important characteristic is its openness and how that enables better and fuller appreciation of the historic backdrop. That would not be materially impeded by this proposal. As a consequence it is considered that the proposal causes less than substantial harm to the town's Conservation Area – a conclusion agreed by the Council's consultant architect.

The significance of the Church is its central social and community importance to the town and its evolution through different periods with the evolution of its built form and architectural detail. It is a dominant building on the skyline. There is no direct impact though this proposal on its particular historic and architectural characteristics or attributes. It is the setting that might be. However even then, the proposed development is some distance away and at a lower level. There is no direct

intrusion or containment of views towards the Church or the other way. It is considered again that the proposal would have less than substantial impacts. This too is agreed by the Council's Consultant Architect.

The significance of The Angel Inn itself as non-designated heritage assets lies in its historic importance as continuing frontage development within the Market Square and particularly continuing the commercial "Inn" function of the town. The proposed development would not impact on this significance as agreed by the consultant.

In overall terms therefore the heritage impacts here are considered to be less than substantial, but they still need to be weighed against all other planning considerations in the final planning balance if the statutory duty is to be satisfied.

**b) Affordable Housing**

The proposal here is less than the ten advised by Government under which affordable provision can be requested. Given the size of these units and as they are akin to others in the neighbourhood, they are more likely to be rented and managed as such by the applicant. His property portfolio in the town is not indicating spare capacity. As such it is not considered that alternative arrangements can be requested.

**c) Design and Appearance**

The built form here is considered to be appropriate being a continuation of that agreed in the recent re-development scheme for The Angel. It also reflects the historic pattern or rear ranges extending back from frontage development as again approved at Phoenix Yard.

The meetings held with Members have resulted in a number of detailed changes to the originally submitted plans. These include larger rear amenity spaces; a redesign of the rear boundary treatment along the Sheepy Road frontage, a more detailed articulation of the two new gable ends and slightly larger internal floor spaces. Additional bin storage has also been agreed within the site itself. These changes cumulatively are supported and are considered to have enhanced the overall scheme. To a great degree this counterbalances the less than substantial harm caused to heritage assets identified above.

**d) Car Parking**

This issue has arisen because of the potential impact of the development on the car park off Sheepy Road. The spaces that were within the application site here are no longer available thus it is argued increasing pressure elsewhere in the town.

As can be seen from the meetings this matter was also discussed.

There are several factors that need to be considered here. Firstly, the site is the "core shopping area" and "town centre" as identified by the Development Plan, where new car parking spaces associated with new development are not required. Secondly, there has already been significant new residential development in the town centre that has not required associated dedicated on-site car parking. So the Development Plan and recent built record does not point towards a refusal here.

This case is a little different, in that the former use here was car parking space. As a consequence and as can be seen from the meeting notes, Members asked for further evidence about impacts as a direct consequence of this development. That was forthcoming and the applicant has undertaken a survey of the apartments and properties that he manages in the town. This shows that 58% of the tenants do not own a vehicle, but when the survey is focussed down to the town centre that figure drops to 20%. As a consequence the applicant considers that from this development of six houses there would be very little in the way of car parking need generated. Given all of these matters it is considered that a refusal reason would be difficult to sustain.

**e) Other Matters**

There are one or two other matters that have been raised.

The Town Council's concern about the re-routeing of a CCTV cable is a matter between the respective parties. It is not a material planning consideration. Members will be aware that much development that it approves will necessarily result in the need for diversion and re-location of utilities and services. Each service has its own arrangements and procedures in these circumstances and this no different. The applicant/developer should ensure that appropriate and proportionate alternatives are available. The payments due to cover diversions are matters for the parties concerned.

There has been discussion about land ownerships and the ability of the car park access to operate efficiently if this development proceeds. The Council has an interest here and its property services division has not raised objection to the amended plan, as an appropriate "chamfer" has been included on the site to maintain proper access into the car park.

Whilst discussing the detail of the scheme the matter of retaining access into the site from the car park was discussed – not from a vehicular point of view, but to ensure safe access by refuse crews and the emergency services. This is a matter that can be dealt with by condition and hence the recommendation below allows for this.

**f) The Overall Balance**

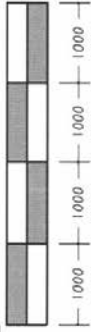
As can be concluded from the above discussion there is no identified adverse harm caused here apart from the less that substantial harm to heritage assets. It is considered that the benefits of the scheme do outweigh the low level of harm caused.

**Recommendation**

That planning permission be granted subject to conditions that shall first be agreed by the Members who represented the Council at the meetings referred to in this report.

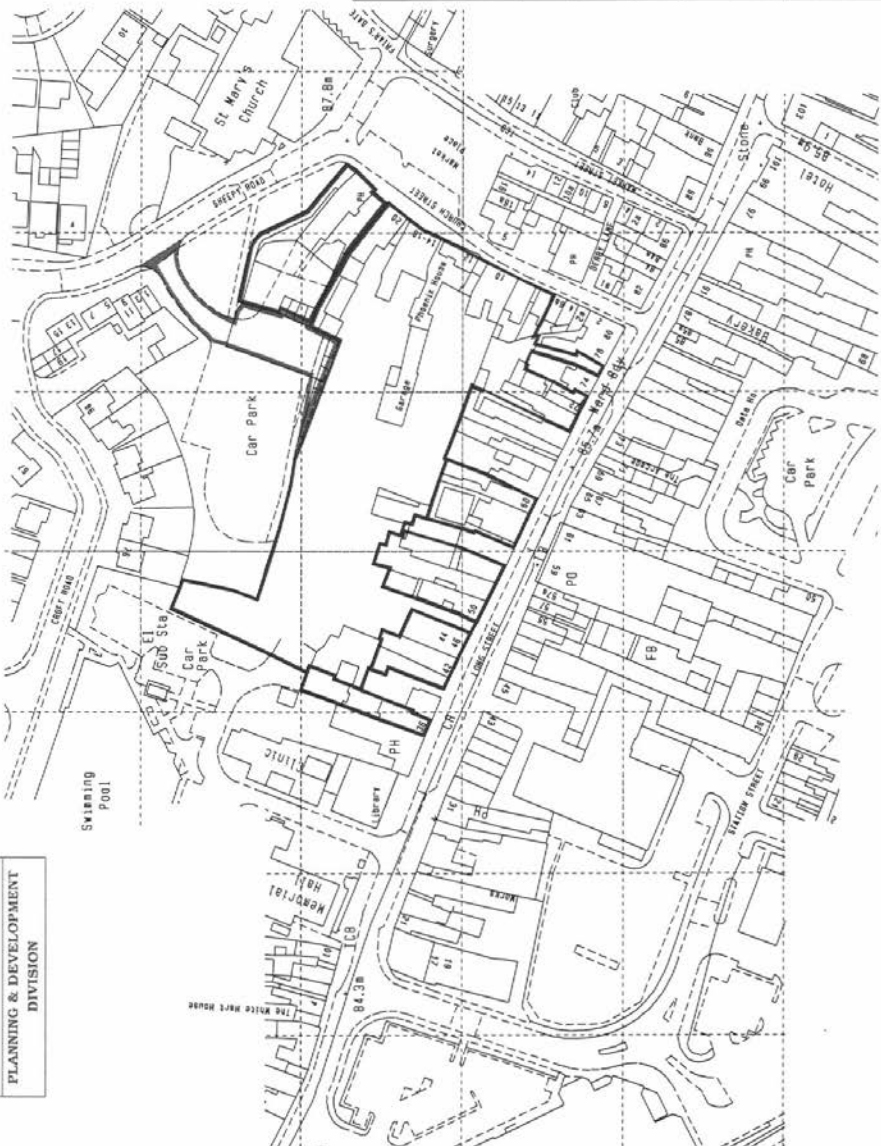
PAP/2017/0539

NORTH WARWICKSHIRE  
BOROUGH COUNCIL  
**RECEIVED**  
**03/05/2018**  
PLANNING & DEVELOPMENT  
DIVISION




1 : 50 Scale Bar

| Rev | Date | Ref |
|-----|------|-----|
|     |      |     |



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1 : 1250 Location Plan

|  |  |
|--|--|
| Project  | <b>PROPOSED EXTENSIONS<br/>ANGEL ALE HOUSE<br/>24 CHURCH STREET<br/>ATHERSTONE CV9 1HA</b> |
| Client   | <b>ARRAGON PROPERTIES LTD</b>  |
| Drawing Title  | <b>SITE LOCATION PLAN</b>  |
| Drawing No   | <b>0030-00</b>   |
| Revision   | <b>A</b>   |
| Date   | 02/05/2018   |
| Scale  | <b>1 : 1250</b>  |
| Drawn by   | RMT  |
| Checked by   | ART  |
| <br>Taylor's Architectural Design<br>Taylor's Architectural Design Ltd<br>19 Short Street, Nuneaton, Warwickshire, CV10 5JF<br>Tel: 024 7630 6987<br>Email: enquiries@tadstudio.co.uk |  |

PAP/20150113

RENDERED BY: JAMES HARRISON, ARCHITECT

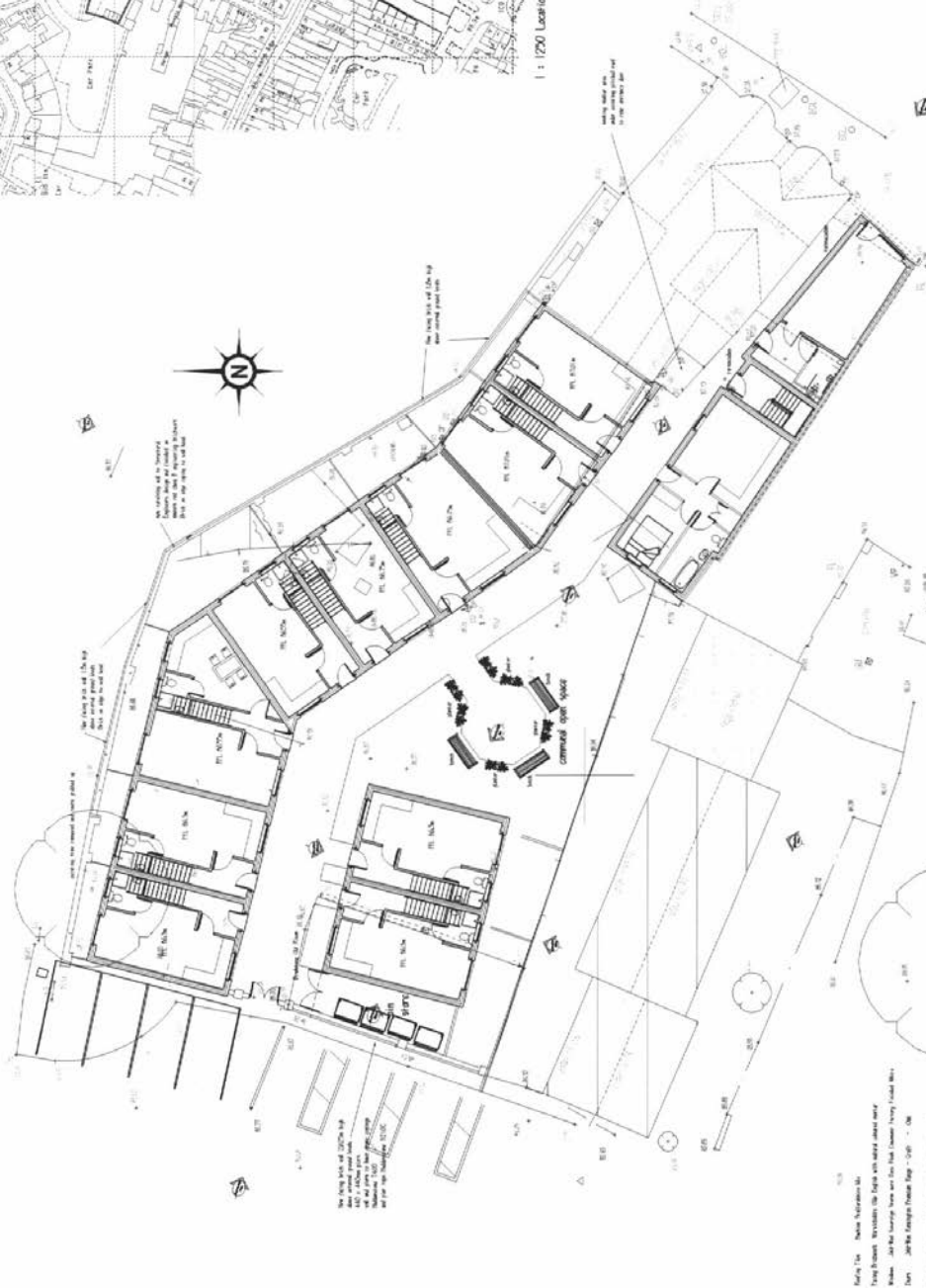


1 : 50 Scale Bar

ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.  
 DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.

|                |  |
|----------------|--|
| Page           | PROPOSED EXTENSIONS                      |
| Client         | THE ANGEL<br>CHURCH STREET<br>ATHERSTONE |
| Drawn By       | ARRAGON PROPERTIES                       |
| Survey Drawing | Survey No. 0795-20                       |
| Scale          | 1 : 100                                  |
| Drawn by       | JRH                                      |
| Checked by     | JRH                                      |
| Project No.    | 8512/10/14                               |
| Drawn Date     | 7/1/2015                                 |
| Drawn By       | ARRAGON PROPERTIES                       |
| Drawn Date     | 7/1/2015                                 |
| Drawn By       | ARRAGON PROPERTIES                       |
| Drawn Date     | 7/1/2015                                 |

|                        |
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| RECEIVED               |
| 06/04/2015             |
| PLANNING & DEVELOPMENT |
| ATHRSTONE              |



Notes:  
 1. All dimensions are in meters unless otherwise specified.  
 2. All dimensions are to face unless otherwise specified.  
 3. All dimensions are to be taken from the finished floor level unless otherwise specified.  
 4. All dimensions are to be taken from the finished floor level unless otherwise specified.  
 5. All dimensions are to be taken from the finished floor level unless otherwise specified.

# Appendix C,



PA/2017/0338  
 REGISTERED  
 ZONING  
 PLANNING & DEVELOPMENT  
 DIVISION

PA/2017/0338

Shaded area has been reserved  
 under zoning regulation No. PR/20/00110

Shaded area has been reserved  
 under zoning regulation No. PR/20/00110


Shaded area has been reserved  
 under zoning regulation No. PR/20/00110



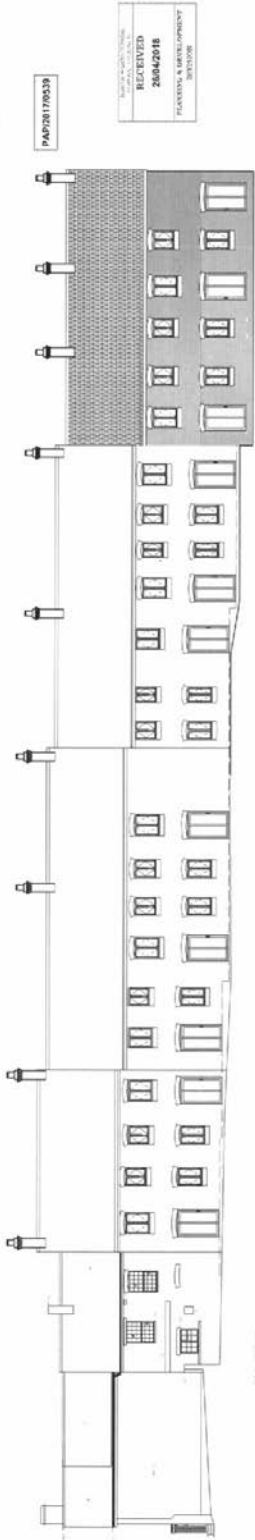
1:50 Scale Bar

This drawing is intended for use as a guide only.  
 It is not to be used for construction purposes.

DO NOT SCALE FROM THIS DRAWING.

|  |                   |
|--|-------------------|
| <b>PROPOSED EXTENSIONS</b>   |                   |
| <b>ANGEL ALE HOUSE</b>   |                   |
| <b>24 CHURCH STREET</b>  |                   |
| <b>ATHERSTONE CV9 1HA</b>  |                   |
| Client   | ARRAGON           |
| Drawn by   | AS PROPOSED PLANS |
| Drawn by No.   | 0030-01           |
| Scale  | 1:100             |
| Drawn by   | PKT               |
| Checked by   | JHT               |
|   |                   |
| ETAD<br>Engineering & Technical<br>Drawing<br>15 New Ashgate Street, London EC1A 3DF<br>Tel: 020 7325 4547<br>www.etad.co.uk |                   |

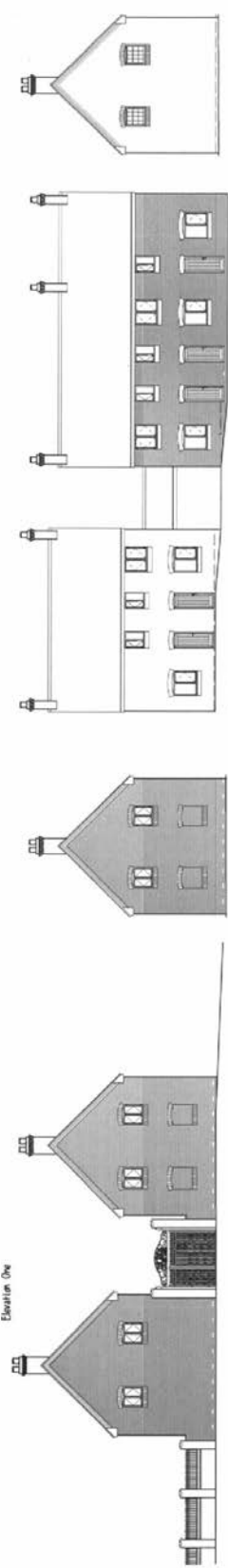
Appendix D



PAP/2017/0339

REGISTERED  
25042018  
PLANNING & DEVELOPMENT  
DIVISION

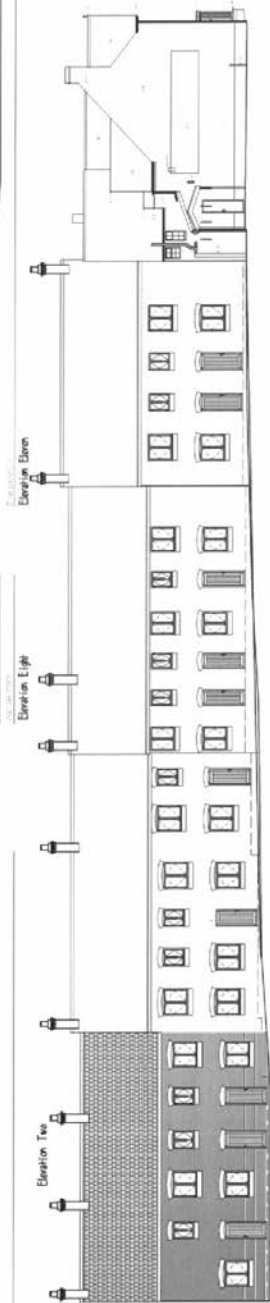
Elevation One



Elevation Two

Elevation Three

Elevation Four



Elevation Five

Elevation Six

Elevation Seven

Elevation Eight

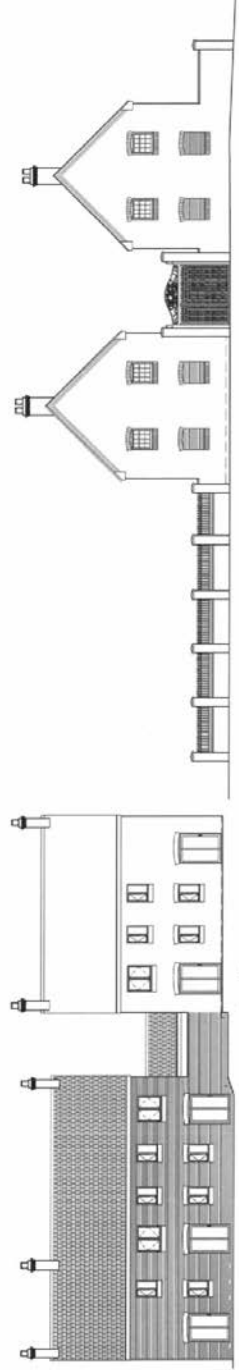
Elevation Nine



1 : 50 Scale Bar

1" = 5'-0" (1:60)  
1" = 10'-0" (1:120)  
1" = 15'-0" (1:180)

|            |                        |
|------------|------------------------|
| Page       | PROPOSED EXTENSIONS    |
| Client     | ANGEL ALE HOUSE        |
| Address    | 24 CHURCH STREET       |
| Location   | ATHERSTONE CV9 1HA     |
| Drawn By   | ARRAGON                |
| Checked By | ARRAGON                |
| Date       | AS PROPOSED ELEVATIONS |
| Scale      | AS SHOWN               |
| Drawn By   | ARRAGON                |
| Checked By | ARRAGON                |
| Date       | AS SHOWN               |



Elevation Four

Elevation Five

Elevation Six

Elevation Seven

Elevation Eight

Elevation Nine

PAP/2017/0539

The Angel Inn, Atherstone

Proposed six houses

Meeting – 26 January 2018 at 1000

Present: Councillors L Dirveiks; Jarvis and Sweet

J Bennetts and A Taylor on behalf of Arragon Properties Ltd

E Levy and J Brown (NWBC)

1. An apology had been received from Cllr Simpson
2. Cllr Sweet chaired the meeting
3. John B outlined the proposal for the additional six units and displayed the plans. He then went through each of the objections that officers had raised in respect of the proposals. He offered his response on each as set out below.
  - In regard to the internal space of the units he pointed out that they were equivalent to that already approved in the town centre and indeed at the Angel next door
  - There would be no impact on the adjoining car park as the land the subject of the application was no longer car parking space. Additionally many of the approved schemes in the town did not have car parking provision and relied on public car parking space or on-street parking. This proposal was no different. Moreover he understood that with a re-arrangement of the layout to the car park, a greater number of spaces could be provided than now.
  - The private amenity space proposed matched that already approved on the Angel site
  - Access for rubbish collection was as already approved in the previous application at The Angel
  - He had recently had a meeting with the AD (Streetscape) and rights of access from the Sheepy Road into the site had been confirmed
  - The plan included a "chamfer" in the layout so as to ease access into the car park
  - There was little impact on the views of the Church and the proposal replicated the historic built form of the town – rear yards and ranges.
  - There was little difference between this proposal and those approved elsewhere whether at Phoenix Yard or The Angel
4. EL then responded relying on her correspondence with Arragons. The main points were the cumulative impacts of the development which are likely to accentuate harmful conditions such as noise, disturbance and accessibility. The access into the site was not included in the application's red line and there had been no information to date on rights of access. The heritage impact was becoming of more weight because of the extension of the built form and particularly its uniformity. Open views of the Church from the car park were thus being lost or eroded.



- 
5. LD asked if the walkway through the scheme from the Market Place would be retained for public use. This was confirmed.
  6. LD and RJ pointed out that car parking space was under pressure because of new developments and because travel into the town was practically all by car.
  7. LD considered that the private amenity space and space set aside for refuse bins would lead to environmental issues.
  8. John B referred to other non-planning issues that were associated with this development – namely a land swap with Arragon and the Council. NWBC officers confirmed that this was not a planning consideration in dealing with this application.
  9. Jeff B suggested that other options should be considered – namely reducing the size of the development such that the units could be larger; there could be greater space made available for private amenity and the heritage impact lessened particularly if the development differentiated between the two sides of the site and took account of levels.
  10. John B agreed to look at these suggestions.
  11. It was agreed that the group would meet again after receipt of any draft alternatives

Action points:

- i) EL to forward her initial comments on the proposals and John B's response to the Members plus Cllr Simpson
- ii) EL to arrange for AT to meet John Rhodes so as to discuss refuse space requirements and collection practice
- iii) AT to alter the red line plan; submit a Certificate B and give notice to the Council and provide details of rights of access
- iv) Jeff B to talk to AD (Streetscape) to see what has been agreed.
- v) John B and AT to prepare a sketch of a lesser scheme
- vi) Jeff B to brief Councillor Simpson

**PAP/2017/0539**

**The Angel Inn, Atherstone**

**Meeting – 1 March at 1100 at the Council Offices**

Present: Councillors Jarvis and Simpson

Messrs Bennetts, Taylor and Wright on behalf of Arragon

E. Levy and J Brown

1. Arragon outlined some revisions to the application. Whilst keeping the six units there was now more amenity space for all of them. They explained the outcome of the meeting with the AD (Streetscape) on access provision and rights of access. Revised red line plans had been submitted.
2. They also referred to approved developments elsewhere in the town which had similar sized houses and separation distances, illustrating these with a series of photographs.
3. There was some discussion about the design treatment for the gates/the rear gables/ the fenestration in those gables/ the refuse area and boundary walls.
4. A major issue remained in respect of the lack of car parking provision. Arragon would forward a schedule of their tenants in the town, so as to evidence their view that not all tenants would have a car. They would also forward a revised layout for the Sheepy Road car park which was being discussed with the AD (Streetscape). This would it was said, illustrate that far more spaces could be provided.
5. Amended plans were to be provided and circulated. It was agreed that depending upon the comments then received, that there may not be the need for an additional meeting.