

## **Agenda Item No 4**

### **Planning and Development Board**

**15 May 2017**

### **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, 12 June 2017 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	DOC/2016/0004	6	<b>Heart of England, Meriden Road, Fillongley,</b> Discharge of conditions 7 (landscaping scheme), 8 (in part) (archaeological work), 9 (in part) (bricks, tiles, surface and facing materials), 10 (window and door joinery), 11 (exterior lighting), 12 (energy generation/conservation measures), 13 (tree protection), 14 (boundary treatment), 15 (drainage network and hydro-brake control), 16 (access and car parking details), 17 (refuse storage/disposal) and 18 (crime prevention measures) of the planning permission referenced PAP/2013/0391	General
2	PAP/2016/0060	12	<b>Great Chapel Field, Wall Hill Road, Chapel Green, Fillongley,</b> Retention of change of use of land from agricultural to dog training/exercising, including new access, car park and siting of moveable field shelter and dog agility course equipment	General
3	PAP/2016/0214	33	<b>Land North Of Moorwood House, Moorwood Lane, Hartshill,</b> Erection of detached dwelling with vehicle access and landscaping	General
4	PAP/2016/0642  and  PAP/2016/0643	53	<b>Redlands, New Street, Baddesley Ensor,</b> Extension to front of existing 4 bedroom house and conversion into two, 2 bedroom dwellings with new vehicle access onto Jean Street, and demolition of garage and conservatory. <b>Land adjacent to Redlands, with access onto Jean Street, New Street, Baddesley Ensor</b> Erection of 3 bedroom house with vehicle parking.	General

5	PAP/2016/0645	92	<b>Land North Of Fircone, Farthing Lane, Curdworth,</b> Erection of a dwelling	General
6	PAP/2016/0659 And PAP/2016/0660	116	<b>St Andrews Home, 37 Blythe Road, Coleshill,</b> <b>Planning and Listed Building applications</b> Reinstate St Andrews to a single dwellinghouse with residential annex, and construction of 10No. 2 bedroom dwelling consisting of replacing coach house with two dwelling and 8 dormer bungalows, with associated parking and landscaping. New access point off Chestnut Grove.	General
7	PAP/2016/0709	137	<b>Land East of 68, Vicarage Lane, Water Orton,</b> Relocation of Rugby club, new clubhouse with clubroom and changing facilities, playing pitches for Senior and Junior Rugby with flood lighting to one pitch and associated parking for cars and coaches with access road	General
8	PAP/2016/0738	177	<b>Land rear of Ansley United Reform Church, Birmingham Road, Ansley,</b> Phase 2 development, erection of 15 dwellings	General
9	PAP/2017/0005	187	<b>Tarmac Bagging Yard, Nuneaton Road, Hartshill,</b> Variation of condition no:- 4 of planning permission ref PHARXX/0114/2004/FAP (FAP/2004/8697) relating to allow extended plant operating hours; in respect of change of use to aggregate bagging depot including erection of hoppers and material bays□	General

10	PAP/2017/0032	191	<b>Rowan Centre - Circles Network, North Street, Atherstone,</b> Erection of supported living facility and conversion of existing building into 16 supported living flats with associated Community Room	General
11	PAP/2017/0156	201	<b>Land South of Dairy House Farm (Phase 2), Spon Lane, Grendon,</b> Outline application for erection of residential dwellings with associated access	General
12	PAP/2017/0157	207	<b>Blythways, Blythe Road, Coleshill,</b> Outline application for the erection of up to 50 no: dwellings (class C3) following demolition of existing residential development and outbuildings to include details of layout and access off Church Hill and Blythe Road, with access and layout being provided and appearance, landscaping and scale to be reserved.□□	General

## **General Development Applications**

### **(1) Application No: DOC/2016/0004**

**Discharge of condition 14 (boundary treatment) of the planning permission referenced PAP/2013/0391, for**

**Heart of England, Meriden Road, Fillongley, CV7 8DX**

#### **Introduction**

An application to discharge pre-commencement conditions attached to the planning permission PAP/2013/0391 was made last year. Decisions have been reached on all but one of the conditions. The last remaining matter is the submission of details for the boundary treatment of the site.

In April the Board deferred a decision on the boundary treatment, specifically, the sandstone wall where it crosses common land. Following receipt of comments from the Open Spaces Society, which cast doubt on officer's interpretation of the need for S38 consent under the Commons Act, the deferral was to allow time to look into the matter and take legal advice if necessary. It was also to clarify the position in respect of a request to introduce an opening in the wall to allow pedestrian access to the part of the common that lies within the Heart of England site and whether that addressed the S38 consent matters.

#### **Update**

The Open Spaces Society Publication 'Information Sheet No: C1E Buildings, fences and other works on common land in England' clarifies the relationship of consent requirements with planning controls. It sets out that if a proposal is also subject to planning permission, this should be applied for before applying for consent under s38(1) or similar legislation. The guidance expressly says that all building, fencing and works not exempt from planning control or deemed to be permitted development require planning permission and it is preferable that this is obtained before application is made for consent under s38 or similar requirements.

The applicant's agent has confirmed in writing that there is no objection to there being a footpath access through the wall.

#### **Observations**

It is not for the Local Planning Authority to make judgements about the need or lack of need for S38 consent under the Commons Act. The applicant has a view that consent is not required and the Open Spaces Society possibly takes a different view. It is not for the planning authority to arbitrate.

The Parish Council has queried whether a condition could be attached to any permission which requires the formation of an opening in the boundary wall to allow access onto the Common Land. The applicant, through his agent, has confirmed willingness to allow such an opening. He adds that Highways England erected the previous boundary fence and within their agreement they could either put up a fence or any similar restriction, including a wall. He has been advised that so long as the line of the original fence has been followed there would be no objection. The fence was

erected to stop animals wandering on to the road when it was a farm. The original road Stopping Up Order stipulates this. The site was previously planted with trees and access was practically impossible. The wall with a pedestrian opening would therefore be betterment.

In these circumstances, and with the applicant's agreement, it seems appropriate to attach the condition sought by the Parish Council to ensure reasonable freedom of access to the common.

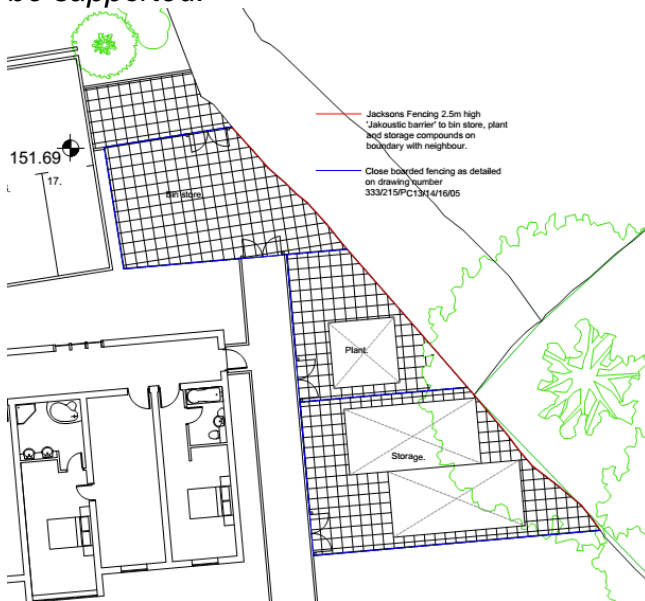
The content of the previous report to Board is now reproduced for ease of reference (italics):

*Condition 14 reads:*

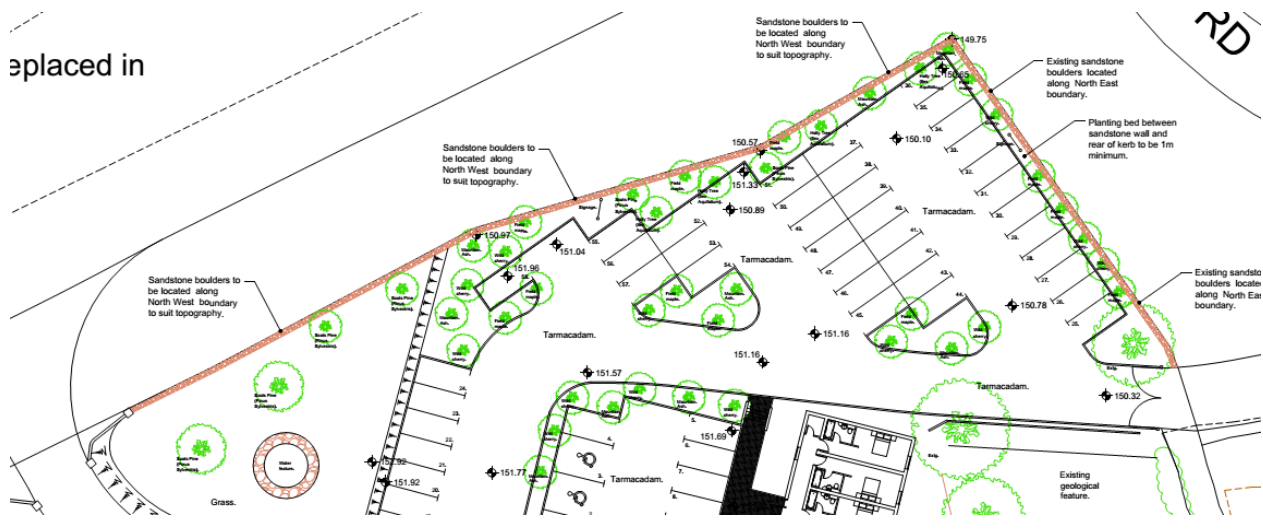
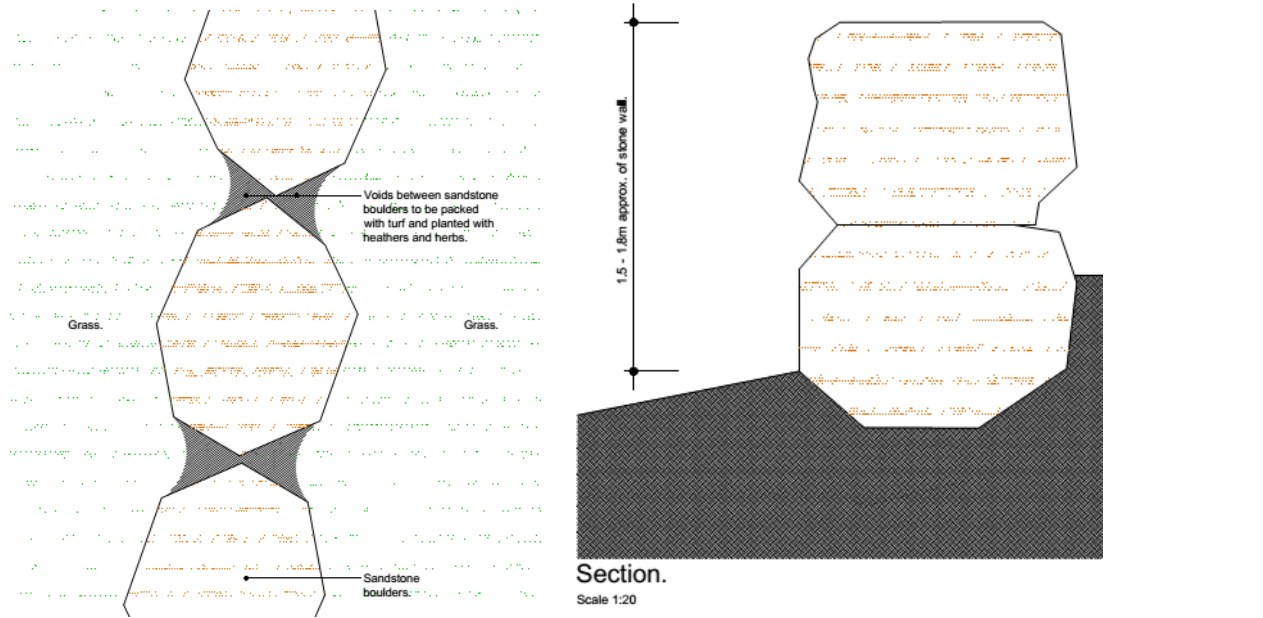
*No development shall commence until details of any walls, gates, fences and other means of permanent enclosure and/or boundary treatment to be erected have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be implemented only in accordance with the approved details and maintained as such at all times thereafter.*

*There are two key elements to the boundary proposals – the treatment of the site frontage and the treatment of the enclosure of the bin/service area.*

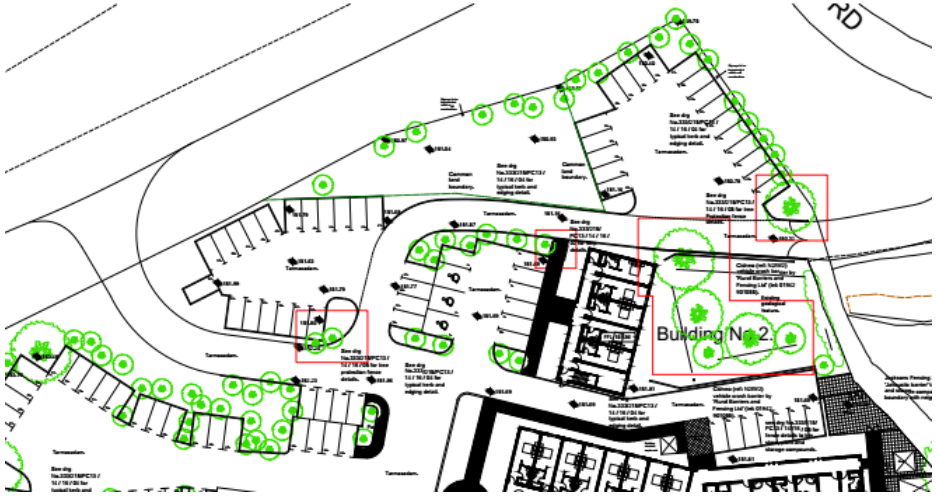
*In respect of the latter an acoustic fence is proposed on the site boundary surrounding the bin/service area (as shown below). The Environmental Health Officer confirms that this is an appropriate solution and this element of the proposed boundary treatment may be supported.*



*In respect of the site frontage a low level sandstone front boundary wall is shown on the proposed drawings.*



*Note: though there is no revision to the boundary treatment proposed above, the interior of the site has been revised to acknowledge the common land and is now approved as shown below:*



*These works have commenced ahead of the issue of a decision on the Discharge of Conditions application – see photo below.*





*This has given rise to objections from the local community. However it is considered that this is an acceptable solution. The stones are naturally occurring in the area and they will attract natural green vegetation. It is low and set well back from the road, behind trees and not creating a visual dis-amenity.*

*The wall is not visually prominent in long views towards the site:*



*Nor is it unduly prominent in close up views:*



*It is considered that this is far better than wooden fencing or a palisade fence. It is thus considered to be worthy of support.*

On balance it is considered that the boundary arrangements can be supported, subject to conditions.

## Recommendation

That the discharge of Condition 14 (boundary treatment) be **GRANTED** subject to the following conditions:

1. Standard Plan numbers condition. The sandstone wall details plan received by the Local Planning Authority on 23 March 2016 and the drawing numbered 333/215/PC13/14/16/06 showing the acoustic fence on the site boundary surrounding the bin/service area received by the Local Planning Authority on 25 February 2016.
2. Within one month of the discharge of Condition 14 of the planning application referenced PAP/2013/0391, details of the position and layout of a pedestrian opening within the sandstone boundary wall shall be submitted to and approved by the Local Planning Authority in writing.

### REASON

In the interests of the amenities of the local community

3. Within one month of the approval of details of the wall opening referred to in condition 2 above, it shall be altered in full accordance with the approved details.

### REASON

In the interests of the amenities of the local community

## BACKGROUND PAPERS

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

Planning Application No: DOC/2016/0004

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1	The Applicant or Agent	correspondence	3/4/17 10/4/17 12/4/17
2	Fillongley Parish Council	correspondence	20/4/17

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

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

**(2) Application No: PAP/2016/0060**

**Great Chapel Field, Wall Hill Road, Chapel Green, Fillongley,**

**Retention of change of use of land from agricultural to dog training/exercising, including new access, car park and siting of moveable field shelter and dog agility course equipment, for**

**Mr Stephen Hammon - Heart Of England Promotions**

**Introduction**

This application was reported to the Board at its March meeting but there was a further deferral in order that the road safety aspects of the proposed access arrangements could be explored further.

The previous report is attached at Appendix A.

**Additional Information**

The independent highway consultant's report requested by the Board concluded that the existing access arrangements for continuation of the use were inappropriate, thus agreeing with the County Council. It supported a new location for the access into this site in association with the use of the land. However Members were concerned that even though the report supported the general location of that new access, it suggested that there may not be adequate visibility. Officers were asked to follow this through.

As a consequence the traffic survey and speed data that had been collected since the application was submitted was referred back to the consultant.

This data showed that the average speed of traffic – the 85% percentile - in a westerly direction was 38 mph and in an easterly direction it was 39 mph. Although the national speed limit applies here, the actual recorded survey information shows traffic moving at a lower speed and thus the visibility splays required for a road with the national speed limit need not be applied and those applicable to the surveyed speeds are appropriate. In these circumstances a Road Safety Audit is not required.

For the information of Members, the speed survey was undertaken over a period from the 18 to the 24 June 2016.

The County Council as Highway Authority agrees with this conclusion and this is why no objection was lodged.

**Recommendation**

That planning permission be **GRANTED** subject to the conditions as contained in Appendix A and with subsequent alterations to accommodate the new plan numbers.

## **General Development Applications**

**(#) Application No: PAP/2016/0060**

**Great Chapel Field, Wall Hill Road, Chapel Green, Fillongley,**

**Retention of change of use of land from agricultural to dog training/exercising, including new access, car park and siting of moveable field shelter and dog agility course equipment, for**

**Mr Stephen Hammon - Heart Of England Promotions**

### **Introduction**

This application was reported to the January Board meeting but determination was deferred for a site visit. That took place and the matter was referred to the February meeting but a decision was again deferred so as to enable an independent view to be taken on the safety of the proposed new access position.

That has now been undertaken and the matter is referred back to the Board.

The February report is attached for information at Appendix A.

### **Additional Information**

Members will recall that on the advice of the Highway Authority, the applicant proposed a new access into this land, as the existing was not considered suitable for continued use. The new access was to be further around the bend in Wall Hill Road. At their site visit Members expressed concern about the visibility splays to this new access. As a consequence an independent assessment was requested. This has now been received.

It is attached in full at Appendix B.

The report concludes that the existing access is below standard and that increased traffic generated by the use makes this unsafe. The proposed access is considered to be a betterment over the existing, however it too has limitations in respect of visibility. A better proposal would be to locate the replacement access some 20 to 25 metres further east along Wall Hill Road in order to optimise visibility.

The applicant has submitted an amended plan accordingly.

The Warwickshire County Council as Highway Authority has been consulted on this further amendment and its comments will be reported at the meeting.

### **Recommendation**

That provided the County Council has no objection, planning permission be GRANTED subject to the conditions as contained in Appendix A and with subsequent alterations to accommodate the new plan numbers and others requested by the County Council.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0060

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1	Site Visit	Note	4/2/17
2	Head of Development Control	Letter	8/2/17
3	MEC	Report	10/3/17

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

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

**(4) Application No: PAP/2016/0060**

**Great Chapel Field, Wall Hill Road, Chapel Green, Fillongley,**

**Retention of change of use of land from agricultural to dog training/exercising, including new access, car park and siting of moveable field shelter and dog agility course equipment, for**

**Mr Stephen Hammon - Heart Of England Promotions**

### **Introduction**

This application was reported to the January meeting of the Planning and Development Board. Councillors resolved to visit the site prior to determination. The visit is scheduled to take place on 4 February.

A copy of the previous report to Board is attached as Appendix 1.

The recommendation remains unchanged and Members are again invited to determine the application.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0060

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	28 01 16 1 11 16

*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.*



Application No: PAPI/2016/0060

Great Chapel Field, Wall Hill Road, Chapel Green, Fillongley,

Retention of change of use of land from agricultural to dog training/exercising, including new access, car park and siting of moveable field shelter and dog agility course equipment, for

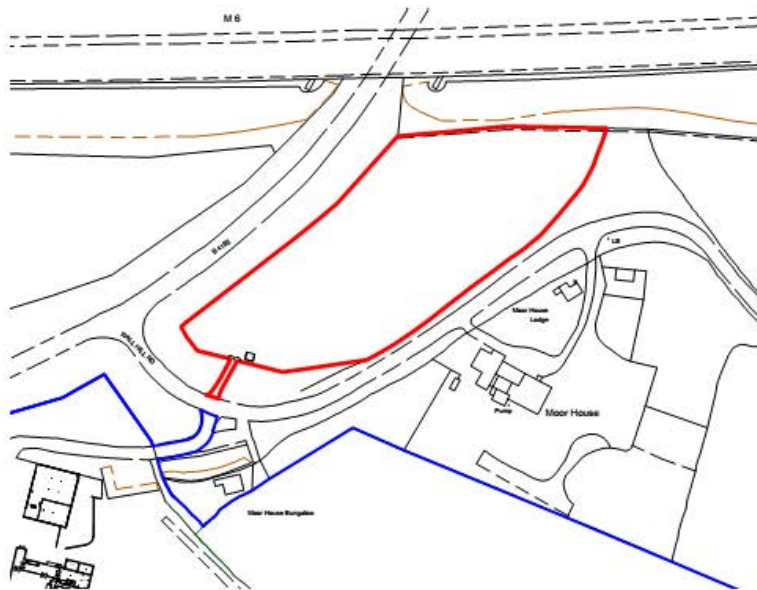
Mr Stephen Hammon - Heart of England Promotions

**Introduction**

The application is reported to Board for determination in light of the receipt of representations and in recognition of the planning history of proposals presented by the applicant in this vicinity.

**The Site**

The site is a roughly rectangular field situated to the south of the M6 at Chapel Green Fillongley. It is bordered to the west by Meriden Road and to the south and east by Wall Hill Road. The Heart of England Conference and Events Centre lies to the south on the opposite side of Wall Hill Road and is in the same ownership as the applicant. The residential properties Moor House, Moor House Lodge and Moor House Bungalow all lie in the vicinity of the application site on the opposite side of Wall Hill Road. The site is shown in the plan extract below.



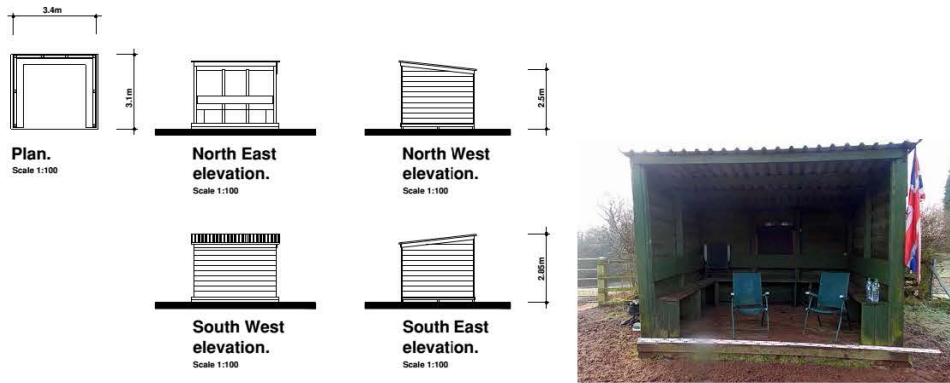
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## The Proposal

The application is partly retrospective and partly a proposal for new works. The change of use of land from agricultural to dog training/exercising commenced without the benefit of planning permission in late 2015.

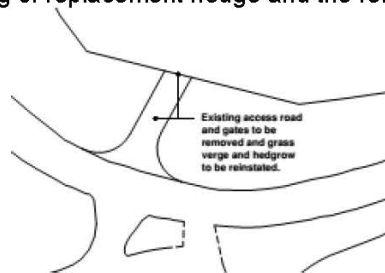
The proposed element of the application is the formation of a new access and car park and the siting of a moveable field shelter and dog agility course equipment.

A small, open fronted, timber shelter is proposed, with the design shown below:



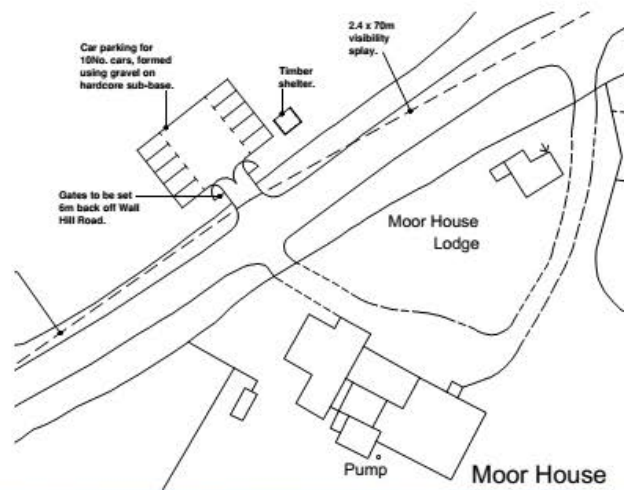
The shelter is the same as the one currently positioned close to the existing entrance. It would be removed from that position and relocated close to the proposed new entrance and the union flag would be removed from it.

The existing access shown below, would cease to be used and the land would be reinstated with the planting of replacement hedge and the reinstatement of the verge



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An alternative access would be formed further along Wall Hill Road at the position shown below (into the hedgerow on the left hand side of the image)



The images below show the agility equipment positioned within the site. They also show the fencing that has been erected to separate the dogs from the public footpath which passes along the northern edge of the site.



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## **Background**

Since September 2015 the field has been rented out to a dog trainer/behaviourist who lives locally. She subsequently erected a small open-fronted timber shelter or pavilion at the southern edge of the field (with a flagpole) and set up a moveable suite of equipment for a dog agility course at the northern end. This was ready for use by 10 October 2015. The tenant then advertised the field as a dog agility course via her Facebook pages and set up a closed group called 'Coventry Agility Fun' to promote its use. It is described as a group for pet dog owners to encourage their dogs to have some fun on the agility course. The trainer is a qualified NASDU instructor (National Association of Security Dog Users) with qualifications in canine behaviour and learning and certificates in dog handling and training.

## **Development Plan**

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

## **Other Relevant Material Considerations**

Government Advice: National Planning Policy Framework - (the "NPPF").

## **Consultations**

Warwickshire County Council Highway Authority - No objection subject to conditions

Rights of Way Team, Warwickshire County Council - Public footpath M295 runs along the northern boundary of the application site. It is noted that fencing has been provided to protect public footpath users from any disturbance by dogs. The Rights of Way team therefore has no objection in principle to the proposals but request that the requirement to maintain a fence to protect the public footpath, set back at least 3 metres from the boundary, is stated as a condition on any consent, if granted. Any consent should also carry an advisory note stating that public footpath M295 must remain open and unobstructed at all times.

Environmental Health Officer – Suggests that it would be appropriate to specify a maximum number of dogs on site at any one time. He expresses concern at the prospect of large congregations for activity such as dog shows but does not offer an objection in principle.

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## Representations

Letters of objection have been received from Fillongley and Corley Parish Councils and from five local residents. The concerns include the following:

- The land should not be lost from agricultural production.
- Nearby residents will suffer loss of amenity due to noise, traffic and parking issues.
- Training of dogs will inevitably require shouts/calls/whistles all of which will cause nuisance to neighbours. The use would be too close to residential properties.
- The objectors note that the applicant likens the proposed use to horse riding and take issue that horse riding is not at all akin. The objectors point out that horse riding is a country activity which involves calm and quiet treatment of the animals involved. By contrast (and based on the 'taster' event held on the land) the type of dog training involves high pitch whistles and screaming and shouting from those attending. The dogs are really enthusiastic, and will constantly bark with excitement.
- The provision of a car park would adversely affect the openness of the Green Belt.
- The bright blue jumps etc. are left out constantly and are clearly visible from inside surrounding properties and are inappropriate development within the Green Belt, harming its openness and visual amenity.
- The "Shelter" and flag pole also add to the clutter and is inappropriate.
- The style of temporary urban fencing to cordon off the public footpath is inappropriate in this location due to its inappropriate visual impact.
- Dogs off the lead may be intimidating to walkers using the public footpath path.
- The achievable visibility splays are inadequate and below standard and the new access would be close to a blind bend and have a lack of visibility to the T-junction. Residents are concerned about the volume and speed of traffic using Wall Hill Road.
  
- There is concern that the permission would lead to other clutter such as signs and lighting which would change the character and appearance of the area and other activity such as the use of a generator that would be a disturbance to local residents and the provision of other facilities such as toilets.
- There are adequate dog training and agility centres for use by the general public within 2 miles – Corley Training Centre in Highfield Lane and regular Saturday morning sessions at Fillongley Village Hall, so there is no necessity to construct a third venue.
- If permission is granted the Council is requested to attach conditions limiting the character of the use to the use applied for only (i.e. not a general recreational use) and to limit hours of operation.
- Concern is expressed that any controlling conditions will not be adhered to.

## Observations

The site lies within the Green Belt. Paragraph 79 of the National Planning Policy Framework (NPPF) sets out that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 80 indicates that the Green Belt serves five

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purposes, including assisting in safeguarding the countryside from encroachment. Paragraph 81 sets out that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access and to provide opportunities for outdoor sport and recreation. Paragraph 87 establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 establishes that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, with exceptions, including provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

A dog training use is reasonably regarded as an outdoor sport/recreation. It is a use which facilitates access to the countryside and is in accord with the Green belt policy of the promotion of access to outdoor recreational opportunity. It is a use which requires the use of open land and is akin to other recreational and animal related uses that are commonly located in rural areas. Indeed, there are other established dog related uses in the locality of the application site which have been referred to by the objectors.

The application needs therefore to be assessed in relation to the impacts that would result from the grant of planning permission, including the impacts on openness, visual amenity, highway safety and residential amenity.

In terms of the impact on openness and the visual impacts from the proposed development, the site is enclosed by hedgerow and trees on all sides. The dog agility equipment is situated on the lower part of the land at the foot of the embankment for the M6 motorway. Whilst the equipment is primarily blue in colour, it is low level and occupies only a relatively small part of the overall site. It is of a quantity which could be considered reasonably required for the training/exercise of dogs and it is considered that it does not cause an undue intrusion into the openness of the area or any significant harm to visual amenity of the area, even given that a public footpath passes through the site. However, there would be potential for increased harm to openness and increased harm to visual amenity if the quantity, scale or extent of the equipment was increased. For that reason, if permission is granted, it would be appropriate to place conditional limits on the location, extent and scale of the dog training equipment used at the site. The siting of dog agility or other dog training equipment would be most appropriately limited to the northernmost fifth of the site, adjacent to the M6 motorway embankment, where it would cause least visual intrusion and where it would concentrate activity away from the nearby dwellings. It would also strike an appropriate balance between ensuring that the use of the land remained open and in keeping with the rural character of the land, whilst ensuring that the site enjoys a beneficial use. To ensure that the equipment remained of an appropriate scale, with limited visibility, it is considered that a height limit of 2 metres would be appropriate.

Though the application proposes the formation of a new vehicular access, it also proposes the closure and reinstatement of an existing access. The existing access is visible from both Wall Hill Road and the main Meriden Road. It is elevated and contains a relatively long hard surfaced route across a wide verge. The proposal would remove the hard surfaced route and reinstate the verge to a grassed surface and would remove the gateway and reinstate a hedgerow in the gap. Though the new access position would necessitate the loss of some roadside hedge it would be limited to the loss of the gateway alone because visibility splays can be achieved within the highway. The existing roadside tree would remain. The new access would arguably be less visually prominent than the existing access and its use would, with the limitations suggested by

the Highway Authority, be less hazardous to highway safety. There is therefore no objection to the formation of a replacement access.

The timber shelter is of a modest size and limited height, being only 3.1 metres high at its tallest point, it will have very limited visible behind the hedgerow boundary following the removal of the union flag. It is considered that the shelter is reasonably necessary for the activity as it affords a small amount of shelter and can be used for administrative tasks. It is not a storage building, as suggested by some objectors. It is considered to be the provision of appropriate facilities for outdoor sport and outdoor recreation, which will not substantially harm the openness of the Green Belt and will not conflict with the purposes of including land within it. The small scale shelter structure is therefore appropriate development in the Green Belt.

The proposed car park is possibly the element of development which has the greatest potential for adverse impact on the openness of the Green Belt, however, the extent of the car park is limited to 10 spaces and would be surfaced with a low key gravel finish. The parking would sit behind a roadside hedge which would provide some visual screening. It is considered that the transitional nature of this relatively small number of parked vehicles would not cause undue harm to openness. With a conditional requirement for additional tree planting to supplement the hedgerow fronting the length of the site which adjoins Wall Hill Road, the car parking area would not cause undue visual intrusion.

Residents and Parish Council's express the concern that the grant of planning permission for this use of the land would inevitably lead to other associate development – advertisements, toilet facilities, overnight stopping caravans, lighting etc. It is agreed that there would be potential for the development of the activity to lead to other more harmful visual impacts and detrimental change in the rural character of the land. For this reason it would be appropriate to attach conditions which introduce controls over such matters. A condition limiting the operation of the site to daylight hours only will obviate the need for the installation of exterior lighting and the removal of permitted development rights for temporary uses of land and some minor developments (means of enclosure and CCTV cameras), together with a requirement for approval of all signs, advertisements or flags, would be appropriate.

It is considered appropriate to place a limit on the number of dogs for dual reasons. Firstly, it is appropriate to limit the number of dogs on the land at any one time in order to limit the likelihood of disturbance from noise, and secondly, it is necessary to limit the number of vehicular movements to and from the site for highway safety reasons.

In respect of concerns about noise, it should be recognised that the land lies immediately adjacent to the M6 motorway and that there is consequently a higher background noise level than would be found in countryside locations more remote from the motorway. With the limit on the number of dogs on site at any one time the Environmental Health Officer does not object to the development. It is considered that the effect on residential amenity of nearby properties would not be so significant that it would justify the refusal of planning permission.

In terms of highway safety, the location of the proposed access will provide better visibility splays, and the gradient of the access will be an improvement compared to the existing access. Parking provision will be for 10 vehicles, and the applicant has also agreed to limit the use to 10 vehicle visits per day. As such, the highway authority considers that proposed parking should be acceptable. The proposed access to the site

will also be wide enough to provide two way traffic flows. Capacity on the highway network should not be an issue. Therefore, the Highway Authority's response to the amended details is one of no objection subject to conditions.

Given that the use has already commenced and that the use of the existing access is deemed to be unsafe, it would be appropriate to require the cessation of the dog training activity until such time as the replacement access is completed to the satisfaction of the Local Planning Authority in writing. It is further appropriate to require the permanent closure of the existing access at the same time.

Whilst it is recognised that the dog training use would alter the experience of walkers using the public footpath, it should be noted that the Rights of Way Officer does not object to the use of the land providing that an appropriate fence is erected in an appropriate location. Whilst the Heras fencing may have been an appropriate temporary solution to the enclosure of the land, it is of an urban character and not in keeping with this rural location. It would be appropriate to make the replacement of this fencing a conditional requirement of any planning permission granted.

On balance the use may be supported, with restrictions, as an appropriate development in the Green Belt.

### **Recommendation**

That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 01 Rev E received by the Local Planning Authority on 1 November 2016 and the plan numbered 355/216/02 received by the Local Planning Authority on 28 January 2016.

#### **REASON**

In order that the development is carried out in accordance with the appropriate plans.

2. The use hereby approved shall not operate at any time until the replacement access and car park have been completed and the existing access has been closed to the satisfaction of the Local Planning Authority in writing, in consultation with the Highway Authority.

#### **REASON**

In the interests of highway safety.

3. The use hereby approved is for the training and/or exercising of dogs only. It shall expressly not be used for any other purpose whatsoever. The number of dogs on site at any given time shall not exceed ten and the site shall not be used for the purpose of dog shows or competitions.

#### **REASON**

In the interests of the amenities of the area.



4. Prior to the commencement of development the design and appearance of the proposed entrance gates and any associated fencing shall be submitted to and approved by the Local Planning Authority in writing. The approved details shall be implemented in full and maintained as such at all times thereafter.

REASON

In the interests of the amenity of the area and in the interests of highway safety.

5. Prior to the commencement of development a scheme for additional tree planting to supplement the hedgerow along the length of the site where it adjoins Wall Hill Road and for the specification of the new section of hedgerow shall be submitted to and approved by the Local Planning Authority in writing. The approved scheme shall be planted in full within the first available planting season following the construction of the car park. In the event of any tree or plant failing to become established within five years thereafter, each individual tree or plant shall be replaced within the next available planting season to the satisfaction of the Local Planning Authority.

REASON

In the interests of the amenity of the area.

6. The siting of dog agility or other dog training equipment shall be limited to the northernmost fifth of the site, adjacent to the M6 motorway embankment. With the exception of the northernmost fifth of the site and the approved car park nothing whatsoever shall be stored, sited, constructed, displayed or parked on any other part of the site. The height of the dog agility or other dog training equipment shall not exceed 2 metres.

REASON

In the interests of the visual amenity of the area, in the interests of residential amenity and to maintain the openness of the Green Belt.

7. The approved car park shall be formed using gravel on a hardcore base and shall not have a bound finish, with the exception that it shall be constructed from a bound material for a distance of 6.0 metres, as measured from the near edge of the public highway carriageway. The use shall not operate at any time unless the car park is available for the parking and manoeuvring of vehicles.

REASON

In the interests of the amenity of the area and in the interests of highway safety.

8. The parking of cars and other vehicles shall be confined to the car park only and shall not be parked or stored at any other position within the site at any time.

REASON

In the interests of the amenity of the area.

9. The use hereby approved shall not operate between the hours of sunset and sunrise on any day. For the avoidance of doubt, sunset and sunrise shall be taken to be the times specified for Birmingham, UK, by the HM Nautical Almanac Office (<http://astro.ukho.gov.uk>). The site shall not be used for the purpose of overnight stays at any time.

REASON

In the interests of the amenity of the area.

10. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no signs, flags or advertisement may be displayed without the express written consent of the Local Planning Authority.

REASON

In the interests of the amenity of the area.

11. No development whatsoever within Classes A and F of Part 2 and Class B of Part 4, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), shall commence on site without details first having been submitted to and approved by the Local Planning Authority, in writing.

REASON

In the interests of the amenity of the area and to maintain the rural character and appearance of the area.

12. Within two calendar months of this permission details of a fence to replace the temporary Heras fencing alongside the public footpath shall be submitted to and approved by the Local Planning Authority in writing. The replacement fence shall be sufficient to provide for the safety of users of the public footpath, shall be of a design and appearance in keeping with the rural setting of the site and shall be erected at a position which is set back at least 3 metres from the boundary of the footpath. The approved replacement fencing shall be erected and the temporary fencing removed from the site within one calendar month of the approval of details and shall be maintained as such at all times thereafter.

REASON

In the interests of the amenity of the area, to maintain the accessibility of the public footpath and to protect users of the public footpath.

13. Access for vehicles to the site from the public highway (Wall Hill Road C63) shall not be made other than at the position identified on the approved drawing, number 355 / 216 / 01 Rev E, providing an access no less than 5.0 metres in width for a distance of 20.0 metres, as measured from the near edge of the public highway carriageway. Gates hung within the access shall not be hung so as to open within 6.0 metres of the near edge of the public highway carriageway.

REASON

In the interests of highway safety.

14. The access to the site for vehicles shall not be used unless a public highway verge crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. The vehicular access to the site shall be surfaced with a bound material for a distance of 6.0 metres, as measured from the near edge of the public highway carriageway, and shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

REASON

In the interests of highway safety.

15. The development shall not be commenced until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.4 metres and 'y' distances of 70.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

In the interests of highway safety.

16. No more than 10 vehicles shall visit the site per day (20 vehicle movements).

REASON

In the interests of highway safety.

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

REASON

In the interests of highway safety.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0060

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	28 01 16 1 11 16
2	Warwickshire County Council Highways Authority	Consultation Response	3 3 16 31 10 16 3 1 17
3	Warwickshire County Council Footpaths	Consultation Response	29 2 16
4	Environmental Health Officer	Consultation Response	25 2 16 10 11 16
5	Corley Parish Council	Representation	21 11 16
6	Fillongley Parish Council	Representation	23 11 16
7	Hooke	Representation	23 11 16
8	Shipley	Representation	29 2 16 22 11 16
9	Y McHugh	Representation	29 2 16 22 11 16
10	M McHugh	Representation	29 2 16 22 11 16
11	Burrin	Representation	17 11 16

*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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**Consulting Development Engineers**

**Proposed Development Site – Land at Wall Hill Road, Fillongley, North Warwickshire  
Transport Technical Report  
March 2017  
Our Ref: 22867/03-17/NB**

**Introduction**

Mewies Engineering Consultants Ltd (M-EC) has been commissioned by North Warwickshire Borough Council (NWBC) to produce a Transport Technical Report, providing an assessment of the highways issues involved with planning application PAP/2016/0060, located at Land at Wall Hill Road, Fillongley. The proposed development for application PAP/2016/0060 consists of the 'retention of change of use of land from agricultural to dog training/exercising, including new access, car park and siting of moveable field shelter and dog agility course equipment'.

The purpose of this report is to examine the existing and proposed access points, including visibility splays and accident data. A summary will also be provided, including a recommendation as to which access point should be utilised for the proposed development.

An inspection of the proposed site accesses was undertaken on Tuesday 21<sup>st</sup> February 2017, between 08:30am and 09:30am. During the site inspection, the weather conditions were dry, although the roads were damp. The documents and drawings submitted as part of the application have been reviewed, including the responses of the Highway Authority dated 03<sup>rd</sup> March 2016, 31<sup>st</sup> October 2016, and 29<sup>th</sup> December 2016.

**Existing Access**

The existing access is located approximately 50m south-east of the Wall Hill Road/Meriden Road (B4102) junction, and serves the permitted agricultural use at the site. The access measures 3.3m in width, with a 5.6m wide dropped kerb fronting the access. The access is currently only wide enough for one-way vehicle movements, and there is evidence of vehicles overrunning the verge at the dropped kerb, which may be evidence of two vehicles trying to pass each other within the access. The access is also gated, with the gates set back 19.2m from the edge of the carriageway.

During the site visit it was noted that there does not appear to be a car parking area provided within the site. This could result in visitors parking along the carriageway or highway verge. The response from the Highway Authority dated 03<sup>rd</sup> March 2016 indicates that *'it appears that vehicles are parking on the access and/or either side of it, looking at the visible tyre tracks'*. Tyre tracks were also visible along the highway verge during our site inspection. Vehicles parking along the highway verge could further reduce the visibility splays available at the existing access.

**Visibility Splays**

On inspection, visibility splays of 48m could be achieved to the right (north-west) of the access, to the junction of Wall Hill Road/Meriden Road (B4102). Visibility splays of 42m can be achieved to the left (east) of the access, when measured at a height of 1.05m and measured to the near edge of the carriageway. Visibility to the left is obstructed by the embankment, which also restricts forward visibility of vehicles waiting in the carriageway, to turn right into the site. The forward visibility splay is restricted to approximately 72m.

At the access, Wall Hill Road is subject to the National Speed Limit (60mph) which would require visibility splays of 215m in both directions, when measured 2.4m back from the edge

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of the carriageway. It is acknowledged that vehicle speeds are unlikely to be as high as 60mph at the existing site access, due to the close proximity of the Wall Hill Road/Meriden Road (B4102) junction, and the general alignment of the carriageway reducing vehicle speeds. Despite this, supporting information has not been submitted as part of the application, to demonstrate that the existing level of achievable visibility is in accordance with actual vehicle speeds.

#### Accident Data

A review of CrashMap indicates that there have been no recorded Personal Injury Accidents (PIAs) within the vicinity of the existing access, during the most recent 5-year period (2012-2016). The most recent PIA recorded within the vicinity of the existing access occurred in 2006 at the Wall Hill Road/Meriden Road (B4102) junction, and was classified as 'serious'.

#### Summary

The existing access is considered to be below standard, as the visibility splays do not accord with standards for the National Speed Limit (60mph). The access is also not wide enough to enable two vehicles to pass each, without overrunning the highway verge. It also appears that parking is not provided within the site, which could, and appears to have, lead to vehicles parking along the highway verge.

It is likely that the proposed development will generate an increase in vehicular trips compared to the permitted agricultural use. The increase in vehicular trips will intensify the use of a below standard access, which could be detrimental to public highway safety.

#### Proposed Access

According to drawing no. 355/216/01 Rev. E, submitted as part of the application, the proposed new access will be located opposite an existing access into Moor House, approximately 105m to the north-east of the existing access. The proposed access will measure 5m in width enabling two vehicles to pass each other, with gates set back 6m from the edge of the carriageway. As part of the proposals, the existing access shall be closed, with the verge and hedgerow reinstated.

A car parking area shall also be provided, that can accommodate up to 10 vehicles, with sufficient space within the parking area for vehicles to manoeuvre and re-enter the public highway carriageway using a forward gear. The 'Board Report - 6 February 2017' indicates that a condition shall be applied, so that the number of dogs on the site at any one time shall not exceed 10, in the interests of highway safety. This is to ensure that the level of parking provided is sufficient to accommodate the proposals.

#### Visibility Splays

Drawing no. 355/216/01 Rev. E demonstrates that visibility splays of 70m shall be provided at the proposed access, when measured 2.4m back from the edge of the carriageway. It is assumed that the 70m visibility splays have been approved, as they are in accordance with Design Manual for Roads and Bridges (DMRB) standards for 30mph speeds. However, vehicle speed data was not provided to support the reduction in speed limit, or visibility splay distance. It is acknowledged that the bend to the north-east of the site will reduce vehicle speeds, which appeared to be approximately 25-30mph. Vehicle speeds approaching from the south-west appeared to be higher, as vehicles gained speed after joining Wall Hill Road from Meriden Road (B4102). Vehicle speeds appeared to be approximately 30-35mph.

Whilst visiting the site, the verge margin fronting the boundary hedgerow measured 2.2m wide therefore, visibility splays have been measured 2.2m back from the edge of the carriageway, rather than the required 2.4m. visibility splays of 105m could be achieved to the left (north-east) of the access, when measured 2.2m back from the edge of the carriageway. A



forward visibility splay of 90m could be achieved, for vehicles waiting in the carriageway to turn right into the site.

Visibility splays of 50m could be achieved to the right (south-west) of the proposed access. The visibility splay was obstructed by the boundary hedgerow and the horizontal alignment of the carriageway. The existing hedgerow will have to be set further back within the site or removed, to achieve the visibility splay of 70m, as indicated on drawing no. 355/216/01 Rev. E.

On further inspection of drawing no. 355/216/01 Rev. E, the visibility splay measured to the right (south-west) of the proposed access appears to have been measured to the centreline of the carriageway. Visibility splays are required to be measured to the near edge of the carriageway. If measured to the near edge of the carriageway, visibility splays of 55m would be available. Should Manual for Streets 2 (MfS2) formulae be used to calculate the required visibility splays, a 55m visibility splay would accord with vehicle speeds of 36mph, which is comparable with vehicle speeds witnessed during the site inspection.

#### Accident Data

A review of CrashMap indicates that there have been no recorded PIAs within the vicinity of the proposed access, during the most recent 5-year period (2012-2016). The most recent PIA recorded within the vicinity of the proposed access occurred in 2008 at the bend to the north-east of the proposed access, and was classified as 'sight'.

#### Summary

Vehicle speed data was not provided to support the provision of 70m visibility splays. In order to achieve visibility splays of 70m, it appears that the visibility splay measured to the right (south-west) of the proposed access, has to be measured to the centre of the carriageway, rather than the near edge. If measured to the near edge, visibility splays of approximately 55m would be achievable.

The proposed access will enable two vehicles to pass each without obstructing the carriageway or overrunning the highway verge. A parking area that can accommodate up to 10 vehicles will also be provided within the site.

#### Summary

Both the existing and proposed accesses are considered to be below standard, as the achievable visibility splays are not in accordance with the posted National Speed Limit (60mph). Additional speed data has not been submitted for reduced visibility splays to be accepted therefore, visibility splays of 215m would be required. At the existing access, visibility splays of 48m can be achieved to the right (north-west) of the access, towards the Meriden Road (B4102)/Wall Hill Road junction. Visibility splays of 42m can be achieved to the left (east) of the access, and the forward visibility splay is reduced to approximately 72m.

Visibility splays of 70m have been approved at the proposed access, without the submission of supporting speed data information. A speed survey should have been undertaken, to establish the 85%ile speed of vehicles, and determine whether the level of visibility that is being proposed at the new access is acceptable. There are also concerns that visibility splay measured to the right (south-west) of the proposed access, are measured to the centre of the carriageway, rather than the near side edge. If measured to the near side edge, a visibility splay of approximately 55m is achievable.

A Road Safety Audit (RSA) should have been carried out at the proposed access, to support the provision of reduced visibility splays. The RSA would also identify any other concerns with the proposed access. According to DMRB, Volume 5, Section 2, HD 19/15, a Road Safety Audit should be carried out for all new access points onto the highway.

Having reviewed both accesses and undertaken a site visit, the proposed access is considered to be a betterment than the existing access, as the visibility splays achievable at the proposed access are greater than those that can be achieved at the existing access. The boundary hedgerow at the proposed access should be set further back within the site, to provide greater visibility splays and ensure that the hedgerow does not overgrow and obstruct visibility splays.

**Conclusion**

Having undertaken a full assessment of the existing and proposed accesses, the proposed access is considered to be a betterment than the existing access. Despite this, it is recommended that the proposed access is located approximately 20m-25m further east along Wall Hill Road, to optimise the level of achievable visibility. This would enable greater visibility splays to the right (south-west) of the access to be provided, where vehicle speeds appeared to be higher.

Report Prepared By:



.....  
Ben Malin  
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Report Approved By:



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### **(3) Application No: PAP/2016/0214**

**Land North Of Moorwood House, Moorwood Lane, Hartshill,**

**Erection of detached dwelling with vehicle access and landscaping, for**

**Ms Mariella DiMarco**

#### **Introduction**

This application is reported to the Board at the request of Local Members concerned about the impact of the proposal on the local environment

#### **The Site**

This is an area of 0.24 hectares of land immediately to the north of Moorwood Lane at its junction with the cul-de-sac of Ash Drive on the western edge of the Moorwood Estate in Hartshill. There are detached residential properties on the southern side of Ash Drive at the end of the cul-de-sac but there is a hedge along its northern side. Alongside this is the unmade and un-adopted Moorwood Lane. The site is beyond and is a clearing within a much larger area of woodland. There are a few detached houses further along Moorwood Lane which also hosts a public footpath. Moorwood Lane is at a higher level than Ash Drive.

The southern boundary of the site with Moorwood Lane is partly cleared but also has a hedge and tree frontage. The eastern side is a hedgerow with trees. The site slopes up towards the north from Moorwood Lane.

The general location is illustrated at Appendix A. Site photos can be viewed in Appendix F.

#### **The Proposal**

It is proposed to erect a four bedroom detached house on the clearing within the site. Access would be from the Moorwood Lane/Ash Drive junction. The site would be partially lowered at its western end so as to create a level site and this would require a retaining wall. The house would have an integral two car space garage.

The highest part of the house would be 8.2 metres tall although the property would have different heights throughout.

Boundary trees and hedgerows would be retained but five sycamores towards the southern boundary would be removed. The reason for this is that they ought to be removed in any event for the future sound arboricultural management of the wider woodland. The location of these is shown at Appendix B

The proposed layout is shown at Appendix C and the design of the house is at Appendix D.

A selection of levels throughout the site is at Appendix E.

## **Background**

The proposed house as described above is a reduced scheme from that originally submitted. The change is from a six bedroom property with a swimming pool to a four bedroom one.

The boundary trees around the site are protected by an Order which extends over a much wider area to the north. (see Appendix H for the area covered)

The site is within a much larger area of land allocated for residential redevelopment within the emerging draft Local Plan for North Warwickshire.

The site is adjacent to the Moorwood Geological Trail which can be viewed in Appendix G.

The site is identified as a potential Wildlife Site but this carries no designation.

## **Development Plan**

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

Saved Policies of the North Warwickshire Local Plan 2006 - ENV6 (Land Resources); ENV12 (Urban Design), ENV13 (Building Design) and ENV14 (Access Design)

The Hartshill Neighbourhood Plan 2017 - H4 (Good Quality Design in Hartshill); H8 (Preserving and Enhancing Local Wildlife and Habitats) and H8 (Heritage Assets and Sites of Local Interest)

## **Other Relevant Material Considerations**

The National Planning Policy Framework 2012 – (the “NPPF”)

The National Planning Policy Guidance 2014 – (the “NPPG”)

The draft Local Plan for North Warwickshire 2016

The Nuthurst Cresecent, Ansley Appeal Decision 2016 – reference APP/R3705/W/16/3149572

## **Consultations**

Warwickshire County Council as Highway Authority – No objection

Warwickshire County Council (Public Rights of Way) - No objection

Warwickshire County Council Ecologist - No objection. The site has been visited and the ponds inspected. Conditions should be attached to the grant of any planning permission.

Warwickshire Museum – No comments to make

Environmental Health Officer - No objection

NWBC Tree Officer - No objection

## **Representations**

Eight objections have been received from local residents. The matters raised refer to:

- The potential impact on trees both in and adjoining the site
- The impact of any tree removal on ground stability
- The impact on local wildlife – e.g. deer and reptiles
- The size is out of keeping by being too large
- The proposal doesn't protect the rurality of the Borough
- The potential impact on surface water drainage
- The impact on the bridle-path
- The disruption caused by construction traffic
- Light pollution and the loss of privacy
- Additional traffic will be generated
- It could set a precedent for further development

Hartshill Parish Council - It has no objection

## **Observations**

The application has raised a number of issues which will be considered below.

### **a) Housing**

This application site is adjacent to the development boundary for Hartshill as defined by the Development Plan. The settlement is identified in the Core Strategy as a settlement where new growth is to be directed and Policy NW2 of that Strategy explicitly states that development will be permitted in or adjacent to development boundaries. As such this application is supported in principle.

Additionally Members will be aware that the recent Ansley appeal decision found that the Council did not have a five year housing land supply. Whilst that decision dates from the end of 2016 when the figure was 3.6 years, Members will be aware that at the present time there is still no five year supply, it being 4.5 years. As such the housing policies of the Core Strategy are to be treated as being "out of date" by virtue of paragraph 49 of the NPPF. In these circumstances the determination of housing application rests under paragraph 14 of the NPPF. As a consequence new housing developments are to be supported unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed the NPPF as a whole.

The application site is in a sustainable location according to policy NW2 of the Core Strategy and because of its proximity to a wide range of local services and facilities. Given the situation in respect of the five year supply this proposal is acceptable in principle and carries a presumption of approval. Thus if this application is to be refused planning permission, there has to be "significant and demonstrable harm caused to the policies of the NPPF as a whole".

## **b) Harm**

There are a number of matters that should be explored in looking at whether significant and demonstrable harm is likely to be caused. Objectors have referred to these.

It is significant that the Highway Authority has not objected. This is unsurprising given that traffic generation from the proposal will be low and that that can be accommodated within the local residential highway network. The access arrangements themselves – i.e. gradients and drainage - can and should be dealt with by planning condition. The site is large enough for low gradients to be used and there is space on site to provide off-street car parking. It is concluded therefore that there is no significant and demonstrable highway harm

The County Council has also looked at the public footpath here and concluded that there would be no worse impact arising as a consequence of the development. The access is right at the junction of Ash Drive thus the line of the path is not to be obstructed or diverted. Any disputes about possible infringements of private rights of access along this Lane are not matters to be dealt with by this Board as they need to be dealt with between the parties concerned.

Drainage matters will be dealt with under the Building Regulations. The site is sufficiently large for there to be sustainable drainage solutions provided on site. There is neither an objection nor concern raised by the Council's Environmental Health Officer.

The site has neighbouring dwellings. The closest is a detached house near to the proposed access. The additional traffic from an extra house passing this property is not considered to be significant. There are main windows in the front and rear elevations but these do not overlook the site. There is side window but this is some 30 metres from the proposed house. There is unlikely therefore to be significant and demonstrable harm. The other houses on the southern side of Ash Drive are around 50 metres distant with intervening boundary hedgerows and trees. The houses further along Moorwood Lane would be some 28 metres distant again with significant boundary screening. Further existing houses to the north would not be materially affected for the same reasons. Overall therefore it is not considered that there would be significant and demonstrable harm caused to the residential amenity of neighbouring occupiers.

The existing built form in the area is mostly detached housing. Whilst the proposal would be larger than these, its overall design is not considered to be so harmful as to cause demonstrable harm to the character of the existing estate.

The two matters that have caused the most representations are the potential impact on wildlife and on the surrounding trees. This is understandable given the setting of the site. Looking first at the likely impact on the existing trees then those that are to be removed are towards the southern boundary of the site. These comprise five self-set sycamores which are not covered by the Order. It is significant that in any event the removal of these trees is recommended for good woodland management reasons in that the continuing progress of the trees would eventually invade to the predominant oak woodland here. Moreover they are within the site and do not bound it and thus in terms of public amenity there is far less of a visual impact. Again it is significant that the Council's own tree officer having visited the site agrees with the removal of the specified trees for the reasons given. Conditions can be recommended referring to root protection measures for the boundary trees to remain on site. In these circumstances and given the corroborating evidence from the Council's own qualified officer it is not considered

that there would be significant and demonstrable harm arising here from the loss of these trees.

The site comprises three types of ecological area – the surrounding boundaries with their broadleaved woodland corridors; the dense scrub land within the centre of the site and the more sparse scattered scrub close to its entrance.

The County Ecology Officer has considered the site ecology. The site is a potential Local Wildlife Site. The Ecologist did submit an initial objection due to the lack of information. The applicant's consultant has worked with the ecologist in order to complete a full Biodiversity Impact Assessment. The County Ecologist has withdrawn his objection as a consequence subject to relevant conditions covering a construction management plan and a 30 year management plan. Members should be aware that this stance is proportionate and evidence based. The fact that a development is proposed within a potential wildlife site is not itself a reason for refusal. The critical issue is the impact on the potential loss of flora and fauna. The flora and fauna here is not rare and can migrate to the much larger area of adjoining woodland and clearings. The national and local population of the species found on site or foraging on the site will not be materially affected by this development as they will adapt to the changed circumstance. Additionally the works on the site will be the subject of controls under the 1981 Countryside and Wildlife Act and enforced by the County Council. As such there is no evidence to show that there will be significant and demonstrable ecological harm here.

The south and south east of the site have been highlighted as having geological features. These are on the opposite side of the track and run to the south of the site and not directly within the application site. This is why the Museum has not commented.

### **c) Conclusions**

Overall therefore it is not considered that the proposal will give rise to significant and demonstrable harm. Members are asked to consider the evidence that they have in dealing with this. There is no objection from the relevant consultation responses - particularly from the County Ecologist or from the Council's own Tree Officer. In these circumstances significant harm cannot be demonstrated. It is accepted that there be some harm arising, but it does not amount to being "significant" which is the NPPF test here. Experience from recent appeal cases also should be considered. This shows that "change" is not a reason for refusal (Southfields Close, Coleshill) and that "to carry significant weight, opposition should be founded on substantiated evidence" (Land at Crown Stables, Mancetter).

### **Recommendation**

That the application be **GRANTED** subject to the following conditions:

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

#### **REASON**

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

2. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered DPC-LAML-004pl; DPC-LAML-005PL; DPC-LAML-001PL; DPC-LAML-003PL; Arboricultural Report, by David Hickie Associates dated July 2016, received by the Local Planning Authority on 19 August 2016; to the plan numbered DPC-LANL-002 REV B received by the Local Planning Authority on 21 November 2016; and to the Ecology Report, titled Ecology: GCN HIS and BIA Addendum, Version 2.0 dated 30 March 2017 received by the Local Planning Authority on 18 April 2017.

REASON

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

3. No development shall be commenced before details of facing bricks, external materials and roofing tiles to be used have been submitted to and approved by the Local Planning Authority in writing. The approved materials shall then be used.

REASON

In the interests of the amenities of the area.

4. No development whatsoever within Class A, B, C, E and F of Part 1, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall commence on site.

REASON

In the interests of the amenities of the area.

5. No additional opening shall be made other than shown on the plan hereby approved, nor any approved opening altered or modified in any manner.

REASON

To protect the privacy of the occupiers of adjoining properties.

6. Before the commencement of the development, a landscaping scheme shall be submitted to the Local Planning Authority for approval.

REASON

In the interests of the amenities of the area.

7. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall remain in operation during the length of construction.

REASON

In the interests of the amenities of the area.

8. No development, including ground clearance, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the District Authority. This CEMP shall cover all matters relating to protected species including grass snake, great crested newt, nesting birds and will include plans showing:
  - protected areas where no disturbance will take place during construction
  - ecological protection and enhancement areas and how they will be secured during construction
  - areas where supervised ground clearance will take place under ecological expert supervision during construction

Once the CEMP has been approved it will be carried out in full and any changes thereafter will need written approval from the District Authority.

#### REASON

To ensure that protected species are not impacted upon during the development

9. All planting, seeding or turfing comprised in the approved landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

#### REASON

In the interests of the amenities of the area.

10. The scheme referred to in Condition No 6 shall be implemented within six calendar months of the date of occupation of the house approved under reference PAP/2016/0214 for domestic purposes. In the event of any tree or plant failing to become established within five years thereafter, each individual tree or plant shall be replaced within the next available planting season, to the satisfaction of the Local Planning Authority.

#### REASON

In the interests of the amenities of the area.

11. Within 6 months of the commencement of works, including site clearance, a 30 year Management Plan shall be submitted to and approved by the Local Planning Authority. The Management Plan shall detail areas of nature conservation and their management for enhancement to ensure the development will not result in a biodiversity loss. The gain shall be calculated using the locally derived Defra Metrics as contained in the 'Ecology: GCN HSI and BIA Addendum New Residence, Moorwood Lane, Hartshill' produced by Ecology Matters, 30th March 2017. Once approved the Management Plan shall be carried out in full unless otherwise agreed by the Local PLanning Authority.

## REASON

To ensure that the development will result in no net loss to Biodiversity as of Local and National Policies.

12. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal fitting out, shall take place before the hours of 0700 nor after 1900 Monday to Friday; before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

## REASON

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

## Notes

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

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

4. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions, by seeking to resolve planning issues, and determining the application is the quickest time possible. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.
5. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow - so far as is reasonably



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

6. Prior to commencement of development, the applicant is required enter into an agreement with the Highway Authority under Section 59 of the Highways Act 1980. Prior to works taking place on site and following completion of the development, a joint survey shall be undertaken with the County's Locality Officer to agree the condition of the public highway. Should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed with the Locality Officer.
7. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness
8. The applicant is encouraged to ensure that any demolition, construction works and deliveries do not cause nuisance to neighbouring properties and their occupiers. It is recommended that works are restricted to between 0730 and 1800 hours on weekdays, and 0800 and 1300 hours on Saturdays, with no demolition, construction works and deliveries on Sundays or recognised public holidays.
9. With regards to the public footpath, the Footpaths Team at Warwickshire County Council have set out the following
  - Public footpath AE169 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during construction.
  - The applicant must make good any damage to the surface of public footpath AE169 caused during construction.
  - If it is necessary to temporarily close public footpath AE169 for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County

Council's Rights of Way team should be contacted well in advance to arrange this.

- The Highway Authority are required to maintain public footpath AE169 to a standard required for its public use by pedestrians only and not to a standard required for private vehicular use.
  - Any disturbance or alteration to the surface of public footpath AE169 requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public footpath.
10. Radon is a natural radioactive gas which enters buildings from the ground and can cause lung cancer. If you are buying, building or extending a property you can obtain a Radon Risk Report online from [www.ukradon.org](http://www.ukradon.org) if you have a postal address and postcode. This will tell you if the home is in a radon affected area, which you need to know if buying or living in it, and if you need to install

radon protective measures, if you are planning to extend it. If you are building a new property then you are unlikely to have a full postal address for it. A report can be obtained from the British Geological Survey at <http://shop.bgs.ac.uk/georeports/>, located using grid references or site plans, which will tell you whether you need to install radon protective measures when building the property.

For further information and advice on radon please contact the Health Protection Agency at [www.hpa.org.uk](http://www.hpa.org.uk). Also if a property is found to be affected you may wish to contact the North Warwickshire Building Control Partnership on (024) 7637 6328 for further advice on radon protective measures.

11. Wildlife and Countryside Act 1981 - Birds. Please note that works to trees must be undertaken outside of the nesting season as required by the Wildlife and Countryside Act 1981. All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions. It is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment. You are advised that the official UK nesting season is February until August.
12. The applicant is advised that to comply with the condition relating to the standard of works to trees, the work should be carried out in accordance with British Standard BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".
13. The applicant is advised that to comply with the condition relating to the protection of trees, the measures should be in accordance with British Standard BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".
14. The felling of trees should be undertaken by a competent tree surgeon in accordance with BS3998-2010 Tree work- Recommendations.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0214

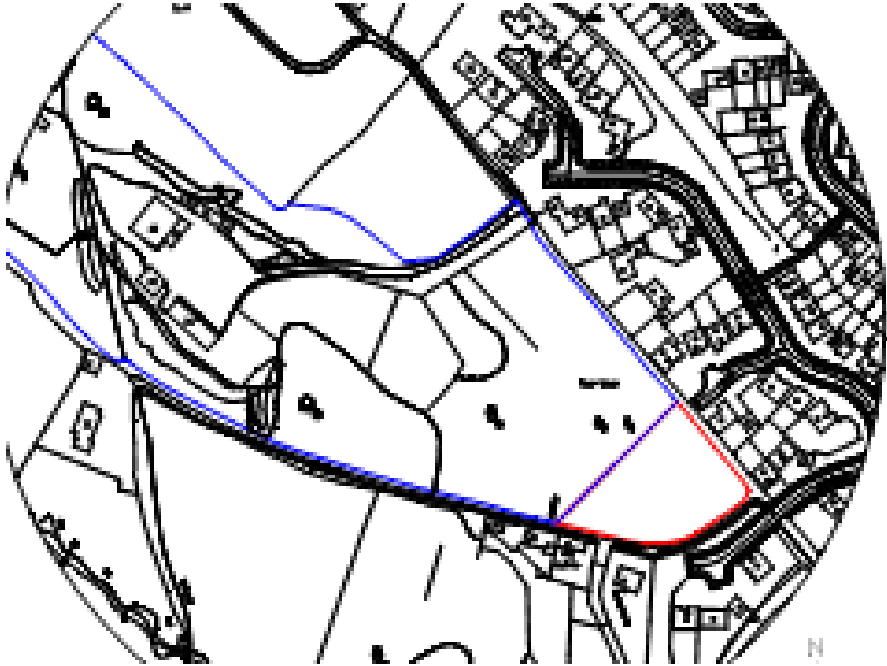
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	15/4/2016
2	WCC Rights of Way	Consultation response	23/8/16
3	WCC Ecology	Consultation response	25/8/16
4	Hartshill Parish Council	Consultation response	8/9/16
5	NWBC Environmental Health	Consultation response	9/9/16
6	WCC Highways	Consultation response	19/9/16
7	NWBC Environmental Health (pollution)	Consultation response	20/9/17
8	NWBC Streetscape	Consultation response	23/9/16
9	WCC Highways	Consultation response	17/11/16
10	NWBC Streetscape	Consultation response	22/11/16
11	Hartshill Parish Council	Consultation response	5/12/16
12	WCC Highways	Consultation response	02/12/16
13	NWBC Tree officer	Consultation response	20/12/16
14	WCC Ecology	Consultation response	21/12/16
15	WCC Ecology	Consultation response	18/4/17
16	J Strickland	Comments	22/8/16
17	P Ulanowski	Objection	23/8/16
18	J Howle	Objection	1/9/16
19	A Middleton	Objection	1/9/16
20	A Forryan	Objection	6/9/16
21	B Welfare	Objection	8/9/16
22	R Mckinley	Comments	9/9/16
23	P Binfield	Objection	13/9/16
24	J Howle	Comments	19/1/17
25	B Welfare	Objection	30/3/17
26	Case officer	Email to agent	20/4/16
27	Agent	Email to case officer	17/8/16
28	Case officer	Email to agent	19/9/16
29	Agent	Email to case officer	19/9/16
30	Case officer	Email to agent	14/9/16
31	Case officer	Email to agent	14/12/16
32	Agent	Email to case officer	15/12/16
33	Case officer	Email to agent	13/1/17
34	Agent	Email to case officer	15/1/17
35	Case officer	Meeting notes	6/2/17
36	WCC Ecology	Email to case officer	6/2/17
37	Case officer	Email to agent	20/12/16
38	Case officer	Email to agent	23/11/16

39	Agent	Email to case officer	21/11/16
40	Case officer	Neighbour	19/1/17
41	Case officer	Email to agent	20/1/17
42	Agent	Email to case officer	22/1/17
43	WCC Ecology	Email to case officer	26/1/17
44	Case officer	Email to agent	27/1/17
45	Application Ecologist	Email to case officer	30 and 31/1/17
46	Case officer	Email to agent	6/2/17
47	WCC Ecology and case officer	Emails	6/2/17
48	WCC Ecology and case officer	Emails	17/2/17
49	WCC Ecology and case officer	Emails	10/3 – 6/3/17
50	Case officer	Email to agent	18/4/17

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

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

Appendix A – Location plan

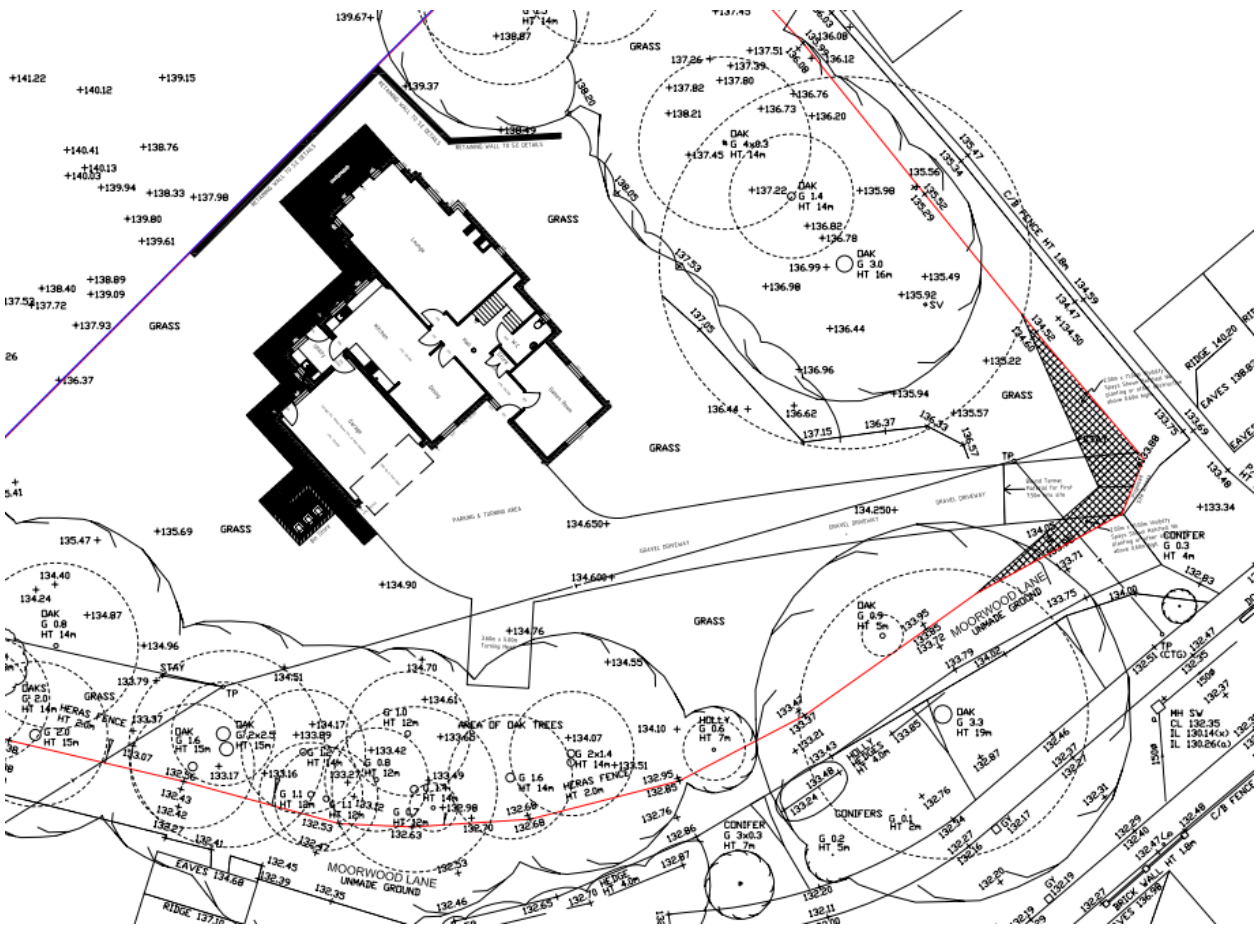


Appendix B – Tree plan, with 5 sycamores proposed to be removed  
Moorwood Lane Arboricultural Report

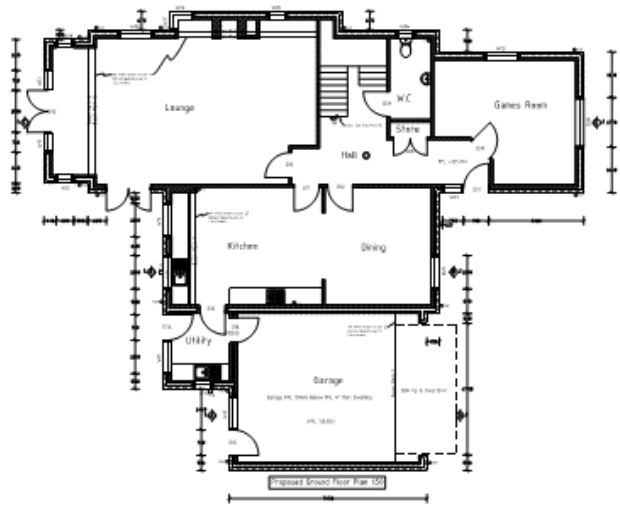
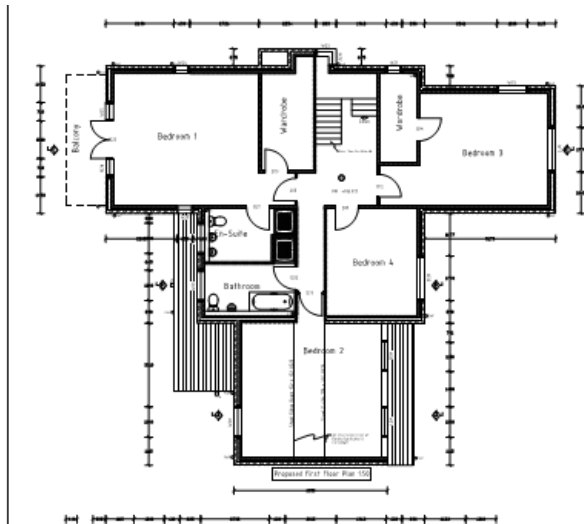
Client: Mr Dimarco  
Site: New Residence, Moorwood Lane,  
Hartshill, Nuneaton  
Date of Survey: 23<sup>rd</sup> June 2016  
Arboricultural Surveyor:  
Dr David Hickie BSc (Hons), MA, PhD, CMLI, CEnv  
Tagged: Trees not tagged  
Weather: Overcast



Appendix C – Site layout

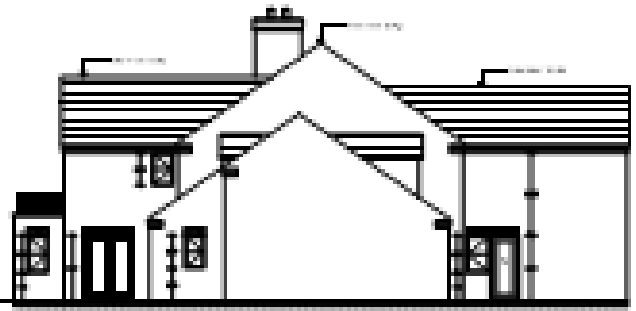


Appendix D - Plans





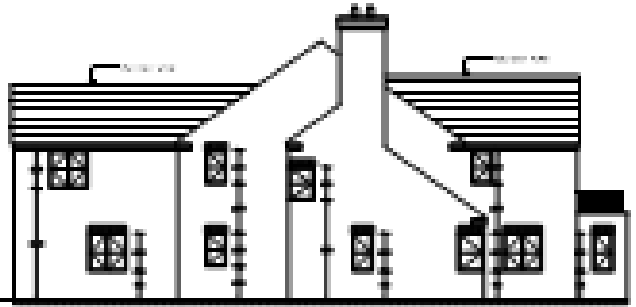
Proposed Front Elevation 1/80



Proposed Side Elevation 'A' 1/80

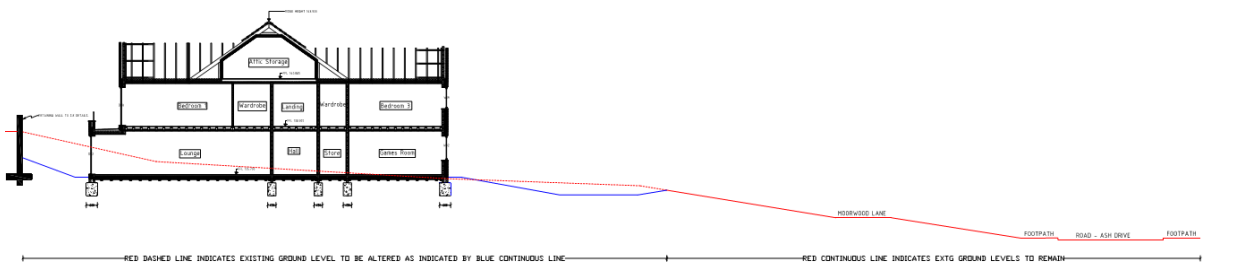
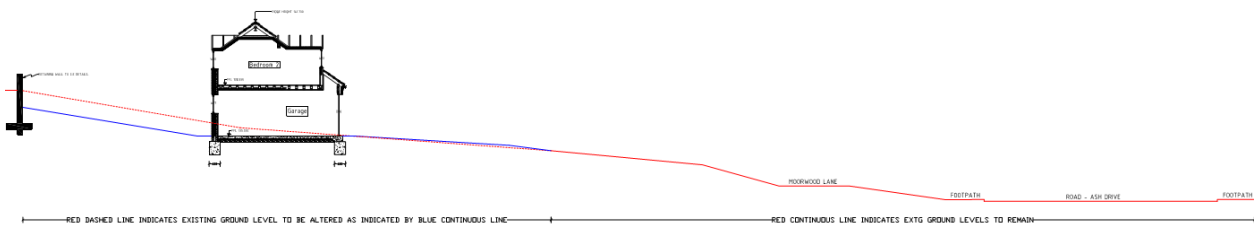
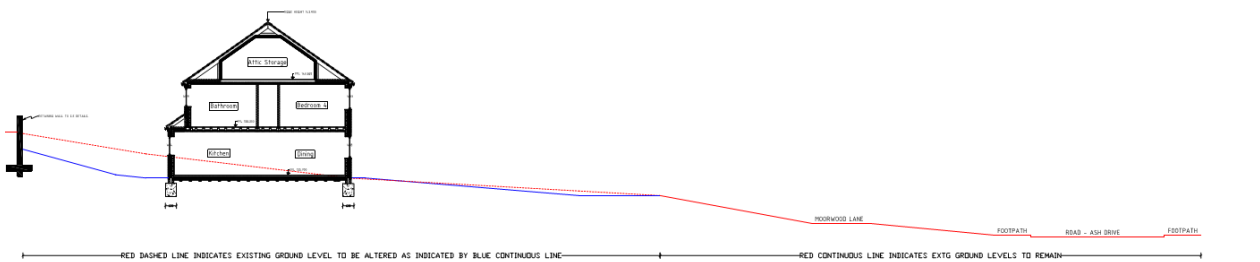


Proposed Rear Elevation 1/80



Proposed Side Elevation 'B' 1/80

## Appendix E – Site sections



Appendix F – Photos







Below is a photo taken in April 2017



**Moorwood Geological Trail**

The Geological Trail starts at Hartshill Hayes Country Park, which is owned and maintained by Warwickshire County Council. From the car park, head towards the far corner, opposite the adventure playground. Follow the path into the woods, and then out towards the meadow along the embankment of the covered reservoir. Continue along the path until you reach (1)

**1) Viewpoint**

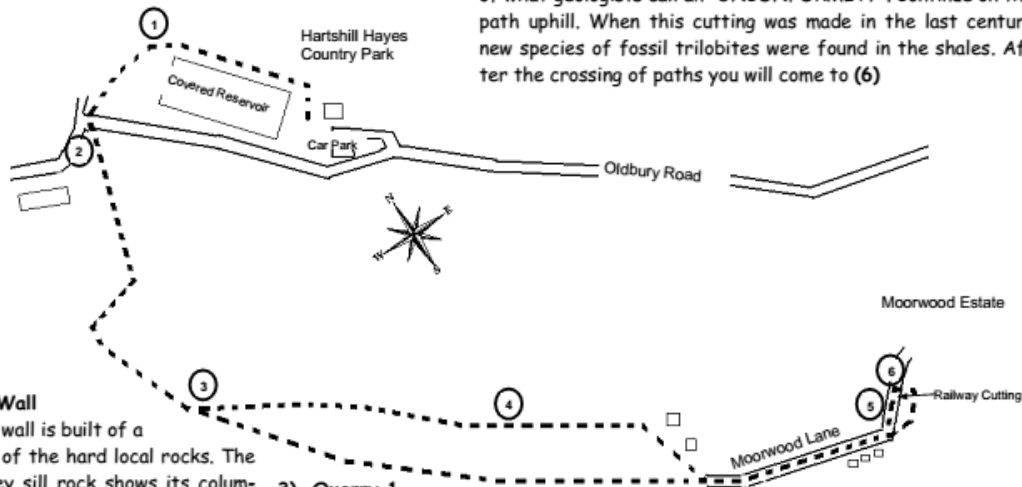
You are now standing on the ridge of older, harder rocks which protrude through the softer younger rocks of the plain. To the north-east the even older rocks of Charnwood Forest are visible in good weather. The ridge structure runs roughly NW-SE with the rocks tilting down to the SW at an angle of 30 - 35 degrees. On the ridge itself the harder sill rocks have resisted the effects of weathering more than the relatively softer shales to give the hillside its stepped appearance.

**4) Quarry 2**

Quarrying of sill rock has formed this large trench. The vertical face here is protected from the weather by over-hanging trees. It shows the direction in which the sill is running (the STRIKE) and the angle at which the shales and the sill are tilted (the DIP ). You can also see the way in which the sill rock has cracked to form roughly hexagonal columns.

**5) Railway Cutting RIGS site**

Here you can stand with one foot placed on rocks two hundred million (200, 000,000) years older than those below your other foot. How's that for "time travel"? This is an example of what geologists call an "UNCONFORMITY". Continue on the path uphill. When this cutting was made in the last century new species of fossil trilobites were found in the shales. After the crossing of paths you will come to (6)



**2) The Wall**

This old wall is built of a mixture of the hard local rocks. The dark grey sill rock shows its columnar shape and "onion skin" weathering; the Hartshill sandstone blocks have sharp angular edges whereas the Coal Measure sandstone is much yellower in colour and softer in texture so that it tends to crumble

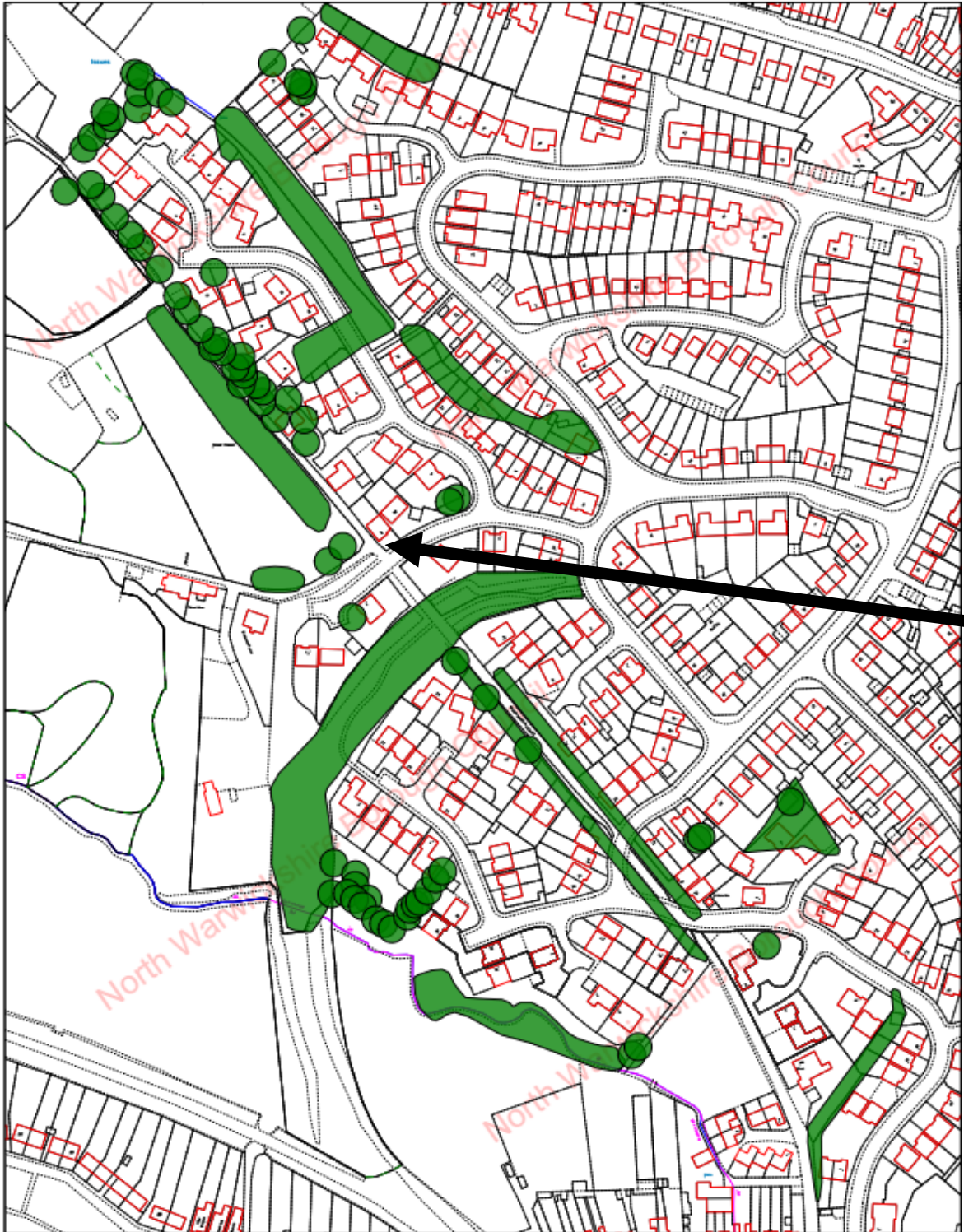


**3) Quarry 1**

This is where the farm owner has been taking some rock to repair the tracks on the farm. Fossil trilobites, which lived in the seas some 560 million years ago, have been found in these rocks. The parallel tilted layers of rock have been much contorted by earth movements and shattered by freezing and thawing during the last ice age.

**6) Sill Exposure**

Here you can see one of the intruded sills in plan view. You are looking at the top surface of the rock, which was revealed when this railway cutting was excavated about 100 years ago. Low down on the right you can see how the heat from the molten rock has baked the underlying shale



No further copies may be made

**North Warwickshire  
Borough Council**

OS License No: 100017910



Date:04:11:11

Scale: 1:?



**(4)**

**a) PAP/2016/0642**

**Redlands, New Street, Baddesley Ensor**

**Extension to front of existing four bedroom house and conversion into two, two-bedroom dwellings with new vehicular access onto Jean Street and demolition of garage and conservatory**

**b) PAP/2016/0643**

**Land adjacent to Redlands with access onto Jean Street, New Street, Baddesley Ensor**

**Erection of three bedroom house with vehicle parking**

**both for**

**Mr G Morton**

**Introduction**

These two applications were reported to the March meeting but determinations were deferred such that Members could undertake site visits to the adjoining sites. This has now occurred and a note of that visit will be circulated at the meeting.

The two previous reports are attached at Appendices A and B.

Members are reminded that a decision has to be taken on each application and therefore different outcomes are possible.

**Recommendations**

That the recommendations as set out in the two Appendices are agreed.

**General Development Applications**

**(#) Application No: PAP/2016/0642**

**Redlands, New Street, Baddesley Ensor, CV9 2DL**

**Extension to front of existing 4 bedroom house and conversion into two, 2 bedroom dwellings with new vehicle access onto Jean Street, and demolition of garage and conservatory, for**

**Mr Gary Morton**

**Introduction**

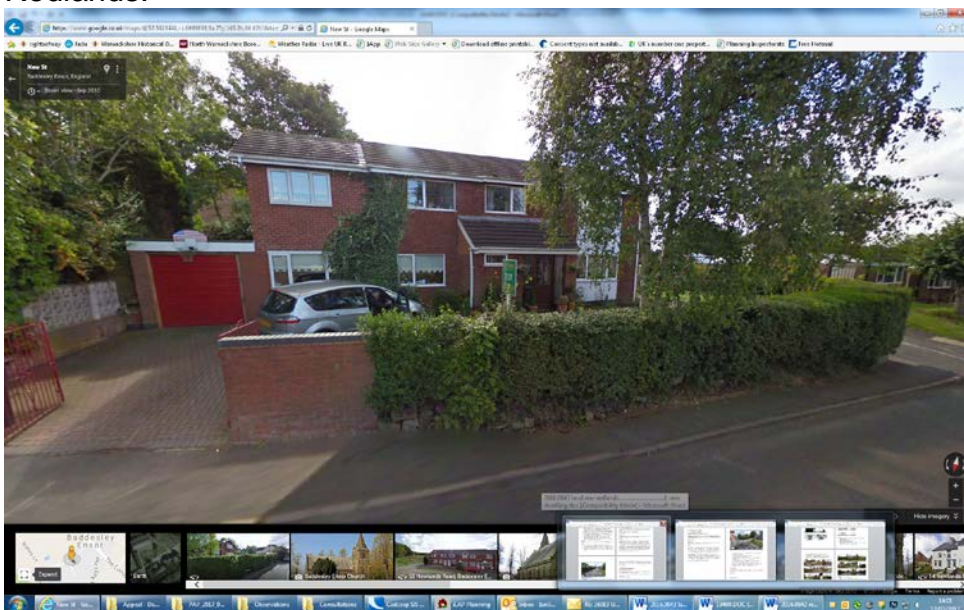
The application is brought before the board, following member request given the access issues related to the development and the level of public interest.

**The Site**

This is an area of land which measures approximately 0.0464 hectares in area and is located within the development boundary. The site has boundaries to New Street and Jean Street. The current main vehicle access is to New Street. A new proposed access to the site will be off Jean Street. The residential area is made up of dwellings of varying styles, designs and ages on a mixture of plot sizes. The application site currently consists as a single residential dwelling, which is detached.

The boundary of the site to New Street and Jean Street is mainly marked by hedging. Below is a streetscene view of the junction of Jean Street and New Street. The Application Site is L shape and rises up from Jean Street. To the north east is a Listed Building, which has a boundary with the application site. To the west are bungalows. Baddesley has a small range of shops, and local facilities, with bus routes.

Photos of the site and area can be viewed in Appendix 1. Below is a street view of Redlands.



## **The Proposal**

It is proposed for an extension to front of existing 4 bedroom house, along with the conversion into two, 2 bedroom dwellings with new vehicle access onto Jean Street, and demolition of garage and conservatory.

Each dwelling will have two off road parking spaces. Each dwelling will contain entrance, WC, living room and kitchen to the ground floor and the first floor will contain two bedrooms and a bathroom. The main first floor windows are to the front and side elevations. The first floor rear windows are to bathroom or landing areas. The ground floor contains windows to the front, side and rear. The area around the dwellings will contain patio area and each dwelling will have garden area, with one being to the side and one being to the rear.

The relevant plans can be viewed in Appendix 2.

## **Background**

The main host dwelling of Redlands was approved in the 1970s. An application was submitted in 2008 for three dwellings on the land between Redlands and 1 Jean Street, however it was withdrawn. A separate application has been submitted for a detached dwelling in part of the garden for Redlands, which would front Jean Street (PAP/2016/0643), to which the plans can be view in Appendix 3.

## **Development Plan**

North Warwickshire Core Strategy 2014 – NW1 (sustainable Development); NW2 (settlement Hierarchy); NW4 (Housing Development); NW5 (Split of Housing Numbers); NW6 (Affordable Housing Provision); NW10 (Development Considerations); NW11 (renewable energy and energy efficiency); NW12 (Quality of Development).

Saved Policies of the North Warwickshire Local Plan 2006 - Core Policy 2 (Development Distribution), ENV6 (Land Resources); ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG2 (Affordable Housing), HSG4 (Densities), TPT2 (Traffic Management and Traffic Safety); (TPT3 (Access and sustainable travel and transport), TPT6 (Vehicle Parking).

Draft 2016 Local Plan

## **Other Relevant Material Considerations**

National Planning Policy Framework 2012

National Planning Policy Guidance 2014

Supplementary Planning Guidance: - The Council's SPG – A Guide for the Design of Householder Developments – Adopted September 2003

Local Finance Considerations: New Homes Bonus (NHB), Community Infrastructure Levy (CIL)

## **Consultations**

Site notice expired – 3/1/2017

Parish Council – no response

Warwickshire Police – no objection

WWC Highways – no objection, subject to conditions and notes

Environmental Health – no objection

NWBC Forward Plans – no response

NWBC Streetscape – bin provision is satisfactory.

WCC Archaeology – unlikely to have significant archaeology impact.

NWBC Housing – no impact upon bungalows on new Street.

## **Representations**

Neighbours – Church House – comments:

Relieved that the revised proposal 25/1/17 clarifies that the garage is demolished and the resulting footprint smaller. If planning granted would appreciate if agent/owner would contact me to discuss boundary landscaping as recently difficult to manage because of lack of maintenance on the site. Hopefully good working relationship will be established with mutual benefit.

Neighbour –\_5 Jean Street – objection;

- Comments related to adjoining site development (PAP/2016/0643).
- Object to PAP/2016/0642 in incredibly strong terms, as the proposal with the adjoining site as it will add threefold to the disruption caused by the building of just a single dwelling, and would be a substantial overdevelopment of the site. An unacceptable level of disruption for residents of Jean Street during building. Large construction and delivery vehicles are not suitable for Jean Street, but the access to the site is still likely to be over the garden hedge located in Jean Street. The allocated parking spaces for each of the new dwellings will be insufficient, adding to the parking issues in Jean Street, as it will be deemed safe to park in our street than on the main road (New Street). Most of the properties in Jean Street have 2 off road parking spaces (the same deemed satisfactory for the new development). However, Jean Street has a serious parking issue.
- Regarding the access to the 2 converted properties, the situation of the driveway to the right-hand semi is incredibly close to the junction of New Street and Jean Street, which is surely dangerous. The new development is likely to result in parking outside the new properties, making the exit of vehicles from Jean Street on to New Street even more treacherous. Especially given that vehicles are frequently required to exit Jean Street in reverse due to the existing parking mayhem, and lack of anywhere to turn around within the street.



- In addition, I would like to object to the architectural design of the conversion of Redlands. This property has been an ugly blot on the landscape for the 44 years since NWBC sadly gave permission for it to be built in the first place. I do hope that if you see fit to grant permission for the proposed conversion of the property you insist the aesthetics of the new design be required to be more sympathetic to the vernacular.
- Keep updated on highway consultation responses.
- Has a traffic survey of Jean Street is to make up part of the decision-making process, please can it be conducted in some part on an evening or weekend, when the majority of the residents are home, and the seriousness of the situation can be properly observed.
- Not originally consulted when the application was submitted.

Revised drawing of March 2017 – comments/objection;

- The properties proposed in the conversion of Redlands to two properties, accessing their driveway from Jean Street rather than New Street would be worse for all concerned than the previous plans to have the access form New Street. Removing any on street parking spaces from Jean Street will only exacerbate an already overstretched parking situation in Jean Street.
- Present an overdevelopment of the site, and fail to consider the sizeable parking issues within the area. They also fail to consider the inconvenience to the residents of Jean Street, and the already stressed access issues regarding emergency services, and residents and visitors.
- What amendments have been made, on the revised plans. Nothing to address the overdevelopment of the site, the inconvenience to the residents, or any attempt to make the proposed new dwellings more visually appropriate to the vernacular.
- How many attempts to revise the scheme does the agent/applicant have to change the application?.
- Has the Council consulted NHS and Fire Service.
- Please can you advise the reasons you are giving the agent for allowing the submission of revised plans, as this would provide the residents with a level playing field, and enlighten us to what the Council considers being unacceptable in this case.

## **Observations**

The determination of this application rests on balancing the relevant policies of the Core Strategy with includes the saved Local Plan and the NPPF, and considering if the proposal overcomes the previous refusal

## **Housing**

Baddesley is within a Category 3A settlement with a development boundary as covered by policy NW2 of the Core Strategy. The site is within the development boundary. As members are aware that new dwellings are required between 2011 and 2029 with some 3650 dwellings needed to be constructed, however the Council does not have a current 5 year land supply and the need for dwellings here would help meet the need for house building in the borough. The draft Local Plan 2016 sets out the need for 5280 dwellings. This is therefore sustainable development and should thus be approved in principle.

As the proposal here is for one additional dwelling, given the conversion into two dwellings, and policy NW6, sets out that 20% should be affordable. However under recent changes to national guidance, sites under ten dwellings are not required to provide any off site contribution. The proposal is for an additional single dwelling at Redlands, and is considered acceptable to this part of the Core Strategy and NPPF.

## **Amenity**

The dwelling is existing and is within an existing established residential area, and the site is visible from the public realm. The main first floor windows are to the front and side. The ground floor contains front side and rear windows. It is considered that the rear elevation first floor will not lead to any additional overlooking issues, given the windows serve bathrooms and landing area. Opposite the site to the front is a former farm and given the openings are existing, it is considered no additional overlooking or harm will impact upon the farm site.

To the north east side is Church House, however with no additional openings facing onto Church House. It is considered on balance the proposal would not cause an adverse amenity impact on this neighbour beyond what they might reasonably expect to enjoy. The side garage will be removed and a side patio area introduced, however this not considered to impact upon amenity. The owner of Church House has requested discussions about boundary treatment and a note can be added as such.

No.1 Jean Street is to the south east, and contains a recent addition of a rear garden outbuilding on higher land than the application site, also No.1 has side facing windows. The application site is no closer than the existing dwelling. The rear garden will adjoin an existing garden, which is acceptable. The separation distances are acceptable. The ground floor rear windows will serve a kitchen and living room, which is considered acceptable. The first floor windows will serve landing areas and bathrooms, and thus no direct overlooking. It is considered on balance the proposal would not cause an adverse amenity impact on this neighbour beyond what they might reasonably expect to enjoy.

To the South west is a bungalow which is No.139 New Street, and the front of the proposed dwelling would be 11.5metres to the side of 139. The four bungalows to which 139 forms a row have parking spaces, to which the development should not impact upon in an unacceptable manner. The proposed access will be opposite the side elevation however is considered acceptable. The bungalow along with the adjoining bungalows, are owned by the Council and the housing team have raised no objection.

Representations have set out that the side vehicle access onto Jean Street, will cause issues on Jean Street, and this will be covered later in the report. The scheme on balance is not considered to impact upon other dwellings in an unacceptable manner.

As set out in Appendix 3 a single dwelling is proposed in the rear garden. The dwelling has not been determined and thus not constructed at the time of determining the application. It is considered that the proposal would not lead to an unacceptable amenity impact if this dwelling had been constructed, given the existing openings.

The future occupiers have to be considered. The garden areas whilst small are considered to be being acceptable on balance. The separation distances to the neighbouring properties is acceptable and therefore allow a level of amenity and privacy. The layout of the dwelling with regards to living arrangements is considered to be acceptable.

A condition can be added to any approval for no additional openings, and the scheme on balance is not considered to impact upon other dwellings in an unacceptable manner. Overall the proposal is not considered to result in a loss of amenity, privacy or loss of light that would result in an unacceptable impact upon the neighbouring properties. The proposal complies with the Core Strategy and paragraph 17 of the NPPF.

### **Highways, parking and sustainability**

The main objection and concern of the neighbours is the vehicle access to the site. It should be noted that the Highways Authority raise no objections to the scheme, subject to conditions and notes as set out later in the report.

The proposal will create 2 off road spaces, in addition to the existing 2 off road parking spaces, so that each dwelling has 2 vehicle spaces. The scheme meets parking standards for the Council. Representations have highlighted parking issues in the area. The site access is likely to result in the loss of two on road parking spaces, and in effect removing any parking at the junction of Jean Street and New Street. Jean Street is a narrow road and serves a number of properties and one additional dwelling is not considered to lead to a detrimental impact upon parking. If this application and the new dwelling to the rear of Redlands is constructed then three on road parking spaces could be lost, however as raised by the representations Jean Street is narrow, and this could result in fewer vehicles close to the junction and improving road safety.

Representations have raised comments about emergency vehicle access to the road, however the Council does not consult the NHS and the site is below the threshold for Fire Service consultation. It is considered that the existing situation for emergency vehicles will not change with a new dwelling and any construction work would have to be carried out off the highway. Representations have raised concerns over building work, but it would be for a short period, and a condition can be set out covering the construction times.

Jean Street is a D class road. The access to the site is within an existing residential area, and is close settlement with access to a local shop and facilities. The site is near bus routes with links to the surrounding areas. The site is considered to be sustainable and thus in compliance with the NPPF.

### **Design and siting**

The design of the front extension is in keeping and appropriate to the area, given the main frontage is from New Street. The local area contains a range of dwelling materials, with Jean Street being terraced dwellings. The area is a mix of old and new dwellings. The proposal will lead to a modern design, contemporary design considering the surrounding architecture and design features.

The Councils Core Strategy policy NW12 sets out that developments should demonstrate a high quality of sustainable design that positively improve the individual settlement's character; appearance and environmental quality of an area. In this case the scheme is considered to comply with NW12.

## Heritage

The application site has a boundary with a Listed Building of Church House to the north east is listed. Below are relevant photos of the building.



The demolition of the existing element is welcomed and will improve the impact of the application dwelling as extended to the front.

The scheme can be supported given the positive effect on the historic architecture of the listed building. The current proposal is not considered to cause harm beyond that of the existing arrangement, thus the heritage asset is preserved with a positive enhancement. The proposal is considered to lead to less than substantial harm upon the heritage asset. The boundary treatment is not known, but can be conditioned. The setting and impact upon the heritage asset is a material consideration as covered by paragraph 132 of the NPPF 2012. The Councils policy NW14 of the Core Strategy, seeks to protect and enhance the heritage asset, and that redundant historic buildings will be re used.

## Other issues

The dwelling can accommodate a bin storage area to the frontage. Representations received have questioned how many times revised plans can be provided and the consultation process. The planning department have carried out consultation in the correct manner and any neighbours who made a representation have been consulted with revised plans. The agent is allowed to submit revised drawing during the determination process, in order to overcome any objection and comments. Any proposal on a neighbouring site, would have to be considered at the time of submission. Any

power distribution issues along the street are not material to planning and are covered by the relevant body. A 2008 withdrawn application

## Overall

The application should be supported subject to conditions.

## Recommendation

That the application be **Granted** subject to conditions:

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

### REASON

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

2. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 375/216/02 REV E received by the Local Planning Authority on 14 March 2017.

### REASON

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

3. No development shall be commenced before details of the facing bricks, roofing tiles, external render, external materials and surfacing materials to be used have been submitted to and approved by the Local Planning Authority in writing. The approved materials shall then be used.

### REASON

In the interests of the amenities of the area.

4. Before occupation of the dwellinghouses a landscaping scheme shall be submitted to the Local Planning Authority for approval. The scheme shall include boundary treatments.

### REASON

In the interests of the amenities of the area.

5. No work relating to the construction of the development hereby approved, including works of preparation prior to operations, shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall remain in operation during the length of construction.

### REASON

To protect the amenities of nearby residential property.

6. No development shall commence until full details of the surfacing, drainage and levels of the car parking and manoeuvring areas as shown on the approved plan have been submitted to and approved in writing by the Council. No unit shall be occupied until the areas have been laid out in accordance with the approved details and such areas shall be permanently retained for the parking and manoeuvring of vehicles, and shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

REASON

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

7. No development whatsoever within Class A, B and C of Part 1, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall not commence on site.

REASON

In the interests of the amenities of the area.

8. No additional opening shall be made other than shown on the plan hereby approved, nor any approved opening altered or modified in any manner.

REASON

To protect the privacy of the occupiers of adjoining properties.

9. The ground floor north western facing WC window and the south eastern facing first floor bathroom windows shall be permanently glazed with obscured glass which shall provide a minimum degree of obscurity equivalent to privacy level 4 or higher and shall be maintained in that condition at all times. For the avoidance of doubt privacy levels are those identified in the Pilkington Glass product range. The obscurity required shall be achieved only through the use of obscure glass within the window structure and not by the use of film applied to clear glass.

REASON

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

10. All planting, seeding or turfing comprised in the approved details of landscaping as covered by condition 4 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON

In the interests of the amenities of the area

11. The development shall not be occupied until visibility splays have been provided to the existing vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.4 metres and 'y' distances of 25.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

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

12. Access for vehicles to the site from the public highway shall not be made other than at the positions identified on the approved drawing, number 375/216/02 Rev E, and shall not be used unless public highway footway crossings have been laid out and constructed in accordance with the standard specification of the Highway Authority.

REASON

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

13. The development shall not be occupied until visibility splays have been provided to the new vehicular access to the site from Jean Street, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.0 metres and 'y' distances of 35 metres looking left and 14 metres looking right, to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

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

14. The development shall not be occupied until pedestrian visibility splays have been provided to the vehicular accesses to the site with an 'x' distance of 2.4 metres, and 'y' distances of 2 metres, as measured to the near edge of the public highway footway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway

REASON

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

15. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal fitting out, shall take place before the hours of 0700 nor after 1900 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON

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

16. All materials obtained from demolition shall be permanently removed from the site within twenty eight days of demolition being commenced.

#### REASON

In the interests of the amenities of the area.

#### Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at [www.communities.gov.uk/publications/planningandbuilding/partywall](http://www.communities.gov.uk/publications/planningandbuilding/partywall).
3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues, by suggesting amendments to improve the quality of the proposal negotiations. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.
4. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow - so far as is reasonably practicable - from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.
5. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness are going to / or being collected from the local schools.



6. The Highways Authority have requested that the development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.
7. The Highways Authority has set out that deliveries and collections associated with the construction of the proposed development shall not occur during peak periods on the highway network (08:00 - 09:00 and 17:00 - 18:00) or during periods when children are going to / or being collected from the local schools.
8. Wildlife and Countryside Act 1981 - Birds. Please note that works to trees must be undertaken outside of the nesting season as required by the Wildlife and Countryside Act 1981. All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions. It is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment. You are advised that the official UK nesting season is February until August.
9. Condition number 12 requires works to be carried out within the limits of the public highway. Before commencing such works the applicant/developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team. This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer. The Area Team may be contacted by telephone: (01926) 412515. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant/developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.
10. The applicant/agent is advised to discuss the new boundary details between Redlands and Church House, before the submission of a landscape plan.
11. You are advised maintain a bin store for each dwelling - both capable of holding 3 x 240L wheelie bins. These could be sited adjacent to the curtilage of the property or at any other location if a hardstanding was provided at the curtilage for presentation on collection day.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0642

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	11/11/16
2	Warwickshire Police	Consultation response	8/12/16
3	NWBC Streetscape	Consultation response	8/12/16
4	NWBC Housing	Consultation response	15/12/16
5	NWBC Env Health	Consultation response	23/12/16
6	WCC Archaeology	Consultation response	4/1/17
7	WCC highways	Consultation response	9/1/17
8	WCC Highways	Consultation response	16/2/17
9	WCC Highways	Consultation response	14/3/17
10	Neighbour - 5 Jean Street	Representation	3/1/17
11	Neighbour - Church House	Representation	25/1/17
12	Neighbour- 5 Jean Street	Representation	13/2/17
13	Neighbour- 5 Jean Street	Representation	13/3/17
14	Neighbour- 5 Jean Street	Representation	14/3/17
15	Case officer	Email and Letter to neighbour	4/1/17
16	Case officer	Email to agent	20/1/17
17	Case officer	Email to agent	30/1/17
18	Case officer	Email to neighbour	13/2/17
19	Agent	Email to case officer	23/2/17
20	Case officer	Emails to agent and neighbour	14/3/17
21	Agent	Email to case officer	14/3/17
22	Case officer	Email to agent	14/3/17
23	Agent	Email to case officer	14/3/17
24	Case officer	Email to neighbour	15/3/17
25	Case officer	Email to agent	22/11/16
26	Agent	Email to case officer	25/11/16
27	Case officer	Email to agent	8/12/16
28	Agent	Email to case officer	8/12/16
29	Case officer	Email to NWBC Streetscape	8/12/16
30	NWBC Streetscape	Email to case officer	8/12/16
31	Case officer	Email to agent	9/12/16
32	Case officer	Email to neighbour	4/1/17
33	Case officer	Email to agent	9/1/17
34	Agent	Email to case officer	20/1/17
35	Case officer	Email to agent	24/1/17
36	Agent	Email to case officer	25/1/17
37	Case officer	Emails to agent	25/1/17
38	Case officer	Email to NWBC landscape	30/1/17

		officer	
39	Neighbour	Email to case officer	12/2/17
40	Case officer	Email to neighbour	13/2/17
41	Case officer	Email to agent	16/2/17
42	Case officer	Email to agent	21/2/17
43	Case officer	Email to agent	14/3/17
44	Case officer	Email to neighbour	15/3/17
45	Case officer	Email to agent	17/3/17
46	Case officer	Email consultation to Councillors	15/3/17

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

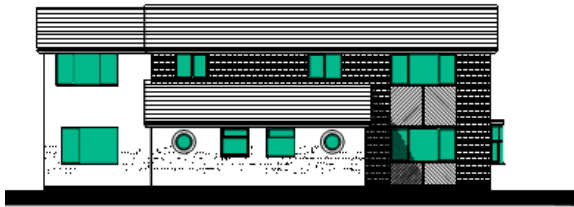
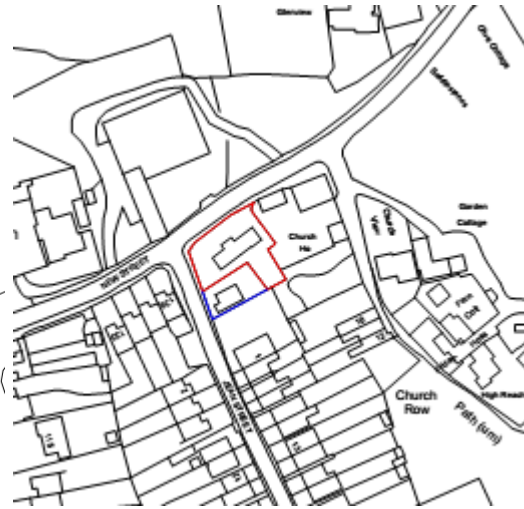
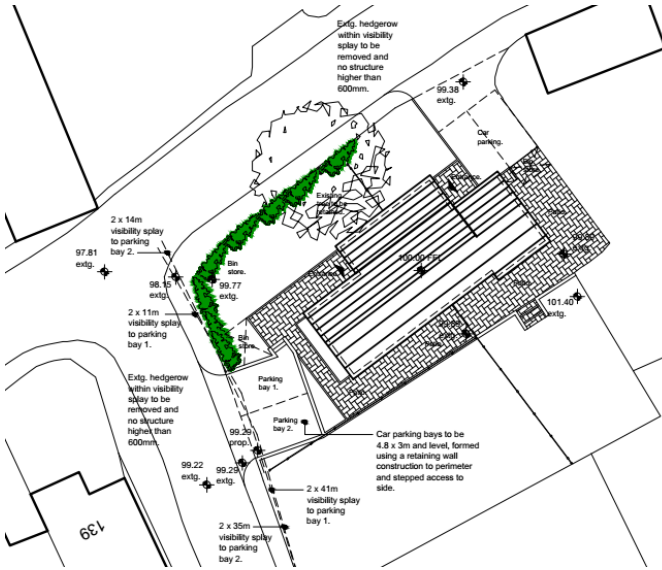
*A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.*

Appendix 1 - photos





# Appendix 2 – Plans



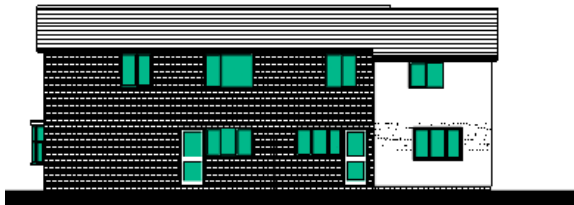
Proposed North West elevation.

Scale 1:100



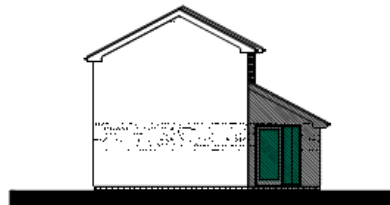
Proposed South West elevation.

Scale 1:100



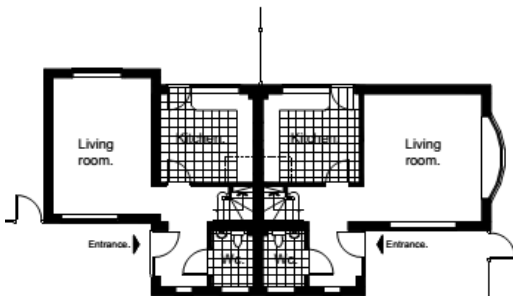
Proposed South East elevation.

Scale 1:100



Proposed North East elevation.

Scale 1:100



Proposed ground floor plan.

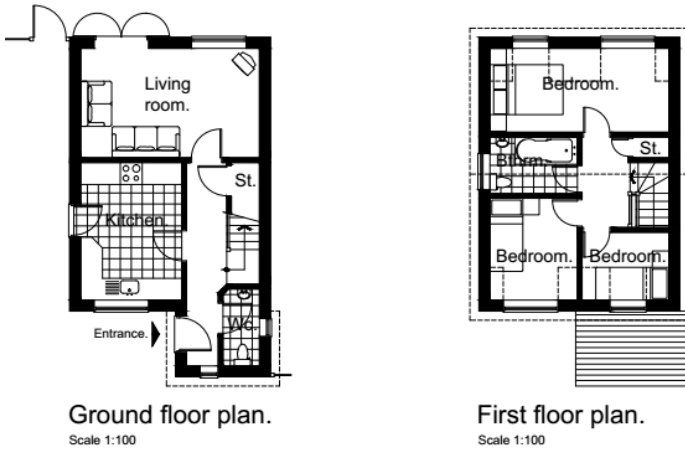
Scale 1:100



Proposed first floor plan.

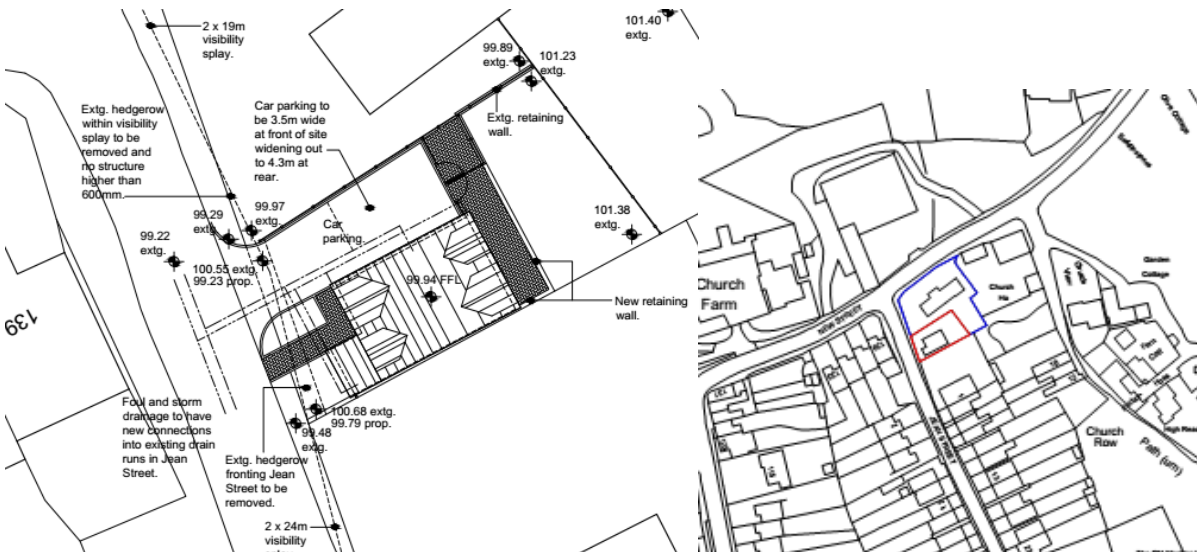
Scale 1:100

# Appendix 3 – plans for PAP/2016/0643



## Section along Jean Street.

Scale 1:100



**General Development Applications**

**(#) Application No: PAP/2016/0643**

**Land Adjacent to Redlands, with access onto Jean Street, New Street, Baddesley Ensor, CV9 2DL**

**Erection of 3 bedroom house with vehicle parking, for**

**Mr Gary Morton**

**Introduction**

The application is brought before the board, following member request given the access issues related to the development and the level of public interest.

**The Site**

This is an area of land which measures approximately 0.017 hectares in area and is located within the development boundary. The site is to the rear of a dwelling known as Redlands on New Street, with the proposed access off Jean Street. The residential area is made up of dwellings of varying styles, designs and ages on a mixture of plot sizes. The Application Site currently consists as part of the residential garden to Redlands, which is a detached dwelling.

The boundary of the site to Jean Street is marked by hedging. Below is a streetscene view of the junction of Jean Street and New Street. The Application Site is rectangular in shape and rises up from Jean Street. To the north east is a Listed Building, but it is not adjoining the red line application site. To the south of the site is a residential garden, and opposite to the west are bungalows. Baddesley has a small range of shops, and local facilities, with bus routes.

Photos of the site and area can be viewed in Appendix 1.





Images taken off [www.google.co.uk](http://www.google.co.uk)

## The Proposal

It is proposed to construct one 3 bedroom house with vehicle parking, off Jean Street.

The proposed dwelling will have a front elevation that fronts Jean Street. The dwelling would have a rear garden, side parking for two vehicles. The two storey element of the dwelling would be 6.5 metres high to the roof ridge.

The dwelling would be slightly below the existing ground level and the relevant plan can be viewed in Appendix 2. The design of the dwelling is cottage style with the first floor windows being partly in the eaves with dormer style features in the roof space. The materials and landscaping is not known, but are likely to be in keeping with the area. The boundary hedge would be removed so to provide highway visibility. The foul and storm drainage is to connect into existing sewer.

The relevant plans can be viewed in Appendix 2.

## Background

The main host dwelling of Redlands was approved in the 1970s. An application was submitted in 2008 for three dwellings on the land between Redlands and 1 Jean Street, however it was withdrawn. A separate application has been submitted for the conversion of the existing dwelling into two dwellings, with a first floor side extension, front extension, internal alterations and new parking arrangements (PAP/2016/0642), to which the plans can be viewed in Appendix 3.

The site is part owned by 1 Jean Street, and a relevant notice has been served.

## Development Plan

North Warwickshire Core Strategy 2014 – NW1 (Sustainable Development); NW2 (settlement Hierarchy); NW4 (Housing Development); NW5 (Split of Housing Numbers); NW6 (Affordable Housing Provision); NW10 (Development Considerations); NW11

(renewable energy and energy efficiency); NW12 (Quality of Development); NW13 (Natural Environment); NW15 (Nature Conservation).

Saved Policies of the North Warwickshire Local Plan 2006 - Core Policy 2 (Development Distribution), ENV6 (Land Resources); ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG2 (Affordable Housing), HSG4 (Densities), TPT2 (Traffic Management and Traffic Safety); (TPT3 (Access and sustainable travel and transport), TPT6 (Vehicle Parking).

2016 Draft Local Plan

### **Other Relevant Material Considerations**

National Planning Policy Framework 2012

National Planning Policy Guidance 2014

Supplementary Planning Guidance: - The Council's SPG – A Guide for the Design of Householder Developments – Adopted September 2003

Local Finance Considerations: New Homes Bonus (NHB), Community Infrastructure Levy (CIL)

### **Consultations**

Site notice expired – 14/12/2016

WWC Highways – no objection subject to conditions and notes

Environmental Health – no comments

NWBC Forward Plans – no response

NWBC Streetscape – no objection but making comments on location of bins.

WCC Archaeology – Request Archaeology condition

NWBC Trainee Heritage Assistant – As site not adjacent to boundary of Listed Building, not considered heritage asset impact.

### **Representations**

Parish Council – no response

Neighbours – objections and comments from Church House, The Common; 9 Jean Street; 5 Jean Street;

Highways

- Major highway problems on Jean Street and New Street.
- Traffic congestion on Jean Street, leading to vehicles having to park on New Street.

- There is very little parking space in this cul-de-sac despite most of the householders parking on their front drives. Access to the street can be very restricted particularly for delivery vehicles. There have been occasions when ambulances have had difficulty in negotiating the parked cars, generally having to reverse onto new street, which is a very difficult and potentially dangerous. The building of this property would generate more traffic and reduce the amount of on road parking, adding to the congestion.
- Loss of three parking spaces on Jean Street, leading to local tensions.
- Vehicles having to reverse out on Jean Street, due to limited turning space.
- Concerns over construction traffic will lead to further issues.
- The street has issues with emergency vehicles accessing Jean Street.

#### Design

- The design is not in keeping with the area.

#### Other issues

- The remainder of the site could be developed.
- The building of this one house will do little to add to the housing stock or alleviate the housing shortage in this area. There are already significant developments, actual or planned, in the areas of Grendon, Dordon, Polesworth and Tamworth.
- Concerned that not all residents on Jean Street have been consulted.
- Application description was not correct.
- 2008 application needs to be considered.
- Disruption of one dwelling would impact upon the area and Jean Street.
- The applicant does not live in the area.
- Recent loss of power to Jean Street, and concern that a new dwelling could further impact upon services.

#### Revised drawing of March 2017 – comments/objection;

- The properties proposed in the conversion of Redlands to two properties, accessing their driveway from Jean Street rather than New Street would be worse for all concerned than the previous plans to have the access form New Street. Removing any on street parking spaces from Jean Street will only exacerbate an already overstretched parking situation in Jean Street.

- The properties proposed in the conversion of Redlands to two properties, accessing their driveway from Jean Street rather than New Street would be worse for all concerned than the previous plans to have the access from New Street. Removing any on street parking spaces from Jean Street will only exacerbate an already overstretched parking situation in Jean Street.
- Present an overdevelopment of the site, and fail to consider the sizeable parking issues within the area. They also fail to consider the inconvenience to the residents of Jean Street, and the already stressed access issues regarding emergency services, and residents and visitors.
- What amendment have been made, on the revised plans. Nothing to address the overdevelopment of the site, the inconvenience to the residents, or any attempt to make the proposed new dwellings more visually appropriate to the vernacular.
- How many attempts to revise the scheme does the agent/ applicant have to change the application?

## **Observations**

The determination of this application rests on balancing the relevant policies of the Core Strategy with includes the saved Local Plan and the NPPF.

The proposal for one additional dwelling within Baddesley does accord with the Council's Core Strategy 2014 and the relevant saved policy in the Local Plan. The starting position is therefore a presumption that the application can be supported.

## **Housing**

Baddesley is within a Category 3A settlement with a development boundary as covered by policy NW2 of the Core Strategy. The site is within the development boundary. As members are aware that new dwellings are required between 2011 and 2029 with some 3650 dwellings need to constructed, however the Council does not have a current 5 year land supply and the need for dwellings here would help meet the need for house building in the borough. The draft Local Plan 2016 sets out the need for 5280 dwellings.

This is therefore sustainable development and should thus be approved in principle.

As the proposal here is for one dwelling policy NW6, sets out that 20% should be affordable. However under recent changes to national guidance, sites under ten dwellings are not required to provide any off site contribution.

The NPPF under paragraph 53 covers garden development, however the Council does not have a policy for garden development. However, each case is taken on its own merits, and is considered as part of the policies of the Core Strategy. The proposal is for a single dwelling in part of the read garden of Redlands, and is considered acceptable to this part of the Core Strategy and NPPF.

## Amenity

The dwelling site is an existing garden and is within an existing established residential area, and the site is visible from the public realm. The application site is to the bottom of the existing road and opposite the side of a bungalow (139 New Street). A proposed dwelling will take up at least one parking spaces on the road and any construction work will be for a short period and could lead to additional vehicles being parked, however the majority of the construction work takes place during the day when normally people are at work, thus reducing the potential impact upon Jean Street.

The development would not lead to any greater impact upon the emergency services than is currently in place, it is considered. It is noted that the loss of one space could lead to additional parking problems, however one additional vehicle space lost is not considered a reason for refusal. The proposed dwelling will create two off road parking spaces. Jean Street is a cul de sac so all vehicles have to pass the application site upon entry and leaving Jean Street.

Below are photos of parking two wards the bottom of Jean Street, in the area of the application site.



Below are images taken off [www.google.co.uk](http://www.google.co.uk) during the day shows the parking arrangements along Jean Street. The dwellings do have off road parking areas.





No. 1 Jean Street is to the side of the application site and has been extended. No.1 does have a side facing windows facing towards the side garden and towards the application site. The application will have one small ground floor WC window. The gap between the side of No.1 and the application site is around 12.5 metres. No.1 it was noted has a rear garden outbuilding, and the proposed dwelling will have rear first floor windows which could lead to overlooking. The rear garden at present is overlooked from neighbouring properties. It is considered on balance the proposal would not cause an adverse amenity impact on this neighbour beyond what they might reasonably expect to enjoy.

The main impact of the scheme would be upon Redlands, New Street to which the proposal is within the rear garden, and is to the north/north east of the application site and is currently one dwelling. Through a separate application it is proposed to be converted into 2 dwellings and the plans can be viewed in Appendix 3. At present the main windows to Redlands on the ground and first floor are to the front and side, with secondary windows to the rear. The proposed conversions will have main windows to the front and side, with ground floor rear kitchen and rear first floor bathroom and land area windows. The proposed dwelling will be 6 metres from the rear of Redlands, whilst not ideal, given the existing opening is acceptable. The rear windows to the proposed dwelling will overlook the garden area to the eastern dwelling of Redlands, given a distance of 7 metres to the rear fence line. The land level will be raised. It is considered on balance to be acceptable with regards to amenity. It is considered that the rear elevation first floor will not lead to any additional overlooking issues, given the windows serve bathrooms and landing area at Redlands.

To the north east side is Church House, but is not an adjoining land boundary. The opening to the rear of the proposed dwelling, are considered on balance would not cause an adverse amenity impact on this neighbour beyond what they might reasonably expect to enjoy.

To the South west is a bungalow which is No.139 New Street, and the front of the proposed dwelling would be 11.5metres to the side of 139. The four bungalows to which 139 forms a row have parking spaces, to which the development should not impact upon in an unacceptable manner. Below is a photo of the rear of 139.



The proposal will look towards the rear access area. It is considered on balance the proposal would not cause an adverse amenity impact on this neighbour beyond what they might reasonably expect to enjoy. The bungalow along with the adjoining bungalows, are owned by the Council and the housing team have raised no objection.

The future occupiers of the proposed dwelling have to be considered. The garden area is small but acceptable. The dwelling and garden area will be overlooked given the existing residential area and the changes to the topography of the land. The separation distances to the neighbouring properties is acceptable and therefore allow a level of amenity and privacy. The layout of the dwelling with regards to living arrangements is considered to be acceptable.

A condition can be added to any approval for no additional openings, and the scheme on balance is not considered to impact upon other dwellings in an unacceptable manner. Overall the proposal is not considered to result in a loss of amenity, privacy or loss of light that would result in an unacceptable impact upon the neighbouring properties. The proposal complies with the Core Strategy and paragraph 17 of the NPPF.

### **Highways, parking and sustainability**

The main objection and concern of the neighbours is the vehicle access to the site. It should be noted that the Highways Authority raise no objections to the scheme, subject to conditions and notes as set out later in the report.

The proposal will create 2 off road spaces, for the dwelling, which is considered to be acceptable and provide enough space so not leading to off-site parking and meeting parking standards for the Council. Representations have highlighted parking issues in the area. The site access is likely to result in the loss of one on road parking space. Jean Street is a narrow road and serves a number of properties and one additional dwelling is not considered to lead to a detrimental impact upon parking.

Representations have raised comments about emergency vehicle access to the road, however the Council does not consult the NHS and the site is below the threshold for Fire Service consultation. It is considered that the existing situation for emergency vehicles will not change with a new dwelling and any construction work would have to be carried out off the highway. Representations have raised concerns over building work, but it would be for a short period, and a condition can be set out covering the construction times.

Jean Street is a D class road. The access to the site is within an existing residential area, and is close settlement with access to a local shop and facilities. The site is near bus routes with links to the surrounding areas. The site is considered to be sustainable and thus in compliance with the NPPF.

## **Design and Siting**

The main frontage to Jean Street will contain a brick and tile finish. The local area contains a range of dwelling materials, with Jean Street being terraced dwellings. The design and appearance of the new dwelling would be different to the surrounding two storey dwellings in Jean Street, however be of a similar height to Redlands. However it is not considered to carry weight to support a refusal

The design is modern contemporary, and designed with first floor windows within the eaves to reduce the height and visual impact. It will have good architectural features. The area is a mix of old and new dwellings. The proposal will lead to a modern design, contemporary design considering the surrounding architecture and design features.

The siting of the dwelling is visible in the streetscene given the siting. Core Strategy policy NW12 sets out that developments should demonstrate a high quality of sustainable design that positively improve the individual settlement's character; appearance and environmental quality of an area. In this case the scheme is considered to comply with NW12.

## **Heritage**

The application site is close to a Listed Building, but not adjoining the boundary. The setting and impact upon the heritage asset is a material consideration as covered by paragraph 132 of the NPPF 2012. The Councils policy NW14 of the Core Strategy, seeks to protect and enhance the heritage asset, and that redundant historic buildings will be re used. It is considered that on balance that the proposal will seek to preserve the adjoining Listed Building. The listed building occupies a prominent position, it is surrounded by residential development of varying ages, styles and sizes. It is not considered the proposed development will have an adverse impact on the setting for the reasons outlined above. As a result, the proposal is considered to meet the requirements of Section 12 of the NPPF, Policy ENV16 of the Local Plan and Policy NW14 of the Core Strategy. The harm would be less than substantial it is considered.

## **Other issues**

The dwelling can accommodate a bin storage area to the frontage. Representations received have questioned how many times revised plans can be provided and the consultation process. The planning department have carried out consultation in the correct manner and any neighbours who made a representation have been consulted with revised plans. The agent is allowed to submit revised drawing during the determination process, in order to overcome any objection and comments. Any proposal on a neighbouring site, would have to be considered at the time of submission. Any power distribution issues along the street are not material to planning and are covered by the relevant body. A 2008 withdrawn application

## **Overall**

The proposal for one new dwelling in the development boundary is acceptable. The proposal is considered to be acceptable with regards to highways and other matters as set out the report.



## Recommendation

That the application be **GRANTED** subject to conditions:

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

### REASON

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

2. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 375/216/03 REV D received by the Local Planning Authority on 14 March 2017.

### REASON

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

3. No development shall be commenced before details of the facing bricks, roofing tiles, external materials and surfacing materials to be used have been submitted to and approved by the Local Planning Authority in writing. The approved materials shall then be used.

### REASON

In the interests of the amenities of the area.

4. Before occupation of the dwellinghouses a landscaping scheme shall be submitted to the Local Planning Authority for approval.

### REASON

In the interests of the amenities of the area.

5. No work relating to the construction of the development hereby approved, including works of preparation prior to operations, shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall remain in operation during the length of construction.

### REASON

To protect the amenities of nearby residential property.

6. Notwithstanding the plans submitted no development shall commence until full details of the surfacing, drainage and levels of the car parking and manoeuvring areas as shown on the approved plan have been submitted to and approved in writing by the Council. The unit shall not be occupied until the areas have been laid out in accordance with the approved details and such areas shall be permanently retained for the parking and manoeuvring of vehicles, and shall not

be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

REASON

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

7. No development shall take place until:

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

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

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

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

REASON

To ensure the recording of any items of archaeological interest.

8. No development whatsoever within Class A, B and C of Part 1, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall not commence on site.

REASON

In the interests of the amenities of the area.

9. No additional opening shall be made other than shown on the plan hereby approved, nor any approved opening altered or modified in any manner.

REASON

To protect the privacy of the occupiers of adjoining properties.

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

REASON

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

11. All planting, seeding or turfing comprised in the approved details of landscaping as covered by condition 4 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON

In the interests of the amenities of the area.

12. The development shall not be occupied until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.0 metres and 'y' distances of 24 metres looking left and 19 metres looking right to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

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

13. Access for vehicles to the site from the public highway shall not be made other than at the position identified on the approved drawing, number 375/216/03 Rev D, and shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority

REASON

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

14. The development shall not be occupied until pedestrian visibility splays have been provided to the access to the site with an 'x' distance of 2.4 metres, and 'y' distances of 2 metres, as measured to the near edge of the public highway footway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

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

15. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal fitting out, shall take place before the hours of 0700 nor after 1900 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

#### REASON

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

#### Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at [www.communities.gov.uk/publications/planningandbuilding/partywall](http://www.communities.gov.uk/publications/planningandbuilding/partywall).
3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues, by suggesting amendments to improve the quality of the proposal negotiations. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.
4. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow - so far as is reasonably practicable - from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

5. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness are going to/or being collected from the local schools.
6. The Highways Authority have requested that the development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.
7. The Highways Authority has set out that deliveries and collections associated with the construction of the proposed development shall not occur during peak periods on the highway network (08:00 - 09:00 and 17:00 - 18:00) or during periods when children are going to/or being collected from the local schools.
8. Wildlife and Countryside Act 1981 - Birds. Please note that works to trees must be undertaken outside of the nesting season as required by the Wildlife and Countryside Act 1981. All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions. It is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment. You are advised that the official UK nesting season is February until August.
9. Condition number 13 requires works to be carried out within the limits of the public highway. Before commencing such works the applicant/developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team. This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer. The Area Team may be contacted by telephone: (01926) 412515. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant/developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0643

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	11/11/2016
2	NWBC Streetscape	Consultation response	24/11/16
3	WCC Archaeology	Consultation response	2/12/16
4	WCC Highways	Consultation response	21/12/16
5	NWBC Environmental Health	Consultation response	21/12/16
6	WCC Highways	Consultation response	16/02/17
7	WCC Highways	Consultation response	14/03/17
8	Neighbour – Church House	Representation	5/12/16
9	Neighbour – 9 Jean Street	Representation	12/12/16
10	Neighbour – 5 Jean Street	Representation	12/12/16
11	Neighbour – 5 Jean Street	Representation	03/01/17
12	Neighbour – 5 Jean Street	Representation	13/02/17
13	Neighbour – 5 Jean Street	Representation	13/3/17
14	Neighbour – 5 Jean Street	Representation	14/03/17
15	Agent	Email to case officer	20/12/16
16	Case officer	Letter to neighbour	04/01/17
17	Case officer	Letter to neighbour	04/01/17
18	Case officer	Email to agent	20/01/17
19	Case officer	Email to agent	30/01/17
20	Case officer	Email to neighbour	13/02/17
21	Agent	Email to case officer	23/02/17
22	Neighbour and case officer	Emails including agent	14/03/17
23	Agent	Email to case officer	14/03/17
24	Case officer	Email to agent	14/03/17
25	Agent	Email to case officer	14/03/17
26	Case officer	Email to neighbour	15/03/17
27	Case officer	Email to agent	29/11/16
28	Case officer	Email to neighbour	12/12/17
29	Case officer	Email to neighbour	12/12/17
30	Case officer	Email to agent	15/12/17
31	Agent	Email to case officer	16/12/17
32	Case officer	Email to agent	20/12/17
33	Agent	Email to case officer	20/12/17
34	Case officer	Email to agent	20/12/17
35	Case officer	Email to NWBC Housing	7/2/17
36	NWBC Housing	Email to case officer	8/2/17
37	Case officer	Email to agent	16/02/17
38	Case officer	Email to agent	21/02/17
39	Neighbour	Email to case officer	13/03/17

40	Case officer	Email to agent	15/3/17
41	Agent	Email to case officer	15/03/17
42	Case officer	Email to agent	16/03/17
43	Case officer	Email to agent	16/03/17
44	Agent	Email to case officer	16/03/17
45	Case officer	Councillor consultation email	15/03/17

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

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

Appendix 1 – photos







**Appendix 2 – plans**

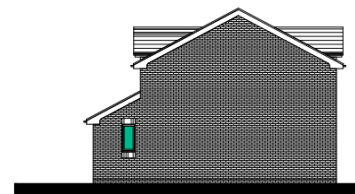


South West elevation.  
Scale 1:100

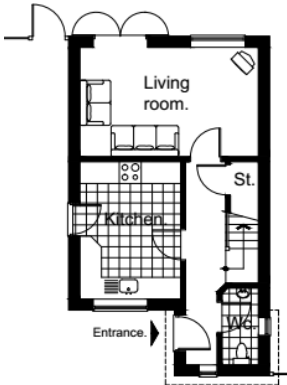


North West elevation.  
Scale 1:100

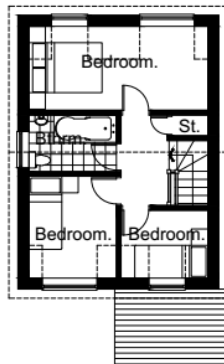
North East elevation.  
Scale 1:100



South East elevation.  
Scale 1:100



Ground floor plan.  
Scale 1:100

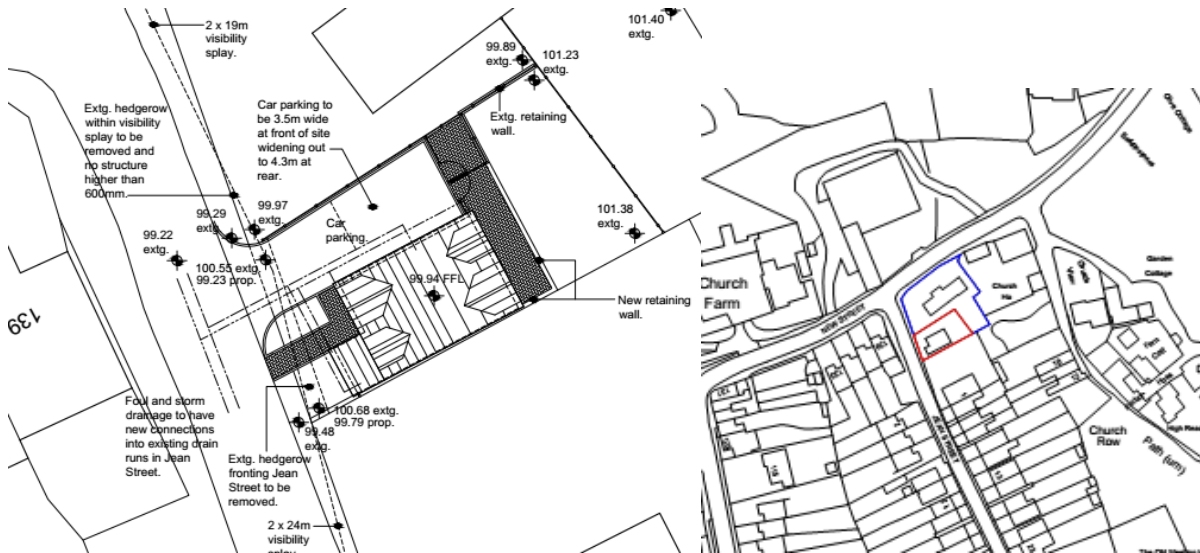


First floor plan.  
Scale 1:100

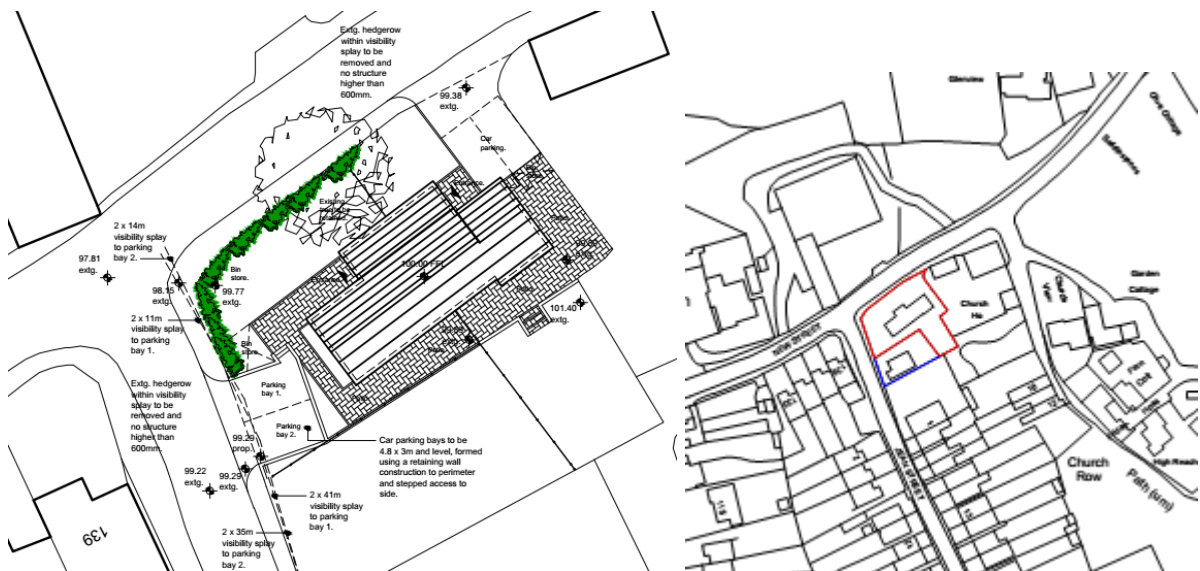


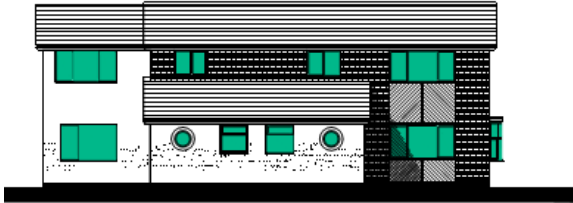
Section along Jean Street.

Scale 1:100



Appendix 3 – plans for PAP/2016/0642

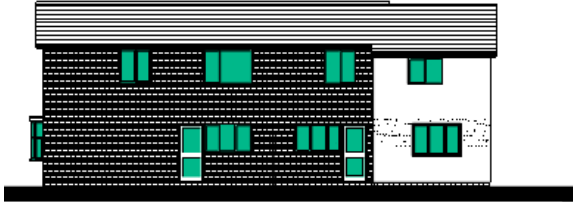




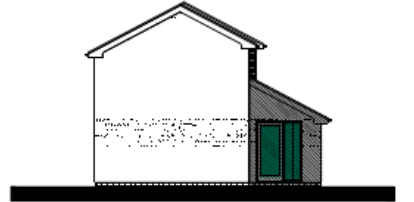
Proposed North West elevation.  
Scale 1:100



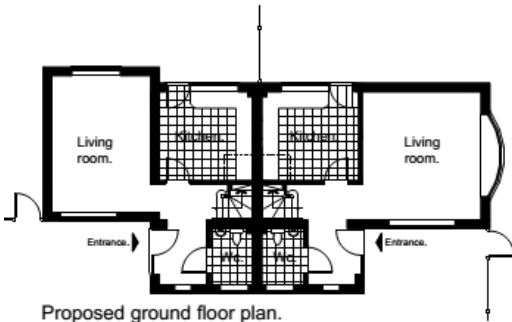
Proposed South West elevation.  
Scale 1:100



Proposed South East elevation.  
Scale 1:100



Proposed North East elevation.  
Scale 1:100



Proposed ground floor plan.  
Scale 1:100



Proposed first floor plan.  
Scale 1:100