

(6) Application No: PAP/2014/0404

Chapel End Social Club, 50, Coleshill Road, Hartshill, Nuneaton, CV10 0NY

Demolition of existing social club and erection of 13 no. dwellings, for

Warwickshire Partnership

Introduction

This application was referred to the Board at its meeting in April, but determination was deferred in order to enable a site visit to take place. That has now occurred and the case is brought back to the Board.

For convenience, the written report for the April Board is attached at Appendix A.

In summary the proposal would result in the redevelopment of this site with thirteen dwelling units.

Observations

At the April meeting, Members focussed on three issues – parking, traffic and the approach to the layout.

As Members will appreciate from the previous report, the Highway Authority has no objection to the proposals because the proposals now include significant improvements to the junction of Chancery Lane with the Coleshill Road.

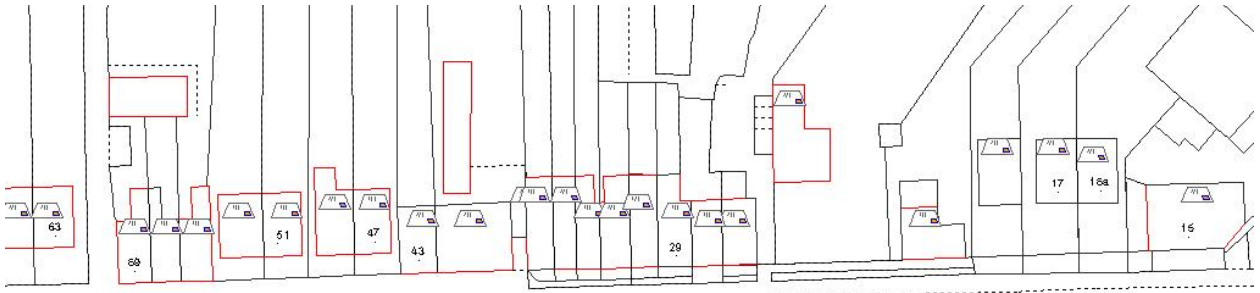
The proposed redevelopment does not include a new street frontage to the southern side of the Coleshill Road. This is not necessarily a reason for refusal. The site is not in a Conservation Area and the settings of no Listed Buildings are affected. The approach to the built form of the scheme is a valid approach to the site's redevelopment particularly as the site is already open; there is already a diverse frontage to the street scene and a street frontage would attract on-street car parking. The overall approach may not be the one preferred but that is not a reason for refusal. The scheme has to be assessed on its own merits and it is considered that it provides a substantial improvement to the overall street scene.

The one remaining issue is that of parking and this is because the area is already under pressure from on-street car parking. In these circumstances the approach to the redevelopment of such a site has to be that the proposals should not make this issue worse. There are several strands to this approach. Firstly, it is necessary to look at the development itself. As suggested above by not having a street frontage, the likelihood of on-street car parking is reduced. Moreover the car parking provision for the proposed houses meets the Council's own adopted car parking standards – there is 200% on-site provision. So in terms of the proposal itself, it has been designed appropriately. Secondly, it is necessary to look at the impact on existing surrounding property. There is on-street parking in Chancery Lane presently and the Chancery Court lay-by is small. However this situation would continue whatever redevelopment was proposed on the application site. If that was only four or five large houses, the existing on-street parking would continue as it is an existing situation irrespective of what occurs on the application site. It is not for the applicant to resolve this. Thirdly, the former Social Club has a large open hard surfaced car park which was used by drivers other than those

visiting the Club. As such some of the pressure described above was relieved. This car park would not now be available, but it is important to recognise that this was only an informal arrangement and the Social Club or indeed any subsequent owner could cease such an arrangement at any time. The former owner was and any subsequent owner is under no formal obligation to continue this arrangement. Finally, in this case there is a particular site specific feature which has to be considered and this was referred to by one of the speakers at the April Board meeting. This is that the access into the application site also serves an existing Doctor's Surgery which is to remain outside of the redevelopment proposals. The Surgery has ten associated car parking spaces in front of it. These would remain in full. In other words the parking situation for the Surgery would not alter. Indeed by widening this access as is proposed, manoeuvring into and out of these spaces would be improved. The particular issue mentioned however is that the present access is used as a site on which visiting medical clinic trailers are sometimes parked. These trailers used to park on the Club's car park but cannot now do so because it has been closed off. They now park in the access road. It is said that this facility could not continue as the access would have to be kept open for the redevelopment scheme. There is clearly some sympathy with this issue, but as above, this is wholly an informal arrangement come about by circumstances following the closure of the club and the car park. The access road is presently not under the control of the Doctors and it is understood that they only have a right of access across it to access their car parking spaces. The facility for visiting mobile clinics may therefore breach this right, and it would be lost under the proposals. There is nothing to prevent the relevant parties agreeing a voluntary arrangement to continue. The applicant however is under no duty and has no responsibility to relocate such provision on site.

Recommendation

That planning permission be **GRANTED** subject to the conditions attached in Appendix A.



125.8m

COLESHILL ROAD



(2) Application No: PAP/2014/0404

Chapel End Social Club, 50, Coleshill Road, Hartshill, Nuneaton, CV10 0NY

Demolition of existing social club and erection of 13 no. dwellings, for

Warwickshire Partnership

Introduction

This application for small-scale major development is referred to the Board for determination at the discretion of the Assistant Chief Executive in view of the issues raised

The Site

The site has an area of 0.22 hectares and comprises the Chapel End Social Club building, car park and bowling green. There are significant variations in the ground level across the site as the site slopes down, both along and away from the Coleshill Road. The club building is on the higher part of the site at the road level, with the bowling green to the rear and car park to the side at lower levels. These are accessed by steps from the club building and Coleshill Road. The bowling green occupies a level area slightly above the car park. These changes in level effectively reduce the slope on the car parking area which is accessed from Chancery Lane.

The existing club building fronts Coleshill Road. It is traditional in appearance giving a characteristic street scene to this part of the site. The building itself is however of no particular architectural merit. The car park area of the site presents a landscaped open frontage to the Coleshill Road.

The Proposal

It is proposed to demolish the existing social club building and to erect thirteen dwellings comprising eleven houses with three bedrooms each and two maisonettes with two bedrooms in its place with vehicle access from Chancery Lane. The houses comprise four three-storey town houses, each with integral garage, and seven two-storey houses. The two maisonettes are within a single building fronting Coleshill Road with an integral basement providing two garages. Each dwelling will have a garage and a parking space or two parking spaces. Manoeuvring and turning space is provided in the centre of the site, which will enable medium sized vehicles to turn within the site.

The two storey houses will be in two separate terraces. One of three houses will face Chancery Lane and the other of four houses, on the site of the bowling green, will face inwards. These face the end gable of terrace of town houses. This is on the site of the former club building and is perpendicular to the Coleshill Road. The proposed layout is attached as Appendix 1.

The proposed development layout reflects the variation in the ground level across the site with terraces perpendicular to the Coleshill Road, with the exception of that on the already level bowling green. This layout is said by the applicant to optimise the developable area; minimise the impact on nearby properties, maintain the vehicle access to the surgery parking and offer a frontage to the Coleshill Road that retains an element of the openness of the existing site frontage. The streetscape and building elevations to Coleshill Road and Chancery Lane are attached as Appendix 2.

Vehicle access will be from Chancery Lane. This will provide vehicle access to ten of the new dwellings, and will continue to provide access to the existing parking spaces for the Chancery Lane Doctor's surgery. This access will include a footpath and pedestrian access to Coleshill Road via steps from the centre of the site. The existing kerb arrangement at the junction of Chancery Lane with Coleshill Road will be re-aligned to increase the kerb radii at the junction and to increase the width of the carriageway at the entrance to Chancery Lane to five metres.

Background

An application to demolish the existing building and erect fourteen dwellings was submitted in 2013. This was withdrawn prior to determination following objection from the Highway Authority. The development proposed in the current application reduces the number of dwellings by one and is designed to address the highway concerns raised previously.

The Chapel End Social Club has not operated as a club for some considerable period. To provide security for the empty premises, access to the property has been restricted by the erection of temporary security fencing.

Consultations

Warwickshire Police – There is no objection but they do recommend design measures to reduce the opportunity for crime.

Warwickshire Museum - No objection

Warwickshire County Council as Highway Authority - No objection subject to conditions to ensure safe access.

Warwickshire County Council (Infrastructure Delivery) – The County identifies a potential need for five additional school places; three primary and two secondary, and thus request a financial contribution of £64,279.

Severn Trent Water – No objection subject to a standard condition to require prior approval of drainage system.

Environmental Health Officer – No comments to make

Representations

Hartshill Parish Council - The Parish Council raises concerns over the impact of this development given existing local traffic congestion; inappropriate on-street parking, the shared vehicle access and the sloping topography. It considers the proposal is over-development; will change the street scene, increase traffic movements and exacerbate on-street parking problems and the difficulties larger vehicles experience in accessing Chancery Lane. It considers a Developer Contribution should accompany the application.

Objections have been received from six local residents and the adjoining Chancery Lane Doctor's Surgery raise concerns over adverse impacts arising from over-development of site; the position of vehicle access, the manoeuvring and turning arrangement, the level of parking provision, loss of existing parking, the width of Chancery Lane, increased demand for on-street parking on Chancery Lane, the doctor's surgery being unable to function and grow, proximity of the access road to the surgery parking and the safety of surgery visitors, inaccessibility for fire service vehicles, boundary fence treatments and the surface water drainage system on Chancery Lane does not cope with heavy rainfall.

Development Plan

The North Warwickshire Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW5 (Split of Housing Numbers), NW6 (Affordable Housing Provision), NW10 (Development Considerations), NW12 (Quality of Development)

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

Other Material Planning Considerations

The National Planning Policy Framework 2012

The Council's Pre-Submission Site Allocations Plan – June 2014

Planning Contributions (Section 106 Obligations) - DCLG Nov 2014

Observations

a) Principle of Development

Development that is within or adjacent to Hartshill that is appropriate to the settlement is in principle in accord with the Development Plan. This site is within the settlement development boundary identified for Hartshill within that plan. The scale of the proposed development is appropriate to the size of the existing settlement and the settlement has appropriate local infrastructure to support the development. Although the site is not identified within the current draft Pre-Submission Site Allocations Plan, it is considered to be wholly suitable for residential development and the new housing will contribute to

the additional housing required to be provided over the local plan period – up to 400 as required by the Core Strategy.

The development is thus considered to be sustainable development for which there is a presumption of approval as it is in accord with the Development Plan and the NPPF.

b) Development Considerations

Core Strategy policy NW10 sets out considerations that proposed developments should fulfil. The proposed development is considered to comply with the relevant considerations.

The proposal is for the re-development of previously developed land, i.e. 'brownfield land'. It is close to local shops and facilities. It is well served by public transport with bus services to and from Nuneaton travelling along Coleshill Road. The access for vehicles and pedestrians is safe and appropriate; the proposed parking provision is in accord with adopted parking standards. The Highway Authority has not objected to the principle of 13 dwellings here as junction improvements have been included in the scheme to accord with its standards.

Concerns have been raised over existing traffic and access issues including the demand for on-street parking in this area and inappropriate on-street parking on Chancery Lane creating difficulties for vehicles entering the junction and travelling along the road. The development will have a positive effect on this in that the new houses with vehicle access to Chancery Lane would discourage on-street parking here, and together with the junction improvements and widening of Chancery Lane, this will reduce the potential to obstruct the highway to the benefit of vehicles, including the emergency services, which need to access this part of Chancery Lane.

Comments received indicated that open access to the existing car park area has resulted in parking by users other than club patrons, including patients visiting the nearby surgery. Whilst this informal parking arrangement may have provided convenient additional parking opportunities, access to the car park is a matter for the owners of the site, who would, in the absence of any formally agreed arrangement or established right, be entitled to restrict such access at any time.

The proposed development, by virtue of the layout, design and appearance will provide a satisfactory standard of amenity for occupiers and will not result in unacceptable adverse impacts on nearby properties or for the amenity enjoyed by occupiers of these.

Details of the drainage system for the site are not provided. However Severn Trent Water has no objection subject to the submission and approval of drainage system details prior to commencement of development. This will provide the opportunity to ensure surface water from the development will not exacerbate any existing highway drainage problem.

The development incorporates three house types - a single three-storey town house style and two variations for the two-storey house. The town house has living accommodation on the upper two floors, with level access to the rear garden from the middle floor and a garage and front door on the ground floor accessed from within the development. Although these are 11 metres in height from the ground level inside the

site to the roof ridge, they will be set below the level of Coleshill Road. Thus the height above road level will appear as 8.9 metres.

The two-storey house types include a design with a third bedroom in the roof space and external two parking spaces. This is 8.4 metres high to the roof ridge and designed with an attached garage with a bedroom above. This is 8.2 metres high to the higher roof ridge with the lower side element being 6.4 metres high. The attached lower garage / bedroom element is used vary the roof line of terraces and give the appearance of linked detached houses.

The design of the proposed houses and maisonettes in terms of the mass, form and height respects the sloping site and the location. Chancery Court is an existing three-storey building with a flat roof on the opposite side of Chancery Lane and existing buildings along Coleshill Road step down to accommodate the change in ground level, resulting in varying roof heights. The appearance will harmonise with the character of this part of the settlement. Details of materials are not submitted; however these will be required to be approved by condition prior to commencement of development to ensure the development will improve the local environmental quality.

The development will result in the loss of the opportunity for the social club to re-open. There are other similar licensed facilities within this part of Hartshill, including the nearby Salutation Public House on Chancery Lane. Although a re-opened club facility could be asset to the community, this factor is considered to be of limited significance to the determination of this application. The development of the site will improve the local environmental quality.

c) Affordable Housing

Core strategy Policy NW6 requires either the provision of affordable housing on-site or a financial contribution toward the provision of affordable housing elsewhere from qualifying new residential developments. However where this would put the development at risk of becoming financially unviable, a lesser contribution may be considered.

The applicants have submitted a development viability appraisal with this application. This indicates proposed development is expected to produce a return of 11 %. Whilst this shows the development could return a profit, it could limit opportunities to secure development funding as the figure is considerably below the rate of return often expected by financial institutions from a small developer where the development risk is considered to be greater, this may often be up to 25% .Evidence to verify the figures, provisions and assumptions included within the viability appraisal has been provided. These include details for the site acquisition costs; the final development value, development build and related costs. This evidence is considered to be sufficiently robust to justify the appraisal conclusions. It is accepted therefore in this case that the requirement for contributions for would compromise the delivery of the development proposed. Moreover as Members are aware the new Government guidance on affordable housing provision states that contributions arising from developments of ten or less houses should not carry any affordable housing provision or contribution. This adds significant weight to the conclusion reached above.

The developer will however have to undertake the works to improve the public highway. It is considered that in this particular case there is an argument that this is the preferred form of any contribution arising from this development as these works will improve an

existing poor highway junction for the wider public benefit. These will be subject to agreement under the Highways Acts with the Highway Authority. The implementation of these works prior will be secured by condition.

d) Summary

The development will create thirteen additional new dwellings in a sustainable development in an appropriate location within the local service centre settlement. It will provide a satisfactory standard of amenity for occupiers and will not have undue adverse impact on nearby properties or on the amenity enjoyed by their occupiers. It will significantly improve the appearance of the immediate area and enhance the character of the settlement. The development will also provide highway improvements that will address existing traffic concerns on Chancery Lane. Whilst the development will not contribute towards affordable housing, this has been properly evidenced. The loss of the former car park which has been used by the community for informal parking is unfortunate however given the informality of the use it can only be afforded very limited significance. Overall the positive impact is considered to carry the greater weight and this is sufficient to justify the grant of planning permission for the development proposed. The development is considered to be sustainable and to comply with the Development Plan and the NPPF.

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 plan numbered 12/94/04, 12/94/12B, 12/94/04, 12/94/13, 12/94/015A & 12/94/19 received by the Local Planning Authority on 1/8/2014 and the plan numbered 12/94/18B received by the Local Planning Authority on 14/10/2014 and the plan numbered 12/94/17D received by the Local Planning Authority on 16/12/2014 and the plan numbered 12/96/11 received by the Local Planning Authority on 6/3/2015 and the plan numbered 12/94/16B received by the Local Planning Authority on 31/3/2015.

REASON

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

3. No development shall commence until a scheme for the construction of the foul and surface water drainage systems have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

To prevent pollution of the water environment and to minimise the risk of flooding on or off the site.

4. No development shall be commenced before details of the:

- facing bricks and roofing tiles; surfacing materials; retaining walls; boundary or screen wall facing bricks/materials to be used have been submitted to and approved by the Local Planning Authority in writing. The approved materials only shall then be used.

REASON

In the interest of amenity.

5. No development, including demolition, shall commence until a Construction Method and Management Statement has been submitted to and approved in writing by the Local Planning Authority. This shall include details of :

- the method of demolition of existing buildings and removal of demolition materials;
- the hours during which work will take place;
- the parking provision for construction workers;
- the arrangements to manage deliveries to the site;
- the measures to prevent the deposit of extraneous materials on the surrounding highway network
- the measures to minimise disturbance due to noise and dust;
- the location of site buildings and the arrangements for the storage of materials.
- the location and specification of any site lighting to be installed during the construction phase;
- the procedure for the handling of complaints;
- the period during which plan shall be put into effect,
- the means by which the plan provisions will be monitored and reviewed.

The approved Statement shall be implemented in full and complied with all times.

REASON

In interest of amenity, highway safety & sustainable development.

6. No development shall commence until details of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interest of amenity.

7. The development shall not be commenced until visibility splays have been provided to the vehicular accesses to the site, passing through the limits of the site fronting the public highway, with 'x' distances of 2.4 metres and 'y' distances of 25.0 metres to the near edge of the public highway carriageway (20.0 metres from Plot 3 looking right (North / North-easterly)). 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 interest of highway safety

8. The development shall not be commenced until a turning area has been provided within the site so as to enable general site traffic and construction vehicles to leave and re-enter the public highway in a forward gear.

REASON

In the interest of highway safety

9. 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 interest of highway safety

10. No dwelling shall be occupied until the shared bellmouth access in to the site from Chancery Lane and the bellmouth junction of Chancery Lane with Coleshill Road have been constructed in general accordance with drawing number 12/94 17C and the standard specification of the Highway Authority.

REASON

In the interest of highway safety

11. Access for vehicles to the site from the public highway (Chancery Lane D1004) shall not be made other than at the position identified on the approved drawing, number 12/94 17D, providing an access no less than 5.0 metres in width for a distance of 30 metres, as measured from the public highway carriageway. No gates shall be hung within the vehicular access to the site so as to open within 12.0 metres of the public highway footway.

REASON

In the interest of highway safety

12. No development shall commence until full details of the construction of the road serving the development including footways, private drives and means of accessing individual plots, drainage (including the outfalls) 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 local planning authority in consultation with the Highway Authority. The site shall not be occupied until the areas have been laid out and substantially constructed. Such areas shall be permanently retained for the parking and manoeuvring of vehicles. The vehicular accesses to the site 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 interest of highway safety

13. The accesses to plots 1, 2 and 3 for vehicles 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 interest of highway safety

15. The approved landscaping scheme shall be implemented within nine calendar months of the date of occupation of the first dwelling 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.

REASON

In the interest of amenity.

16. No external lighting shall be placed or erected on the site without details first having been submitted to, and approved in writing, by the Local Planning Authority.

REASON

In the interest of amenity and highway safety.

17. Glare shall not be created upon the public highway from lighting sources within the site.

REASON

In the interest of safety on the public highway.

18. The garages hereby permitted shall not be used for any purpose other than for the garaging of vehicles.

REASON

To ensure the on-site parking provision is retained in the interest of amenity and highway safety.

19. The parking spaces hereby approved shall not be used for any purpose other than for the parking of vehicles.

REASON

To the on-site parking provision is retained in the interest of amenity and highway safety.

20. No development whatsoever within Class A or Class B of Part1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995, as amended, shall commence on site without details first having been submitted to, and approved in writing by the Local Planning Authority.

REASON

In the interest of amenity.

BACKGROUND PAPERS

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

Planning Application No: PAP/2014/0404

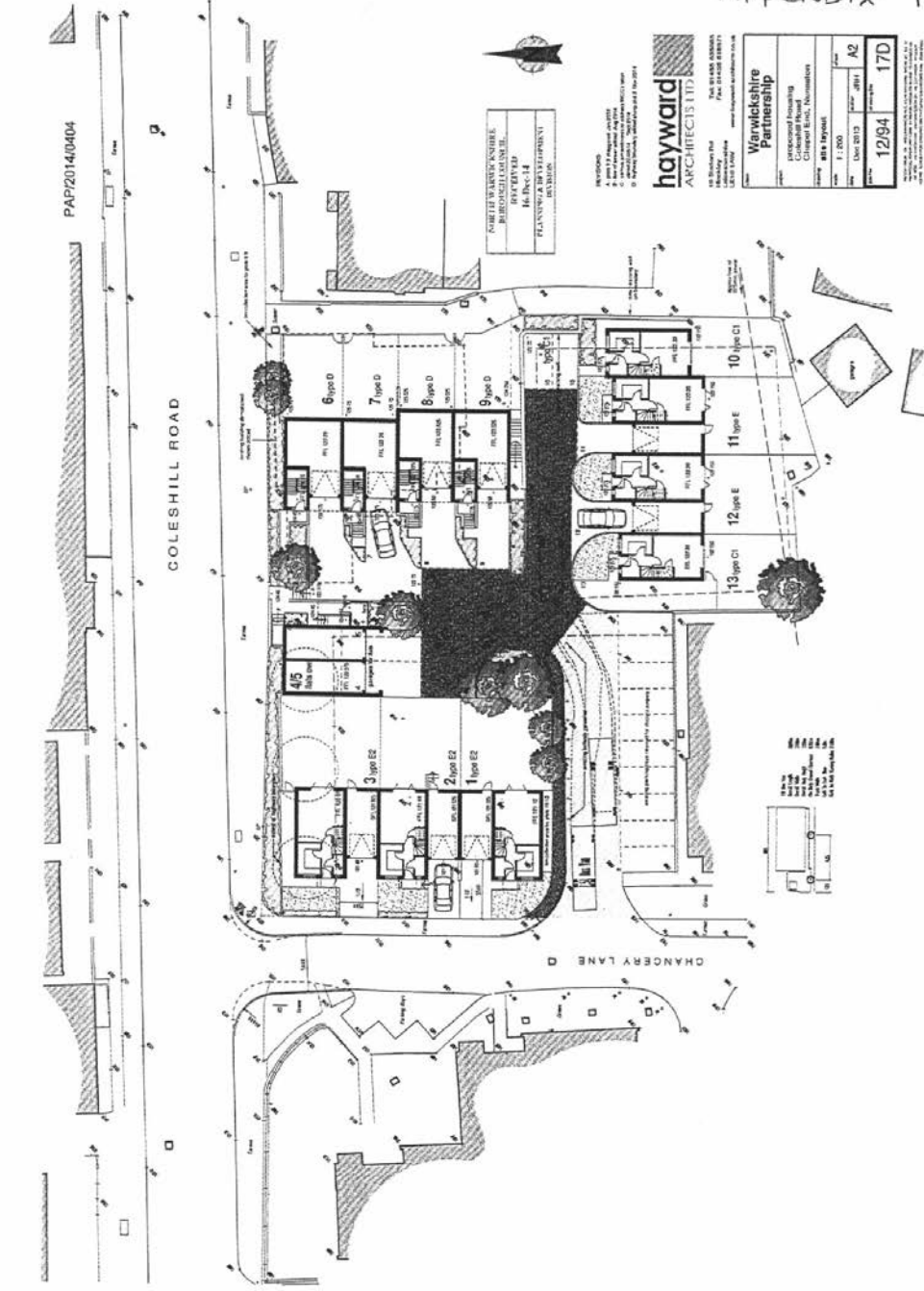
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	1/8/2014, 22/9/2014 4/10/2014, 14/11/2014 17/11/2014 ,16/12/2014 4,11/2/2015, 5,4/3/2015, 6/3/2015, 31/5/2015
2	Warwickshire Police	Consultation response	8/8/2014
3	Warwickshire CC Highways	Consultation response	22/8/2014 & 28/10/2014
4	ST Water	Consultation response	18/9/2014
5	Warwickshire CC Archaeology	Consultation response	10/8/2014 & 23/3/2015
6	NWBC EHO	Consultation response	13/8/2014
7	Hartsthill PC	Consultation response	1/9/2014 & 26/8/2014
8	Warwickshire CC Infrastructure	Consultation response	1/12/2014
9			
10	BS Sidhu & RP Bhatra	Representation	26/8/2014
11	R Cockayne	Representation	9/8/2014
12	G Senter	Representation	15/8/2014
13	R Clarke	Representation	21/8/2014
14	S Hinds	Representation	29/8/2014
15	T Wykes	Representation	27/8/2014
16	J Wykes	Representation	23/8/2014

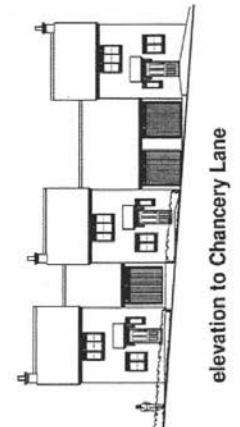
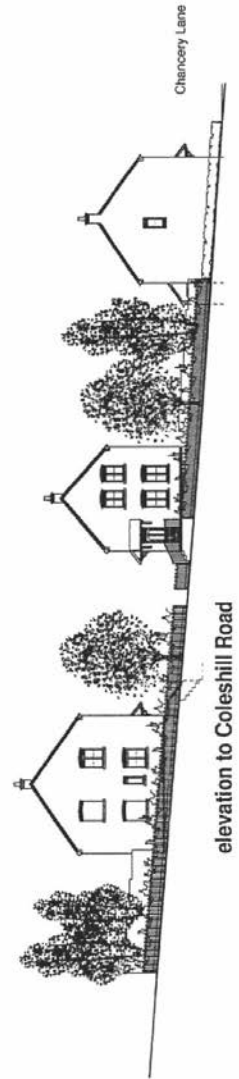
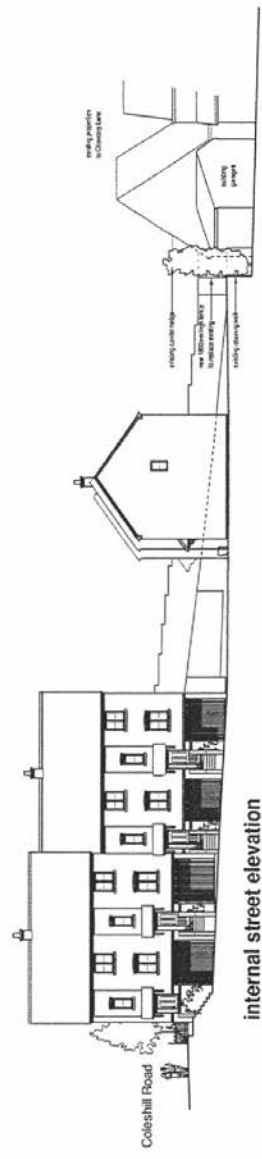
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

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





WARWICKSHIRE PARTNERSHIP
 PROPOSED HOUSING
 COLESHILL ROAD, CHANCERY END
 WARWICKSHIRE

hayward
 ARCHITECTS LTD
 100, The
 Quadrant,
 101-102, 103
 1010 1011
 www.hayward-architects.co.uk

Warwickshire Partnership proposed housing Coleshill Road, Chancery End Warwickshire	
site elevations	
scale	1:2000
date	Sept 2013
drawn by	JRH
checked by	AG
sheet no.	12/94
total sheets	168

100, The Quadrant, 101-102, 103, 1010 1011
 www.hayward-architects.co.uk
 01927 543434
 01927 543434
 01927 543434
 01927 543434

Appendix 2

- REVISIONS
- A. changes to add new site layout July 2014
 - B. Chancery Lane elevations amended May 2015

(7) Application No: PAP/2015/0050

Heart Of England, Meriden Road, Fillongley, Coventry, CV7 8DX

Installation of external lighting scheme: 18 x luminaires for route from conference centre buildings to lake jetty. 8 x LED bollard lights on lake jetty/landing stage; and 9 x round spotlights around margins of lake island, for

Mr Stephen Hammon

Introduction

The application is reported to Board at the discretion of The Head of Development Control given the planning history of the site.

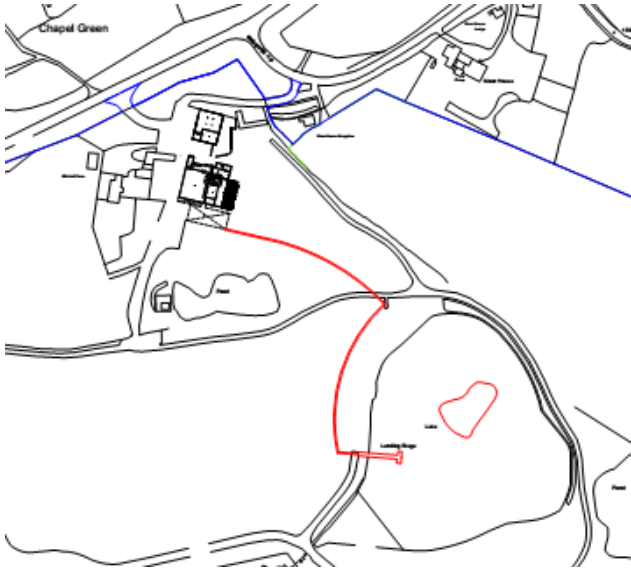
The Site

An existing conference and events centre situated to the south and east side of Meriden Road, Fillongley. The land at the site has planning permission for defined recreational uses. The aerial photography image below shows the premises (although it does show the unauthorised beach which has now been removed)

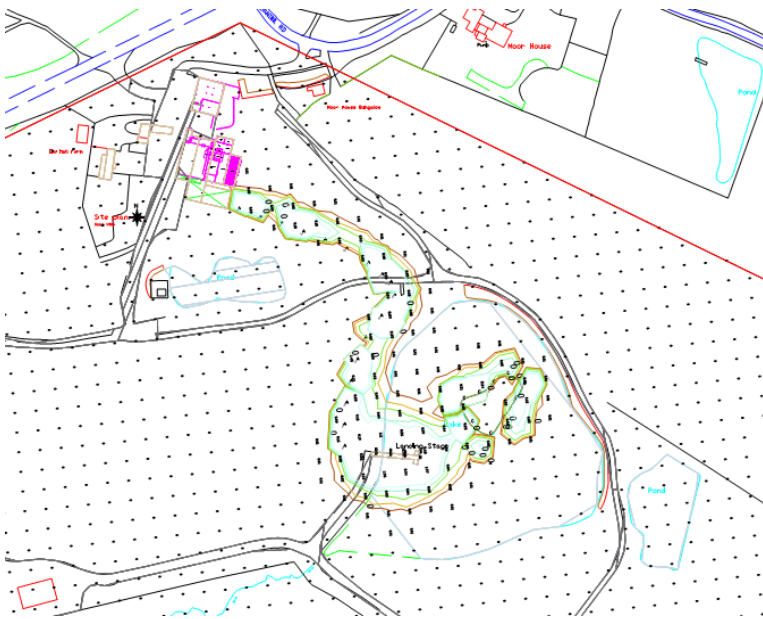


The Proposal

The proposal comprises the installation of an external lighting scheme comprising: 18 x luminaires for a route from the conference centre buildings to the lake jetty; 8 x LED bollard lights on the lake jetty/landing stage and 9 x round spotlights around margins of lake island. The location of the route and position of the lighting is as shown in the two plans below.



The illustration and plan below, taken from the applicant's supporting documents, show the effect of the proposed lighting.



The proposed lighting units are as follows:

Pathway Lighting

The luminaire suggested for the pathway illumination is the Hyperion LED luminaire, the fitting is design to be surface mounted and is supplied with an integral LED driver so allows direct connection to a 240V supply, it is suggested that the fitting is mounted at approx. 1200mm – 1400mm high. As



per our original site visit it is assumed that the mounting posts will be supplied by the client, taking the form of wooden sleepers or similar.

The design will provide a very low level of light, something similar to moon light, this coupled with the fact that the fitting produces no upward light will ensure that the environmental impact is minimise. The system will prove very economical to run due to the low wattage of the units used and maintenance will be minimal with the LED modules lasting

typically 50 000 Hours.

Jetty Lighting

For this space the illumination level is increased slightly to provide safe access and circulation across the Jetty via a robust LED bollard from the Zefiro Range. The Bollard is 600mm high and will directly fix to the jetty through the base. The LED modul within is 14w rated and again has integral driver having direct 240v connectivity.



The Zefiro bollard also produce no upward light so eradicating light pollution which again reduces the impact on neighbouring properties.

Lake Effect Lighting

The Martina, full colour RGB spot light is introduced into the design, situated on the Island, to create a gentle colour wash across the lake, with a total wattage of 3.2w per unit again a very energy efficient system can be provided to give subtle effect lighting to the Lake controlled by a simple DMX controller



to allow either fixed or changing colour themes to be set, as an alternative the fitting could be upgraded to the Martina Aqua, and the fittings could be installed just below the level of the water allowing coloured light to radiate out from the base of the island.

There are references to a proposal to install security lighting in the supporting documents. A series of 6 metre floodlights across the site for 'major incidents' are referred to. In conversation with the site owner, he indicated something different, an intention to use such lighting in association with night time events for 'security/safety purposes'. No details have been supplied. The documentation with the application states the following:



An additional illuminance plot is provided under the title of incident lighting, if thought necessary this takes the form of several 6m columns on a strategic route across the site, with an installation of 100W floodlights mounted on the columns. This is suggested as lighting that will be used only in the event of a major incident

where additional safety light is required. The LED floods can be switched on and instant light will be provide to upgrade the low level scheme to aid incident management.

Background

In 2012 the Council took enforcement action in respect of the installation of unauthorised lighting at this site. The appeal against the enforcement notice was dismissed and the enforcement notice was upheld, with planning permission refused on the deemed application. The appeal was in relation to large lighting fittings at ground level on the island; which, although directed towards the lake, also illuminated features on the island. Floodlights on a shop building illuminated part of the former beach, and a pole-mounted lamp lighting some steps down to the former beach.

In reaching his decision the Inspector offered the following observations. He noted that it was argued that the lighting was needed for security, and that it had only been switched on twice. It was argued that the lighting was “primarily intended for security purposes” but there was no explanation as to whether any less intrusive or excessive alternatives had been considered. The Inspector was “unconvinced that permanently fixed lighting is needed to deter intruders; indeed the appellant’s closing submissions conceded that “the argument about lighting for security purposes is a red herring”. The claimed purpose was changed to one which facilitates approved recreational uses but the Inspector agreed with the Council that many areas of water in recreational use the countryside are not illuminated.”

At Paragraph 154 of the decision letter the Inspector remarked on the purpose of lighting at the site, as follows. Local residents claim that lights on the island have been left on well into the night, and the Council refers to late night “beach parties”. I am not persuaded that the lighting’s purpose is to illuminate the area around the lake subject to the recreational planning permission; it rather appears to me that it is either for ornamental purposes or is ancillary to night-time use of the unlawful beach. In these circumstances I do not believe that the lighting is an appropriate facility, reasonably required for outdoor sport and recreation. It is therefore inappropriate in terms of the NPPF, and so harmful by definition.

At Paragraph 155 the Inspector commented on the setting of the site and the effect of lighting as follows. There is some external lighting in the conference centre complex, but the countryside away from it is naturally dark at night; there are even no street lights in the surrounding area. The location of the lighting in question is well beyond that in the complex, and the skyglow, glare and light trespass represents an urban encroachment into the countryside. As a result, even if the lighting was an appropriate facility for recreation, it fails one of the NPPF’s provisos, so is inappropriate for that reason. The fittings moreover reduce the openness of the Green Belt, albeit by a small amount.

At Paragraph 156 the Inspector noted the impact of lighting viewed from public footpaths, as follows. The appellant says that the lighting has now been changed to low pressure sodium bulbs to reduce its impact. However I saw that when it operated coming up to dusk, the glare was very obvious from the public footpaths both outside

and inside the site. I do not agree that the lighting is screened by the wood from these directions. Mr Singlehurst recognised that the lamp standard near the steps is noticeable and incongruous in its location. It seems to me that it and the other fittings are part of the clutter of items which cumulatively harm the character and appearance of the surrounding landscape. This harm is added to that arising from being inappropriate in the Green Belt. The lighting breaches the NPPF's advice that light impact and pollution should be limited.

The Inspector commented about the hours of operation for lighting (paragraph 157). He noted that the planning permission limits recreational use of the lake's surroundings to 1800 hours; the appellant will accept a condition requiring the lighting to be turned off then. It is therefore only conceivably needed to illuminate lawful uses in winter between dusk and then. Indeed, he says that the park closes at 1700 hours. The Council confirmed that it has no objection in principle to some lighting up to 1800 hours, but the Inspector agreed that even if the existing fittings were to be switched off then, the number of fittings is excessive for the location. Such a condition would not address the visual impact or make them acceptable.

In commenting on the effect of the lighting on living conditions (paragraph 159), the Inspector found that, despite changes to the light sources, there is still the potential to affect nearby properties whose environment is otherwise dark. However, he did not consider that there would be an unacceptable impact on neighbours' living conditions if the illumination is turned off at 1800 hours. Nor in this event was he persuaded that there would be any material effect on the feeding behaviour of bats.

In commenting on the effect of the sites Premises Licence (Paragraph 160) he noted that the appellant's premises licence authorises late night activities. I note the concerns that the Council appears to be speaking with two voices, but its concern as the planning authority is that lighting of late night activity will inevitably cause noise and disturbance. In any event the premises licence does not predetermine what planning conditions are appropriate, which in my view can take precedence over any event permitted by the licence. Even if such events were to take place and be acceptable in planning terms, this possibility does not in my opinion justify these permanent light fittings.

He concluded that the excessive lighting and the associated fittings harm the character and appearance of this rural location, breaching NWLP policies CP2, CP3, ENV1 and CP11 and the relevant sections of the NPPF. This harm is compounded by that caused by being inappropriate in the Green Belt, which the NPPF says is substantial.

He did not consider that the considerations advanced clearly outweigh all the harm (Paragraph 162). They did not amount to the very special circumstances needed to justify the lighting, an inappropriate development in the Green Belt, which therefore breached NWLP Policy ENV2 and the NPPF.

Development Plan

North Warwickshire Core Strategy 2014 - Policy NW1 (Sustainable Development); NW3 (Green Belt), NW10 (Development Considerations), NW12 (Quality of Development), NW13 (Natural Environment) and NW15 (Nature Conservation)

Other Relevant Material Considerations

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

Consultations

Warwickshire Wildlife Trust - The site looks like it would be suitable habitat for bats as the lake would provide foraging opportunity and the neighbouring ancient woodland would provide roosting sites. Lighting can have a detrimental impact on bats, and I would suggest particular attention is given by your lighting consultant to ensure that no light pollution will enter the woodland. The Design and Access Statement indicates that suitable lighting will be used to minimise this impact (paragraphs 3.4 and 3.5), it indicates that the bat conservation trust 'Lighting for bats' guidelines have been followed.

It recommended including these standards as a condition should the Council be minded to approve this application, including the types of lighting installed and limiting the hours of use. British Standard BS4020:2013 has text that would be suitable in sections D.3.5 and D.3.6.

The Council's Consultant Lighting Adviser – The Council commissioned the Mouchel Group Ltd to undertake an assessment of the proposed lighting in respect of the impact on the neighbouring properties, the effect on the natural environment and contribution to light pollution.

The report concludes:

- The low level lighting of the approach is unlikely to have any impact with respect to obtrusive light. The lighting has not been designed using a standard as a guide but, in our opinion, the uniformity of the light is particularly poor and it should be noted that the utilisation of different colour temperatures will vary the appearance of the lighting from the footway (6000k colour temperature) to the jetty (4000k colour temperature) which may be more negatively viewed from the boundaries of the site.
- The lighting on the island in the centre of the lake appears to be for decorative purposes only and poses the greatest issues. No calculations have been provided to justify the pre-curfew obtrusive light spill or the reflected light consideration to Sky Glow.
- This is also the case for the lighting on the jetty which would be less likely to contribute to the light trespass through property windows due to the controlled pool of light concentrated around the jetty, however, the more intense source and more concentrated levels of light may be more likely to increase contribution to Sky Glow via reflectance.
- The environmental effect on local potential bat roosts/foraging routes will not be affected provided the lighting is switched off at the 6.30pm deadline indicated in the report submitted. There appears to be no automatic switching unit proposed to control the lighting that would ensure this will comply.

Environmental Health Officer – The external lighting should not give rise to a statutory light nuisance but I would suggest that this may be clearly visible from neighbouring properties. If the spot lighting is angled downwards this could minimise intrusion. The supporting documents also mention a series of 6 metre floodlights across the site to be used for major incidents but no other details have been provided. These will be much more intrusive than the low level lighting proposed for the access route, jetty and island, if they are used in anything except for emergencies.

Representations

Fillongley Parish Council objects. Its representation is reproduced here:

The Council understand that the specification in the Application complies to best practice/guideline documents, (Guide on the Limitation of the effects of obtrusive light from outdoor lighting installations CIE 150:2003 and The Institution of Lighting Engineers (ILE) Guidance Notes for the Reduction of Obtrusive Light GN01:2011). HOWEVER, it must be remembered that this is a path to a lake set deep in the heart of the Green Belt. The Council believe that the visual impact of the lighting will have a demonstrably negative impact on the rural nature of the surroundings, effectively urbanising what is inherently a rural area. The Council would remind you of the response of the Planning Inspector when deciding against an earlier lighting scheme in October 2012 "... It rather appears to me that it is either for ornamental purposes or is ancillary to night-time use of the unlawful beach.....It is inappropriate in terms of the NPPF and so harmful by definition" "There is still potential to affect nearby properties whose environment is otherwise dark" Indeed the Applicants own Statement refers to "an urban encroachment into the countryside" and, that parts of the previous objection were based on fears that the lighting would encourage late night activity, noise and disturbance.

Whilst the lighting scheme has changed, none of the objections have. It will still impact the otherwise rural environment; it may still encourage late night activity, noise and disturbance (with or without the prior knowledge or agreement of the Applicant). The Applicant states that the purpose (2.2) is to "guide visitors safely towards the lake over open grassland", the intention is therefore obviously to utilise the area in the evening/night times. The mention of the requirement of a necessity of lighting to put equipment away, is in the opinion of the Council, an excuse to light the area for the greater purpose already stated. The allusion towards security issues is also irrelevant in that the venue has already been operating in this way, without lighting for years and is patrolled regularly by security staff. This would not be increased or decreased if the lighting were or were not to be permitted. In conclusion, the Applicant is incorrect when he states that this proposal "overcomes the objections to the previous (unauthorized) floodlighting on the lake island and other lights in the vicinity of the former beach". It does not. For all the above reasons the Council OBJECT to this application and would urge you to refuse it.

Corley Parish Council objects. Its representation is reproduced here:

Corley Parish Council has reviewed this application and wish to lodge objections, because we view the proposed lighting as outrageous and totally unacceptable; in a Green Belt environment.

We can see no rationale or justification for what is proposed and it will just cause unacceptable levels of light pollution for anyone living in the area. Residents are already subjected to unacceptable levels of noise (we are aware of many reported occurrences) - if this application was approved, the noise pollution will just be compounded.

If the Council puts restrictions on the hours the lighting could be on, we have real concerns on past experience; that the conditions would not be abided by. Added to this, there is an abundance of wild life in the area (including bats) and a change in the normal rural environment will have adverse effects.

Based on this we request and require NWBC to reject this application.

Five letters of objection have been received from local residents raising the following matters:

- The lighting would be out of character in this countryside location.
- The application refers to the lighting in the context of the events marquee. The marquee is not a permanent fixture ('the applicant requested to retain this for a period of three years whilst the hotel and conference centre was being constructed and extended') this suggests that the site will be for night time outdoor use and illumination will be there permanently.
- We already suffer from noise pollution, including noise from unauthorised night time activity, the lighting would facilitate continuing night time use and continuing disturbance.
- The lighting will be intrusive as it is visible from adjacent property.
- Artificial lighting will appear incongruous in an existing dark environment amenity
- The lighting will be an encroachment onto the Green Belt.
- As keen night sky observers, we are privileged to live in an area where the sky is dark and we use our telescope to view the uncluttered night sky.
- Over the past thirty years we have planted woodland which lies adjacent to the site and have replaced hedgerows and trees, dug out wildlife ponds all of which have helped conserve and enhance the natural environment. We have deliberately left our own ponds unlit, to encourage wildlife and maintain the countryside setting
- The government guidelines 'Lighting in the countryside' makes clear the effect of lighting – in what is a natural dark landscape It has a detrimental effect on wildlife of which there is evidence here of a diverse range of mammals (deer, badgers, foxes are welcome visitors on our land) insects and birds. 'Impacts (of lighting) are most prevalent among insect populations and nocturnal mammal species and nesting or roosting birds may also be affected and natural diurnal rhythms may be disrupted in a wide range of animals and plants.' (p 25) On our land we have nesting owls and bats throughout the breeding season and we wish to conserve these.
- The site already has extensive coloured lighting on the main hotel (on the frontage and the rear) and associated buildings which are illuminated from dusk to dawn and do have an adverse visual impact on the natural landscape, especially in winter.
- There is also a powerful light illuminating from the agricultural building and camper van which shines through our bedroom window throughout the night. We would not wish this to be extended via the lake jetty and landing stage.
- The proposal to introduce lighting adds to the concern of future night time events and invite visitors to the lake out of hours.
- The lake is an attractive resource which is becoming well established. It would be harmed by the inclusion of coloured lights and would have an adverse effect on the character of the countryside.
- Bats are prevalent in the area and they would similarly be affected by their illumination.

- The motorway is not illuminated at night to protect rural character and to avoid light pollution at neighbouring properties.
- In accordance with ENV1 we would wish to conserve and enhance the local environment.
- Contrary to the claim that the lighting would be a security measure it is more likely to encourage trespassing.

Observations

The proposal is for lighting at a recreational site situated at an open countryside, green belt, location. The main considerations will be the requirement for the provision of lighting; whether the development would be appropriate development in the Green Belt, the effect of the lighting on the character and appearance of the countryside, an assessment of the suitability of the lighting proposed, the effect of the lighting on wildlife and the effect of the lighting on the amenity of occupiers of nearby residential properties.

The Heart of England Conference and Events Centre is set in a largely rural area surrounded by open land on most sides with the exception of the neighbouring Birchley Hays Wood surrounding the southern/south eastern boundaries of the site. There are at least two properties that have a direct view towards the site.

The only contradiction to the rural environment is the presence of the M6 which passes over the Meriden Road and within 250metres of the Centre at its nearest point. However it should be noted that this section of the M6 is unlit and would therefore contribute no ambient light to the area.

The Purpose of the Lighting

In considering an enforcement appeal for lighting installed in a similar location in 2012 the Planning Inspector considered the purpose of lighting at the site. He came to the view that it would not be for the illumination of the area around the lake subject to the recreational planning permission, but either for ornamental purposes or for purposes ancillary to night-time use of the land (at that time an unlawful beach). In these circumstances, he found that the lighting was not an appropriate facility, reasonably required for outdoor sport and recreation. He therefore found it inappropriate in terms of the NPPF and so harmful by definition in this Green Belt location.

It is necessary again to question whether the different lighting arrangements now proposed are an appropriate facility, reasonably required for outdoor sport and recreation.

The proposed lighting comprises:

- 18 x Hyperion LED 'Wall Mounted Rectangular' 7.5W Luminaires with a 6000k colour temperature. These luminaires are to be mounted at low level on wooden posts or railway sleepers mounted adjacent to the footway mounted at no higher than 1.2m.
- 8 x Zefiro 14W 600mm LED bollards with a 4000k colour temperature. These luminaires are mounted on the jetty at a mounting height of 600mm.

- 9 x Martina Ground Level Mounted 3.2W Colour Change LED Spotlights. These luminaires provide a colour wash of the surface of the lake around the central island and they are installed with a 35 degree angle beam, but no details of the aiming angle have been provided.

The purpose and suitability of each of these elements will be discussed below.

Lighting Impacts

The applicant argues that the proposed lighting will not have a detrimental impact on the countryside. To justify this he points to the fact the conclusion of his environmental assessment is that the proposals are in line with the Lighting Industries Association dark skies indicative. He argues that the extent of light flow is contained within the site boundaries and claims that the upward light created is zero. Hence he argues that it makes the installation suitable for rural locations. He suggests that typical illumination levels across the site will show pathways lit to approx. 1 – 2 lux average and the Jetty to approximately 10 – 15 Lux.

The Council's Lighting Consultant disagrees with aspects of this claim and would require additional information to verify other aspects.

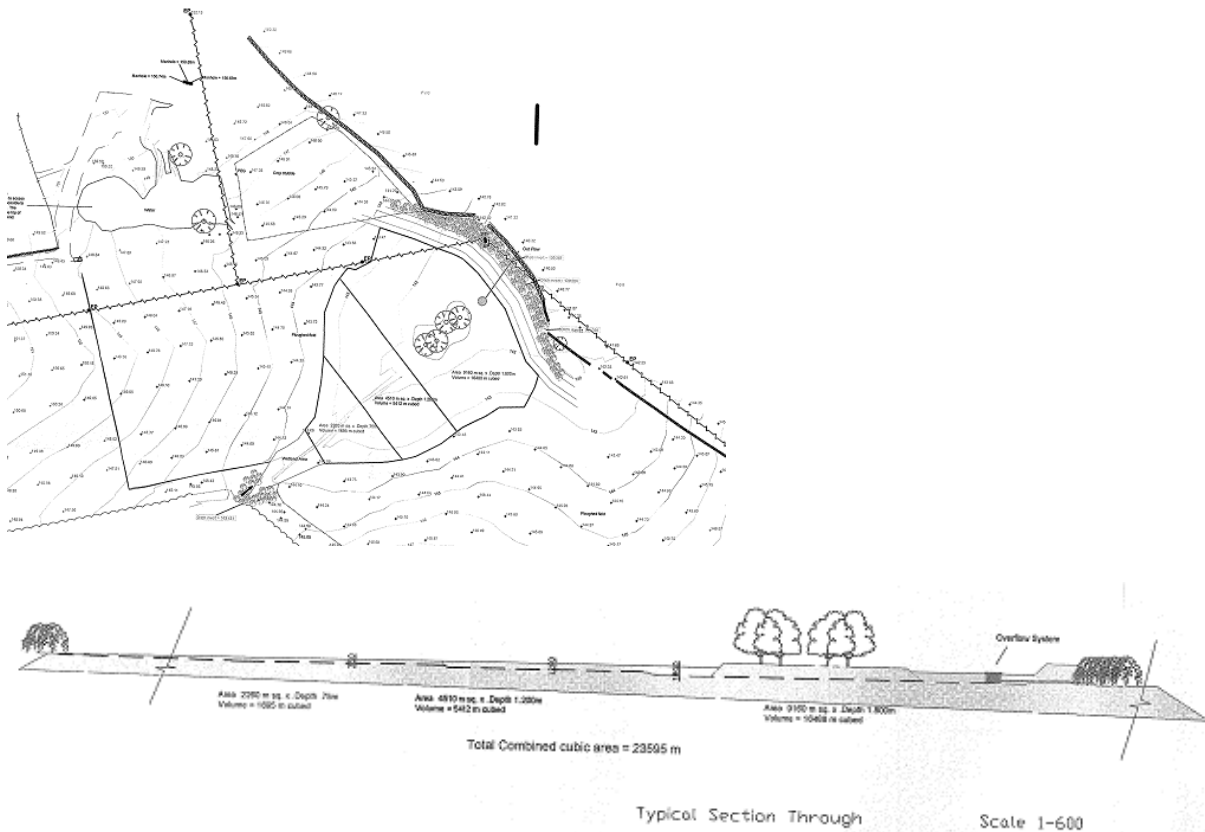
The Lighting Consultant advises that obtrusive lighting (light pollution) limitations for the project are stringent because of the location of the site. The site is classified by the applicant's designer as being in a "rural, small village or relatively dark urban location" as defined in the ILE "Guidance Note for the Reduction of Obtrusive Light" – Category E2 Low district brightness areas. However, given the surrounding area including the presence of Birchley Hayes Wood, it could be argued that the area may fall under the E1 category as an Intrinsically Dark Landscape and an area of Outstanding Natural Beauty as part of the 'Ancient Arden' landscape within the 'Meriden Gap' Green Belt.

The Lighting of the Lake and Jetty

The lighting of the island in the centre of the lake is designed to provide a colour wash across the surface of the water via colour change LED's and appears to be more for aesthetics than a practical lighting design. It would serve no significant purpose other than to create an artificial, ornamental appearance.

The Council did not give planning consent for an ornamental lake. It gave permission for a natural lake in a field setting. The plan extract below shows the lake as approved.

Proposed Lake &
Nature Wetland Area



When planning permission was sought for the lake in 2007, the applicant described it as “Formation of lake and wetland area for use by water and other sports in association with the recreational use of the land”. The aims set out in the accompanying Landscape Management Plan were:

- To protect landscape features and enhance the natural beauty of the area.
- To improve public access to the countryside for informal outdoor recreation.

The Landscape Management aims were given as:

To conserve and enhance the outstanding qualities of the landscape, to maintain the rural character and characteristics of the landscape, to reinforce local identity and to raise awareness about the landscape character and visual harmony and assist people in their enjoyment of the landscape.

The Council has since successfully defended enforcement action in respect of the introduction of a formal beach at the water’s edge and the construction of a formal lighthouse/pumphouse on the island.

The use of the lake is limited, by condition, to only boating (using rowing, electric motor, sailing or pedal boats), raft building, canoeing, fishing, water challenging events and swimming/snorkelling. The jetty is for access purposes to the water for these activities.

In this context, the applicant cannot reasonably have an expectation that the Council, and subsequently Planning Inspectors, have supported anything other than a low key recreational use, of distinctly rural character. The current proposal must be considered in terms of this context.

The provision of a lit pathway to a lake and jetty decorated with lighting would result in a creeping urbanisation and a substantial change in the rural character of the land. The land cannot be regarded as a formal garden to the conference centre and hotel use.

In respect of the details of the proposed lake lighting, the Lighting Consultant points out that the proposed lake lighting units appear to have no protection against contributing to Sky Glow and that none of the paperwork provided gives evidence of the Luminous Intensity class ('G') rating for any of the luminaires. He points out that consideration must also be given to the upward reflected light off the surface of the water. Water offers a highly reflective body which will effectively reflect lights upwards. In addition, the refraction of the light from the surface of the water means the reflectance of light will be extremely hard to control. Though these matters may be subject to further controls, assessment and limitations, the effect on the change in character brought about by illumination of the low key rural lake would be harmful in principle.

The Lighting of a Pathway to the Jetty

The application has been made with a view to providing low level lighting in order to guide users and employees to and from the jetty and lake to the Conference Centre in the hours of darkness.

There is no formal path along the line of the proposed lighting; it is presently a wholly grassed surface.

The need for public access to the land in the hours of darkness/dusk is also questioned. The use of the land is presently only authorised for a limited number of specified number of games and activities (Team games, archery, electronic shooting, ball games, school educational visits, tug of war games, inflatables games, rambling/walking and orienteering). It seems improbable that such uses will be taking place in areas beyond the path at times of darkness. If illumination is required to travel the route between the lake and the buildings then it would likely that the land was being used for the approved purposes. The provision of low level illumination across a grassed surface is unlikely to be used by staff for maintenance and clear up/set up purposes, they are far more likely to use the existing established roadways (for which no illumination is sought).

In these circumstances the lighting appears to be for ornamental rather than practical purposes.

The route of the lighting is across open land and the lighting installations, though relatively small in size, would be fairly numerous (18) and each 1.2m in height. The illuminated route would lead to the inevitable creation of a surfaced or worn pathway where presently there is none. Albeit to a relatively small degree, the proposal would impact adversely on the openness of the Green Belt in this locality.

Countryside Character

Policy NW13 (Natural Environment) of the Council's Core Strategy indicates that the quality, character, diversity and local distinctiveness of the natural environment will be protected and enhanced. Given the above findings, the proposals would run contrary to

the spirit of this policy. This area of the Borough is defined in the Council's Landscape Character Assessment as being deeply rural and tranquil. It is Ancient Arden landscape which comprises a complex pattern of woodland, former wood pasture and heath, winding, frequently sunken hedged lanes and scattered farms and hamlets. The decorative illumination of this landscape is not in keeping with its identified character.

Wildlife/Biodiversity Impact

From a wildlife/biodiversity perspective the proposed low level lighting in this countryside location would be unlikely to have a significant adverse impact.

This is not to say that the lighting would have no effect. The Lighting Consultant advises that although no lighting is anticipated in times when bats are likely to be in flight (dusk falls at 6.45pm at the earliest in the Coventry area in September), the positive and the negative elements of lighting should be considered in the worst case. It has been suggested that 'Soft LED lighting' will be utilised in this respect however, the Hyperion LED luminaires operate at 6000k colour temperature which is equivalent to a clear white definition and does not represent a soft light source and could appear quite harsh against a dark background.

The positive element of LED lighting is that the LED luminaires produce little or no ultra violet light which attracts insects and encourages bats into the vicinity of the lighting in order to feed. In this respect LED is the best source of light for consideration of bat conservation. However, an abstract published in the 'Global Change Biology: Volume 18; Issue 8 suggests that some affect may still be present even with low lighting levels;

It is however in the event that the lighting was switched off at 6.30pm, it should not affect the natural environment in a negative manner.

Lighting Impacts – Residential Amenity

The nearest neighbouring property from the Heart of England Conference Centre and, more specifically, with a direct line of sight to the lake, is the Moor House bungalow. Due to the distance of the property to the proposed lighting (34m approximately), it is suggested that the low levels of light at source and calculations provided demonstrate that the majority of the lighting would not offer any obtrusive light towards this property. This equally applies to more distant properties on Wall Hill Road and Windmill Lane.

However, as with the Sky Glow scenario, consideration must be given to the level of reflected light off the surface of the water and to the perception of a change in the character of the land.

The Lighting Consultant advises that whilst the low level lighting of the approach is unlikely to have any impact with respect to obtrusive light and points out that the lighting has not been designed using a standard and the uniformity of the light is particularly poor, with the utilisation of different colour temperatures it will vary the appearance of the lighting from the footway (6000k colour temperature) to the jetty (4000k colour temperature) which may be more negatively viewed from the boundaries of the site. It could also be viewed negatively from the public footpaths which cross the site. In the event that the lighting could be supported in principle this matter could be resolved by better specification of the lighting levels.

Other Security Lighting

The application supporting documents and the applicant himself have referred to the erection of lighting on six metre high columns. No further details are provided. Reports of their intended purpose are confused, the application papers suggest for security/emergency purposes only, but the applicant himself described a desire to illuminate the site during times when he operates late night events for the safety of users of the land. He cited an instance when a contestant in an activity went missing and may have had an accident.

Given the lack of detail supplied and the fact that there is no mention of such lighting in the description of development set out on the application form, these lighting columns will not be considered to form part of the application proposal.

Notwithstanding this, and for comment only, given the conclusions about the effect of low level lighting on rural character and appearance, the fact that night time activities are not consented and the previous Inspector's conclusions about security requirements/security measures, such a proposal would have been unlikely to receive support. Additionally, the suggested six metre high columns, depending on frequency of use, could have a more concerning effect on interests of wildlife and biodiversity.

The Green Belt

Given the conclusion that the lighting, as proposed, is not reasonably necessary for site operational reasons, and that it appears primarily for decorative purposes to create a night time/darkness feature, or alternatively, it is, contrary to the claims in the application, to encourage people to access the land during hours of darkness beyond the authorised hours of operation, it is not considered reasonably required for outdoor sport and recreation, and as such it is inappropriate development harmful to the Green Belt.

The effect of the pathway lighting on the openness of the green belt is discussed above, however, the cumulative effect of the pathway, jetty and lake lighting structures, together with the resultant change in character when illuminated, would also adversely impact on the openness of the area. It would no longer appear as free from development and would have a growing urban character. The location of the lighting would be well beyond the building complex, and the introduction of illumination would represent an urban encroachment into the countryside.

Conclusion

If operated in accordance with the 6.30pm curfew currently proposed, the suggested lighting offers a solution which would be light pollution compliant and which would not intrude significantly on neighbouring properties or wildlife and biodiversity, however, it would adversely impact on the rural character and appearance of the area, both when illuminated and when non-illuminated, and would cause harm to the openness of this part of the Green Belt.

Recommendation

That the application be **REFUSED** for the following reasons:

1. The introduction of the proposed lit pathway and the decorative illumination of the jetty and lake, together with the presence of the lighting fittings and structures, harm the character and appearance of this rural location. The proposed development would significantly alter and adversely affect the rural character of this area of land and body of water, resulting in harm to the character of this intrinsically dark rural landscape. It is therefore contrary to the provisions of Policy NW13 of the North Warwickshire Core Strategy 2014 and to the provisions of paragraph 129 of the National Planning Policy Framework.
2. In the absence of a sound functional purpose for the lighting, it is considered that it is not reasonably required for outdoor sport and recreation, and as such it is inappropriate development harmful to the Green Belt. Furthermore, the proposed lighting would cause harm to the openness of this part of the Green Belt. No very special circumstances are advanced which clearly outweigh the identified harms. The development is therefore contrary to policy NW3 of the Core Strategy 2014 and the National Planning Policy Framework 2012.

BACKGROUND PAPERS

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

Planning Application No: PAP/2015/0050

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	29/1/15
2	Mr & Mrs Coyle	Representation	3/3/15
3	J & D Burrin	Representation	23/2/15
4	Environmental Health Officer	Consultation Reply	9/3/15
5	Warwickshire Wildlife Trust	Consultation Reply	12/3/15
6	Corley Parish Council	Representation	8/3/15
7	Fillongley Parish Council	Representation	12/3/15
8	Mr & Mrs Mc Hugh	Representation	9/3/15
9	C Shibly	Representation	9/3/15
10	Mr & Mrs Hooke	Representation	6/3/15
11	Lighting Consultant	Consultation Reply	8/4/15

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

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



(8) Application No: PAP/2015/0163

Land East Of Fir Tree Cottage, Seckington Lane, Newton Regis, B79 0ND

Approval of reserved matters - pursuant to outline permission ref. PAP/2013/0231 covering appearance, landscaping, layout and scale, for residential development, for

Mr T Smith - Sibson Mill Properties

Introduction

This application is referred to the Board for determination at the discretion of the Head of Development Control

The Site

This is a rectangular area of land at the rear of Newton Farm and its range of former buildings now converted to residential units on the edge of the village and to the east of Seckington Lane. The site is not within the village's Conservation Area but adjoins it along its southern boundary.

There is open land to the north; the residential curtilage of Fir Tree Cottage to the west and existing residential curtilages to the east.

The location of the site is shown at Appendix A.

The Proposals

Outline planning permission was granted at appeal here for the erection of nine houses in April 2014.

This current application seeks approval for the reserved matters of that permission as outlined in the description above. Other matters reserved by the outline consent will be the subject of later applications to discharge other conditions.

The proposed layout shows nine dwellings effectively set away from the existing conversions on the other side of the access to them. There would be a line of seven units here, split into three blocks – two pairs of semi-detached and a row of three. However the semi-detached would be different sizes and of different design. At the east end would be two bungalows backing onto an existing rear garden. Each unit is allocated two car parking spaces and the existing turning area at the end of the existing access would be retained for this same purpose. The west and north boundaries would be post and rail fencing with new hedgerow planting and the east boundary would be retained brick wall.

The design of the dwellings is rural in character with a variety of styles and materials.

The proposed layout and the design of the houses is shown at Appendix B

Representations

The Newton Regis Parish Council together with three local residents objected to the originally submitted plans because they did not consider that the design and appearance reflected the setting. In particular there was concern that an alternative approach should be taken so as reproduce a group of former agricultural buildings. Detailed matters were also raised in respect of the materials proposed; drainage issues and parking matters

Residents and the Parish Council have been re-consulted on the receipt of amended plans. Two further comments have been received, which welcome alterations made at the suggestion of local residents. However one respondent still thinks that more should be done – e.g. the use of wood rather than Upvc for the fenestration.

Consultations

Warwickshire County Council as Highway Authority – The Highway Authority has raised two matters. The first relates to footpath provision and the second relates to detailed gulley arrangements off Seckington Lane. The revised plans referred to above address the provision of a footpath in the layout and the matter of the gulley is referred to below.

Development Plan

The Core Strategy 2014 – NW10 (Development Considerations); NW12 (Quality of Development) and NW13 (Historic Environment)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV12 (Urban Design); ENV13 (Building Design) and ENV15 (Conservation)

Other Material Planning Considerations

The National Planning Policy Framework 2012

The Newton Regis Conservation Area Designation Report 1981

Observations

With the principle of there being nine dwellings already established, the issues here relate only to the reserved matters as set out in the application description.

There is no objection to the scale here as the outline permission was for nine units and the plans now submitted relate to this number too. In terms of layout, then the illustrations submitted at the time of the outline application showed how they might be accommodated and this has now been translated into the detail submitted. There is no objection here as the site really doesn't lend itself to another layout. The lower rise bungalows are appropriate close to the existing eastern rear gardens and the other houses are sufficiently distant from the existing conversions not to cause adverse loss of amenity.

Some representations received from local residents objected to the introduction of a different design here. They considered that the new dwellings should reflect the barn conversions. In other words appear as a group of agricultural buildings. This is a valid approach but it should not necessarily be the only one. Firstly this is a completely new development and it has been submitted as such. It should be determined on its own

merits. Secondly there is no historic evidence to suggest that there were older agricultural buildings on this site as part of the old farm complex and thus there is no historic or heritage reason to add them now. Thirdly it is considered that the proposals introduce variety of design and appearance thus adding to the overall character of the area. They are certainly not out of keeping or of sufficiently poor design to warrant a refusal.

There have however been some amendments made to the submitted plans in order to respond to these representations. These relate to matters of detailing and include the removal of curved “eaves”; there being less use made of render as a facing material and to the introduction of a darker contrasting brick plinth. It is considered that the latest plans as illustrated now are worthy of support. They do not adversely affect the character or appearance of the adjoining Conservation Area.

In respect of the County Council’s concerns then a footpath is to be provided alongside the northern edge of the cul-de-sac. The drainage gully details can be resolved under the normal highway agreement for the works to improve the access.

Recommendation

That plan number 7142/100 received on 12/3/15; 7142/150D; 250A, 251B, 252A and 253A received on 3/6/15 be approved in discharge of condition 1 of planning permission PAP/2013/0231 dated 14/4/14.

Notes

- i) Attention is drawn to Sections 163 and 184 of the Highways Act 1980. Contact should be made with the Highway Authority in order to acquire the appropriate consents for works to improve the access.
- ii) The Local Planning Authority has met the requirements of the NPPF by negotiating changes as a consequence of matters raised by the local community.

BACKGROUND PAPERS

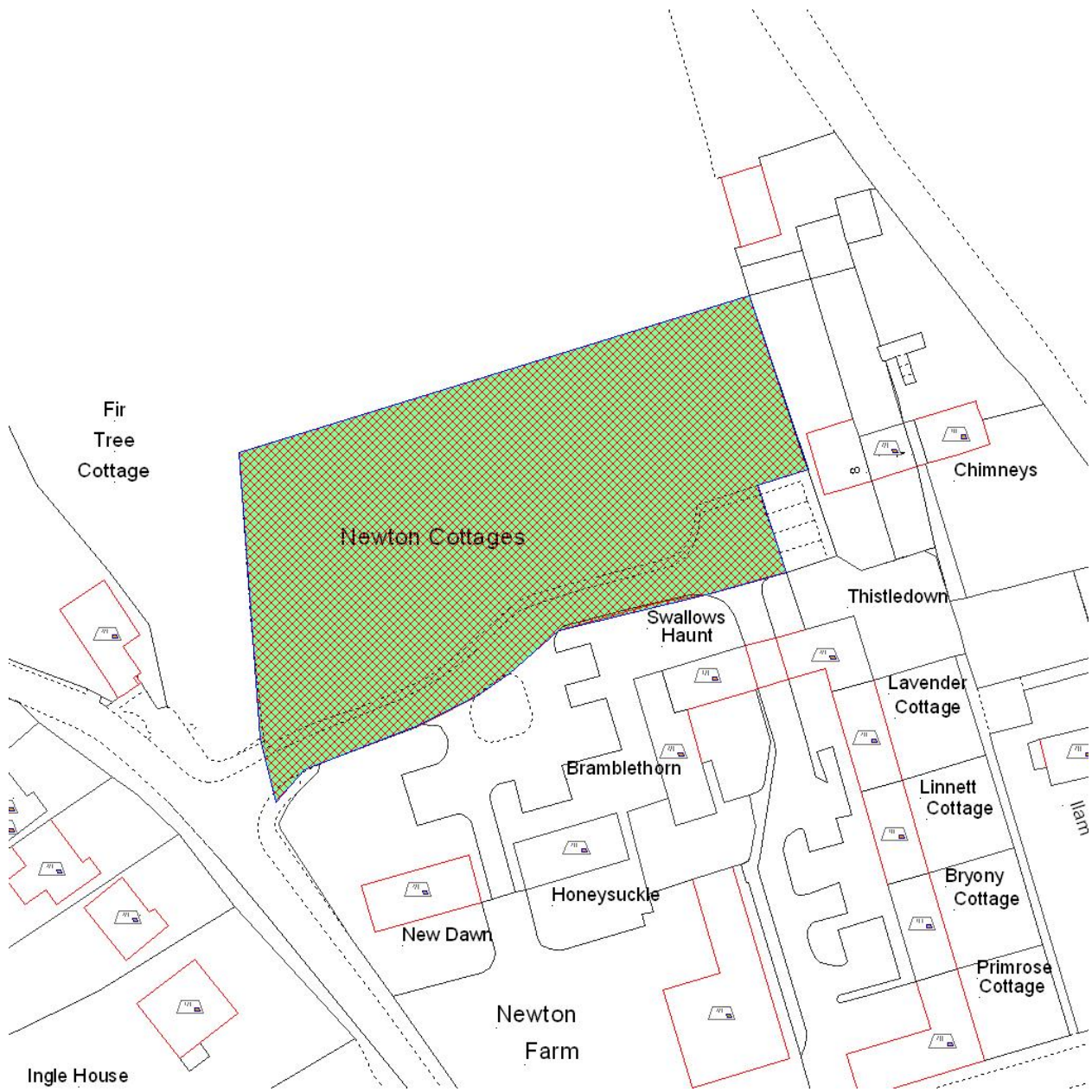
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0163

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	17/3/15
2	Highway Authority	Consultation	8/4/15
3	Applicant	E-mail	15/4/15
4	M Tallett	Objection	18/4/15
5	Newton Regis Parish Council	Objection	24/4/15
6	Fir Tree Cottage	Objection	23/4/15
7	R Simpson	Objection	27/4/15
8	J Simpson	Objection	27/4/15
9	M Mosley	E-mail	30/4/15
10	Highway Authority	Consultation	11/5/15
11	Case Officer	E-mail	6/5/15
12	Applicant	E-mail	15/5/15
13	Applicant	E-mail	22/5/15
14	R and J Simpson	Representation	27/5/15
15	C Smedley	Representation	27/5/15
16	Applicant	E-mail	27/5/15
17	Applicant	E-mail	3/6/15

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

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







(9) Application Numbers PAP/2015/0167 and PAP/2008/0168

Britannia Works (Former Hatting Factory), Coleshill Road, Atherstone, CV9 2AB

Full Planning Application and Listed Building Application for the Development of the Existing Industrial/Employment Site for Residential Use; Conversion of Existing Factory Buildings to Residential Use; Demolition of Selected Existing Buildings and Construction of New-Build Residential Blocks. Total number of apartments = 54 dwellings.

For Hazelton Homes (Midlands) Ltd

Introduction

The receipt of this application is reported to the Board in view of its significance to the town, such that Members can understand the proposal and the issues involved prior to its determination at a later meeting. Some of the Members have already visited this site when a planning application and Listed Building application were being considered in 2008. No decision was made on these applications.

The Site

The site comprises an area of some 0.4 hectares and forms an angled plot between Coleshill Road, the Coventry Canal and Richmond Road. The site lies approximately one kilometre south-west of the town centre.

Britannia Works is a complex of Grade II Listed Buildings. There are two separate mill buildings on the site which have evolved on the site since the 19th Century to serve the hatting industry within Atherstone. The buildings across the site date from the early 19th Century to the early 20th Century and comprise a mixture of one, two, three and four-storey buildings. None of the buildings have been occupied since Wilson and Stafford's closed in 1999. The buildings were the subject of an Urgent Repairs Notice in view of the buildings being vandalised. This Notice was fully complied with.

There are presently vehicular and pedestrian accesses into the site from Coleshill Road and Richmond Road.

The site is illustrated at Appendix A.

The Proposals

There are two applications submitted. One is a full planning application and the second is a Listed Building application, both for a residential scheme comprising the following mix of market housing:

2 one-bed studio apartments;
9 one-bed apartments;
31 two-bed apartments;
2 two-bed houses; and,
10 three-bed houses.

51 car parking spaces are proposed within the site along with space for undercover cycle storage.

The proposed scheme seeks to retain the existing fabric of the building fronting onto the Coleshill Road and the two-storey building along the Coventry Canal. However, the remaining buildings are to be demolished. No details have been submitted with regards to the phasing of this redevelopment scheme.

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

The planning application is accompanied by a Cost Plan presenting the applicant's arguments for being unable to provide any on-site affordable housing or off-site contribution. A further Financial Viability Appraisal has been requested to include the following additional details:

- a) Supporting reports for any abnormal site costs
- b) Market evidence, comprising:
 - (i) Estimate of sales values
 - (ii) Market evidence in support of the sales values, and
 - (iii) Values assessed for affordable housing.
- c) Detailed valuation reports (Include tenures, easements, description etc.).
A Viability appraisal including cash flow.
- d) A Development programme. This would show the anticipated period involved in development, including pre- build, build period and marketing period.

Also accompanying the applications are:

- A Design and Access Statement;
- An Outline Architectural and Archaeological Assessment prepared by Richard K. Morris Associates;
- Bat Survey Report;
- British Waterways Consultation;
- Structural Survey;
- Tree Survey Report;
- Gas Pipeline Search;
- Heritage Impact Assessment prepared by Richard K. Morris Associates;
- Schedule of Unit Locations and Areas prepared by KRT Associates Ltd; and a
- Transport Statement.

Development Plan

North Warwickshire's Core Strategy Adopted October 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW5 (Split in Housing Numbers), NW6 (Affordable Housing Provision), NW9 (Employment), NW10 (Development Considerations), NW11 (Renewable Energy and Energy Efficiency), NW12 (Quality of Development), NW14 (Historic Environment), NW18 (Atherstone) and NW22 (Infrastructure).

Saved Policies of the North Warwickshire Local Plan 2006 - ENV9 (Air Quality); ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), ENV15 (Conservation), ENV16 (Listed Buildings), ECON5 (Facilities relating to the Settlement

Hierarchy), TPT3 (Access and Sustainable Travel and Transport) and TPT6 (Vehicle Parking).

Other Material Considerations

National Planning Policy Framework 2012

The Council's Design Brief for Britannia Mill

Observations

The Core Strategy requires a minimum of 600 houses to be provided in Atherstone by 2029. The draft Site Allocations Plan allocates this site, indicating that it could provide 62 residential units. The Strategy would also require 30% of the units to be "affordable housing". The reasoned justification further states that there is a need to bring this site, being one of Atherstone's most important Listed Buildings, back into use. It further goes on to state that there is a requirement for most of the buildings, particularly those on the Coleshill Road frontage, to be retained. The design of the building should reflect and respect the buildings Grade II status as well as its canal side location. These matters are reflected in the adopted Design Brief.

In addition to the above, Policy NW18 (Atherstone) in the Core Strategy states that proposals that assist in the continued regeneration of Atherstone will be supported and encouraged.

The proposed redevelopment scheme highlights the following key issues which will need to be addressed:

- 1) Britannia Works is a complex of Grade II Listed Buildings. As such the local planning authority is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. It is important that the amount of demolition proposed is the minimum required to facilitate the sites' redevelopment and to include only those buildings of lowest historic value. The conversion of the buildings to be retained needs to be to a high standard in order to preserve the fabric of the Listed Building. The design of the proposed new build needs to enhance the character, appearance and historic value of the Listed Building and its curtilage in accordance with Saved Policy ENV16. There is a large amount of new buildings required by the scheme. The most prominent new building proposed will be the four-storey buildings along the Coventry Canal. The application is accompanied by a Design and Access Statement; a Report on the conclusions of a Structural Survey of the Buildings and a Heritage Impact Assessment of the Proposed Development.
- 2) The site lies close to the boundary of the Atherstone Conservation Area. As such the local planning authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality as required by Policy NW14 (Historic Environment) and Saved Policy ENV15 (Conservation). The design and appearance of the scheme is important in this sensitive setting.

- 3) The proposed redevelopment scheme should not impact on the highway safety of road and pedestrian users along Coleshill Road and Richmond Road. The proposal involves the use of three existing pedestrian accesses off Coleshill Road and two existing vehicular accesses off Richmond Road. The proposal is to split the site into two with the first vehicular serving the majority of the site and the second vehicular access at the end of Richmond Road serving 14 apartments with 5 car parking spaces proposed. Policy NW10 and Saved Policies ENV14 and TPT3 stress the importance of ensuring that the vehicular access to the site is safe and the need to demonstrate that priority is given to pedestrians, cyclists and those using public transport. The application is accompanied by a Transport Statement.
- 4) The proposed redevelopment scheme, which provides 51 car parking spaces as well as secured undercover cycle storage and pedestrian access to the bus stops in Coleshill Road, should not cause highway issues with pressure for off-street parking and the need to service the site by larger vehicles. The application is accompanied by a Transport Statement.
- 5) The proposed development scheme should not have a detrimental impact on the residential amenity of neighbouring properties by virtue of overlooking, loss of privacy and disturbance due to traffic. Policy NW10 seeks to ensure that development proposals avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, fumes or other pollution.
- 6) The proposed redevelopment scheme does not include any affordable housing as required under Policy NW6 (Affordable Housing Provision). A Costs Plan is submitted and further information on a Viability Appraisal is being sought from the applicant.
- 7) The proposed mix of uses with some residential units proposed next to an established Public House and take-away will need to be considered against Saved Policy ENV9. Saved Policy ENV9 states that places of residence, employment or other noise-sensitive uses will not be permitted if the occupants would experience significant noise disturbance. The Environmental Health Officer has been consulted.
- 8) The conversion and redevelopment scheme should aim to support the development of a canal related tourist /heritage attraction. The Canal Trust has been consulted along with Atherstone Civic Society.

Recommendation

That the report be noted and that Members familiarise themselves with the site by viewing it either from Coleshill Road particularly the canal bridge on Coleshill Road and the canal towpath and from Richmond Road. It is not recommended that a member site visit takes place as most of the buildings on site are now inaccessible and there would be health and safety issues with accessing the remainder of the site.

BACKGROUND PAPERS

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

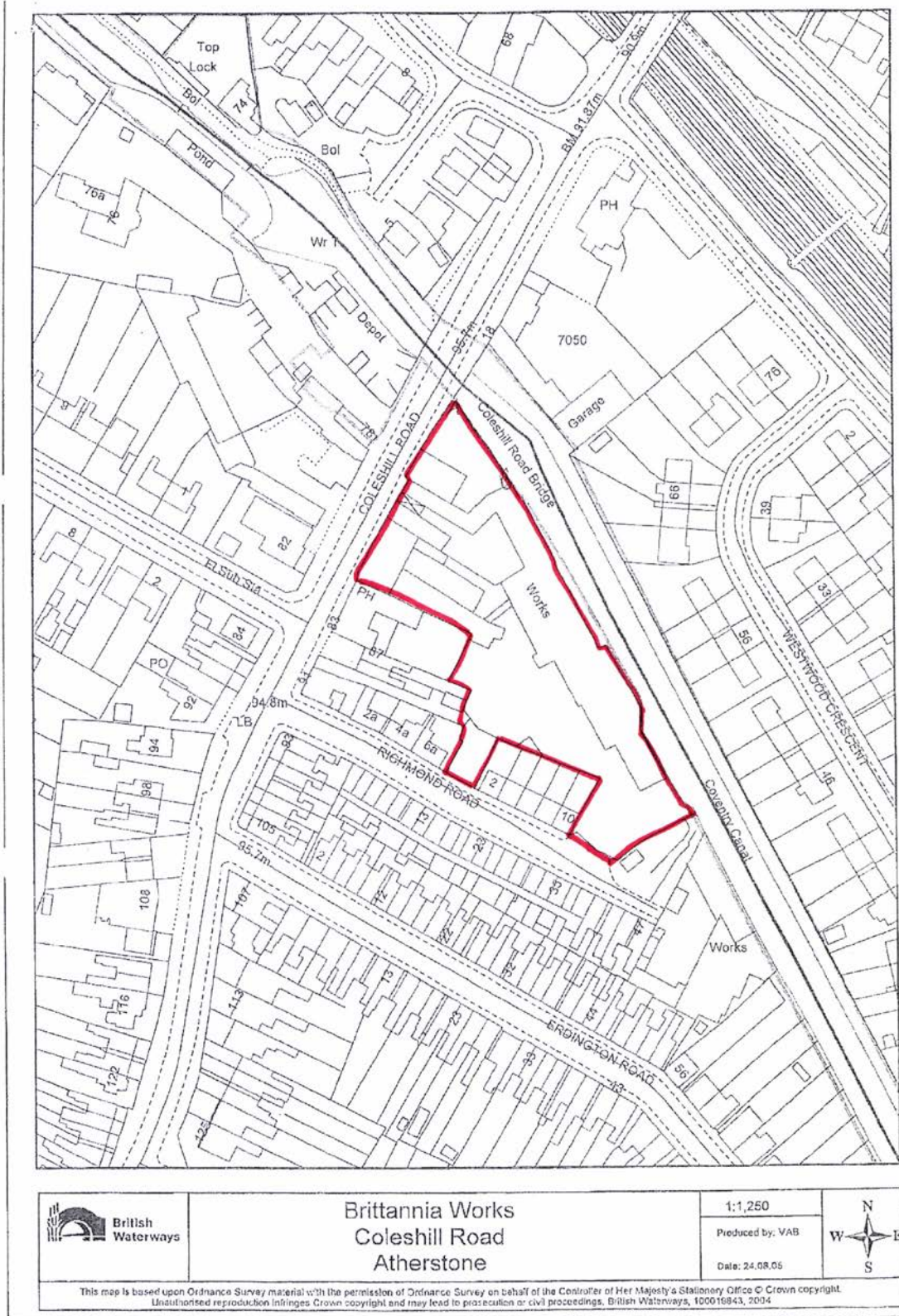
Planning Application No: PAP/2015/0167

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	23/4/2015

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.

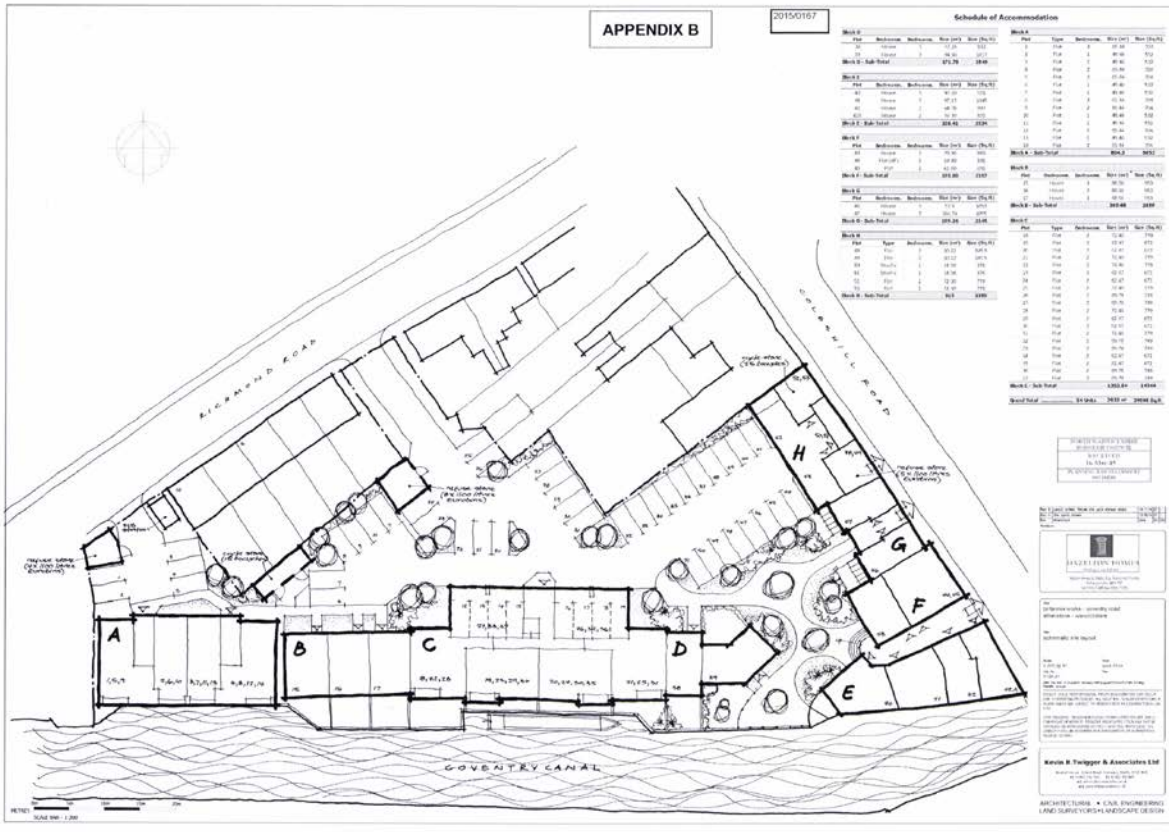




APPENDIX B

2015/0167

Schedule of Accommodation



Block	Area	Bedrooms	Bathrooms	Garage	Plot Area	Net Area
Block A	1	2	1	1	10.00	10.00
	2	2	1	1	10.00	10.00
	3	2	1	1	10.00	10.00
Block A - Sub Total		6	3	3	30.00	30.00
Block B	4	2	1	1	10.00	10.00
	5	2	1	1	10.00	10.00
	6	2	1	1	10.00	10.00
Block B - Sub Total		6	3	3	30.00	30.00
Block C	7	2	1	1	10.00	10.00
	8	2	1	1	10.00	10.00
	9	2	1	1	10.00	10.00
Block C - Sub Total		6	3	3	30.00	30.00
Block D	10	2	1	1	10.00	10.00
	11	2	1	1	10.00	10.00
	12	2	1	1	10.00	10.00
Block D - Sub Total		6	3	3	30.00	30.00
Block E	13	2	1	1	10.00	10.00
	14	2	1	1	10.00	10.00
	15	2	1	1	10.00	10.00
Block E - Sub Total		6	3	3	30.00	30.00
Block F	16	2	1	1	10.00	10.00
	17	2	1	1	10.00	10.00
	18	2	1	1	10.00	10.00
Block F - Sub Total		6	3	3	30.00	30.00
Block G	19	2	1	1	10.00	10.00
	20	2	1	1	10.00	10.00
	21	2	1	1	10.00	10.00
Block G - Sub Total		6	3	3	30.00	30.00
Block H	22	2	1	1	10.00	10.00
	23	2	1	1	10.00	10.00
	24	2	1	1	10.00	10.00
Block H - Sub Total		6	3	3	30.00	30.00
Grand Total		48	24	24	480.00	480.00

I am a professional engineer and I certify that the information contained in this schedule is true and correct to the best of my knowledge and belief.
 Date: 27/10/15
 Signature: _____
 Name: _____
 Position: _____

No. of plots: 24
 No. of units: 24
 No. of bedrooms: 48
 No. of bathrooms: 24
 No. of garages: 24

KEVIN R. TWIGGER & ASSOCIATES LTD
 ARCHITECTS • CIVIL ENGINEERS
 LAND SURVEYORS • LANDSCAPE DESIGN



(10) Application No: PAP/2015/0169

Trent View Farm, Mancetter Road, Hartshill, CV10 0RS

Erection of telecommunications relay mast, for

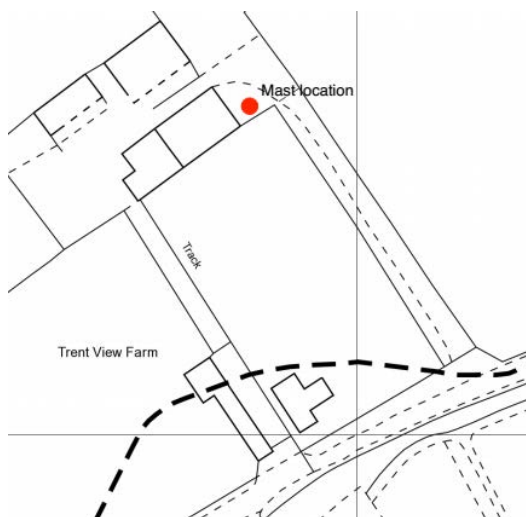
Mr Chris Beale - Pinnacom Limited

Introduction

The application is reported to the Planning and Development Board at the discretion of the Head of Development Control

The Site

The site is a complex of existing farm buildings and a farm house on the north side of Mancetter Road. The site is located outside of the development boundary for Hartshill and Ansley Common and is sited in proximity to the Hartshill ridge. The site is just within the district boundary for North Warwickshire. The context of the site and its surroundings in proximity to the installation is illustrated below and can be viewed at Appendix A.



The site forms a rural backdrop with long distance views over the valley. To the west of the site lies a row of dwellings along Mancetter Road at approximately 120 metres distance.

The Proposal

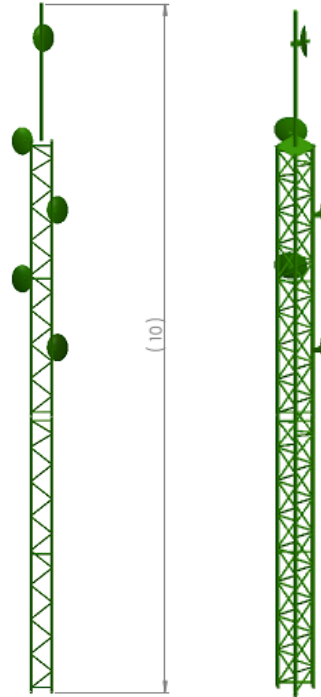
A telecommunications relay mast has already been installed on the site. The application is therefore retrospective. It is understood that the location has been selected by the need for line-of-sight visibility to receivers, particularly the avoidance of trees and other obstructions. The applicant maintains that the Hartshill Ridge provides the vantage point from which to achieve that and this is evident by other telecommunications services and private radio enthusiasts in the vicinity. He continues by saying that there are few other locations on the ridge other than Trent View Farm that would offer suitable radio conditions and none that would be secure and have existing power facilities. It is important that the siting is on a private land rather than public land which could result in vandalism of the installation.

Background

The installation has already been erected and comprises of an aluminium lattice frame which is not treated in a colour finish. The mast is currently 12m in height and, when complete, would have been fitted with an additional 2 metre extension pole be fitted so as to become a total of 14m overall. The mast presently in situ is as per the photograph below:



In situ



Proposed revision

Members will be aware that this maximum height is compliant with the limits for permitted development under Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (maximum height being 15m). However whilst the height of the mast would be within the permitted allowance, the installation is not permitted development on account that mast and the land on which it is installed is not controlled by a registered telecommunications operator. No fall-back position therefore exists.

The appearance of the mast has been the subject of negotiation during the course of the application process and it is now proposed that the installation would be lowered to a total height of not more than 10 metres and that there would be no more than 5 dishes attached. The proposed final appearance of the mast would be as illustrated above and would be painted in green. This is the proposal that the Board is therefore asked to consider.

The mast is for Internet and telecommunications purposes to provide high capacity Internet services including VoIP telephony to rural users who could not otherwise receive them. It delivers IP services to rural business and domestic customers in North Warwickshire, Leicestershire and into Northamptonshire. It is linked to a further location at Earl Shilton and will be interconnected to another at Ashby.

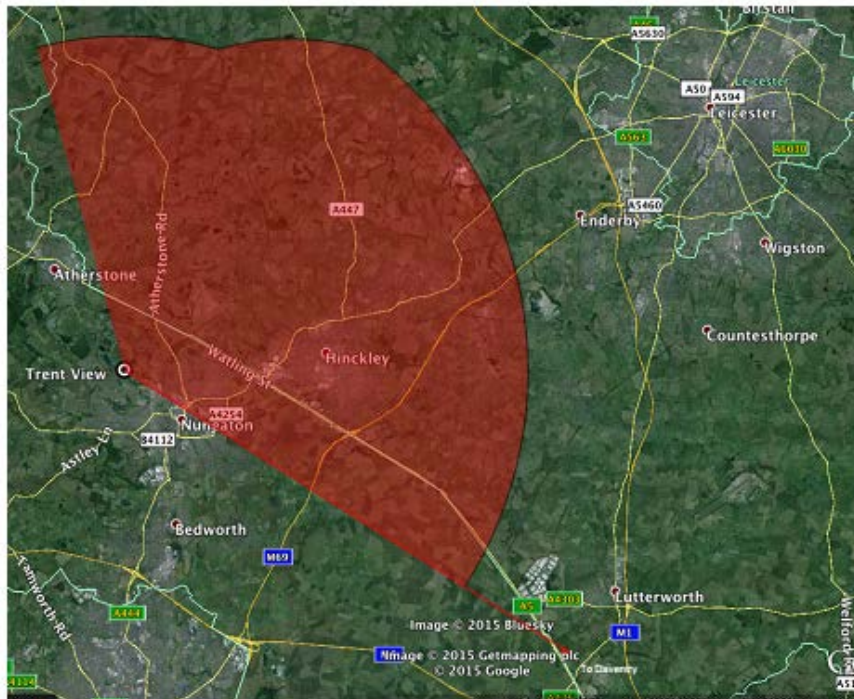


Figure 1 - Broadband Coverage from Trent View

Development Plan

North Warwickshire Core Strategy 2014 - NW10 (Development Considerations) and NW12 (Quality of Design)
 Saved policies of the North Warwickshire Local Plan 2006 - ENV13 (Building Design)

Other Relevant Material Considerations

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

Representations

Six letters of objection have been received from local residents. A summary of the main issues is below:

- This is another eyesore in the road.
- There is an existing very large one further along the road
- Safety issues and people’s health.
- It does not enhance the countryside.
- The appearance and design is not in keeping with the area and the dishes on it are prominent and reflect the light directly into their rear rooms and garden.
- Loss of view.
- It doesn’t benefit the local community

Observations

It is considered that the mast is not acceptable in its current appearance in that the height and finish of it is clearly visible above the complex of existing farm buildings and trees. It also reflects sunlight causing occasional glare on the amenity of neighbours along the row of houses at Mancetter Road who have a direct rear view of the mast.

The impact of the existing installation from the neighbour's perspective is shown in the photograph below:



Members are reminded that the proposal has been revised since submission and since erection of the mast as illustrated above.

a) Scale and design

By reducing the height of the mast and painting it green, it would not significantly be higher than trees within the application site as shown on the photograph above. This would better blend within the landscape particularly as it is on lower ground than the properties in Mancetter Road. It would also avoid the glare currently experienced by the aluminium finish. In comparison with other telecommunications installations the relay mast is not large. Additional landscaping in suitable locations where the mast could be further screened would be advantageous.

b) Neighbours Amenity

The revised proposal would reduce the impact of the mast on the neighbour's amenity in terms of their visual outlook. It is sited at the furthest possible point from neighbours some 100 metres distant. Consideration has been made into using the other nearby masts for the additional installations, however as these are under the ownership of a different provider, they are not available.

Concerns have been made regarding the coverage of the mast has little benefit for North Warwickshire. It would be improper for the Board not to consider the wider community here - network coverage can be beyond district boundaries and would be able to provide flexibility for the communications network.

c) Landscape character

The revised proposals would not be considered to impact materially upon the openness of the landscape in this location. This is because it is sited within the complex of the existing farm buildings and is not on an open parcel of ground. In terms of its footprint and scale then the lattice frame has slim sections and it is affixed to the ground with a metal plate but covers a minimal footprint. The harm on openness is not materially worse than the existing installations in the vicinity and the proposed revisions will mitigate any harm on the visual amenities caused by the present arrangement.

d) Health

In a 2006 World Health Organisation report it was considered that with wireless networks as here, the exposure are so low that temperature increases are insignificant and do not affect human health. Wireless networks are located in many schools, hospitals, public houses and public realm places, and they are increasing. Members will also be aware of Government advice indicating that public health concerns are unlikely to be material planning considerations.

Summary

The revised scheme would be considered to address the issues raised by the neighbour's objection. Whilst the mast is not removed altogether, given the changes that are proposed to its appearance, it is considered that the current proposal represents the best balance between the competing objectives of retaining residential amenity and encouraging telecommunications.

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 revised plan numbered PIN-TV-0515-01 received by the Local Planning Authority on 26 May 2015 and the site location plan received by the Local Planning Authority 16 March 2015.

REASON

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

2. Within one month of the date of this Decision Notice the telecommunications mast and installations including dishes and antenna shall be painted in leaf green to an RAL BS4800 colour range and shall be permanently retained in that colour finish at all times.

REASON

In the interests of the visual amenities of the area.

3. For the avoidance of doubt the maximum height of the mast to the top of the extension pole shall not exceed 10 metres in height from ground level.

REASON

In the interest of the amenities of the area.

4. No other dishes or antennas shall be installed on the mast hereby approved unless details are first submitted to an approved in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the area.

5. The mast and associated installations shall be removed from the site at which time the equipment becomes redundant and the land reinstated to its former condition to the satisfactory of the Local Planning Authority

REASON

In the interests of the amenities of the area.

6. Details of a landscaping scheme shall be submitted to the Local Planning Authority within three months of the completion of the scheme required by Condition 2 which shall detail the siting and species of landscaping to screen the mast from the west and should any plant or tree fail within the first planting season then replacement species shall be planted within the next available planting season.

REASON

In the interests of the visual amenities of the area.

Notes

In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through suggesting amendments to improve the quality of the scheme. 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.

BACKGROUND PAPERS

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

Planning Application No: PAP/2015/0169

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	16.3.15
2	Environmental Health	No comments	24.3.15
3	Mr Ritchie	Representation - objection	30.3.15
4	Rachel Ritchie	Representation - objection	30.3.15
5	Susan Ritchie	Representation - objection	30.3.15
6	Mr Shortland	Representation - objection	30.3.15
7	Lucy Shortland	Representation - objection	31.3.15
8	Mrs Davies	Representation - objection	1.4.15
9	Mrs McVey	Representation - objection	2.4.15
10	Helen Davies	Representation - objection	7.4.15
11	Mrs Randall	Representation - objection	9.4.15
12	Case Officer	Correspondence	21.4.15
13	Agent	Design Statement	27.4.15
14	Mrs Randall	Representation - comments	3.5.15
15	Case Officer	Correspondence	5.5.15
16	Susan Ritchie	Representation - comments	7.5.15
17	Mr Ritchie	Representation - objection	7.5.15
18	Agent	Correspondence	11.5.15
19	Case Officer	E-mail	11.5.15
20	Case Officer	E-mail	18.5.15
21	Agent	Revised scheme plan	26.5.15
22	Case Officer	E-mail	28.5.15
23	Agent	E-mail	28.5.15

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

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

Appendix A



(11) Application No: PAP/2015/0180

60, Whitehouse Road, Dordon, B78 1QF

Bedroom, kitchen, hall and conservatory extension, for

Mr Melton Mitto

Introduction

The application is reported to Planning and Development Board at the discretion of the Head of Development Control

The Site

The site is located within the development boundary for Dordon and is sited close to the junction with Bardon View Road. The application dwelling is a dormer style bungalow with a large front garden screened by high hedges and a substantial front drive. The site is accessed directly off Whitehouse Road. The site and its surroundings is at Appendix A.

The Proposal

This is for a bedroom, kitchen, hall and conservatory extension. The originally submitted plans have been amended. These are described in more detail below.

Background

Previous planning applications at the site include the construction of a large flat roof garage built along the boundary with 58a Whitehouse Road. This would be removed to allow for the siting of the proposed extension. A garage would not be replaced within the site, since the proposed extensions would not allow vehicular access to the side or rear of the site. However parking would remain at the front of the site where there is substantial existing capacity.

Development Plan

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

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

Other Relevant Material Considerations

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

SPG: A Guide for the Design of Householder Development, September, 2003

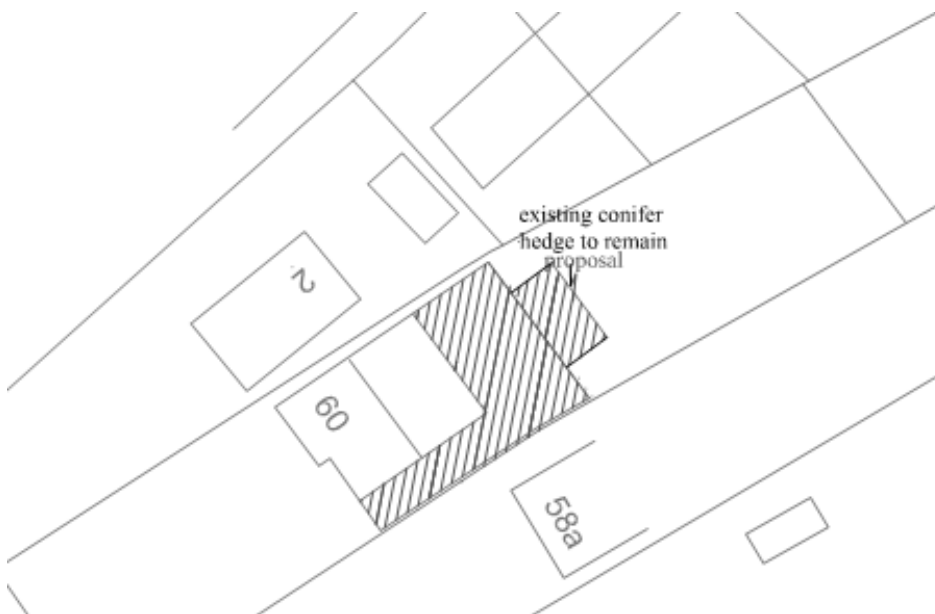
Representations

Neighbours at 58a Whitehouse Road and Nos. 2 and 4 Bardon View Road have raised the following objections:

- The size of the proposed build is not in keeping with the character of the area.
- The re-positioning of the garage would not allow a vehicle to access it.
- Speculation about later developments
- Land ownership issues
- Loss of privacy from a new window and a sky light
- Loss of light from overshadowing
- Future maintenance issues
- Extra surface water exacerbating existing problems

Observations

During the course of the application the plans have been revised to show a reduced extension to the rear arrangement and the removal of the proposed outbuilding. The existing garage block would also be removed. The build is therefore limited to a single storey side extension for the entire length of the dwelling, a single storey rear extension with a conservatory off the rear of the proposed extension. The context of the site in relation to the neighbours and the proposed extensions is illustrated below:



a) Principle of Development

In order to understand the reasoning for the size of the extensions proposed, the agent considers that the fall-back position carries material weight as larger householder extensions can now be carried out. These would include a single storey side extension under permitted development with a ridge height of not more than 4 metres and a width not more than half that of the dwelling. The majority of the proposed single storey side extension achieves this. Additionally a rear extension can be carried out under permitted development rights where large domestic extensions with a rear projection from the original building line of up to 8 metres (for a detached dwelling) can be

implemented following a prior notification procedure. The rear arrangement to the extension has a projection approximately in line with these proportions allowed under permitted development.

In these circumstances it is agreed that the principle of the extensions is acceptable. The main consideration is therefore impact of the extension in terms of its design and siting on the amenities of the neighbouring occupiers and any other material considerations relevant to the case.

b) Design

The design comprises a single storey rear and a side extension with the addition of a conservatory off the rear of the proposed extension. The roof arrangement is hipped to the extensions with a lean-to on the conservatory. The rear extension would measure 5.6 metres in projection from the original rear building line, an eaves height of 2.5 metres and a low ridge height of 3.5 metres from ground level. The projection of the extension would maintain the existing side access along with boundary with No. 2 Bardon View Road.

The single storey side extension would abut the party boundary with No. 85a Bardon View Road, this extension measures 9.8 metres in length by 2.8 metres in width with an eaves height of 2.5 metres and a ridge height of 5.1 metres, the ridge height decreases to 3.5 metres along the party boundary. The side extension then adjoins the rear extension with the continued rear projection of 5.6 metres. The total length of the side/rear extension on the party boundary with No. 58a Whitehouse road is approximately 15.7 metres in length.

The arrangement of the proposed elevations are illustrated below:



The size of the extensions have been reduced during the application process such that the projection of the rear extension forming a bedroom has been reduced by

approximately 2.5 metres, with the conservatory added on in a central aspect of the rear building line. Overall the maximum projection off the rear building line inclusive of the rear conservatory is approximately 8.9 metres.

Given all extensions are single storeys with lower ridge heights than the roof on the host dwelling then the design of the extensions are considered to be subservient from the front elevation. The form of the development is on the side and rear and these are considered to be acceptable given they are all designed at single storey in height.

Although the design presented does result in a large footprint, there is substantial capacity within the site for outdoor amenity space. The size of the garden has been corrected on the site location plan and the extent of ownership shows a reasonable garden size. It is preferred that the design of the dwelling remains as a bungalow rather than become a full height dwelling. Single storey additions are acceptable here. The proposal would therefore comply with NW12 of the Core Strategy and Saved Policy ENV13 of the North Warwickshire Local Plan.

c) Amenity

The size of the extensions has raised amenity concerns from neighbours. In terms of privacy matters then all side windows would be required to be obscurely glazed to remove overlooking issues between neighbours. There would be no overlooking from roof lights since the height and angle of the roof lights would not allow for overlooking given these would be set at a height of 3 metres above the floor level of the ground floor rooms. No additional openings would be made to the original roof on the host dwelling and therefore no new overlooking towards neighbouring properties would occur. Privacy would be maintained to neighbouring occupiers and the occupiers of the development. The arrangement to the application site and the proximity of neighbours is illustrated in the photographs at Appendix B.

In terms of issues relating to light reduction then the neighbour at No. 58a does benefit from a side kitchen window facing towards the application site. However, this neighbour's side kitchen window does not appear to be the only source of light to their habitable room. In any case a boundary treatment of up to 2 metres in height would obscure the view from this neighbour's side window towards the application site. There is an amenity benefit for the neighbour at No. 58a in that the removal of the existing garage would offset the volume of the proposed development, the net footprint and overall built form reduced in one aspect (by the removal of the large garage) and replaced by the extensions. The 45-degree line rule would not be breached by the projection of the rear extensions from this neighbour's principal rooms. The proximity of the proposed side extension would abut this neighbour's boundary line, but this neighbour's principal rooms would not be considered to suffer from reduced light given the orientation between this neighbouring dwelling and the proposed extensions. When considering a side extension can be carried out under permitted development then the impact of the development is not considered to be harmful on the residential amenity.

In terms of light related impact from the immediate neighbour at No. 2 Bardon View Road then the extension would be directly visible from their rear yard area and from windows that overlook the application site. However the first floor rear windows at this neighbour's dwelling are all obscurely glazed. The ground floor windows are all clear glazed but partially overlook the application site. Their principal rooms appear to benefit from front facing windows with a principal aspect onto Bardon View Road and therefore benefit from a second source of light.

The impact of the extension in terms of reducing light is not considered to be made worse on this neighbour's amenity beyond the type of rear extensions that could be carried out within the application site under permitted development.

The neighbour at No. 2 benefits from a large side garden which forms the bulk of their amenity space, which gains the majority of light with no overshadowing. It is proposed to condition boundary treatments to secure the privacy along boundaries where very little of the development would be visible from above a boundary fence. The proposed extension has been reduced back from the neighbour at No. 4 Bardon View Road and a proposed outbuilding/garage removed from the scheme and so the impact of the development would not affect this neighbour's light or privacy. On balance the proposal is not therefore considered to be contrary to policy NW10 of the Core Strategy when weight is given to the fall-back position.

d) Drainage

There would appear to be a drainage concern in the locality based on site levels and the topography of the area. It is therefore considered that any additional waste pipes or soakaways required by the development would be useful to assess by condition. Though this would not prevent flash flooding, there may be mitigation measures such as a soakaway that can deal with surface water issues raised by neighbours.

e) Boundary treatment

A fence would be proposed to screen this neighbour's rear yard area from the application site and with a gap being maintained along the boundary. Very little of the extension would be visible from above a boundary fence. Matters relating to boundary treatments would be arranged by condition in order to protect the privacy of all neighbouring occupiers. Particularly as the neighbours at No. 4 Bardon Road would like to see the hedge maintained for privacy reasons but at a height which does not affect their light.

Matters relating to maintenance would be arranged under Party Wall Legislation, a note to this effect would be included on a decision notice. It is possible that dwellings can be extended up to the boundary.

Summary

The design, scale and siting of the extensions are considered to be acceptable as presented in their reduced format such that they are not reasonably beyond what extensions might be carried out under permitted development. Though the footprint of the extensions appear large, the bungalow remains as a bungalow with subservient ridge heights. Provided that conditions relating to materials, obscure glazing and boundary treatments can control the development proposed at the application site, then the harm brought about on amenity can be mitigated, such that the impact on amenity would not be considered to be exacerbate the residential amenity beyond what could be carried out under permitted development. There is also the net benefit that a large garage is removed and the volume replaced by extensions which would have a better design appearance. The impact on neighbours would be the same if permitted development extensions were proposed. In this case there is a planning gain in that development can be controlled through condition.

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 revised plans numbered 011501/2 Rev A and 011501/3 received by the Local Planning Authority on 1 May 2015.

REASON

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

3. The new works shall be carried out with facing materials to the elevations and roofing tiles to match the existing building.

REASON

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

4. The windows on the ground floor side elevations of the extension and the openings made in the existing elevations of the building hereby approved 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. The windows shall be non opening except to the top light arrangement which can be opening.

REASON

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

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, unless details have first been submitted to, and approved in writing by, the Local Planning Authority.

REASON

To protect the privacy of the occupiers of adjoining properties.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of screen walls/fences/hedges to be erected. The approved screen walls/fences shall be erected before the extensions to the dwelling hereby approved are completed and shall subsequently be maintained. The existing screen hedgerow along the boundary shared with No.4 Bardon View Road shall be maintained at a height not more than 2.5 metres from above the ground level within the application site and a width not more than 30cm. 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.

7. Before the development commences a scheme for the construction of the foul and surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

To prevent pollution of the water environment and to minimise the risk of flooding on or off the site.

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.
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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

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 and seeking to resolve objections by suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

Planning Application No: PAP/2015/0180

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	18.03.15
2	Mr and Mrs Moss	Representation	31.03.15
3	Mr Charles	Representation	02.04.15
4	Mrs Sparrow	Representation	06.04.15
5	Case Officer	E-mail and correspondence	14.04.15
6	Case Officer	Correspondence	28.04.15
7	Case Officer	E-mail	28.04.15
8	Agent	Plans	01.05.15
9	Case Officer	E-mail	01.05.15
10	Applicant	E-mail	05.05.15
11	Case Officer	Re-consultation	06.05.15
12	Mr Charles	Representation	13.05.15
13	Case Officer	E-mail	27.05.15
14	Agent	E-mail	27.05.15

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

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

Appendix A





Front elevation



Rear elevation



Side extension to abut the party boundary with No. 58 Whitehouse Road.



View towards 58a Whitehouse Road from application site, the courtyard would be enclosed by the rear and side extension, the garage would be removed.



Boundary with No. 4 Bardon View Road forms a high hedge to be reduced and maintained at 2.5 metres.



Gap to party boundary with neighbour at No. 2 to be maintained. Overlooking windows towards the extension would be reduced by a boundary fence.



(12) Application No: PAP/2015/0200

1, Lawnsdale Close, Coleshill, B46 1BS

Retrospective application for 6ft high fencing, for

Mr Richard Ellis

Introduction

This application is referred to the Board at the discretion of the Head of Development Control

The Site

This is the end dwelling of a row of three houses on the south side of Lawnsdale Close at its junction with Colemeadow Road within a wholly residential area made up of similar houses. There are houses fronting Colemeadow Road at the rear of number 1.

This is illustrated at Appendix A

The Proposals

This is a retrospective application to retain a 1.8 metre tall wooden fence erected on previous green amenity space so as to enlarge the garden of number 1 along its Colemeadow Road frontage.

The location of the fence is shown at Appendix B and a photograph is at Appendix C.

Representations

A resident in Colemeadow Road has objected on the following grounds:

- The estate is “open plan” with a number of various green spaces that should remain as such
- The original boundary here was a brick wall. This has been replaced with an unsightly wooden fence closer to the road breaking the established building line.
- A loss of general visual amenity

The Coleshill Town Council say that the fence has changed the character of the area and extends beyond the building line.

Consultations

Warwickshire County Council as Highway Authority – No objection

Development Plan

The Core Strategy 2014 - NW10 (Development Considerations)

Saved Policy of the North Warwickshire Local Plan 2006 – ENV13 (Building Design) and ENV14 (Access Design)

Observations

There are many residential estates throughout the Borough which have green “amenity” spaces left over particularly at road junctions rather than have the land incorporated into rear garden space. Boundary extensions such as this are common place and have been allowed except where significant visual or highway impacts would arise. This is not the case here. There will be a change in the appearance of this part of the estate but that is not so adverse as to warrant a refusal, and the Highway Authority has not raised an objection.

Members will be aware that “open plan” estates are not planning requirements. There are no planning conditions attached to the original permission here for the estate requiring there to be no encroachment into these green areas, and neither are there any planning conditions requiring building lines to remain in perpetuity. It is often the case as here that such “conditions” are probably incorporated in covenants attached to deeds. As such the Local Planning Authority does not and would not enforce any such covenants. That is a private matter for the owner and the person with whom the owner agreed to the covenant to pursue separately from planning matters.

Recommendation

That planning permission be **GRANTED** subject to the following condition.

1. Standard Plan numbers – the plans received on 30/3/15

Notes

1. The Local Planning Authority has met the requirements of the National Planning Policy Framework 2012 in this case by considering all of the relevant planning issues.

BACKGROUND PAPERS

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

Planning Application No: PAP/2015/0200

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	30/3/14
2	WCC Highways	Consultation	5/5/15
3	Coleshill Town Council	Consultation	6/5/15
4	M Jones	Objection	15/4/15

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

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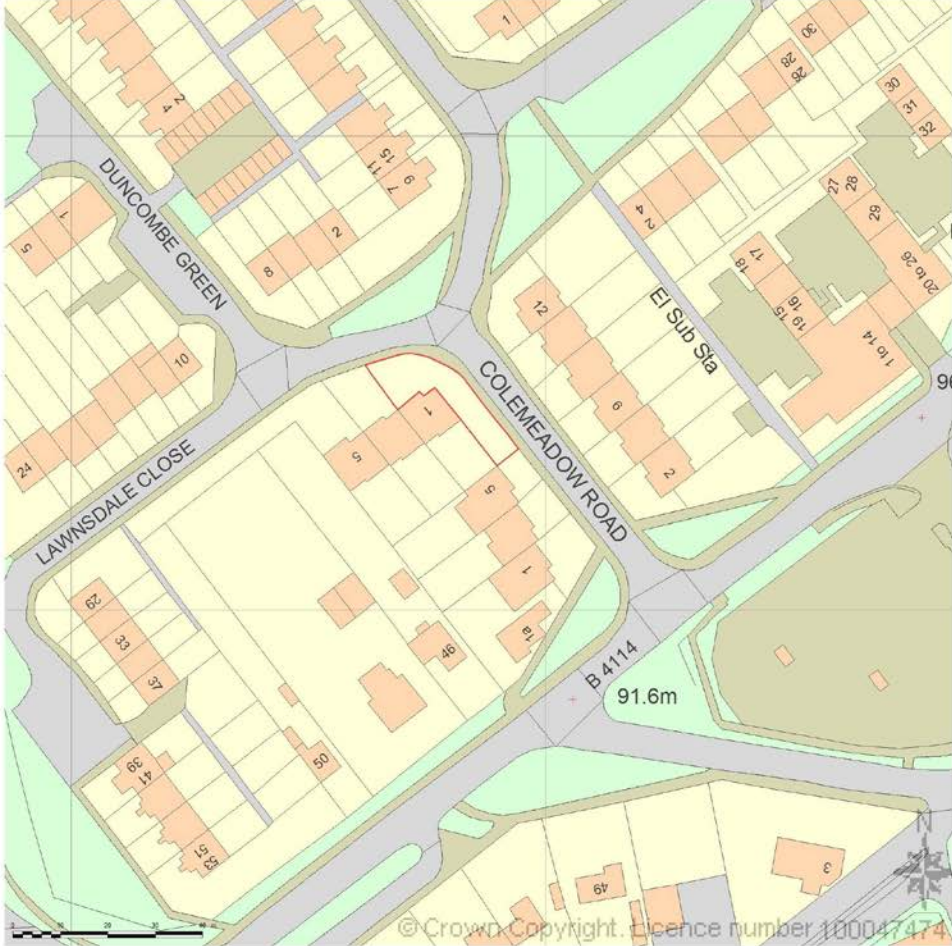




NORTH WARWICKSHIRE BOROUGH COUNCIL
RECEIVED
30/03/2015
PLANNING & DEVELOPMENT DIVISION



SITE LOCATION PLAN
AREA 4 HA
SCALE: 1:1250 on A4
CENTRE COORDINATES: 419686 , 289029



Supplied by Streetwise Maps Ltd
www.streetwise.net
Licence No: 100047474

BLOCK PLAN
AREA 90m x 90m
SCALE: 1:500 on A4
CENTRE COORDINATES: 419686 , 289029



Supplied by Streetwise Maps Ltd
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(13) Application No: PAP/2015/0201

Land South of Dairy House Farm, Spon Lane, Grendon,

Removal of condition no:19 of appeal reference APP/R3705/A/13/2203973 relating to controlled pedestrian crossing; in respect of erection of 85 dwellings, access and associated works, all other matters reserved, for

Bellway Homes Ltd

Introduction

This application is referred to the Board by the Head of Development Control given its past interest in the site.

The Site

This is presently open agricultural land to the north of the residential frontage of the Watling Street, east of the houses in Spon lane and south of Dairy House Farm.

The issue the subject to the application affects the A5 south of the appeal site. The attached plan at Appendix A illustrates the development site in respect of its general location and the position of a potential pedestrian crossing.

Background

An outline planning permission for 85 dwellings was approved here in March 2014 following a planning appeal – the Council originally refusing the application.

A number of the pre-commencement conditions in respect of the details of this outline permission have subsequently been approved

Another condition setting out separation distances between the rear elevations of the new houses and those of existing houses in Spon Lane was varied following a second appeal.

The original decision also contained condition number 19 which says:

“No dwelling shall be occupied until a controlled pedestrian crossing has been provided in full, across the A5 Trunk Road”.

The Proposals

The applicant – namely the building company now developing the site – seeks to implement the permission without compliance with condition 19. In other words, to complete the development with no pedestrian controlled condition.

Pedestrians and cyclists wishing to move south from the development would gain access onto Spon Lane. The southern end of this cul-de-sac emerges onto the A5 as can be seen at Appendix A where there is a convenience store on the north side of the A5. There are three existing crossing points across the A5 as shown on Appendix B.

Crossing 1 is close to the public house car park on the south side of the A5 and gives access to the bottom end of Boot Hill which provides access to the schools to the south.

Crossing 2 is just to the west of the store.

Crossing 3 is just to the east of Spon Lane.

The applicant has submitted the following evidence to support his case.

A Technical Note undertaken in line with the Department of Transport's specification for controlled crossings. This states that:

- The Warwickshire County Council records for January 2008 to December 14 show that there have been no personal injury accidents involving pedestrians or cyclists crossing the A5 in this area.
- Survey work on a Wednesday in March 2015 from 0730 to 1730 hours shows that only four crossings were made by pedestrians and cyclists at crossing 1 in the whole ten hours. There were 50 at Crossing 2 and 7 at crossing 3. The survey also showed that at crossing 2 the greatest number of movements was from south to north with residents crossing to gain access to the shop.
- The Note then calculates/estimates the likely number of new pedestrian/cyclist movements arising as a direct consequence of the development of the site. This work, using national modelling methods, predicts some 132 new pedestrian movements from the site. Some of these would only be to the shop or the bus stop on the northern side of the A5 so not all would end up using a crossing. Cyclist's movements are estimated at 18 new trips per day.
- The Technical Note concludes that the present crossings are not heavily used – crossing 2 being the favoured one but with the majority of movement from south to north not the other way - and that the proposed development would not generate significant numbers of pedestrian and cycle trips from people wishing to cross the A5. In other words existing and new movements would not add up to a significant need or demand.
- The survey was repeated following officer requests. The second survey was carried out in the first week in May. In the same ten hour period, crossing 2 was again the most used with 67 people and 26 people used either of the other two during the same period.

A full Road Safety Audit has also been submitted. This examined the length of the A5 covered by crossings 1 to 3 and concluded that there were safety issues involved with a proposed crossing here due to vehicle speeds; existing distances from the roundabout, bus stops and the number of private drives.

The applicant concludes that all of this technical evidence indicates that, "there are no highway safety reasons why a controlled crossing should be provided and that the existing uncontrolled crossing – number 2 – with dropped kerbs, tactile paving and central refuge is considered appropriate to accommodate any negligible increase in pedestrian/cycle movements generated by the development".

Representations

Six letters of objection have been received from local residents raising the following matters;

- a further change to planning conditions is unwelcome
- With no proper crossing there will be a fatality soon
- Road safety concerns for pedestrians without the crossing
- It will not improve connectivity to the facilities south of the A5 and will only encourage car use

Grendon Parish Council – Objection because the condition was on the outline consent and it will improve connectivity for future occupants to access the schools in Baddesley; the Grendon Pharmacy , the recreation and community facilities as well as the bus stops for Tamworth. The Highways Agency is now backing the developer who has already broken promises.

Consultations

Highways England – No objection. The full consultation response at the time of the application is provided at Appendix C. the full response to the current application is attached at Appendix D. Its position is that at the time of the planning application and the subsequent appeal, the matter of the provision of a pedestrian controlled crossing here was not certain and that it would need to be resolved outside of the planning process based on full road safety audits and technical details. This was never provided prior to a final planning decision. Now that it has been undertaken and submitted, Highways England is satisfied that the development can proceed without such a crossing.

Following the receipt of the additional survey work together with a request from officers to look again at the matter and particularly the prospect of a speed reduction on the A5, Highways England has made a further response. This is at Appendix E.

The response confirms that there is no objection to the removal of the condition.

Development Plan

The Core Strategy 2014 – NW10 (Development Considerations)

Saved Policy of the North Warwickshire Local Plan 2006 – ENV14 (Access Design)

Other Material Planning Considerations

The National Planning Policy Framework 2012

Circular 11/1995 – “The Use of Planning Conditions”

Observations

a) Introduction

It is very important to stress from the outset that whilst consideration of a refusal is acknowledged as being understandable and that the whole of the history of this

development may not sit comfortably with the local community, the grounds for that conclusion will have to be properly evidenced if they are to be defended at an appeal. In these circumstances an Inspector would look at the matter through the evidence placed before him on two matters; the need for an improved crossing over the existing arrangements based on whether that is directly or essentially required as a consequence of the development itself and secondly on the highway safety evidence.

b) Background

It is worthwhile first examining how the condition came into being. At the time of the application, the then applicant proposed a controlled crossing through improvement of the arrangements across the A5. He argued that this would increase connectivity and lead to improved road safety. The then Highways Agency responded to the proposal by saying that the crossing “was not considered to be necessary to facilitate the development” and that “the details of the crossing (should it be required) can be discussed outside of the application”. This “would allow time for the requirement for a crossing to be investigated fully and any associated issues to be addressed post determination” – see Appendix C. As it happened the Council refused planning permission. At the subsequent appeal the Highways Agency repeated its position – see Appendix D. The Planning Inspector agreed that such a crossing would “encourage more local trips by foot and promote sustainable travel” and thus safeguarded its implementation through the condition included in the planning permission. The terms of the condition are based on the occupation of the first completed house not the commencement of work, thus enabling the developer and the Highways Agency an early opportunity to examine the technical highway and road safety issues involved. Those technical matters have now been submitted and examined by Highways England. Its conclusion is that there are significant enough safety issues involved for it not to agree to such a crossing. It should be pointed out that the Highways Agency never actually agreed to such a crossing – just that its provision needed a proper technical investigation.

c) Planning Issues

Members will be fully aware that planning conditions are the subject of Government guidance in Circular 11/1995. Any appeal involving the removal or alteration of conditions will always refer to this. Planning conditions have to be necessary; relevant to planning, relevant to the development proposed, enforceable, precise and reasonable in all other respects. The condition now under review would be assessed against these tests in the knowledge of the background evidence from the Highways England. There is no need to consider the precision or enforceability tests here as these would be satisfied. It is the others that need to be questioned in light of the current supporting evidence from the applicant and from Highways England response. It is agreed, reluctantly, that the balance should rest with that evidence and that the condition is no longer compatible with the Circular tests.

This is not to conclude that the condition should never have been imposed. At the time of the appeal the crossing was proposed as part of the overall proposals. Due to the then Highways Agency response, the Inspector considered that there was merit in taking an opportunity to safeguard this possibility. This was a reasonable response and the applicant agreed, not objecting to the condition at the appeal. It was clear to the Inspector from the background that the prospect of an improved crossing would always depend on the outcome of the technical details and thus ultimately on the agreement of the Highways Agency as the appropriate highway authority. The wording of the condition thus allowed time for the applicant and the Highways Agency to look at the

technical details. That has now been carried out and the advice from Highways England as the Agency is now called is very clear. It does not consider that the improved crossing is an essential requirement of the development and that the proposals do not meet its safety requirements. In other words that it is no longer reasonable to require the crossing.

d) Alternatives

Given this situation, it is considered that it would be imprudent for the Council to insist on the provision of this crossing. As a consequence, and understanding the views of the local community a number of alternatives have been discussed with both the applicant and Highways England. Alternative locations for a controlled crossing along this stretch of the A5 have been investigated but no suitable one has been found. This is because any other location would involve “detours” for those pedestrians coming down Spon Lane wishing to cross the A5. This would act as a deterrent to the use of any such alternative. Secondly, Highways England is not at all satisfied that there is any suitable location close to the “desire” line of potential pedestrians. Officers have therefore looked at other alternatives – improving the existing crossing 2 and the possibility of reducing the speed limit here from 40 to 30 thus providing a different background to the technical road safety specification. Again here, Highways England repeats its position.

Recommendation

That the development may proceed without compliance with condition 19 of the planning permission dated 27 March 2014.

BACKGROUND PAPERS

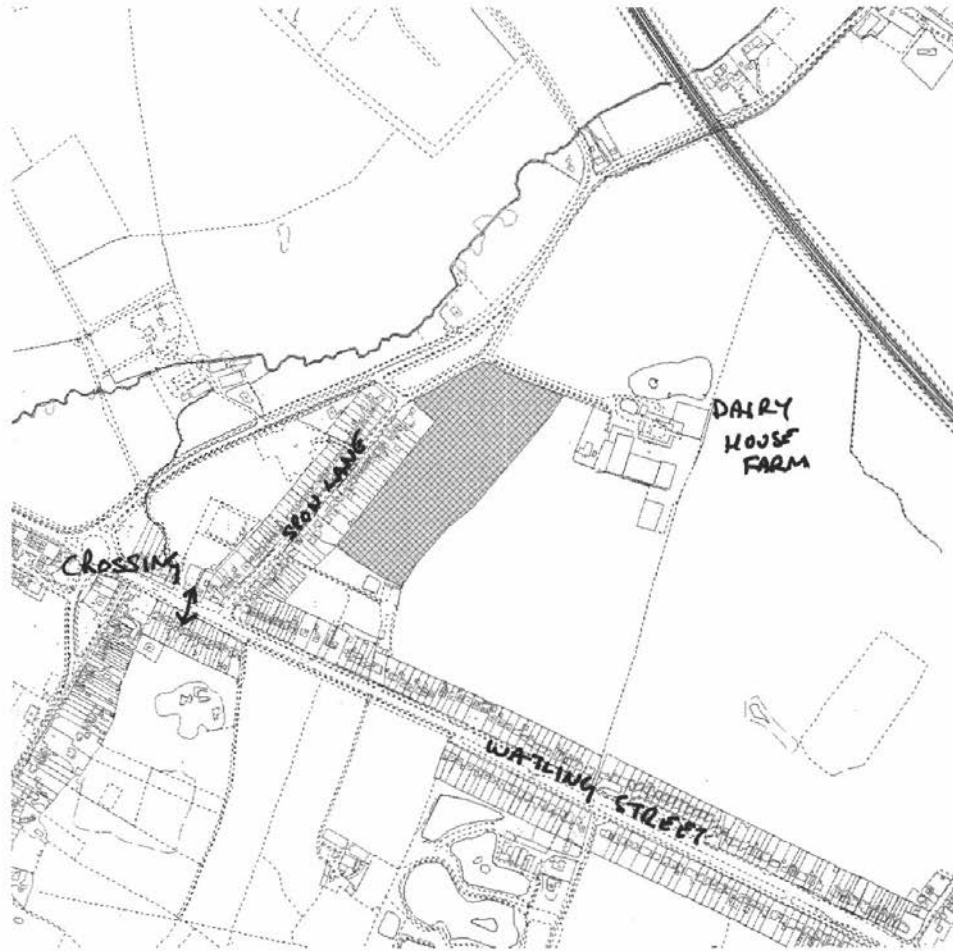
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

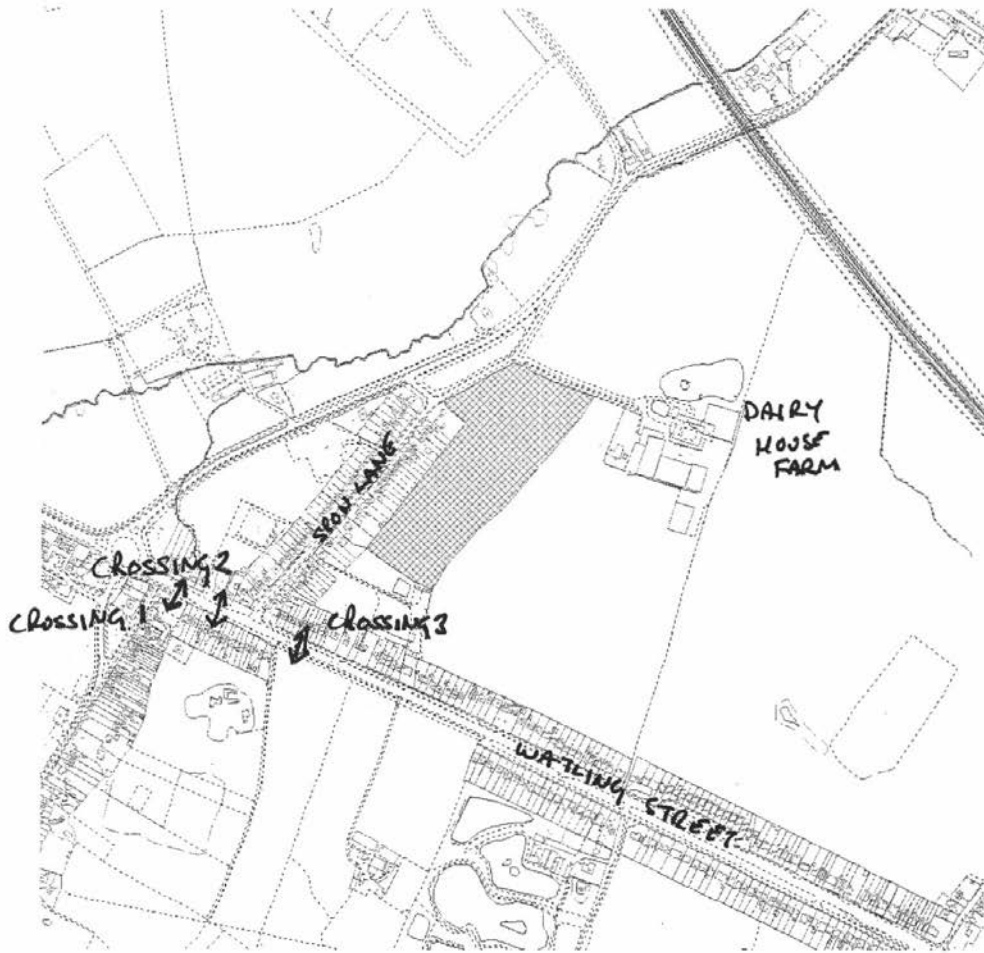
Planning Application No: PAP/2015/0201

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	30/3/15
2	Case Officer	Letter	10/4/15
3	K Goodall	Objection	11/4/15
4	J Reid	Objection	12/4/15
5	M James	Objection	13/4/15
6	S James	Objection	14/4/15
7	S Jones	Objection	14/4/15
8	C Tate	Objection	29/4/15
9	Applicant	E-mail	14/4/15
10	Highways England	Consultation	23/4/15
11	Grendon Parish council	Objection	26/4/15
12	Applicant	E-mail	11/5/15
13	Case Officer	E-mail	11/5/15
14	Highways England	Consultation	1/6/15

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

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







Safe roads, reliable journeys, informed travellers

Our ref: SHARE 19635468
Your ref: PAP/2013/0224

Jeff Brown
North Warwickshire Borough Council

BY EMAIL

Kathryn Simmonite

Highways Agency
The Cube
199 Wharfside Street
Birmingham B1 1RN

Direct Line: 0121 687 4086
5 July 2013

Dear Jeff

PLANNING APPLICATION REF PAP/2013/0224, LAND SOUTH OF DAIRY HOUSE FARM, SPON LANE, GRENDON, OUTLINE APPLICATION FOR THE ERECTION OF UP TO 85 DWELLINGS, ACCESS AND ASSOCIATED WORKS, ALL OTHER MATTERS RESERVED.

Thank you for your consultation dated 17th June in relation to the above named planning application.

The Highways Agency has been in pre application discussions with the applicant's agents MEC in relation to the impact of the proposal on the strategic road network. The Transport Assessment provided in support of the planning application has demonstrated to our satisfaction that the proposal is unlikely to have a significant traffic impact on the A5.

We note that the Transport Assessment includes a proposal for a pedestrian crossing on the A5 trunk road. However as the crossing is not considered necessary to facilitate the development we are content that details of this crossing (should it be required) can be discussed outside of this application. This would allow time for the requirement for a crossing to be investigated fully and any associated issues to be addressed post determination of the application. This investigation would need to begin with a review of the type of crossing as set out in LTN 1/95 together with an NMU Audit to DMRB HD42/05.

Whilst a Travel Plan has been provided as part of our pre application discussions we note that one does not appear to be included in the documentation accompanying the planning application on your website. Efforts should be put in to promote sustainable transport choices as a means of mitigating the impact of the development through a Travel Plan. We therefore request that the following condition is attached to the grant of any planning permission. Please see attached TR110 which confirms our direction.

Condition

No development shall take place until a Site Specific Travel Plan, including details of the mechanism to be used for its delivery, monitoring and enforcement, has been submitted

05.07.13 HA response doc

Page 1 of 2



An executive agency of the
Department for
Transport

to and approved in writing by the local planning authority, in consultation with the Highways Agency.

Reason

To minimise the need to travel, particularly by private car. To ensure that the A49 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from residual development traffic emerging from the application site.

We will provide the applicant's agents with comments on the Travel Plan we have received separately to our response to the planning application. I trust this is helpful but should you have any queries please do not hesitate to contact me.

Yours sincerely



Kathryn Simmonite
NDD Midlands Asset Development
Email: kathryn.simmonite@highways.gsi.gov.uk



**Developments Affecting Trunk Roads and Special Roads
Highways Agency Response to an Application for Planning Permission**

From: Divisional Director, Network Delivery and Development, Midlands, Highways Agency.

To: North Warwickshire Borough Council


Council's Reference: PAP/2013/0224

Referring to the notification of a planning application dated 17.06.13, your reference PAP/2013/0224, in connection with the A5 trunk road, Land South Of Dairy House Farm, Spon Lane, Grendon, Outline application for the erection of up to 85 dwellings, access and associated works, all other matters reserved, notice is hereby given under the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Secretary of State for Transport:-

- a) ~~offers no objection;~~
- b) ~~advises that planning permission should either be refused, or granted only subject to conditions~~
- c) directs conditions to be attached to any planning permission which may be granted;
- d) ~~directs that planning permission is not granted for an indefinite period of time;~~
- e) ~~directs that planning permission not be granted for a specified period (see Annex A);~~

(delete as appropriate)

Signed by authority of the Secretary of State for Transport

Date: 05.07.13	Signature: 
Name: Kathryn Simmonite	Position: Asset Manager
The Highways Agency: Floor 9 The Cube 199 Wharfside Street Birmingham B1 1RN	

Annex A

Reason for the direction given at c) overleaf:

Condition

No development shall take place until a Site Specific Travel Plan, including details of the mechanism to be used for its delivery, monitoring and enforcement, has been submitted to and approved in writing by the local planning authority, in consultation with the Highways Agency.

Reason

To minimise the need to travel, particularly by private car. To ensure that the A5 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from residual development traffic emerging from the application site.

APPENDIX D

PAP/23015/0201



Safe roads, reliable journeys, informed travel

NORTH WARWICKSHIRE BOROUGH COUNCIL
RECEIVED
30/03/2015
PLANNING & DEVELOPMENT DIVISION

RECEIVED
30 JAN 2015
Steven Peacock
North Warwickshire
Asset Management
Borough Council
Coventry & Warwickshire

Our ref: SHARE/19635468
Your ref: DOC/2014/0086

Planning
Jeff Brown
North Warwickshire Borough Council

The Cube
199 Wharfedale Street
Birmingham B1 1RN

via Email: planappconsult@northwarks.gov.uk

Direct Line: 0121 678 8456

30 January 2015

Dear Jeff

APPROVAL OF DETAILS REQUIRED BY APP/123705//A/13/2203973 (PAP/2013/0224) DATED 27 MARCH 2014 RELATING TO SURFACE WATER DRAINAGE, TRAVEL PLAN, FIRE HYDRANTS AND WATER SUPPLY. FOUL WATER DISPOSAL, FINISHED FLOOR LEVELS, SITE COMPOUND LOCATION, MIX OF TYPE AND SIZE OF MARKET UNITS, LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN, POS PROVISION, TRANSFER AND MAINTENANCE, MATERIALS, DITCH CLEARANCE AND IMPROVEMENT WORKS, AND PEDESTRIAN CROSSING LAND SOUTH OF DAIRY HOUSE FARM, SPON LANE, GRENDON

Thank you for forwarding me details of the above referenced planning application.

The Highways Agency has reviewed the Appeal Decision Letter and the Travel Plan submitted with the application. Prior to the Appeal the Agency informed PINS that whilst the Travel Plan should be subject to a planning condition, the details of the proposed pedestrian crossing on the A5 could be discussed outside of the application. It was therefore a surprise to the Agency that the Inspector included the provision of the crossing as Condition 19.

It was the Agency's view at the original planning application stage that there was no justification for the crossing and that is still the case. It was not possible to comment in detail on the proposed crossing because the position had not been fixed and the drawing presented by the Applicant was only preliminary with insufficient detail of location. Therefore a meaningful operational assessment of the crossing could not be undertaken at that time.

The proposed crossing is included as an action in the latest Travel Plan but the information submitted for approval still does not include any justification for locating the crossing as proposed. Neither does the information include an NMU (Non-Motorised User) Audit or a Stage 1 and 2 Road Safety Audit.

Our Area Support Consultant EM Highways has reviewed the submitted proposals and find that they are not acceptable at present. The proposed location will conflict with the existing bus stop(s) and the crossing width is too wide without a refuge. As currently

Page 1 of 2



proposed there is could be safety implications for its use. The provision of a crossing will have to be the subject of a s278 Agreement with the Highways Agency therefore the details of the proposed crossing will have to be agreed before the crossing condition can be discharged.

The Agency's Spatial Planning Consultant, JMP Consultants Ltd, has reviewed the Travel Plan and we are content with the Plan except for the proposed pedestrian crossing. Therefore until the details of the crossing have been agreed with the Highways Agency the Travel Plan condition cannot be discharged.

Given that no development can take place prior to the discharge of the Travel Plan condition and that no dwelling can be occupied prior to the Pedestrian Crossing being provided in full, it is necessary for the Applicant to discuss and agree the details of the crossing with the Agency at the earliest opportunity.

Please feel free to contact me on the details above if you wish to discuss this response in more detail.

Yours sincerely



Steve Pearce
NDD Midlands
Email: steve.pearce@highways.qsi.gov.uk

cc: Lisa Maric (HA)
Area 9 Development Control
Paul Cawthorne (JMP)





Our ref: SHARE/19635468
Your ref: PAP/2015/0201

Adrian Johnson
Asset Manager
Coventry & Warwickshire
Network Delivery and Development

Jeff Brown
Planning
North Warwickshire Borough Council

The Cube
199 Wharfside Street
Birmingham B1 1RN

via Email: planningcontrol@northwarks.gov.uk

Direct Line: 0121 687 2583

1 June 2015

Dear Jeff

REMOVAL OF CONDITION NO:19 OF APPEAL REFERENCE APP/R3705/A/13/2203973 RELATING TO CONTROLLED PEDESTRIAN CROSSING; IN RESPECT OF ERECTION OF 85 DWELLINGS, ACCESS AND ASSOCIATED WORKS, ALL OTHER MATTERS RESERVED LAND SOUTH OF DAIRY HOUSE FARM, SPON LANE, GRENDON

Thank you for your email dated 11 May 2015 to which you attached additional information supplied by Bellway Homes Ltd. This information included additional accident data to December 2014, a further pedestrian survey undertaken on Thursday 7 May 2015 plus drawing number SI-S278-112 Rev A illustrating locations considered by Bellway for a controlled crossing.

Highways England has reviewed this additional information and would advise you that in our view none of the survey information provided to date would justify the provision of a controlled pedestrian crossing across the A5 in the vicinity of Spon Lane. The construction of the 85 dwellings off Spon Lane would not result in sufficient additional pedestrian activity to justify replacing the three existing central refuges with a controlled crossing. The accident information does not suggest there is a pedestrian safety problem.

Additionally you asked if consideration could be given to reducing the speed limit at this location to 30mph from 40 mph so as to make a crossing more acceptable from a safety point of view.

Speed limits are set by the appropriate traffic authority (which for the A5 is Highways England) in consultation with the Police as being appropriate for the local highway and traffic characteristics. The enforcement of speed limits on this section of the A5 is a matter for Warwickshire and West Mercia Police. Police resources for speed enforcement is limited and tends to be concentrated where there is a clear threat to road safety. This is not the case on the A5 at Grendon. Also, as indicated above, there is no existing justification for a controlled crossing on the A5 at this location therefore a reduction of the speed limit would not alter the situation.



Consequently our Response and Formal Recommendation dated 23 April 2015 as one of no objection to the proposed removal of Condition 19 attached to the planning consent APP/R3705/A/13/2203973 by the Planning Inspector still stands.

Please feel free to contact me on the details above if you wish to discuss this response further.

Yours sincerely



Adrian Johnson
NDD Midlands
Email: adrian.johnson@highwaysengland.co.uk

cc: Lisa Maric (Highways England)
Paul Cawthorne (JMP)
Fran Rowley (Turley)
Area 9 Development Control

(14) Application No: PAP/2015/0213

103, Main Road, Baxterley, CV9 2LQ

Retrospective application for outbuilding in rear garden, for

Mrs New

Introduction

This application is referred to the Board at the discretion of the Head of Development Control.

The Site

This is one of a group of houses on the south side of Main Road with long rear gardens and overlooking open countryside.

The Proposals

This is a retrospective application to retain a wooden garden shed at the bottom of the rear garden. It measures 4.1 by 3.4 metres and is 2.8 metres to its ridgeline. There are no windows.

The shed was erected a little while ago without the benefit of planning permission. A planning application is necessary as the height of the shed is just above that permitted by the General Permitted Development Order.

The location is shown at Appendix A with photographs of the shed at Appendix A.

Representations

Local residents have expressed concern about the assortment of piecemeal buildings that can be erected and the damage that can be done to outlook and to potential nuisance through their use.

Development Plan

The Core Strategy 2014 – NW10 (Development Considerations)

Saved Policy of the North Warwickshire Local Plan 2006 – ENV13 (Building Design)

Observations

A garden shed in this location can be erected without the need for a planning application, provided its ridge does not exceed 2.5 metres. This fall-back position is material to this case as the current shed is 0.3 metres above that threshold. The issue is therefore whether that difference has any adverse environmental impact. It is considered not because of the small difference in the figure; the distance of the shed from the rear of neighbouring property and the existing extensive open views.

Recommendation

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

1. The shed hereby approved shall only be used for uses incidental to the residential use of the main dwelling at 103 Main Road, Baxterley.

REASON

In the interests of the residential amenities of the area

Notes

The Local Planning Authority has met the requirements of the National Planning Policy Framework 2012 in this case by responding to the planning issues concerned.

BACKGROUND PAPERS

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

Planning Application No: PAP/2015/0213

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	2/4/15
2	Mrs Hargreaves	Representation	16/4/15
3	C Reid	Representation	28/4/15

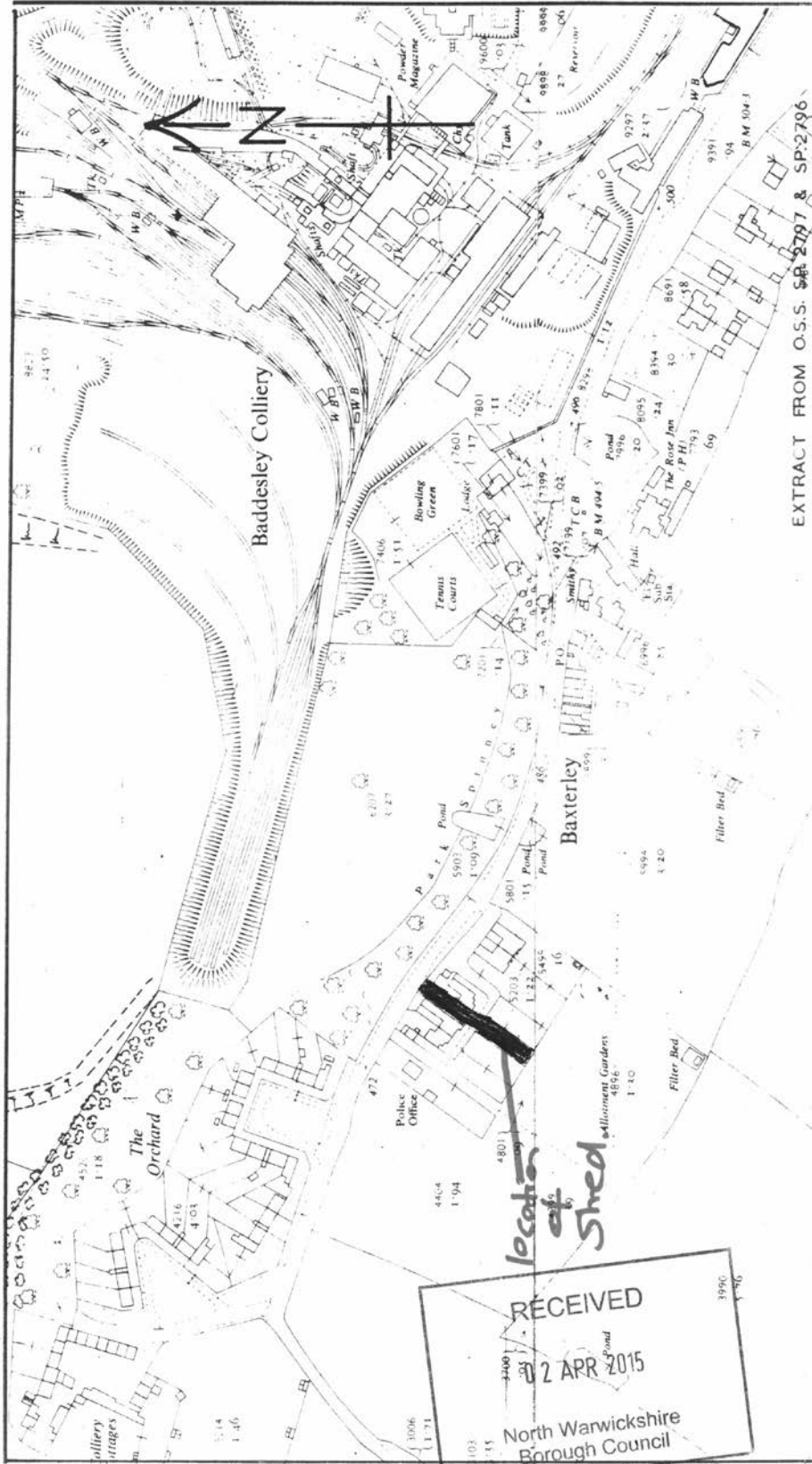
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

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



PNP 12015/0213

APPENDIX A.



EXTRACT FROM O.S.S. SP 2797 & SP 2796

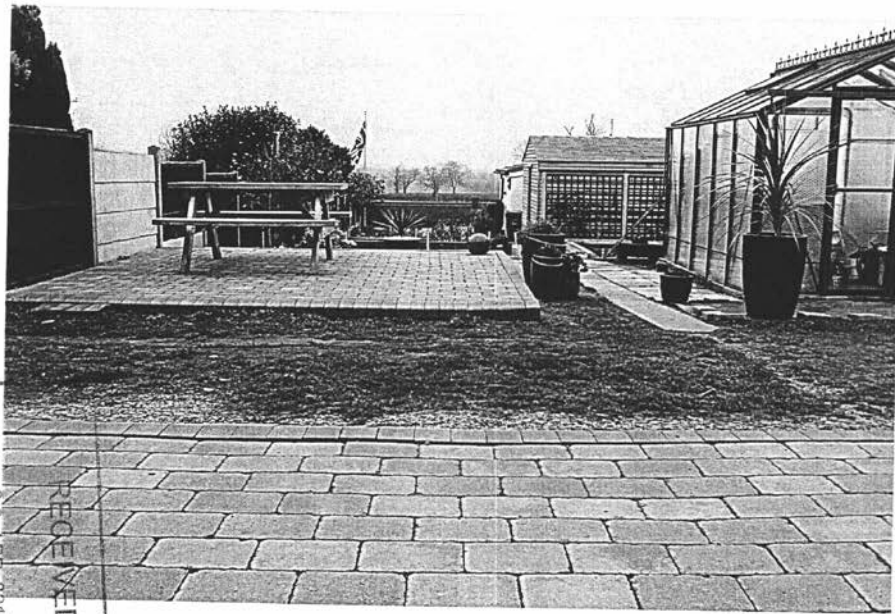
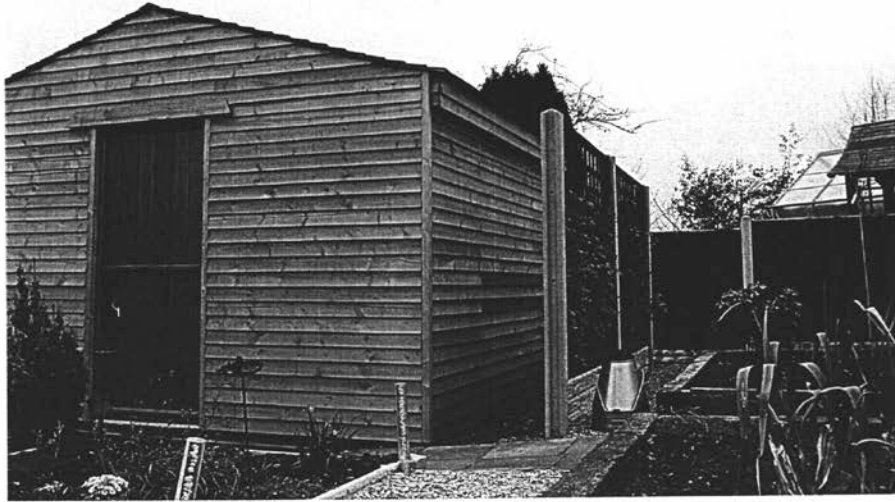
DRAWING NUMBER	
SCALE	1/2500
DATE	

NATIONAL COAL BOARD
 SOUTH MIDLANDS AREA
 ESTATES DEPARTMENT

103, New Villas, Baxterley

RECEIVED
 2 APR 2015
 North Warwickshire
 Borough Council

APPENDIX B
PAAP/2015/0213



RECEIVED
02 APR 2015
North Warwickshire
Borough Council

20.5 metres from House.

(15) Application No: PAP/2015/0271

Former Baddesley Colliery, Main Road, Baxterley, CV9 2LE

Section 73 planning application to vary existing planning conditions by grant of a new permission for the erection of car storage and distribution depot, for

Mr Philip Blackman - Park Top Ltd

Introduction

This application is referred to the Board for determination at the discretion of the Head of Development Control in view of the planning issues that it raises.

The Site

The former colliery site amounts to around 40 hectares of open land located to the immediate north of Baxterley, between Main Road and Coleshill Road. The site is now cleared but there are still significant areas of hardstanding remaining. The remaining colliery buildings front Main Road and are now occupied as offices. There is residential development along Main Road and there is a small group of houses at the junction of Coleshill Road with Merevale Lane to the north-east. The main vehicular access is off the Coleshill Road. The site is generally lower than the levels of Main Road particularly to the west of the site. Much of this part of the site has been restored as community open land. The former rail-head into the site running from the Kingsbury spur past Birch Coppice also remains.

The general location of the site is shown at Appendix A

Background

Planning permission was granted in the summer of 1996 for the redevelopment of this former colliery site for use as a car storage and distribution depot utilising the rail head, together with the erection of a small number of associated buildings, improved access arrangements and significant landscaping works. This permission is extant. This is because the pre-commencement conditions have been discharged; the landscaping and remediation works required to provide the community open space have been completed and much of the railway line works have also been completed. The obligations within an accompanying Section 106 Agreement requiring the remediation of and provision of the community land have also been fully satisfied. This position was confirmed in writing in 2001 – see Appendix B.

Since the grant of this permission the owner has been actively marketing the site. As a consequence the original 1996 permission has been varied on many occasions as prospective occupiers sought to amend the approved scheme to meet their own operational requirements. These variations have all been with a view to using the site for the approved use – car storage and distribution. The current application represents the latest interest in the site – again with a view to implementing the approved use - but to meet that interests own specific operational requirements.

The Proposals

a) The Overall Proposals

The overall proposed layout is shown at Appendix C and this differs very little from that which was approved in 1996. A lot more detail is however added, together with additional buildings. The main thrust of the application however is to vary a number of the approved and already amended conditions relating to how the site would actually operate. In summary these are best described as implementing the approved scheme but without use of the rail-head; a consequential increase in HGV delivery and 24 hour daily use of part of the site - the delivery area.

The proposed implementation of the approved use would involve no rail use. The application thus seeks non-compliance with the relevant planning condition – number 13. The applicant however wishes to keep the option of future rail use open and to this end has submitted a draft Section 106 Unilateral Obligation requiring the safeguarding and maintenance of the rail spur into the site from the Kingsbury spur beyond Birch Coppice for the perpetuity of the prospective occupier's use of the site. This is submitted in lieu of the removed condition 13.

The proposed implementation of the approved use would thus involve an increase in HGV movements. The permission presently limits this to a total of 120 movements during the hours of 0500 and 2200 – condition 29. For the avoidance of doubt this is 60 vehicles in and 60 out, in the seventeen hour period. The proposal is to increase this to generally 160 movements over a 24 hour period – 80 in and 80 out – but with the opportunity to increase this further to 200 movements – 100 in and 100 out – during the March and September registration periods and when there are specific new model launches.

The proposed implementation of the approved use would thus involve 24 hour operations on part of the site. This is that part shown coloured green on the submitted plan and those operations would be restricted to the offloading and loading of cars and associated car movements. However this “green” area is divided into two. There would be full 24 hour use of the loading/off-loading area and the cars involved in these operations would then be parked here too. However, should this area become congested, then overspill parking areas are proposed. These are shown as vehicle storage areas 1 and 4 on the submitted plan – Appendix C. There would be no operations within the remainder of the site during the hours of 2200 to 0600. Existing conditions 26 and 27 would thus need variation.

b) Detailed Proposals

The overall layout plan as submitted – Appendix C – provides a lot more detail than that previously seen or approved. It incorporates previously approved vehicular arrangements onto the Coleshill Road, together with a more detailed internal road layout and traffic movement plan. This clearly shows that HGV movements into and out of the site together with off loading and loading areas would be restricted to the immediate area adjoining the Coleshill Road, north of the existing access. The access itself would be engineered so as to enable HGV's only to enter the site from the south – the Merevale Lane end - and to only exit the site by turning right thus avoiding Baddesley Ensor. The applicant has confirmed that all HGV's would travel to the delivery area, unload, load and leave the delivery area in a forward gear. More detail is also shown on the location of the new buildings including the gate houses; the

operational buildings and a new office building set to the immediate west of the existing former colliery offices off Main Road. Lighting would be the subject of later approval but modern specifications would be installed. The general car storage areas would have a lesser specification than the delivery area for instance. Detailed noise mitigation measures are also shown. These involve a three metre acoustic fence to run along the southern boundary and returning along Main Road. A Noise Mitigation Plan is also proposed referring to types of road surfacing etc.

In terms of employment, the site would eventually be operated by a three shift system each employing some 25 staff and the new offices could engage a further 100 employees.

The application is supported by an overall planning statement in the form of a covering letter; a traffic assessment dealing with the proposed increase in HGV movements and a noise assessment

The traffic assessment concludes that the increased traffic movements are unlikely to have a discernible impact either on the local highway network or the A5 Trunk road. It is said that this is because the present condition averages 7 two way movements per hour – 120 movements over a 17 hour period. An increase to say 180 movements would give not give rise to more than 8 two way movements – 180 over a 24 hour period. The maximum use of 200 per day would give rise to an average of 8 two way movements – 200 over a 24 hour period. This is said to be an immaterial increase in traffic from a highway capacity point of view. Moreover it is said that the majority of these movements will be during day time hours.

The noise assessment concludes that with the loading and offloading area restricted to that north of the Coleshill Road access; with limited use of the overspill car parking areas and with appropriate noise mitigation in place, any increased noise arising from the proposed internal 24 hour site arrangements would not cause adverse impacts. The applicants also point out that there would be no reversing movements as the transporters drive into the site; are unloaded and then leave the site all in a forward gear. The engineering layout enables this to occur.

Representations

Twenty one letters of objection have been received at the time of preparing this report.

The matters raised are:

- The variations are for a “whole-scale” change to the original consent
- There will be increased traffic – 24 hours a day. This has to be added to the Biogen traffic and traffic from any residential approvals in Atherstone
- The supporting evidence is not soundly based or reflects local experience.
- Fears that other roads will be used to access the site particularly through Baddesley and the old road known as Parkside
- Worsening of air quality because HGV’s use a hill to gain access
- There will be increased environmental impacts from noise and light pollution – 24 hours a day.

- The industrialisation of the countryside.
- The site has remained unused for twenty years – it should remain so
- Will there actually be local jobs create
- This is not sustainable development

The Atherstone Civic Society objects on the grounds that the site is an unsustainable location; the cumulative impact of this and the new Biogen plant on the former shale tip of the colliery, increased HGV movements, few jobs being provided, the further urbanisation of the countryside.

Consultations

Highways England – No objection

Warwickshire County Council as Highway Authority – No objection

Environmental Health Officer – No objection in respect of contaminated land issues subject to a standard condition. There is neither an objection in respect of noise issues. The originally submitted Noise Assessment has had to be clarified and more information sought, but this has no led to an objection.

Warwickshire Police (Architectural Liaison Officer – No objection subject to very detailed comments on security matters.

Warwickshire Local Lead Flood Authority – The Authority understands that this is an unusual situation as there is an extant planning permission with surface water details already agreed. However it welcomes the applicant's assurance that these details will be reviewed in light of modern specifications.

Development Plan

The 2014 Core Strategy – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW9 (Employment), NW10 (Development Considerations), NW12 (Quality of Development) and NW17 (Economic Regeneration)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV7 (Existing Employment Land Outside of Boundaries), ENV14 (Access Design) and TPT1 (Transport Considerations)

Other Material Planning Considerations

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

Observations

a) Background

There is an extant planning permission here. This is a material planning consideration of substantial weight. It thus provides the “base-line” against which this latest application should be assessed. Additionally and notwithstanding this permission, there has been no successful implementation of the actual permitted use despite a series of amendments being made in order to better accommodate prospective occupiers. Apart

from the land remaining undeveloped, the situation also counts against the Council's delivery of employment land through its Core Strategy as required by the NPPF. Continued non-delivery here will place pressure on other perhaps as yet, unidentified land to come forward as replacement employment provision. This is also considered to be a material planning consideration of significant weight.

In dealing with this application, the Council's remit is to assess the likely impacts arising as a consequence of the proposed variation of specific conditions attached to the extant consent. For a refusal to carry any weight there would need to be evidence to show that such impacts either individually or cumulatively caused harm to the degree that Development Plan policies could not be satisfied. The key impacts to be assessed here are the increase in HGV movements and the potential for noise pollution arising from 24 hour operations over part of the site. These will be discussed below. If no significant impacts are found or if impacts could not be dealt with by the introduction of mitigation measures and the use of planning conditions, then a fresh planning permission should be issued.

However before looking at these impacts, Members will need to address whether has been any material change in planning circumstances since the grant of the 1996 planning permission to warrant review of the actual principle of the use. With an extant planning permission, that would clearly have consequences, but it is proper for the Board to first explore the issue.

b) The Principle

There has been a material change in planning policy since 1996 with the adoption of the Core Strategy and the publication of the NPPF.

One of the strategic objectives of the Core Strategy is to develop and grow the local economy and this is to be achieved through the identification of new employment land in Policy NW 9 and through the "delivery of employment generating uses, including the redevelopment of existing employment sites" in Policy NW17. The NPPF has a presumption in favour of sustainable development. It says that significant weight should be placed on the need to "support economic growth through the planning system". In other words the change in circumstances through the adoption of these two documents does not suggest that a substantial change of approach should be adopted now. In these circumstances therefore and given the grant of the 1996 permission; it becoming extant and it being amended on various occasions in order to accommodate prospective occupiers, it is considered that an outright refusal based on principle is not a course that should be followed here.

One further matter needs to be raised however. This is that of the use of the rail-head. The grant of the 1996 planning permission includes "with rail head" in the approved description, and it is clear from reading the report accompanying the recommendation to approve, that the inclusion of the rail head was material to the grant of that case. The permission was thus conditioned to require the re-instatement of the rail link to the Kingsbury spur and to it being maintained and used as the "primary means" of delivery of vehicles for the full length of the approved use. The first part of this condition has been undertaken and forms one of the reasons why the permission itself became extant. It should be recorded here that whilst the link is provided, there is no rail track laid because of the threat of theft and because of Rail Regulatory procedures. Track can however be laid as and when required. The second part of the condition has not been satisfied because there is as yet no occupier. Members will be only too aware that a planning condition affecting premises on the nearby Birch Coppice estate with exactly

this same wording, “the primary means”, had to be removed following an appeal which the Council lost on the grounds that the condition was unsound. The situation is thus there is now an extant planning permission but with a key condition rendered ineffective. Whilst the prospective occupier of the site has indicated that rail delivery is a longer term aspiration, this is unable to be translated into a planning condition. The land owner of the site and the rail spur is therefore prepared to enter into a Legal Agreement obligating him to safeguard and maintain the whole length of the rail spur in such a condition that with a rail track laid, it could safely be used as a means of access to the site. This is welcomed and in the circumstances, provides a means of retaining the overall approach to the use of the site as set out in 1996.

c) Highway Impacts

As reported above, the starting point here is the 1996 permission in allowing 120 movements over a 17 hour period. In highway capacity terms this enables an average of 7 two way movements per hour through that 17 hour period. The applicant seeks to increase this to generally around 160 movements over the majority of the year over a 24 hour period. Even if this were to be 180 movements at times, this would not materially increase the average hourly movement. The exceptions in March and September would still only lead to an average of eight two way movements. New model launches would not happen on a regular basis. This is not considered by either of the two Highway Authorities as being significant in highway capacity terms either on the local highway network or the strategic trunk road network. This conclusion is accepted.

Representations received refer to a number of matters relevant to this particular conclusion. The first is the cumulative impact. It has to be pointed out that the 120 figure was agreed before the application for the Biogen facility on the other side of the Coleshill Road to this site was submitted. The Secretary of State’s decision to grant a planning permission there was thus fully cognizant of the 120 figure for the colliery site. The approved threshold there is 70 movements. As a consequence the two Highway Authority’s conclusions that the additional average one two-way hourly movement in the two peak months is immaterial, is put into its full perspective. Secondly there are the concerns about the A5 and the Merevale roundabout. In undertaking their Transport Assessment and in Highways England’s response there is recognition that there is an extant permission here; that the Biogen plant has a planning consent and the commercial premises on the Holly Lane industrial estate in Atherstone together with proposed new housing here too have been included in the assessment for this application. The overall increase in HGV movements arising from the current application is immaterial in this regard. Similarly the Highway Authority has reached the same view in respect of the road junction at Merevale Lane and the Coleshill Road, there not being a case based on the proposed increase to revisit the capacity or engineering arrangements at this junction. Fourthly the proposals would lead to HGV movement at night time. However this has to be set in context as this route is already officially recognised as a “by-pass” to Atherstone for traffic wanting to use and visit the Atherstone Industrial Estates. Night time HGV movement can thus continue and increase irrespective of this current application. Fifthly, the current proposals do not affect any of the existing community and open land at the far western end of the site.

Access to these areas remains as at present.

Notwithstanding all of these matters, it is still considered that the highway situation needs to be controlled and that would be through planning conditions. In this respect conditions are required to ensure that the route taken by HGV’s is from the A5 via Merevale Lane and the short stretch of Coleshill Road; that the engineering

arrangements for the access physically prevent left hand turns out of the access as well as right hand turns in and that the existing condition is re-worded to refer to an average of 180 movements during the year except for the two months of March and September and when there are new model launches when it is increased to 200.

d) Noise Impacts

Again the starting point here is the 1996 permission. This enables on-site operations on the site between 0600 and 2200 hours and also HGV movements into and out of the site between 0500 and 2200 hours. The former would continue under the present proposals. However 24 hour operations are now proposed on that part of the site defined for loading and off-loading. This is thus not 24 hour working across the whole of the site. The issue is this whether noise impacts arising from the additional delivery hours would be material to residential property around the site. The Council's own Environmental Health Officers have been fully engaged with this matter and have sought clarification and additional information from the applicant. Their professional advice is that there would not be a material increase in noise affecting these residential properties. This is very largely due to the location of the delivery area in the site itself; to the actual method of operation within this area and to the provision of substantial acoustic fencing. In the case of the first of these matters then the delivery operations would be restricted to that part of the site adjacent to the Coleshill Road to the north of the access. This is some distance – ranging from 250 metres to 400 metres - from existing residential properties in Main Road and The Orchard. It would be 350 metres from the houses at the junction of the Coleshill Road with Merevale Lane. In respect of the second is the forward movement of HGV's within the delivery area and the third factor is a precautionary matter to further assist noise mitigation. The technical and professional advice of the Environmental Officer is of significant weight here in reaching this overall conclusion.

Similarly here with the highway matter, conditions are still required in respect of the full details of the acoustic fencing and the implementation of a Noise Mitigation Management Plan.

Additionally the submitted plan shows an overspill area for car storage adjoining the proposed 24 hour delivery area. The majority of cars being delivered to and exported from the site would be stored in the delivery area itself. In this situation it is considered that the overspill areas should not be included the overall 24 hour activity area. This has the benefit of removing part of the proposed 24 hour area from that part of this area closest to residential property in Main Road, Baxterley. The acoustic fence would remain and the overspill areas would be conditioned only for emergency use.

e) Other Impacts

Several objectors refer to the matter of lighting. The 1996 planning permission is extant and it has to be acknowledged that this permission would lead to the site being lit. There would be no change with this current application. Full details of the lighting specification were reserved under that permission and would be so again here if a planning permission is granted. It is relevant to say as referred to above, that the specification for site lighting would now be far superior to anything that might have been agreed in the years following the 1996 approval.

The Lead Local Flood Authority recognises that there is an extant planning permission here and that surface water discharge details have already been agreed. However in order to ensure adherence to updated specifications, these should be re-visited and this can be achieved via an appropriate condition.

It is acknowledged that by far the greatest issue here is the sudden interest in the site that has lain unused for a great many years. There will thus be significant impacts on private and public amenity. However as has repeatedly been mentioned, the base-line here is not a cleared site, but one that benefits from an extant planning permission for car storage and distribution which has been the subject of at least five variations in the past. The considerations set out above are all focussed on whether the present variations would lead to significant adverse impacts over those that might arise from the extant planning permission. The report recognises that there will be impacts but that these would not be so material to warrant refusal given the planning, highway and noise evidence presented to the Board.

Recommendation

A) That subject to the receipt of a signed Section 106 Obligation in the terms as set out in this report, 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 location plan and the plans numbered SK02D and SK04A all received on 1/5/15.

REASON

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

2. The development hereby approved shall not be used for any purpose, including any purpose in Class B8 of the Town and Country Planning (Use Classes) Order 1987 as amended or as may be amended, other than for car storage and distribution including the associated preparation of cars.

REASON

In recognition of the specific circumstances of the case so as to prevent the use of the site for other purposes.

3. For the avoidance of doubt the use hereby permitted shall only take place within the areas as depicted on approved plan numbers SK02D and SK04A. There shall be no storage of materials; construction of any building or structure or the construction of any car park or roadway outside of these approved areas.

REASON

In the interests of the long term amenities of the area

4. The site shall not be occupied for business purposes until the whole of the highway and access improvements as shown on the approved plans have been constructed in full to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety

5. For the avoidance of doubt there shall be no HGV movements turning right out the approved access or turning right into the approved access.

REASON

In the interests of highway safety.

6. All HGV movements associated with the development hereby approved shall access the site and leave the site using Merevale Lane and the short length of the Coleshill Road between the junction of that Lane with the Coleshill Road up to the approved site access and the A5 Trunk Road.

REASON

In the interests of highway safety and amenity

7. There shall be no occupation of the site for business purposes as approved until such time as any remediation work undertaken on the site beyond that already approved by the Local Planning Authority in September 1999 and June 2000, has first been agreed in writing by the Local Planning Authority.

REASON

In the interests of reducing the risk of pollution

8. There shall be no occupation of the site for business purposes as approved until such time as any surface and foul water disposal measures that are different to those already approved by the Local Planning Authority in June 2001, have first been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of reducing the risks of flooding and pollution

9. There shall be no discharge of any surface water from the development to any public foul sewer.

REASON

In the interests of reducing the risk of pollution

10. There shall be no occupation of the site for business purposes as approved until such time as full details of any underground and over ground fuel storage tanks that might differ from those details already approved in June 2001, have first been submitted to and approved in writing.

REASON

In the interests of reducing the risk of pollution

11. No work shall commence on any of the buildings shown on the approved plans until full details of their appearance and design, including the facing materials to be used, have first all been agreed in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the area.

12. There shall be no occupation of the premises hereby approved for business purposes until details of any additional landscaping measures beyond those approved in June 2001 have first been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the visual amenities of the area

13. No tannoy system or any lighting column or light source, infrared detection equipment or CCTV equipment shall be placed or installed on the site without details first having been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the area.

14. The use hereby permitted shall not be brought into business use until the whole of the car parking; servicing, delivery and manoeuvring areas have all been constructed and fully completed to the written satisfaction of the Local Planning Authority. These areas shall remain for these designated purposes at all times.

REASON

In the interests of highway safety

15. No road vehicles shall be manoeuvred within the areas marked 2a, 3, 3a, 3b, 6 and 7 of the approved plan SK04RevA other than between 0600 and 2200 hours on any day.

REASON

In the interests of the amenities of the area particularly to reduce the risk of noise pollution.

16. Road vehicles may enter and leave the site via the approved access at all times, but all loading and offloading and associated car movements shall be restricted to areas 5a and 4 as shown on the approved plan.

REASON

In the interests of the amenities of the area particularly to reduce the risk of noise pollution.

17. There shall be no road vehicle movements between 0600 and 2200 hours in the areas marked 1 and 4 on the approved plan except in an emergency.

REASON

In the interests of the amenities of the area particularly to reduce the risk of noise pollution.

18. There shall be no occupation of the premises hereby approved for business purposes until full technical details and specifications of the acoustic fencing to be installed has first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be installed on the site.

REASON

In the interests of the amenities of the area particularly to reduce the potential of noise pollution

19. There shall be no occupation of the premises hereby approved for business purposes until the whole of the acoustic fencing as approved under condition (18) has first been full installed to the written satisfaction of the Local Planning Authority.

REASON

In the interests of mitigating potential noise impacts

20. There shall be no occupation of the premises hereby approved until such time as a Noise Mitigation Management Plan has first been submitted to and approved in writing by the Local Planning Authority. The content of the Plan as approved shall then be managed and implemented on the site at all times.

REASON

In the interests of reducing the potential for noise pollution.

21. There shall be no occupation of the premises hereby approved for business purposes until such time as a Site Management Plan has first been submitted to and approved in writing by the Local Planning Authority. This plan shall outline how the site is to operate and how this is to be managed and monitored. The site shall then only operate under the terms of the approved Plan.

REASON

In the interests of reducing the risk of adverse impacts arising.

22. No more than a total of 180 transporter movements into and out of the site shall be permitted on any operating day, except that during March and September in any one calendar year and during periods of new model launches, a total of 200 movements into and out of the site shall be permitted. For the avoidance of doubt 180 movements means 90 movements in and 90 movements out. A daily log shall be kept of all vehicles entering and leaving the site and this shall be made available to the Local Planning Authority at 24 hours' notice.

REASON

In the interests of highway safety

23. At least one month's prior notification shall be given to the Local Planning Authority in respect of the dates and duration of the new model launches as referred to in condition (22)

REASON

In the interests of highway safety

24. That the applicant is requested to convene a Local Liaison Group such that operations on the site can be monitored and that the two Local Ward Members be invited to sit on this Group.

Notes

1. The Local Planning Authority has met the requirements of the National Planning Policy Framework in this case through investigating the planning issues arising from the development with appropriate agencies and through the imposition of planning conditions and the inclusion of a Planning Obligation.

BACKGROUND PAPERS

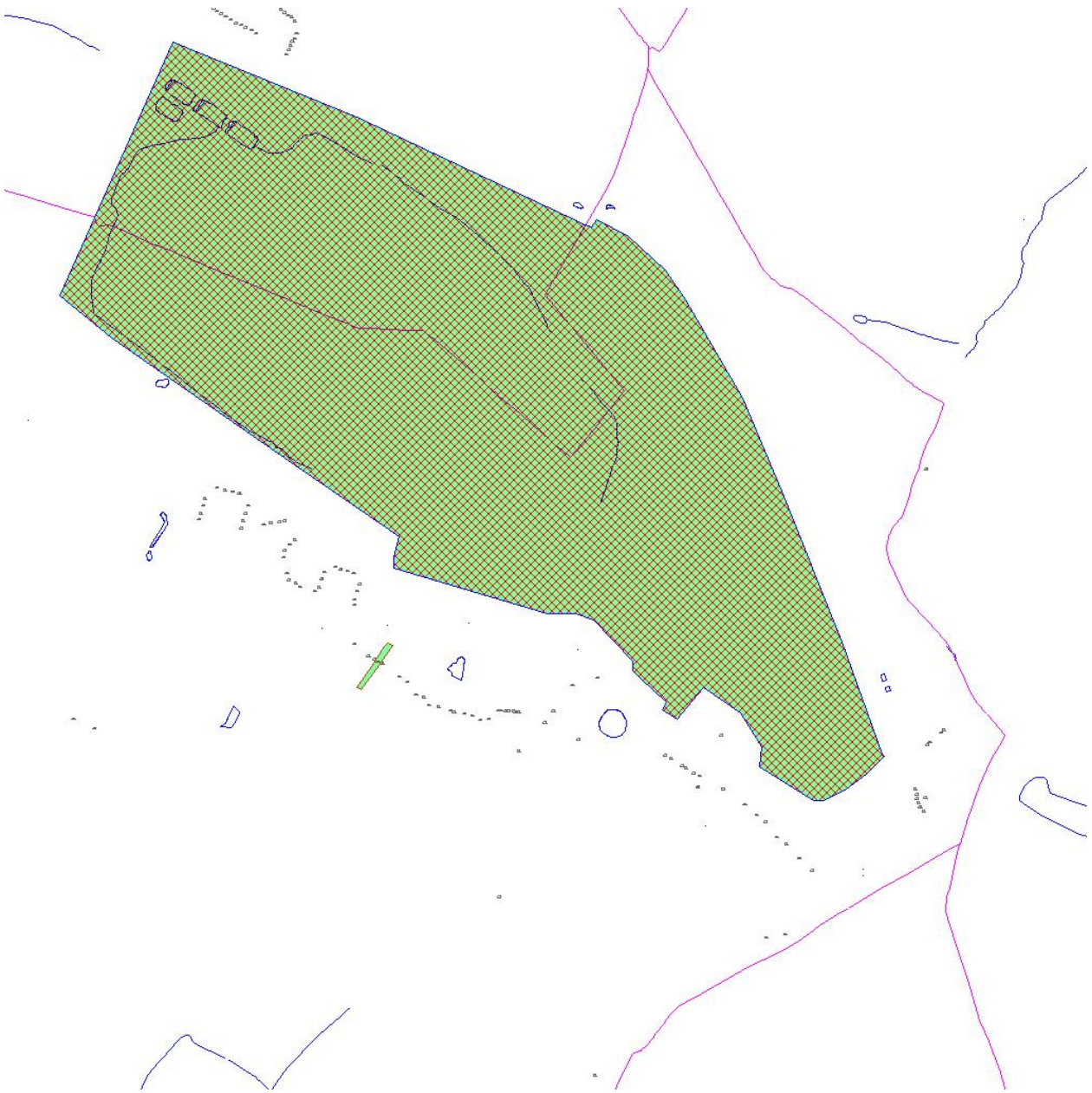
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

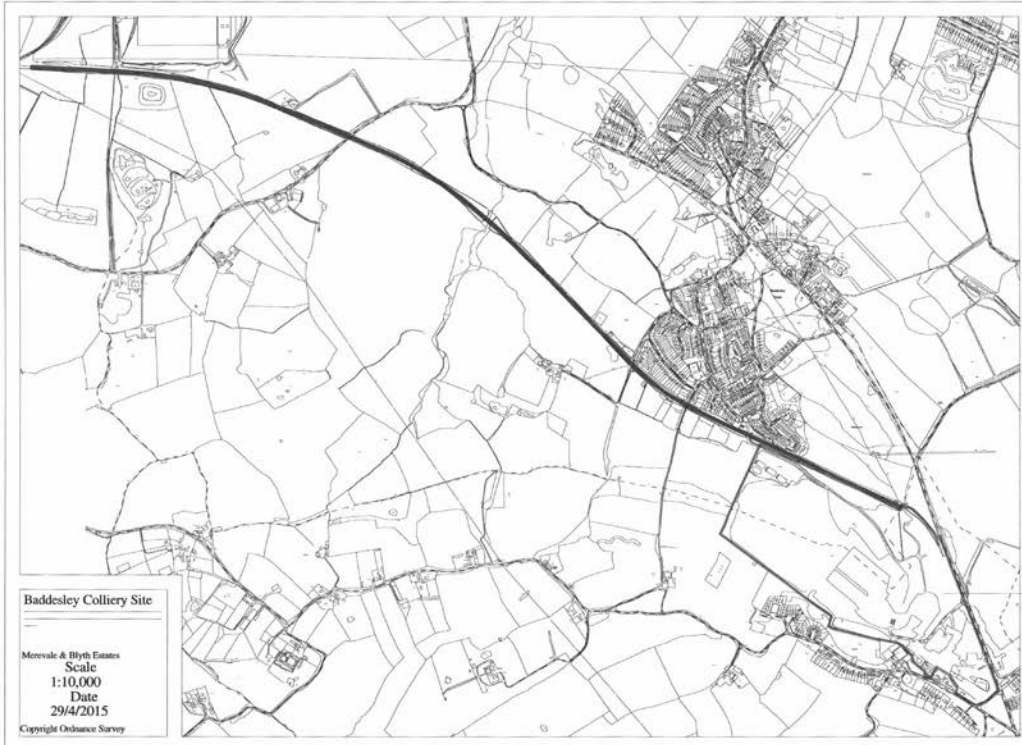
Planning Application No: PAP/2015/0271

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	1/5/15
2	Highways England	Consultation	21/5/15
3	Mr & Mrs Weston	Objection	22/5/15
4	M Stacey	Objection	22/5/15
5	S Chapman	Objection	29/5/15
6	J Stevens	Objection	27/5/15
7	R & D Barnett	Objection	28/5/15
8	C & J Bowen	Objection	28/5/15
9	A Moscado-Parker	Objection	27/5/15
10	B Wykes	Objection	3/6/15
11	M Hough	Objection	2/6/15
12	N & J Roberts	Objection	2/6/15
13	S Goody	Objection	2/6/15
14	P Trenfield	Objection	2/6/15
15	D Brown	Objection	1/6/15
16	Atherstone Civic Society	Objection	1/6/15
17	J Pearson	Objection	1/6/15
18	J O'Mahoney	Objection	29/5/15
19	Anon	Objection	1/6/15
20	J Karim	Objection	31/5/15
21	S Chapman	Objection	1/6/15
22	Applicant	E-mail	2/6/15
23	I & J Perrett	Objection	4/6/15
24	WCC Flooding	Consultation	5/6/15

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

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







COPY

**North Warwickshire
Borough Council**

David Atkin BA FRTP
Borough Planning Officer
P O Box 6
The Council House
South Street
Atherstone
North Warwickshire CV9 1BG
DX : 23956 Atherstone
Switchboard : (01827) 715341
Fax : (01827) 719363
E Mail : SharronHolland@NorthWarks.gov.uk

This matter is being dealt with by
Mrs Sharron Holland
Direct Dial : (01827) 719290

Your ref : GS/D
Our ref : 0081/96

Date : 10th July 2001

Mr Gerald Sweeney
Drivers Jonas
Phoenix House
1-3 Newhall Street
Birmingham
B3 3NH



Dear Sir,

Planning permission 0081/96: Former Baddesley Colliery, Main Road, Baxterley

I refer to your letter dated 9th July 2001.

I confirm that the application site approved under permission 0081/96 was for a 40-hectare site which included the:

- i) former Baddesley Colliery pithead;
- ii) former Baddesley Colliery railhead and a short section of the railway line between the Colliery and the BR mainline at Kingsbury;
- iii) the spoil tip associated with the former Baddesley Colliery; and,
- iv) the field to the rear of The Orchard at Baxterley.

I confirm that all conditions pre-empted by the wording "Before development commences .." have been discharged with the exception of Condition 5. However, the wording of Condition 5 does provide that development of the railway infrastructure works can commence without the need to discharge Condition 5.

Based on the railway line works carried out to date, which amount to the completion of approximately 40% of the total work programme, as outlined in your letter dated 9th July 2001 along with the completion of the works outlined in the Section 106 Agreement, I confirm that development has commenced on site and that planning permission 0081/96 is extant.

Yours faithfully

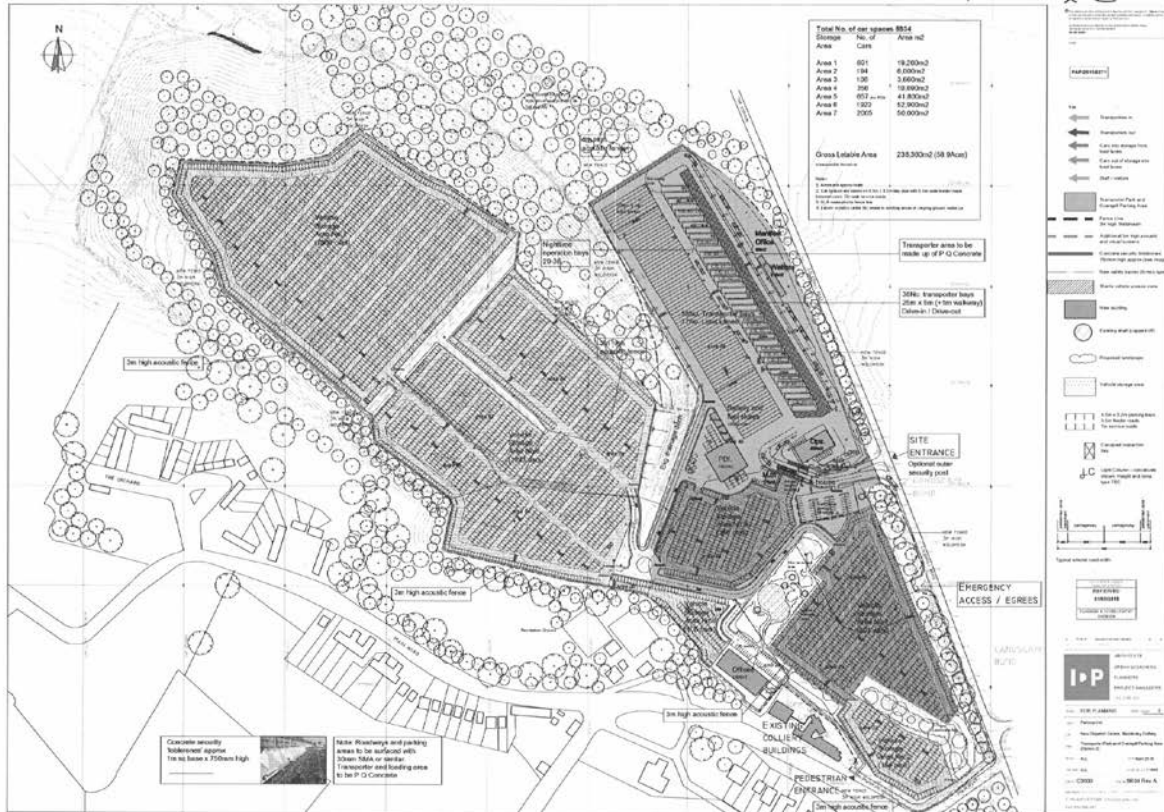
Authorised Officer

COPY



Director of Environmental Services : Andrew Wright BSc DpTP MRTPI

APPENDIX C



(16) Application No: PAP/2015/0281

Well Cottages, Coleshill Road, Ansley, CV10 0QP

Variation of condition no: 2 of planning permission PAP/2014/0465 relating to location of existing flight pen and material of netting; in respect of Endangered Falcon breeding facility, with 30 imprint bards, 20 natural pairs and flight pen with planting of new conifer trees and landscaping, for

Mr Ashfaq Ahmed

Introduction

This application is referred to the Board for determination at the discretion of the Head of Development Control.

Background

Permission was granted in December 2014 for the development of an endangered falcon breeding centre on land to the south of Well Cottages on the north side of the Coleshill Road opposite Manor House Farm. This is open countryside but there is a group of residential properties on the south of the road here.

The general location is shown at Appendix A.

The planning permission essentially includes two buildings. The first is for a long range of breeding pens running across the rear field boundary. The second is for a circular flight pen in which the birds begin to take flight. This is to be located at the north eastern end of the site.

The general layout is also shown at Appendix A.

The breeding pens would be around 4 metres tall and constructed in a mixture of timber, green metal sheeting and netting. The flight pen would be around 10 metres tall to its apex and the approved facing material was open netting.

The approved elevations are at Appendix C.

Work has commenced on site implementing the approved plans.

The Proposals

The current application seeks to amend this permission and to provide the landscaping details reserved by the 2014 permission. The proposals submitted with this application did originally include an amended re-location of the flight pen. However following the receipt of objections this part of the proposal was omitted.

The application therefore seeks a variation of the plans condition through two amendments. The first would involve a change in materials for the flight pen. The approval was for netting but it is now proposed to use green metal sheets for the walls so as to match the aviary pens and to retain the netting over the roof. The reason for the change is to increase security. The second is to introduce a two metre tall fence around the site but set behind the existing hedgerows and the proposed landscaping strip.

The application also contains landscaping details which show tree planting alongside the whole of the road frontage so as to reduce the visual impact of the development together with strengthening of boundary hedgerows.

Representations

The initial proposals as reported above did attract objections from the local residents as the re-location of the flight pen would have a visual impact on their outlook. The Parish Council did not object.

There has been a further consultation on the proposals now that the re-location element has been omitted. At the time of writing this report there has been one further representation and the Board will be updated at the meeting if there are others.

The objection refers to the change in materials which would adversely affect the countryside as it would be out of keeping. Moreover the fence again adds to the loss of rural character. There will be loss of outlook from the residential properties.

Development Plan

The Core Strategy 2014 – NW10 (Development Considerations) and NW12 (Quality of Development)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV13 (Building Design)

Other Material Planning Considerations

The National Planning Policy Framework 2012

Observations

The omission of the proposed re-location of the flight pen is welcomed.

The change in materials, whilst making the structure to appear more solid would involve the use of materials already used elsewhere on the site and indeed reflect materials that would normally be sought for any modern agricultural building. If agricultural buildings were proposed here then the resultant materials could well include green sheeting, Yorkshire boarding or concrete panels. The new material is not therefore out of place in an agricultural setting. In this case to the landscaping proposals show significant strengthening of the road frontage hedgerow here and thus the visual impact of the different materials are mitigated. Similarly the fencing is to be behind the existing hedgerow and the proposed planting belt. This is the best solution.

Recommendation

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

1. Standard Plan numbers – plan numbers WL/PL/001, 2, and 5 received on 28 May 2015.

REASON

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

2. The use hereby permitted shall be for breeding purposes alone and shall specifically not be opened or made available for public entry at any time.

REASON

In the interests of highway safety.

3. All vehicular access to the site shall be from the existing access to number 1 Well Cottages. Any gates located within this access shall not be hung so as to open within 6 metres of the near edge of the public highway carriageway.

REASON

In the interests of highway safety.

4. The vehicular access to the site shall be surfaced with a bound material for a distance of 12 metres into the site as measured from the near edge of the public highway carriageway.

REASON

In the interests of highway safety.

5. The existing vehicular field access to the site shall be permanently closed and the public highway footway and verge re-instated to the written satisfaction of the Local Planning Authority within one month of the first use of the site for the purpose hereby approved.

REASON

In the interests of highway safety.

6. Clear visibility splays on both sides of the vehicular access to the site as defined by condition 3, measuring 2.4 metres by 120 metres as measured from the near edge of the public highway carriageway, shall be maintained at all times.

REASON

In the interests of highway safety.

7. All construction and associated general site traffic shall use the field access opposite Manor House Farm and a parking and turning area shall be provided on-site so as to prevent parking and reversing on the highway. These areas shall be removed and the site re-instated upon completion of the construction details.

REASON

In the interests of highway safety.

8. There shall be no external lighting installed on or around the site and any building hereby approved unless details are first submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be installed.

REASON

In the interests of the visual amenities of the area.

Notes

1. The Local Planning Authority has met the requirement of the National Planning Policy Framework through issuing a speedy decision and in following up consultation responses so as to overcome objections.
2. Attention is drawn to Sections 149, 151, 163 and 184 of the Highways Act 1980; the Traffic Management Act 2004, the New Roads and Street Works Act 1991 and all relevant Codes of Practice. Advice should be sought from the Highway Authority – 01926 412515.
3. Should noise disturbance to neighbouring residential properties occur, the Local Planning Authority would seek to minimise this type of event through agreed screening of the aviaries.

BACKGROUND PAPERS

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

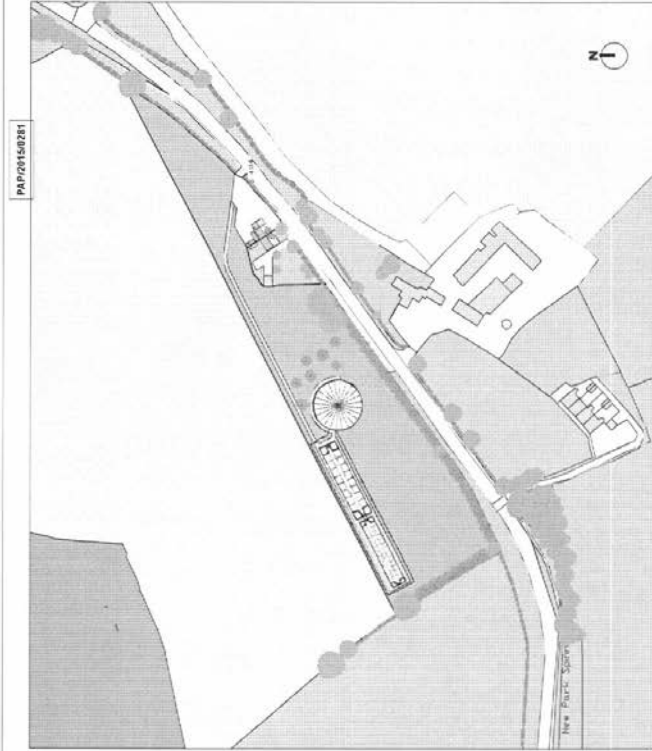
Planning Application No: PAP/2015/0281

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	5/5/15
2	Mrs Down	Objection	17/5/15
3	Applicant	E-mail	18/5/15
4	Case Officer	E-mail	19/5/15
5	Mr Storer	Objection	18/5/15
6	Case Officer	E-mail	19/5/15
7	Case Officer	E-mail	20/5/15
8	Ansley Parish Council	Consultation	20/5/15
9	J Barnes	Objection	21/5/15
10	Applicant	E-mail	20/5/15
11	Case Officer	E-mail	22/5/15
12	Mr Down	E-mail	26/5/15
13	Applicant	E-mail	26/5/15
14	Case Officer	E-mail	29/5/15
15	Mr and Mrs Farmer	Objection	31/5/15

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

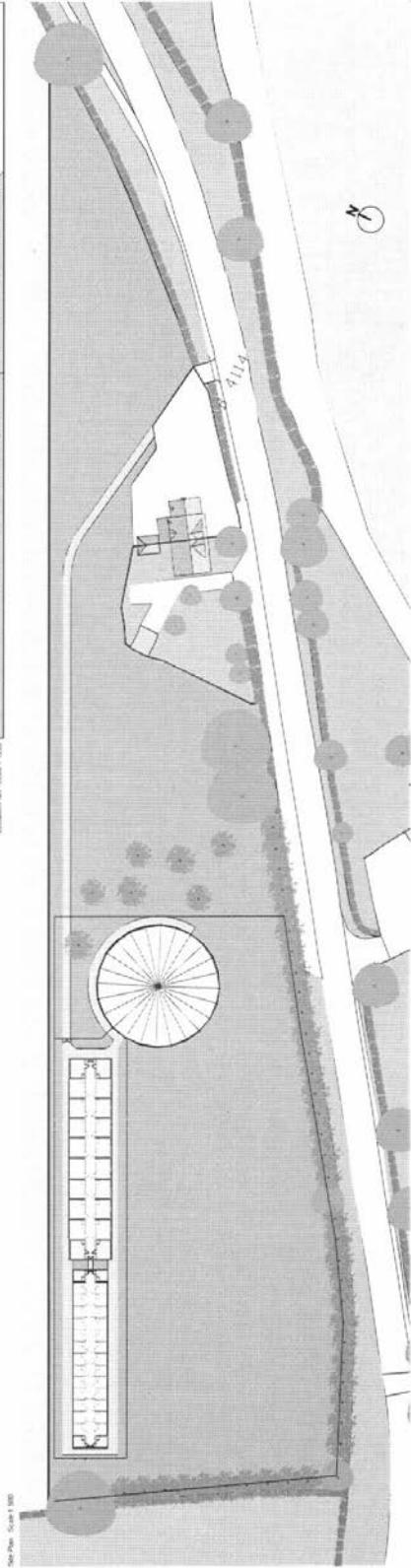
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.





Location Plan, Scale 1:1250

RECEIVED
28/05/2015
PLANNING & LOCAL GOVERNMENT
LONDON

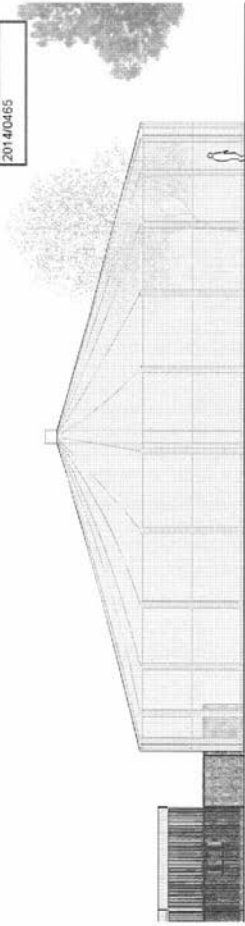


Site Plan, Scale 1:500

<p>NOTES: DRAWING CONTAINS TO BE SCALED FROM THIS DRAWING. CONSULT US TO VERIFY ANY AFFECTING INFORMATION ON THIS DRAWING.</p>	<p>KEY</p>	<p>Date</p>	<p>Rev</p>	<p>By</p>	<p>Drawn</p>	<p>LOCKHONEY</p>	<p>PH/PA/PLANNING/01/04 Locations and Site Plans</p>	<p>Date</p>	<p>Scale</p>	<p>Client</p>	<p>Project</p>
	<p>28/05/2015</p>	<p>1:500</p>	<p>1/1</p>	<p>1/1</p>	<p>1/1</p>	<p>1/1</p>	<p>1/1</p>	<p>1/1</p>	<p>1/1</p>	<p>1/1</p>	<p>1/1</p>

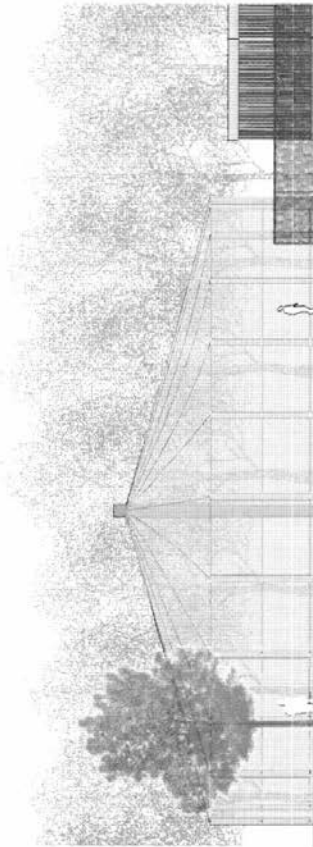
APPENDIX B

20140465



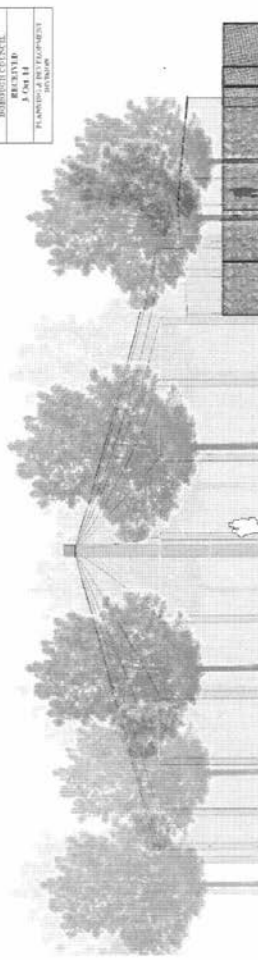
South East Elevation - Right View - Scale 1:100

SOUTH WILKINS TOWER
 1000 WILKINS AVENUE
 DOWNTOWN CLEVELAND
 CLEVELAND, OH 44114
 5-Dec-14
 ARCHITECTURAL RENDERING
 M. BERLIN ARCHITECTURE
 CLEVELAND, OH



North West Elevation - Right View - Scale 1:100

SOUTH WILKINS TOWER
 1000 WILKINS AVENUE
 DOWNTOWN CLEVELAND
 CLEVELAND, OH 44114
 5-Dec-14
 ARCHITECTURAL RENDERING
 M. BERLIN ARCHITECTURE
 CLEVELAND, OH



North East Elevation - Right View - Scale 1:100

NOTES:
 DIMENSIONS NOT TO BE SCALE FROM THIS
 DRAWING. CONTACT US TO VERIFY
 AFFECTING INFORMATION ON THIS
 DRAWING

KEY

DATE: 05/14/14
 PREPARED BY: M. BERLIN
 CHECKED BY: M. BERLIN

LOCATION: 1000 WILKINS AVENUE
 CLEVELAND, OH 44114

PROJECT NO: 20140465
 PROJECT NAME: SOUTH WILKINS TOWER
 ARCHITECT: M. BERLIN ARCHITECTURE

DATE: 05/14/14
 SCALE: 1:100
 DRAWN BY: M. BERLIN
 CHECKED BY: M. BERLIN

(17) Application No: PAP/2015/0290

Perryman Drive Recreation Ground, Perryman Drive, Piccadilly,

Installation of streetlighting within the sports field, for

North Warwickshire Borough Council

Introduction

The application is brought before the Planning and Development Board as the applicant is the Council.

The Site

The site is an existing park and sports field which contains a variety of uses, such as children's play equipment, a community building and sports pitches.

The park has one vehicle parking area furthest away from the vehicle entrance at Trinity Road. Pedestrian access points from Piccadilly are in place.

The north eastern boundary contains housing.

The Proposal

It is proposed to install street lighting within the sports field on the south side of Perryman Drive from the Trinity Road entrance to the Community Centre. This will also help to facilitate evening use of the Centre by the Piccadilly Community Association and for other local groups by providing safe access.

The proposed lighting would be automatically controlled to operate only between dusk and midnight.

The proposal is for six lights as shown in Appendix A and will be to the edge of the existing path so as to light that path.

The six tubular steel rigid columns will have a mounting height of 6metres painted dark green with post top mounted 27w LED lanterns. They are illustrated in Appendix B. All proposed lanterns will be fitted with photocell controllers so as to come on automatically. The light spillage of the lights can be viewed in Appendix C and photographs of the site can be viewed in Appendix D.

Background

The proposed provision of lighting has been identified as necessary to enable the Community Association to make better use of the facility and is complementary to other work being carried out to ensure the viability and sustainability of the Association through increased activity and income. This is the only community facility of any type within Piccadilly.

There are currently some floodlights within the grounds.

Representations

None have been received to date but a verbal update will be given at the meeting.

Development Plan

North Warwickshire Core Strategy – NW1 (Sustainable Development); NW12 (Quality of Development), NW10 (Development Considerations), NW13 (Natural Environment), NW3 (Green Belt) and NW11 (Renewable Energy)

Saved policies of the North Warwickshire Local Plan 2006 - ENV12(Urban Design) and ENV13 (Building Design)

Other Relevant Material Considerations

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

Observations

The site lies just outside of the Development Boundary of Piccadilly and within the Green Belt. New buildings are inappropriate development in such a location but in this instance the development proposed would fall into one of the defined exceptions in the NPPF. This is when development is appropriate for outdoor recreation activity provided that there is no adverse impact on the openness of the Green Belt. That is not considered to be the case here because of the few lights involved and because of the nature of the surrounding area where there is already built development with street lighting. Other considerations here are whether the lighting columns are appropriate in terms of their design, illumination and siting, given the area of open space

a) Design

In terms of design, then the lighting columns are standard features of street furniture and are not inappropriate. The height of the lighting columns is acceptable and in terms of intensity of illumination then this will be at 27 watts and is designed to direct lighting downwards. The lighting will not cause any glare or light spillage beyond the area that is proposed to be illuminated, as shown in Appendix C. Dark skies will not be affected by the proposed lighting scheme given that no upward lighting is proposed.

b) Amenity

In respect of the impact upon the amenity of neighbouring residents then the nearest dwellings are in Trinity Road and Colonel Digby Close. The nearest dwelling on the Close is No.14 and the nearest light is approximately 6 metres away. The Close has existing street lights and it is considered on balance that the lighting scheme has been designed so to cause minimal impact. The proposal is not considered to lead to unacceptable harm to the other residential properties at Colonel Digby Close. The impact upon the nearest dwelling of The Elms in Trinity Road is considered to be acceptable given the siting of a column close to the side boundary of the dwelling. The siting of the other lighting columns within the site is considered to be acceptable and not impact upon other neighbouring properties.

d) Overall

It is considered that it would be unreasonable to refuse the application on grounds of siting, design, illumination or on the impact on the openness of the Green Belt, given the illuminated areas are towards the edge of the recreational ground, and to existing paths.

Recommendation

That subject to the receipt of no objections planning permission be **GRANTED** subject to the following conditions:

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

REASON

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

2. The development hereby approved shall not be carried out otherwise than in accordance with Location Plan, site plan (drawing number LM-20154-008); Column drawing number Q12341/005 REV A, TRT Lighting Aspect 1 lighting details datasheet issue Jan 2015, and TRT lighting lighting report (project name Perryman Drive to BS5489 S4) received by the Local Planning Authority on 12 June 2015.

REASON

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

3. For the avoidance there shall be no illumination of the lighting between 00:00 (Midnight) and dusk hours.

REASON

In the interests of the amenities of the area.

4. The development hereby approved shall be coloured dark green (RAL 6005) or such other colour as may be approved in writing by the Local Planning Authority, and thereafter maintained to such an approved colour at all times.

REASON

In the interests of the amenities of the area.

Notes

1. Radon is a natural radioactive gas which enters buildings from the ground and can cause lung cancer. If you are buying, building or extending a property you can obtain a Radon Risk Report online from www.ukradon.org if you have a postal address and postcode. This will tell you if the home is in a radon affected area, which you need

to know if buying or living in it, and if you need to install radon protective measures, if you are planning to extend it. If you are building a new property then you are unlikely to have a full postal address for it. A report can be obtained from the British Geological Survey at <http://shop.bgs.ac.uk/georeports/>, located using grid references or site plans, which will tell you whether you need to install radon protective measures when building the property. For further information and advice on radon please contact the Health Protection Agency at www.hpa.org.uk. Also if a property is found to be affected you may wish to contact the North Warwickshire Building Control Partnership on (024) 7637 6328 for further advice on radon protective measures.

2. 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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

3. 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.

4. 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.

5. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through quickly determining the application. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

Planning Application No: PAP/2015/0290

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	12/5/15
2	Sport England	Email to NWBC	27/5/15
3	Sport England	Email to NWBC	27/5/15

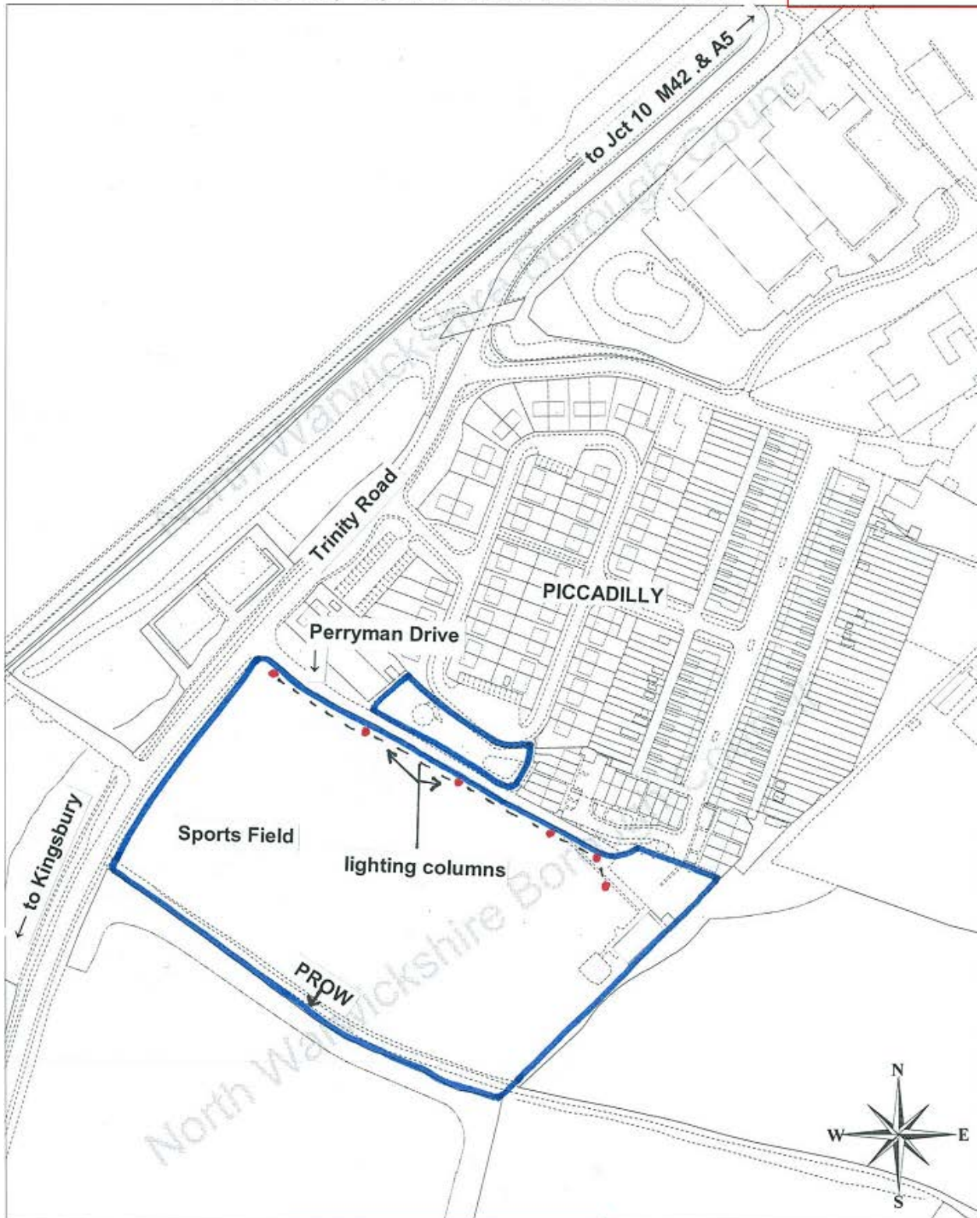
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

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



Piccadilly Sports Field Location Plan

Appendix A
PAP/2015/0290



Date: 11:05:15
Scale: 1:2500

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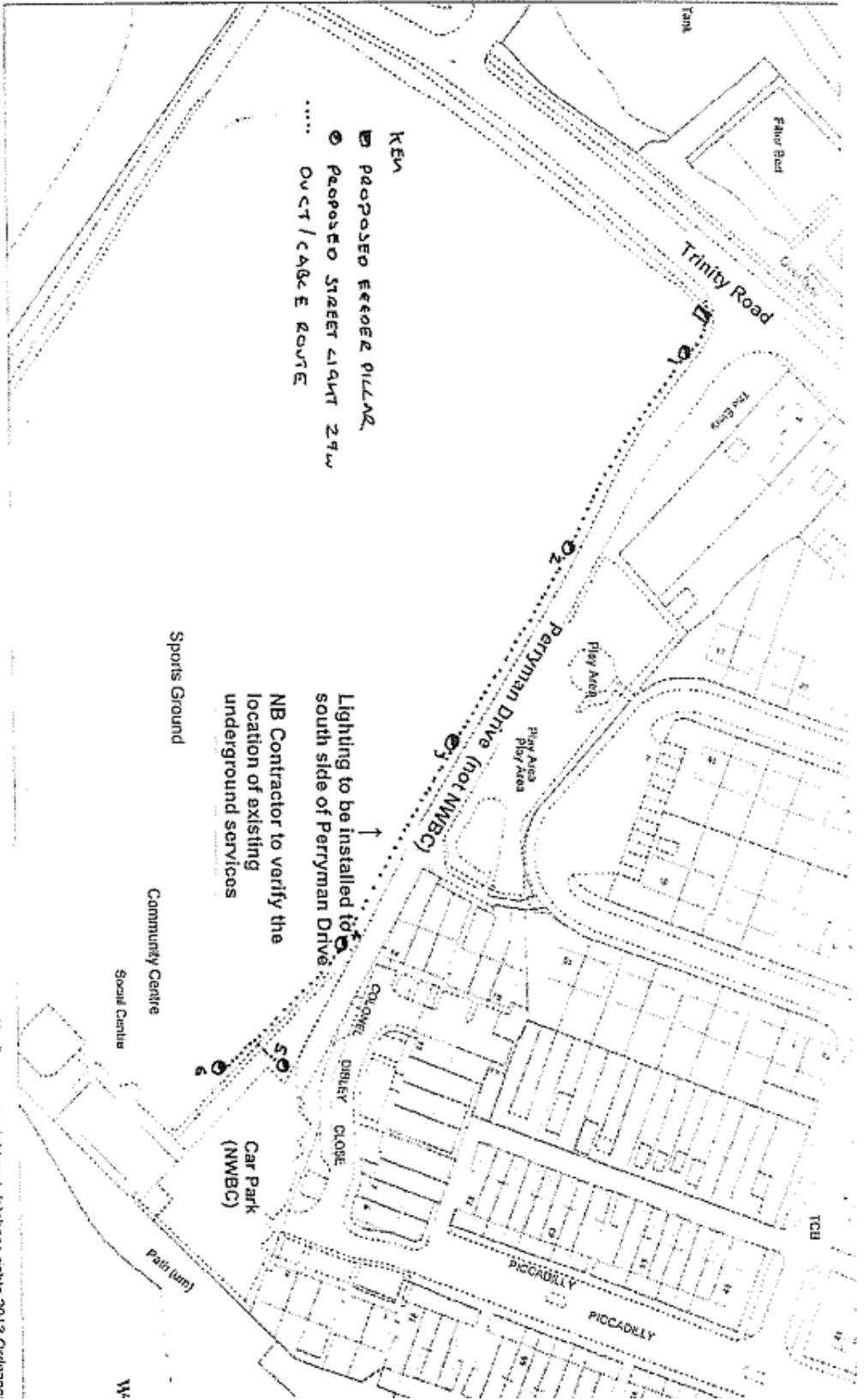
North Warwickshire
Borough Council

Project: Piccadilly Sports
Field
Drawing no: LM-2015-008
Title: Site Plan
Scale: 1:1250 @ A4
Drawn by: AW
Date: 04.02.15

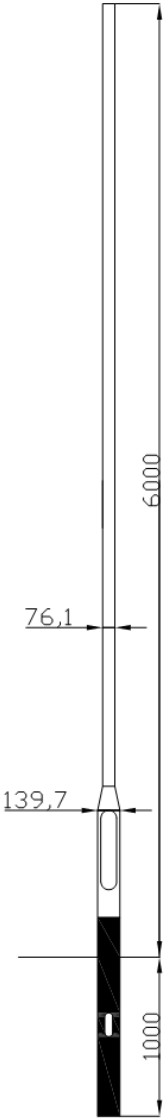
G. M. BERTON
JAMES MARTIN
22/02/2015

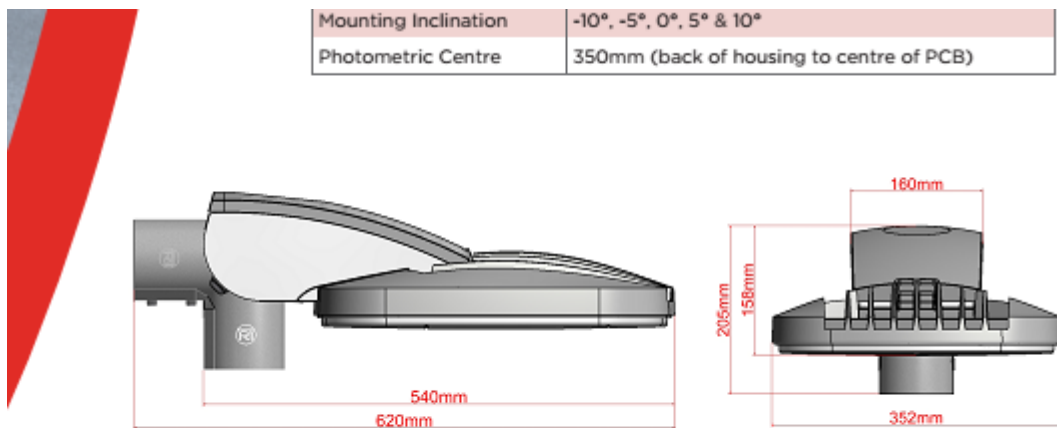


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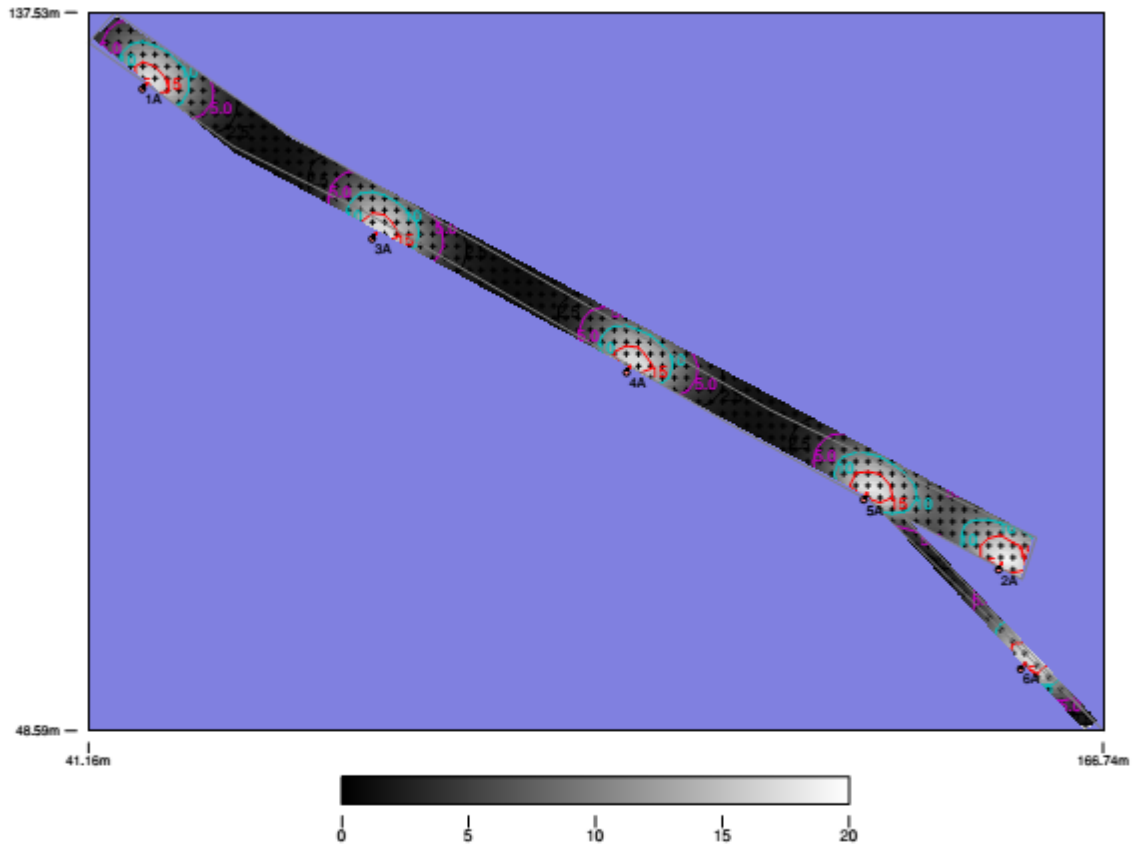
Appendix B

<p>PLANNING & DEVELOPMENT DIVISION RECEIVED 12/05/2015</p>	<p>PAP/2015/0290</p> 	<p>1) All dimensions mm 2) Tubular steel columns to BSEN40 3) Galvanised as BSEN1461 & Painted as Contract Specification 4) Bitumen Root Protection 5) Approved suppliers: - BEI - Corus Tubes - CU Phosco - Fabrikat - Mallatite - Stainton Metal - Tecnopali</p>
<p>6m tubular steel lighting column</p>		<p>G.M.Briton (P.W.) Ltd Brindley Close Atherstone, CV9 2GA Tel. 01827 719680 info@gmbriton.co.uk</p> <p>Drawn: J.Martin 03/02/2013</p>



Horizontal Illuminance (lux)

Grid 1



Results

Eav	7.08
Emin	1.22
E _{max}	19.75
Emin/E _{max}	0.06
Emin/E _{av}	0.17

Appendix D





(18) Application No: PAP/2015/0291

Kitwood Avenue Recreation Ground, Kitwood Avenue, Dordon,

Installation of lighting columns to light footpaths linking Kitwood Avenue and Barn Close to Birchwood Avenue, for

North Warwickshire Borough Council

Introduction

The application is brought before the Planning and Development Board as the applicant is the Council.

The Site

The site is an existing recreation ground, with paths and a play area. The site has two paths running through the site from Kitwood Avenue and Barn Close, which then merge and lead into Birchwood Avenue.

The boundaries to the north, east and south contain dwellings, whereas to the west are open fields towards Tamworth.

The Proposal

It is proposed to install lighting columns to light footpaths linking Kitwood Avenue and Barn Close to Birchwood Avenue to improve amenity and to provide safe pedestrian access to local services, particularly schools. Lighting will be automatically controlled to operate from 0600 to daylight in the early mornings and then from dusk to midnight.

The proposal is for 9 lights, as shown in Appendix A, and these will be on the edge of the existing paths.

The 9 no. tubular steel rigid columns will have a mounting height of 6metres, painted dark green with post top mounted 27w LED lanterns. The columns can be seen at Appendix B; the light spillage at Appendix C and photographs of the site can be viewed in Appendix D.

Consultations

No comments received at the time of preparing this report. An updated position will be made verbally at the meeting.

Development Plan

North Warwickshire Core Strategy – NW1 (Sustainable Development); NW12 (Quality of Development) NW10 (Development Considerations), NW13 (Natural Environment) and NW11 (Renewable Energy)

Saved polices of the North Warwickshire Local Plan 2006 - ENV12 (Urban Design) and ENV13 (Building Design)

Other Relevant Material Considerations

The National Planning Policy Framework 2012

Observations

The site lies inside of the Development Boundary of Dordon. There is no objection in principle to the development, and so the main considerations here are whether the lighting columns are appropriate in terms of their design, illumination and siting, given the area of open space, and whether there exists an amenity issue to neighbouring residents in respect of light pollution.

a) Design

In terms of design, then the lighting columns are standard features of street furniture and are not inappropriate. The height of the lighting column is acceptable and in terms of intensity of illumination then this will be at 27 watts and is designed to direct lighting downwards. The lighting will not cause any glare or light spillage beyond the area that is proposed to be illuminated, as shown in Appendix C. Dark skies should not be affected by the proposed lighting scheme given that no upward lighting is proposed.

b) Open Space

The recreation ground is a green space as covered by Core Strategy policy NW10. The scheme is considered to enhance the provision of open space and recreation as set out in part 7 of NW10. The proposal is in accord with the Core Strategy and the NPPF. The proposal is also not considered to be obtrusive to the remainder of the open recreational area.

c) Amenity

In respect of the impact upon the amenity of neighbouring residents then the nearest dwellings are in Birchwood Avenue, Kitwood Avenue, Barn Close and Coppice Drive, which have properties that back onto or have views over the recreation ground. The scheme is considered not to cause adverse impact.

Columns are to be sited close to the boundaries to 77 Kitwood Avenue, 2 Barn Close and 78/41 Birchwood Avenue, however as shown on Appendix C the light spillage is limited and thus considered to have minimal impact.

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 the relevant part of the National Planning Policy Framework.

d) Overall

It is considered that it would be unreasonable to refuse the application on grounds of siting, design, illumination or on the impact on the openness of the recreation ground, given the illuminated areas are along existing paths.

Recommendation

That provided no objections are received, planning permission be **GRANTED** subject to the following conditions:

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

REASON

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

2. The development hereby approved shall not be carried out otherwise than in accordance with Location Plan, site plan (drawing number LM-20154-004); TRT Lighting Aspect 1 lighting details data sheet issue Jan 2015; the TRT lighting lighting report (project name Kitwood Ave Recreation ground to BS5489 S4); and valmont stainton rota tubular base hinged lighting column document, received by the Local Planning Authority on 12 May 2015.

REASON

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

3. For the avoidance there shall be no illumination of the lighting between 00:00 (Midnight) and 06:00.

REASON

In the interests of the amenities of the area.

4. The development hereby approved shall be coloured dark green (RAL 6005) or such other colour as may be approved in writing by the Local Planning Authority, and thereafter maintained to such an approved colour at all times.

REASON

In the interests of the amenities of the area.

Notes

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

Protection Agency at www.hpa.org.uk. Also if a property is found to be affected you may wish to contact the North Warwickshire Building Control Partnership on (024) 7637 6328 for further advice on radon protective measures.

2. 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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

3. 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.

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5. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through quickly determining the application. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

BACKGROUND PAPERS

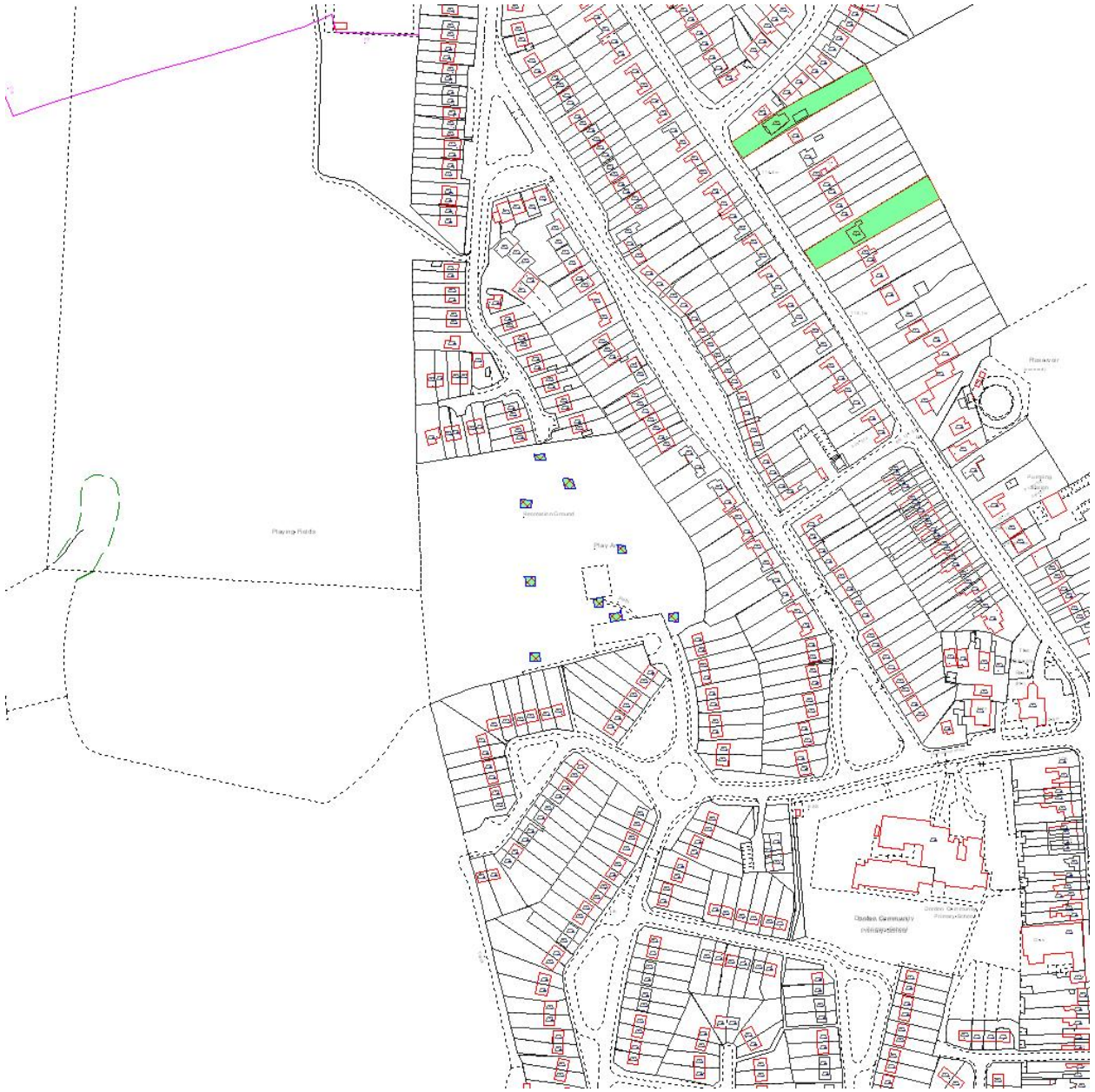
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0291

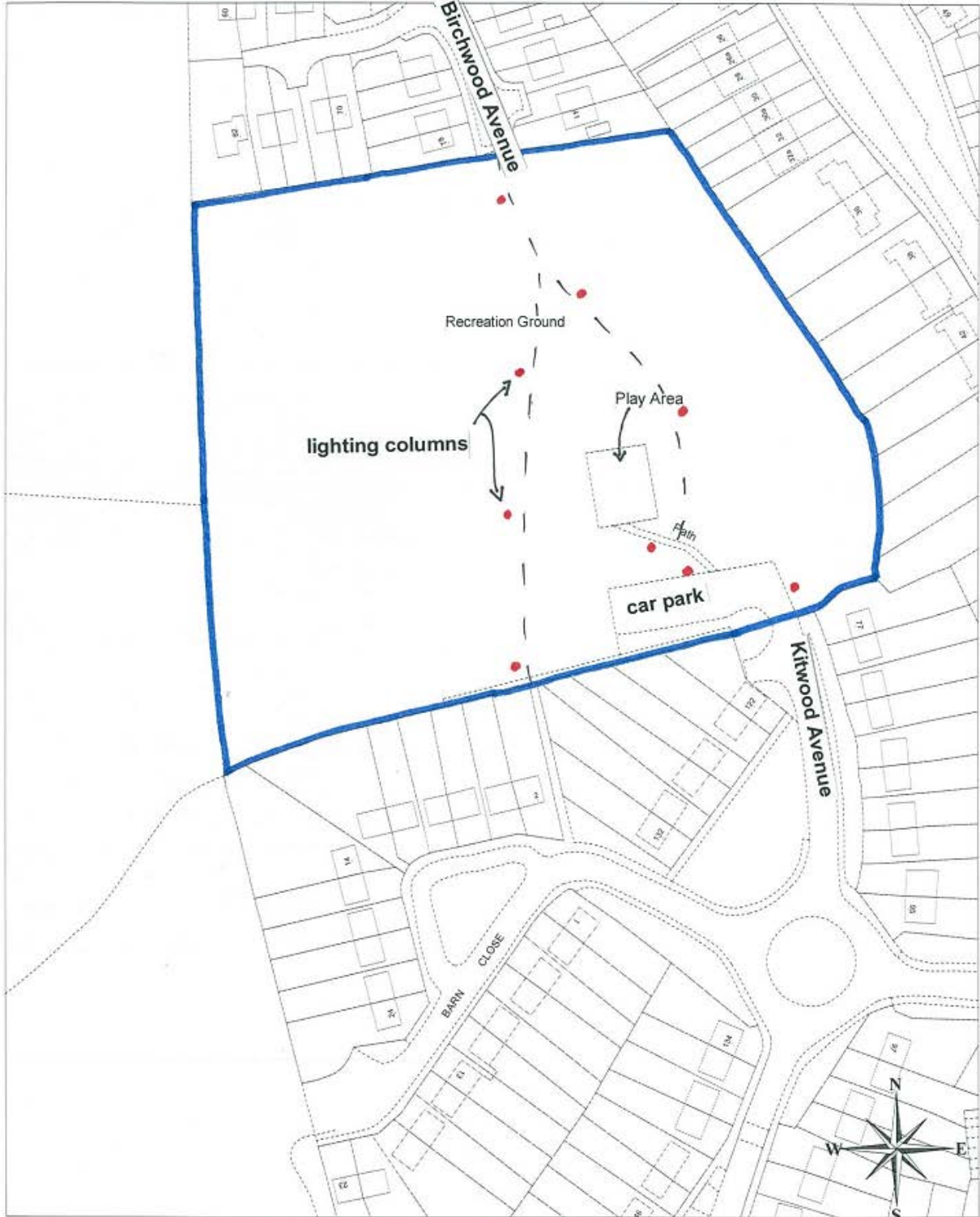
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	12/5/15
2	Case officer	Email to agent	19/5/15
3	Sport England	Email to NWBC	27/5/15
4	Sport England	Email to NWBC	27/5/15
5	Case officer	File note	28/5/15

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

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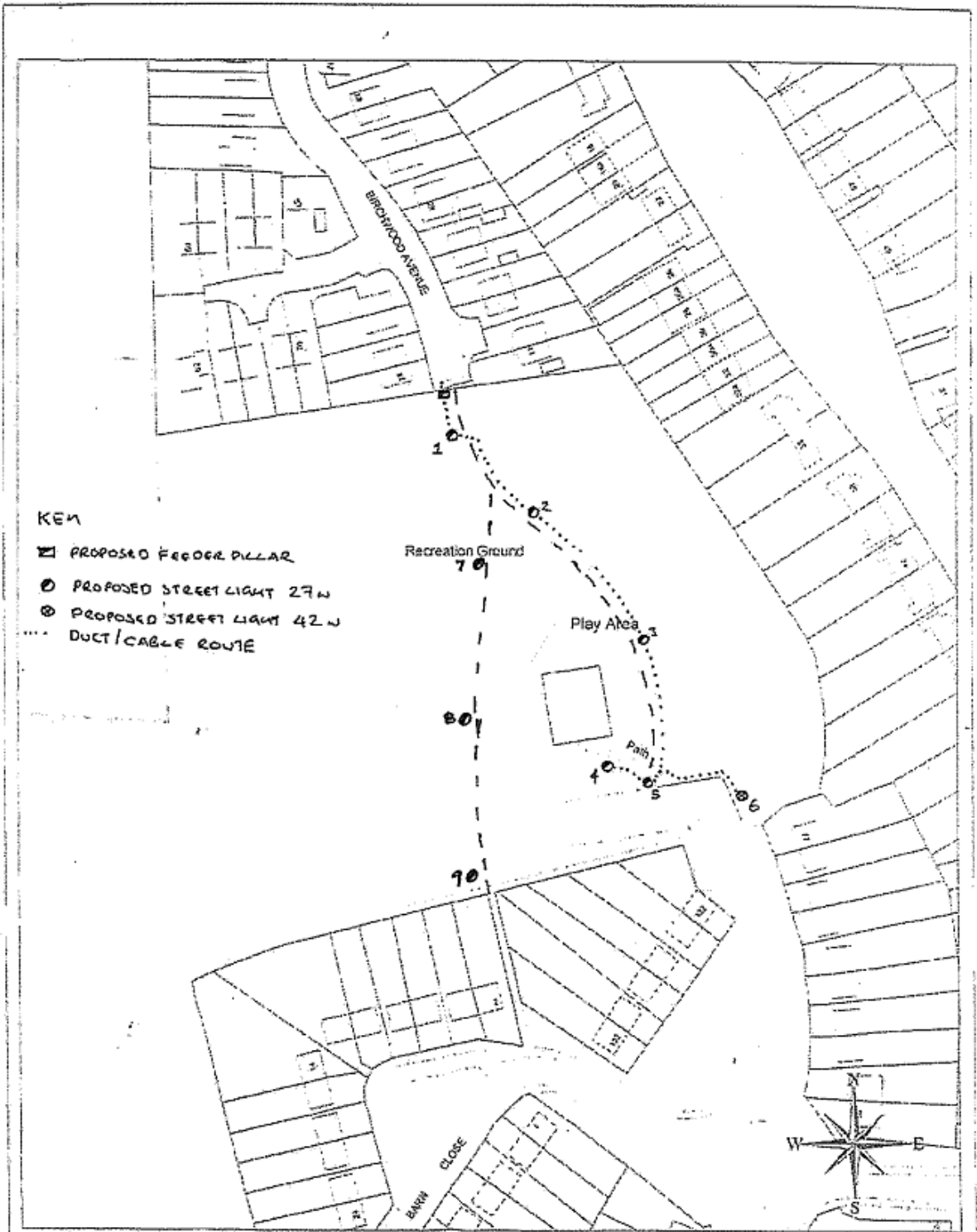
Kitwood Avenue Recreation Ground Location Plan



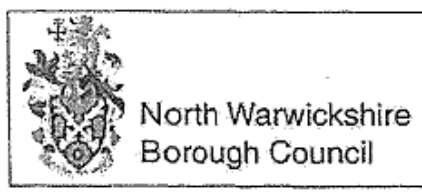
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- KEM**
- ▣ PROPOSED FEEDER PILLAR
 - ⊙ PROPOSED STREET LIGHT 27W
 - ⊙ PROPOSED STREET LIGHT 42W
 - DUCT/CABLE ROUTE



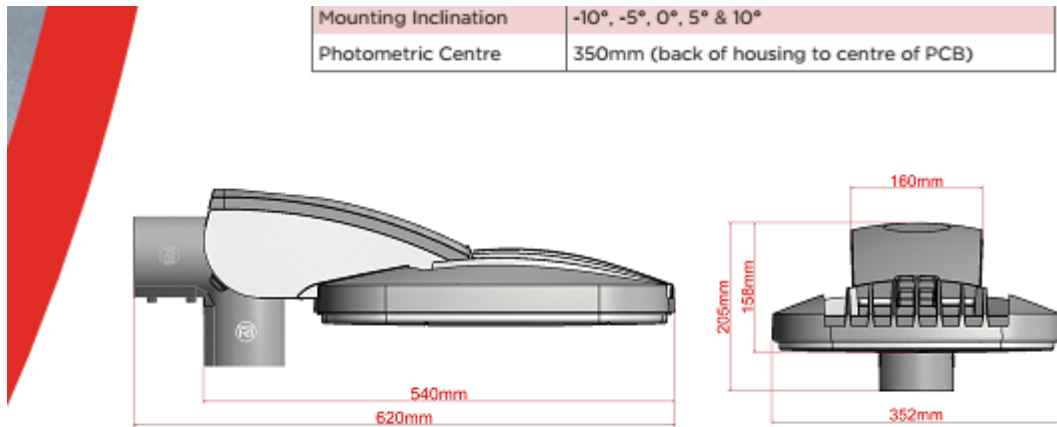
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 Drawing no: LM-2015-004
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 Drawn by: AW
 Date: 22.01.15

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 G. M. BRTON
 JAMES MARTIN
 27/02/15
 Ordnance Survey

NORTH WARWICKSHIRE

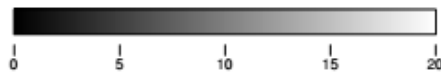
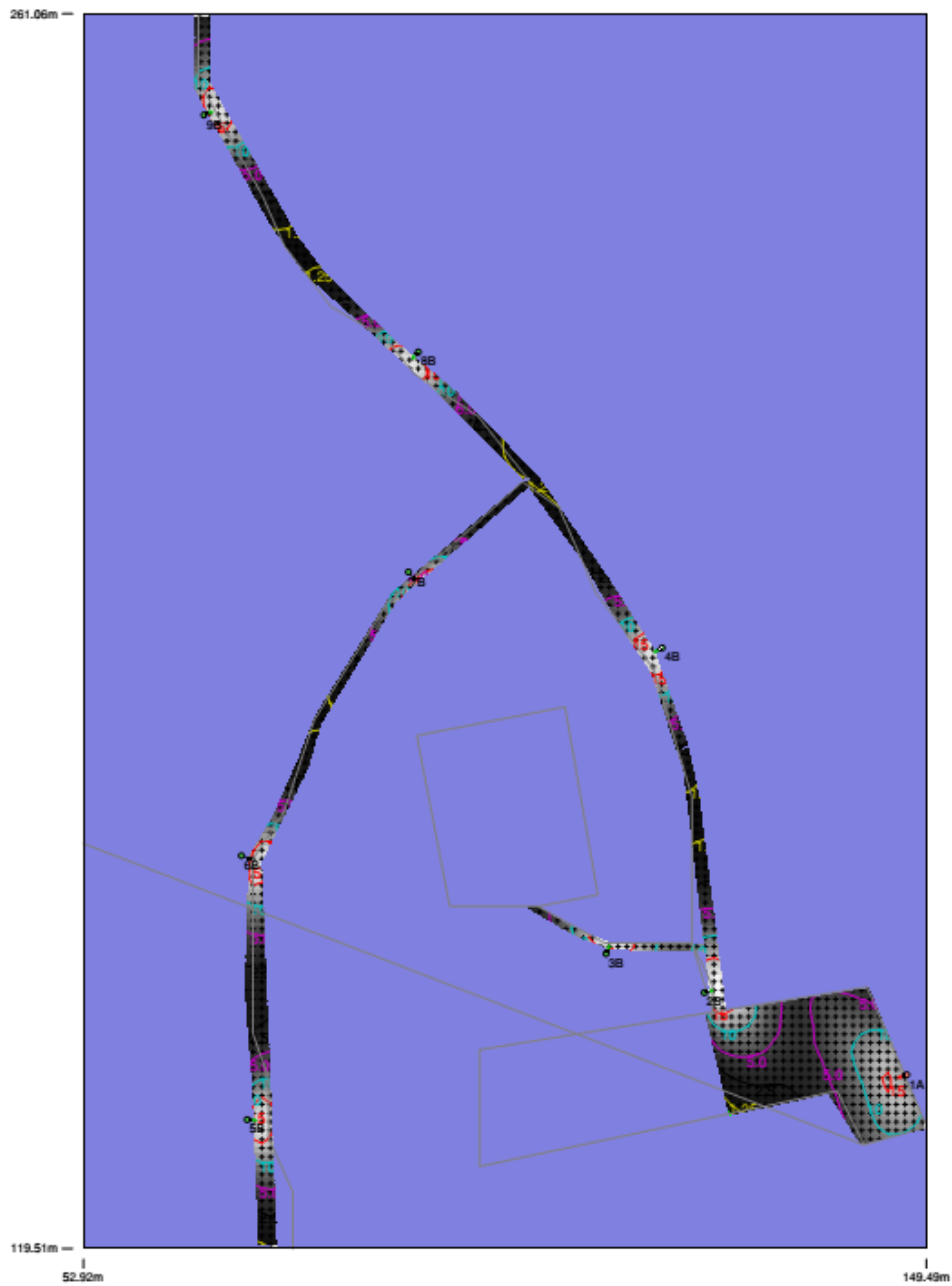
Appendix B

Mounting Inclination	-10°, -5°, 0°, 5° & 10°
Photometric Centre	350mm (back of housing to centre of PCB)



Horizontal Illuminance (lux)

Grid 1



Results

Eav	7.05
Emin	1.04
Emax	20.03
Emin/Emax	0.05
Emin/Eav	0.15

Appendix D



