

an adverse noise impact. The Council's Environmental Health Officer agrees with this assessment.

i) Other Impacts

Give the lack of objection from the various consultations as reported above, it is not considered that there are other adverse impacts sufficient to warrant a refusal here. Members will be aware that this was also the situation in respect of the earlier larger proposal and thus this is not considered to be unsurprising.

i) Representations Received

The matters raised in the objections received from the local residents are mainly covered in the report. It is clear that the main thrust of these objections is the visual impact of the turbine in what is considered to be a wholly rural landscape, and that it is considered inappropriate in a Green Belt setting. Members will be aware that because a resident might be able to see the turbine is not a reason for refusal and certainly there is no "blanket ban" on turbines within the Green Belt. The issue for the Board is to determine the impacts objectively. The key criteria are the likely impact of the proposal on the openness of the Green Belt hereabouts and the likely impact on the landscape character.

Several of the objections refer to other matters and these now need to be addressed.

There is some criticism of the applicant's financial evidence suggesting that there is not an overwhelming case for the turbine or that alternatives should be sought first. Members are advised to concentrate on the approach set out in the NPPF where it explicitly says that applicants should "not be required to demonstrate the overall need for renewable energy" and that "Local Planning Authorities should recognise that even small scale projects provide a valuable contribution to cutting green house emissions". In light of this guidance which is reflected the Government's most recent publication of July this year, it is not considered reasonable for the Council to consider refusal on the grounds that the Company should first consider alternative technologies; that the technology proposed is inefficient or that the applicant may have provided false financial information. Little weight should be given to these arguments in determining the planning merits of the application.

There is again reference in the objections to the distance of the turbine from residential property. The most recent Government advice clearly says that distance from proposed renewable energy projects of it-self does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including local factors such as topography, the local environment and near by land uses. The issue once again is the potential impact on landscape character and overall visual amenity not whether the turbine is visible to local residents. The issue of distance should be given little weight in the determination of this application.

The same will apply to the objections referring to the turbine acting as a precedent. Members will know that each application is considered on its own merits. In this case, the turbine is bespoke to the applicant's energy requirements and would have its own unique impact on the openness of the Green Belt hereabouts and on the character of the landscape. It can thus be assessed on its own merits as a site specific proposal. Other future proposals will have their own impacts too, and they might have to include an assessment of the cumulative impact of other turbines. It is considered that this would be the appropriate way to deal with this concern. At the present time this application can be determined on its own merits and should be. Little weight should be

given to the issue of creating a precedent in assessing the planning merits of this application.

j) Initial Conclusion

This proposal is inappropriate development in the Green Belt which would have a limited impact on its openness hereabouts and to a limited degree not assist in promoting the purposes of retaining land within it. There would be limited adverse visual impacts on the character and appearance of the surrounding rural landscape. There are unlikely to be any other adverse environmental, ecological, heritage, aviation or highway impacts. The issue thus comes down to balancing the harm by virtue of inappropriateness and the limited harm outlined above against the applicant's case which is supported by the need to promote renewable energy projects even in Green Belt areas.

k) Final Assessment

This is a revised proposal and the reduction in height of the turbine is material – a change of 11 metres or a 23/24% loss of height. That has led to a material change in the scale of harm to the openness of the Green Belt and to the impact on the landscape character. As such this harm is now considered to be limited in impact and geographic area. The issue is whether this has changed the balance in the overall assessment. It is considered that it has.

In these circumstances the weight to be given to the requirement to increase energy efficiency and sustainability for a farming enterprise increases significantly. This enterprise does require environmental controls in order for it continue and the use of renewable energy in these circumstances is clearly supported by Government planning policy. Members will understand that there is no ban on wind turbines in the Green Belt and that there are other land users and energy users in the Green Belt other than residents, whose requirements must also be considered. Here, as the harm arising from the turbine is now limited, there is a stronger case for supporting this development.

The most recent Government guidance says that the renewable energy projects should not automatically override environmental considerations. But equally that does not mean that there should be no support at all for projects where there are such considerations. The issue is as always where the balance lies. The most important attribute of the Green Belt is its openness. Here it is concluded that the turbine's impact would be low, limited to the immediate locality. Hence that "balance" is at a lower threshold than that of the previous scheme.

This recent guidance too draws attention to the planning "view" of the local community and says that it should be fully weighed in the assessment. The fact that there are objections however is again not a reason for refusal. There is no ban on turbines in the Green Belt and some of the representations made by the objectors here should be given little weight as outlined above. It is the planning content that is the important consideration here, and this report addresses those matters. The revised proposal now before the Board is significantly more supportable than the previous one in respect of these planning matters and can thus be recommended for approval

Recommendation

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

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

REASON

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

2. Standard plan numbers condition – location plan and plan numbers E3210, EWP50 and J12178 all received on 9/10/13

REASON

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

3. The existing access on Green End Road shall be used for all construction traffic accessing the site.

REASON

In the interests of highway safety

4. No work shall commence on the development hereby approved until such time as the existing access has been surfaced with a bound surface for a distance of 20 metres into the site as measured from the near edge of the highway in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of highway safety.

5. The public highway shall not be used at any time for the loading or unloading of vehicles in connection with this development, or for the parking of such vehicles.

REASON

In the interests of highway safety

6. No work shall commence on site until such time as details have been submitted to and approved in writing by the Local Planning Authority to show how the deposit of waste and/or extraneous material on the highway is to be prevented and/or minimised during the period of construction.

REASON

In the interests of highway safety

7. The turbine hereby approved shall be removed on or before 25 years from the date on which the turbine is first used for electricity generation purposes, or it ceases to be used for electricity generation purposes, whichever is the sooner, with the blades, hub, tower, access track and associated equipment removed and the ground restored to its former condition and the foundations covered with topsoil and seeded with grass in the first available planting season.

REASON

In recognition of the life-span of the development.

8. The date on which the turbine is first used for electricity purposes shall be confirmed in writing to the Local Planning Authority within two weeks of that date.

REASON

For the avoidance of doubt.

9. Prior to the de-commissioning of the turbine, details of the routing and access, the manner of dismantling and the disposal of materials (accounting for ecological, highway, safety and amenity impacts relevant to the date of de-commissioning) shall be submitted to and approved in writing by the Local Planning Authority. Decommissioning shall then be carried out in accordance with the approved details.

REASON

In the interests of highway safety, ecology and the amenity of nearby residents.

10 Any noise generated by the wind turbine shall not exceed the greater of 35dB(A) or 5dB(A) above background noise (LA90, 10min) at wind speeds not exceeding 10m/s as measured at, or adjusted to, a height of 10 metres above ground, when measured in free field conditions at any residential receptor in existence at the time of this permission. The noise emission values for the wind turbine shall include the addition of any tonal penalty as recommended in ETSU-R-97. The wind turbine shall be shut down at the reasonable request of the Local Planning Authority in order that background and operating levels can be compared. This condition shall apply at all times, day and night. If the noise from the wind turbine is found to exceed the above limits, the Local Planning Authority may require the turbine to be shut down until the issue is resolved. Details of any corrective or mitigation measures shall be installed/implemented prior to the turbine being brought back into use, and thereafter maintained as approved.

REASON

In the interests of reducing the risk of noise pollution.

11. Prior to the commencement of development, the applicant shall notify the Local Planning Authority of the date of commencement of works, the intended duration of works, the maximum height of construction equipment and the exact latitude and longitude of the turbine in order that the information can be forwarded to the Ministry of Defence Safeguarding Team.

REASON

In the interests of reducing the risk of accidents.

12. No wind turbine components from the development hereby approved that require abnormal load movement on the strategic road network and on the local highway network shall take place until a comprehensive transport strategy has been agreed in writing by the Local Planning Authority.

REASON

In the interests of safety on the public highway, so as to ensure that the Strategic Road Network is able to safely accommodate the abnormal load deliveries with detriment to existing infrastructure and road users safety.

Notes

1. The Local Planning Authority has worked in a positive manner in dealing with the planning issues arising from this application through consultation and negotiation thus meeting the requirements of the National Planning Policy Framework.
2. Attention is drawn to public footpath M286 which passes to the north of the site.
3. Attention is drawn to Sections 149, 151 and 184 of the Highways Act 1980; the New Roads and Street Works Act 1991, the Traffic Management Act 2004 and all relevant Codes of Practice. Further information can be obtained through contacting the Warwickshire County Council - 01926 412515.

BACKGROUND PAPERS

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

Planning Application No: PAP/2013/0500

| Background Paper No | Author | Nature of Background Paper | Date |
|---------------------|------------------------------|---|----------|
| 1 | The Applicant or Agent | Application Forms, Plans and Statement(s) | 9/10/13 |
| 2 | Head of Development Control | Letter | 21/10/13 |
| 3 | Applicant | E-mail | 22/10/13 |
| 4 | Birmingham Airport | Consultation | 6/11/13 |
| 5 | Ministry of Defence | Consultation | 4/11/13 |
| 6 | Highways Agency | Consultation | 6/11/13 |
| 7 | WCC Highways | Consultation | 31/10/13 |
| 8 | WCC Footpaths | Consultation | 6/11/13 |
| 9 | Environmental Health Officer | Consultation | 6/11/13 |
| 10 | Warwickshire Museum | Consultation | 21/10/13 |
| 11 | WCC Highways | E-mail | 4/11/13 |
| 12 | Applicant | E-mail | 4/11/13 |
| 13 | Fillongley Parish Council | Objection | 21/10/13 |
| 14 | Maxstoke Parish Council | Objection | 4/11/13 |
| 15 | S Haynes | Representation | 28/10/13 |
| 16 | J Hassall | Objection | 28/10/13 |
| 17 | T Bradley | Objection | 25/10/13 |
| 18 | D Garnett | Objection | 6/10/13 |
| 19 | P Pugh | Objection | 6/11/13 |
| 20 | A Adams | Objection | 6/11/13 |
| 21 | P Burgess | Objection | 6/11/13 |
| 22 | CPRE | Objection | 6/11/13 |
| 23 | P Pearce | Objection | 31/10/13 |
| 24 | E Pearce | Objection | 31/10/13 |
| 25 | D Arnold | Objection | 29/10/13 |
| 26 | C Bacciochi | Objection | 7/11/13 |
| 27 | Environmental Health Officer | E-mail | 7/11/13 |
| 28 | G Thomas | Objection | 7/11/13 |
| 29 | F Thomas | Objection | 6/11/13 |

| | | | |
|----|-------------------|-----------|----------|
| 30 | S and P Smith | Objection | 7/11/13 |
| 31 | D Hopkins | Objection | 7/11/13 |
| 32 | D Hayes | Objection | 8/11/13 |
| 33 | Mr and Mrs Smith | Objection | 12/11/13 |
| 34 | Packington Estate | Objection | 12/11/13 |

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.



General Development Applications

(#) Application No: PAP/2013/0500

Proposed development of a 34.5 metre tall 50kW wind turbine for

Mr J Potter

Introduction

Members will recall that at its August meeting, the Board refused planning permission for a wind turbine at this site in Fillongley. The present application is a re-submission with one amendment. The location of the turbine is the same as that refused, but the overall height is now proposed at 34.5 metres, reduced from the previous 46.3 metre tall structure.

A copy of the previous report is attached as background information at Appendix A. The recommended refusal reason therein was agreed by the Board. This clearly provides a base-line against which the Board should assess the new proposal. It is important to treat the revised application as a fresh proposal, and it should be dealt with accordingly. However a substantial amount of background information remains the same. Whilst it is not proposed to repeat that in this current report, Members should be aware of the content of that earlier report. This report will concentrate on the differences between that proposal and this.

The receipt of the application is reported at this time to the Board for information only and a full determination report will be made in due course.

Members should be aware that all households notified of the original application have again been informed of this revised application.

The Main Differences

The actual site of this current proposal is exactly the same as that of the previous case. The proposed turbine however is less tall. The refused scheme was for a turbine with an overall height of 46 metres and the current proposal would be one of a total of 34 metres. The column height would be 24 metres compared with the previous 36 metres column, and the blade length would remain the same at 9.6 metres. The ground equipment would also remain as before – a single 2 by 1 metre cabinet, 2.1 metres tall. Vehicular access for construction would be the same that is off Gorsey End Lane using an existing, but improved junction arrangement, opposite to the Sovereign Exhibitions entrance.

In terms of supporting information there are two new documents submitted. The first is an addendum to the Design and Access Statement which outlines how in the applicants' opinion, the revised proposal has overcome the refusal reason for the taller previous scheme. This is attached in full at Appendix B. This particularly addresses the impact on the openness of the Green Belt and concludes that the smaller turbine would have little such impact. The second document follows on from this, and is a landscape and visual appraisal for the smaller turbine at the same location of the previous one. The Summary and Conclusions are attached at Appendix C.

Following the refusal, the applicant undertook a consultation event in Fillongley Village Hall on 30 September. Invitations were sent to all those households which were notified of the application by the Council – some 200 addresses. Fifteen people attended the event. The issues raised were the setting of a precedent for other wind turbines; the potential noise and visual impacts as well as the applicant using alternative energy solutions as alternatives. The applicants' response to these matters is covered in the addendum referred to above and attached at Appendix B.

The Applicant has also provided revised photo-montages of the proposed lower turbine within the landscape. Three of these are attached as Appendices D to F – the ones at the junction of Gorsey Green Lane and Green End Lane; from Green End Lane and from where Gorsey Green Lane passes under the Motorway.

Development Plan

Appendix A contains a full list of policies contained in the North Warwickshire Local Plan 2006, all of which remain relevant to this revised proposal.

Other Material Planning Considerations

The content of the National Planning Policy Framework (the NPPF) remains as previously set out, as do the policies referred to in the Council's Submitted Core Strategy.

The previous report did refer to the most recent Planning Policy Guidance published by the Government on Renewable Energy Projects – "Planning Practice Guidance for Renewable and Low Carbon Energy" dated 29 July 2013. It reiterates the guidance of the NPPF in saying that all communities have a responsibility to help increase the supply of green energy, but continues by saying that this does not automatically override environmental protections and the planning concerns of local communities. It continues by saying that distances from proposed renewable energy projects of it-self does not necessarily determine whether the impact is unacceptable. Distance plays a part, but so does the local context including local factors such as topography, the local environment and near-by land uses. It also outlines a number of factors against which to assess turbine proposals.

Observations

The sole reason for refusal of the last application was that that turbine was considered to be inappropriate development in the Green Belt, having a moderate adverse impact on the openness of the Green Belt hereabouts, together with a moderate adverse impact on the character and appearance of the surrounding landscape. It was not considered that the applicant had forwarded material planning considerations of such weight to override the presumption of refusal of the application by virtue of this inappropriateness.

The current revised application is for a smaller turbine. The issue for the Board is thus to determine whether the degree of harm arising from the adverse impacts referred to above has altered, and therefore whether the material planning considerations put forward by the applicant are still sufficient to override that harm. The Board will also need to be assured that there are no other adverse impacts that might lead to a refusal here

Recommendation

That the report be noted

BACKGROUND PAPERS

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

Planning Application No: PAP/2013/0500

| Background Paper No | Author | Nature of Background Paper | Date |
|----------------------------|------------------------|---|-------------|
| 1 | The Applicant or Agent | Application Forms, Plans and Statement(s) | 9/10/13 |

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.

Agenda Item No 7

Planning and Development Board

16 December 2013

**Report of the
Head of Development Control**

**Father Hudson's Society
Redevelopment Scheme**

1 Summary

- 1.1 Following the grant of planning permission in this case, the Board requested further information on fire risk issues and the response of the Warwickshire Fire and Rescue Service has now been received.

| |
|---|
| <p>Recommendation to the Board</p> <p>a That the Fire and Rescue Service's response be referred to both the developer and to the land owner with a recommendation that the owner considers offering an alternative site to the farmer for his storage requirements, and secondly that the developer considers a review of the layout for this part of the site; and</p> <p>b That the responses are reported to the Board in due course.</p> |
|---|

2 Consultation

- 2.1 No consultation has taken place as Members are well aware of the history of this site.

3 Background

- 3.1 Members will recall that planning permission was granted in August for the residential redevelopment of the Father Hudson's site on the east side of Coventry Road in Coleshill. A copy of the report is attached at Appendix A. During the debate on the case, the Board expressed concerns about the potential fire risk that might be involved if substantial amounts of hay and straw were stored on land very close to the planned houses. This arose as a consequence of one of several points of objection made by the farmer of the adjoining land. The Board resolved that officers contact the Warwickshire Fire and Risk Service in order to seek its comments on the proposals. A copy of the subsequent letter is attached at Appendix B.

3.2 On receipt of this letter the Fire and Rescue Service organised a site meeting with the farmer. A planning officer also attended. As a consequence the Service has now formally responded to the Board's request and two letters of 22 November are attached at Appendices C and D. Appendix C is the formal reply to the Board's letter and Appendix D is a copy of the Risk Assessment undertaken at the site visit.

2.3 The matter is now referred to the Board for consideration

3 The Letters

3.1 The first letter – Appendix C – amends the information that was sent to the Council following its request for the Fire Service to comment upon receipt of the farmer's objection. This amended response includes statistical information and points out that the Service does not provide fire engineering reports as a consequence of planning application requests. It advises that if further information is required then that should be through independent consultants.

3.2 Exceptionally however, the Fire Service has undertaken an assessment in this case and this is attached at Appendix D. This identifies three risks and that their respective risk evaluations amount to a score ranging from 6 to 9 on a scale of 1 to 25. For each of the three risks, there are recommended control measures and it is noted that these are the same – namely "increasing the distance of the baled hay and straw from the boundary....or increasing the distance of the properties from the boundary and the baled hay and straw".

4 Observations

4.1 Members will note that the first letter – Appendix C – is not an objection and neither does it point to a recommendation of refusal, or does it suggest or recommend further conditions. The Board is now in possession of a Risk Assessment and this too does not suggest refusal.

4.2 It is considered that the letter and the Assessment should be made available to the applicant and the land owner here so that they can consider any implications. It is considered that in referring these documents, the Board should recommend that the land owner either offer the tenant farmer an alternative location for his storage, or that the developer should consider review and amendment of the layout of that part of the site in the vicinity of the existing storage area.

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

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

| Background Paper No | Author | Nature of Background Paper | Date |
|---------------------|-----------------------------|----------------------------|----------|
| 1 | Head of Development Control | Application Board Report | 14/8/13 |
| 2 | Head of Development Control | Letter | |
| 3 | Fire and Rescue Service | Letter | 22/11/13 |
| 4 | Fire and Rescue Service | Letter | 22/11/13 |

Appendix A

(5) Application No: PAP/2013/0168 and PAP/2013/0169

Father Hudson's, Coventry Road, Coleshill, B46 3EA

Planning Application and application for Conservation Area Consent to demolish existing buildings and proposed mixed residential and commercial development comprising 74 new dwellings; a retirement complex of 39 flats, a new office building, landscaping and ancillary structures (including a pumping station and electrical substation) for

Bellway Homes Ltd

Introduction

These applications were reported to the Board at its May meeting in order to introduce the proposals to Members and to outline the main issues which will be involved in their determination. Since then Members have taken the opportunity to visit the site. Additionally, there have been some detailed changes made to the proposals as a consequence of the receipt of consultation responses. This report will first bring Members up to date with the proposals before setting out the issues which they will need to consider in their determination of the case.

A copy of the previous report is attached at Appendix A. This provides a significant amount of background information as well as setting out the Development Plan context and the other material planning considerations relevant to these proposals. It should thus be treated as a part of this final determination report.

The Site Visit

Members attended the site on 15 June and were able to walk around the whole site. In particular, time was spent looking at the Coventry Road frontage; the area at the rear (east) side of the site and the northern boundary where it backs onto existing residential property in Walkers Way and in The Colesleys. Members also went inside the St Edwards building visiting its ground and first floors.

Additional Information

Many Members will be aware that prior to the site visit, over the bank holiday weekend, fire broke out in the St Mary's building, one of frontage buildings. Members saw the damage at their visit. Building Control Inspectors have confirmed that it is now a dangerous structure and it will thus have to be demolished regardless of the current applications. The initial fire report submitted to Father Hudson's suggests the fire was arson started by intruders.

Members are advised that this is a change in circumstance which will need to be taken into account in the determination of the application.

Recent Amendments

Following the receipt of responses from both the technical consultations undertaken with the relevant Agencies and as a consequence of representations received by local residents, there have been a number of amendments made to the submitted plans. These are:

- The house proposed on plot 63 has altered from a two and a half storey house to a two storey one and then re-aligned to match the row of other houses to its west. This is illustrated at Appendix B.
- There are very minor fenestration changes to plots 29 - 38 as a consequence of changed internal arrangements so as to have fewer habitable rooms at third floor level.
- The geometry of some of the internal road layout has altered at the request of the Highway Authority. These changes do not affect the overall design of the internal layout in any manner and neither do they impact on the housing layout.
- The landscape treatment to the Coventry Road frontage of the McCarthy and Stone proposal has been altered so as to replace a two metre railing with a lower one metre one backed by low hedgerow planting in the case of the Bellway proposals and with a 0.3 metre high "trip" rail together with a low hedge outside the McCarthy and Stone block. This would be continued around the building alongside the southern side of the main access.
- The car parking provision for the proposed residential development – the Bellway Homes proposals – has increased to 200%.

Consultations

English Heritage originally recommended that the applications should be refused. It considered on the basis of the submitted evidence, that the proposals would lead to substantial harm to the significance of the heritage asset, namely the total demolition of buildings within a substantial part of the Conservation Area, and that the tests of the NPPF in this regard had not been met. In particular English Heritage was concerned about the marketing undertaken and the lack of appraisal of other alternatives which might secure the retention of the buildings or some of them. Additional work was undertaken by the applicant as a consequence and this was then forwarded to English Heritage. It has responded by concluding that, "Overall, English Heritage does not believe that the case for the development can be made on heritage grounds, as there is a possibility of a successful scheme without the necessity for the total demolition of all of the historic structures within the development boundary. For example, it would appear to be possible to retain the St Edwards building and have a workable scheme if the current owners did not require an office block. Ultimately it is for your Authority to balance the "substantial harm" to the Conservation Area which your Authority deemed worthy of that status versus the public benefits to be achieved by the scheme". The full consultation response is attached at Appendix C.

The Warwickshire County Council as Highway Authority has no objection. It is satisfied that in terms of capacity there is unlikely to be a significant impact but did require minor layout design alterations within the site which have all now been addressed through the receipt of the amended plans. The Authority pointed out that the development as a whole would generate a significant increase in pedestrian based trips and that the retirement homes proposal would mean that a large number would be from more elderly people. Although in a 30 mph limit, the applicant's speed survey work showed an average speed of between 33 and 34. The Highway Authority therefore requires a signalised pedestrian crossing over Coventry Road as a consequence of these two factors.

The Environment Agency has no objection.

Severn Trent Water Ltd has no objection subject to a standard condition.

The Warwickshire Museum says that a desk based assessment was submitted with the application and that as a consequence, post-medieval settlement activity was identified. Whilst no objection is submitted, it is recommended that a standard condition is imposed on any planning permission requiring site investigation through trial trenching, to be agreed in advance before work commences.

Warwickshire Fire Services has no objection subject to a standard condition requiring prior agreement for water supply arrangements. In respect of concerns about the proximity of a farm to the proposals, then the Authority has been notified of the risk – see Appendix D.

Warwickshire County Trading Standards has responded due to concerns about the proximity of a working livestock farm adjoining the development. There is no objection – see Appendix E.

Warwickshire Police has viewed the detail and has advised the applicant in respect of detailed measures to reduce the likelihood of crime.

WCC Library Services has asked for a contribution of £17k to assist in the running costs of existing libraries.

WCC Education Services has asked for a contribution of £31k. Whilst there is existing capacity at local schools for children arising from this development, the contribution is to assist funding special needs.

NHS Property Services has asked for a contribution of £97k towards the cost of running facilities for eighteen months until the next funding review.

The Council's Environmental Health Officer says that a desk study and site investigation has been carried out and that there has been discussion with the applicant. It is recommended that further investigation should be conditioned as a consequence. This is particularly relevant to old fuel tanks on the site and to the need to investigate the ground under the existing buildings. Additionally the findings of the noise assessment report submitted with the application are agreed and prior

approval is needed for details of glazing and ventilation along the Coventry Road frontage. In respect of the farmer's objection, the only way to minimise the potential for odour nuisance would be to have sufficient separation distance from the farm to the development.

The Council's Valuation Officer considers that the viability studies and the financial appraisals have been properly undertaken and that the conclusions are both reasonable and proportionate. The affordable housing provisions might be increased if the site was treated as two developments – Bellways and McCarthy and Stone. He too points out that the inclusion of the new office block here does impact on the overall appraisal.

Representations

The Coleshill Town Council welcomes and totally supports the development. It also considers that there is sufficient existing community area space in the town without the need for additional such accommodation on this site.

The Coleshill and District Civic Society accepts the principle of total demolition and in terms of building design consider that the proposals are sympathetic and imaginative, still relating in part to the former Father Hudson's site. The Society does however have concerns about the traffic generation from the proposals. It suggests a second access off Maxstoke Lane.

The Coleshill Neighbourhood Plan Steering Group gives its unanimous support to the proposals but asks that the design remediates the impact of increased traffic generation.

Three letters have been submitted from local residents supporting the scheme.

A further letter draws attention to the following matters; access along the site frontage to the uses beyond, too much three storey housing here changes the character of Coleshill and all houses should have two car parking spaces.

Three letters have been received from local residents drawing attention to the likely traffic impacts on the Coventry Road. In particular attention is drawn to poor visibility; the dependence on just the one access, problems with deliveries and heavy traffic associated with the construction phase, and the already heavily used road as a consequence of school traffic.

Three letters of objection have been received from residents in Walkers Way who are particularly concerned about the adverse impacts of the new housing proposed to the rear of their properties. In particular the loss of privacy and amenity through overlooking and the loss of outlook and potential value are mentioned. Specific reference was made to the original house type proposed on plot 63 – a two and a half storey one. In view of the receipt of amended plans showing changes to plot 63, these three residents were re-consulted. One response has been received which welcoming the amendment still requests that the new houses are located further away from existing property.

A letter of objection has been received from the farmer of the land which abuts the eastern boundary of the site – see Appendix F. He refers to the following matters: a boundary dispute; the loss of trees, the risks of fire and disease because of the proximity of his farm, drainage issues and the increased likelihood of complaints.

Other Additional Information

It was reported above that changes to the plans had been received as a consequence of the consultations and representations received. In addition, the applicant has supplied further evidence which he considers answers other matters raised by the consultation responses, and in particular is said to respond to the concerns raised in the Observations section of the previous report at Appendix A..

Firstly, in direct response to the Highway Authority's request for a contribution to provide a signalised pedestrian crossing over the Coventry Road, the applicant has confirmed that he would do so through a Section 106 Unilateral Undertaking for the full amount requested.

Secondly, in direct response to questions asked about the role that the Father Hudson's Society now plays in Coleshill, it has provided a covering letter. This is attached at Appendix G.

Thirdly, in direct response to officer's concerns as expressed in Appendix A and to the objection by English Heritage, the applicant submitted additional documentation in respect of the potential impacts on the viability of the scheme in respect of the provision of affordable housing and the retention of St Edwards.

Fourthly Members will be aware that the background to the emerging Core Strategy has moved forward. This was submitted in February and following an initial hearing in early June, it remains as a material planning consideration. However the Inspector dealing with the case has requested more up to date evidence through a revised Strategic Housing Market Area Assessment on housing numbers. This has not been prepared at the time of this Board meeting and thus the overall housing requirement up to 2028 has not been finalised. The consultation period on the Preferred Locations for Site Allocations closed at the end of May. There were no representations received in respect of the inclusion of the application site as a potential housing site. In respect of the five year land supply, then the Council's LDF Committee recently agreed that the Borough had between a 5.57 and 4.87 year supply.

Observations

a) Introduction

As indicated in the last report there is no objection in principle to the residential redevelopment of this site. It is not only located within the settlement boundary for Coleshill but it is also allocated for residential development (up to 150 houses) in the current Development Plan – the 2006 Local Plan. The emerging replacement Plan identifies Coleshill as a suitable settlement to accommodate 275 new houses up to 2028, and the Council's Preferred Locations for that new housing allocates this site

for up to 120 of those new dwellings. As a consequence the issue for the Board here revolves around how this residential development is to be provided, not whether it should be provided. That is presently guided by two factors. Firstly, the 2005 Council's Development Brief for the site expressly sets out the wish to retain the two frontage buildings – St Mary's and St Edwards – with the remainder of the site being cleared as the development area. Secondly, the site is wholly within the Coventry Road Conservation Area and thus the NPPF guidance on dealing with proposed demolitions will weigh heavily in the final assessment. The first part of this report will therefore concentrate on the substantive issue of assessing the balance between supporting the provision of new housing in line with the Development Plan; its emerging replacement and Government guidance on housing growth through the NPPF, with the total loss of a significant proportion of the heritage asset contrary in part to the Council's own Development Brief.

This report will also have to cover a number of other matters – not only the technical issues that arise as a consequence of the highway, amenity and drainage impacts of the proposals, but also the provision of affordable housing and the visual impact by looking at the quality of the built form proposed to replace that presently on site. These will all be examined later on in this section.

The report will draw together the conclusions from all of these issues and then make a recommendation based on an assessment of the balance between them.

b) The Heritage Asset

The starting point is therefore to define the heritage asset which is affected and in so doing to understand its significance. There are no Listed Buildings on the application site and so the asset here is the Coventry Road Conservation Area designated in 1995. A Conservation Area for Coleshill was first designated in 1969 in order to protect the linear core of the town centre. Development pressures on the town were building up and in order to protect the southern approaches of the town from unsympathetic development and to recognise the particular bespoke built form of the Father Hudson's holding, a second Area was designated. This includes the linear frontages on the western side of Coventry Road but more particularly includes the Society's substantial land holding on its eastern side.

This part of the Area recognises the position of Father Hudson's Homes in the recent social history of Coleshill and its particular expression through built form and appearance. Its original Catholic mission was to care for poor children and orphans but this expanded during the first decades of the twentieth century through the Home's holistic approach to its mission into the provision of hospital care; the provision of education, homes for the nuns looking after the children and for places of worship. As and when the operations expanded, new buildings were just built and each was constructed with its own character and appearance. This continued as the management and legislation covering social care provision underwent substantial change in the latter half of the 20th century. There are thus no two buildings alike on the site whether dating from the early, middle or latter half of the century. They were largely erected with no overall design or plan in mind, resulting today in a complex of different unrelated structures each surrounded by open space. The overall site thus displays the organic growth and physical expression of the original Catholic mission

– an early 20th Century expression of what we now call residential social care institutions.

The character and appearance of this part of the Conservation Area wholly reflects the physical outcome of this social history. The main characteristics are:

- A “campus” like feel to the site with large three storey buildings set in open space.
- Each building having a different external appearance and design.
- A “randomness” to the layout and built form
- A strong visual frontage to the Coventry Road but set back behind a “green” line which provides a spacious feel to the whole site.
- Glimpses as well as open views of the extensive areas of open countryside to the east.

In overall terms it is considered that this part of the Conservation Area takes on its character and appearance by being treated a whole rather than by the merits or otherwise of individual buildings. Its significance is in its physical reflection of a period of local social history.

The heritage asset here however is the whole of the Conservation Area and not just that part covered by the application proposals. The southern half of the Society’s land holding reflects the historical factors raised above and these too have led to a particular bespoke built form. This also reflects the main characteristics as outlined above, although there is perhaps less openness around the buildings here and they display less individuality.

The western side of Coventry Road is characterised by a linear residential form - with a mix of terraced property, large detached villas, more modern detached houses and some apartment blocks. There is still a strong “green” frontage in part.

c) The Impact on the Asset’s Character and Appearance

The demolition of all of the buildings within the northern half of the Society’s land holding would have substantial harm on the significance of the Conservation Area. This is not only as a matter of fact and degree because of the scale of that demolition, but also because the greater part of the physical reflection of the social history referred to above would be removed. It is also considered that the main interest from this perspective is focussed on the buildings in this half of the site – the frontage buildings and the deep building line; the variety of appearance in the other buildings and the greater sense of openness. It could be argued that the Conservation Area as a whole is unaffected by these proposals, but given the outline set out above, it is considered that these proposals do remove much of the reason for actually designating the Area. The designation was substantially about the individual character of the Father Hudson’s holding.

Moreover, the 2005 Development Brief clearly acknowledged and anticipated the future issues facing the Society at that time. Its role had changed and it was still changing. As a consequence, its buildings were becoming redundant. The Council accepted there would need to be a mixture of demolitions and new build and in its

brief set out how that should be dealt with so as not to be detrimental to the appearance and character of the Area – namely through the demolition of the rear buildings but retaining the two frontage buildings of St Mary's and St Edwards. These proposals go further and thus as they are contrary to that Brief, there must be substantial harm done to the heritage asset here.

English Heritage has come to a similar conclusion.

It is acknowledged however that the southern half of the Society's land holding would be unaffected by the proposals and thus the physical reflection of the Society's presence and role in the town would still be retained. Additionally the characteristics of the western half of the Area would be unaffected. Overall however it is still considered that there remains substantial harm to the whole Conservation Area because of the proposed removal of all buildings on the northern half of the Coventry Road frontage.

d) The Approach

Given the level of substantial harm to the heritage asset as identified above, the expectation would be for a refusal of Conservation Area Consent for the demolition works. The NPPF however clearly sets out that before doing so, the Council must decide whether there are substantial public benefits that outweigh the identified harm, and it is this assessment which must now be addressed. The NPPF sets out four tests in order to assist in this assessment. The first three of these will now be explored individually. The fourth is whether the harm or loss would be outweighed by the benefit of bringing the site back into use. This will follow on.

e) The Nature of the Heritage Asset prevents all reasonable uses of the Site.

The nature of this part of the asset is clearly the physical outcome of a social and religious institution's mission. The outcome is a series of individual buildings without an overall plan or "planned" layout; with individual buildings constructed and designed for bespoke uses, fit for purpose at the time, but which can no longer meet modern standards for institutional use. There are three factors which are material to the first "test", as these define its scope:

- The Council has already agreed through the allocation of the site for housing purposes in both the Development Plan and the emerging Core Strategy that the historical uses would not continue
- The Development Brief expressly agrees to the demolition of the buildings to the rear
- St Mary's will be demolished in any event as a consequence of the recent fire.

In short therefore, this test is reduced to looking at only St Edwards, the other frontage building, and whether there is a reasonable alternative use for the site a whole apart from residential.

Looking first at St Edwards and notwithstanding the above, it is agreed that continued institutional use of St Edwards is not "reasonable". It is simply not "fit" for such a use.

In order to satisfy the test, regardless of the background set out above, it is necessary to explore alternative uses. The evidence from the Town Council is that there is not a need for additional community use in the town and it has not objected to the proposals. Moreover no requests have come from this or the voluntary sector during the whole of the marketing campaign run by the Society, and there has been no application under new legislation for any of the buildings here to become a Community Asset. Moreover it is questionable as to whether St Edwards could be suitable for such a use given the design and layout of its internal spaces. Even if it were, the cost of renovation and meeting modern standards would give serious doubt as to the viability of such an outcome.

A reasonable alternative use might be office accommodation. However the evidence submitted through the marketing reports and the financial appraisals indicates that this would not be a viable option for commercial offices. There is no demand; an existing supply of office accommodation in the town which is not letting, the cost of refurbishment would be high and the standard of accommodation provided would not be marketable even in a more buoyant market. This is confirmed by the Council's Valuation Officer and Members are aware of this overall situation from a number of other cases. Here however, it is reasonable to ask whether the Society itself could not occupy the building for its own office accommodation particularly as it is proposing its own new office space elsewhere as part of this application.

The only other alternative use is of course residential – through conversion and internal alteration, particularly as the site is allocated for residential redevelopment. In other words the building would be a residential conversion as part of that overall scheme. The building would convert to residential use – work undertaken by the applicant suggests conversion to 31 one and two bedroom apartments is possible. However the accommodation so provided does have disadvantages when considering its marketability; the rooms would have high ceilings, they would not be well fenestrated and in some cases would have very high cill levels, extensive corridor space and large open areas. Evidence has been submitted to show that given the low demand for apartment accommodation and the costs in undertaking such a conversion with little prospect of them being let in the current market, that there would be a detrimental impact on the overall viability of the current proposals. It is not considered in these circumstances that this option is "reasonable". However this report will return to this matter later on.

This therefore leaves the option of looking at alternative uses for the whole site. Given the "campus" nature, character and appearance of the site, this would either mean high density residential blocks, or some form of education or business park. These appear to be appropriate alternatives, but as members are aware there is very little interest in such alternatives, even on a site like this, and there would be a major impact on traffic generation. Additionally and materially, the Development Plan background specifically focuses on residential redevelopment and the site has been marketed on that basis for a significant number of years. Notwithstanding this, officers can confirm that there has been no interest shown by any prospective

developer exploring such alternatives. As such it would be unreasonable for the Council to change the focus here.

Given all of the above it is considered that whilst the nature of this part of the heritage asset does potentially lend itself to a range of alternative uses, there is evidence to show that these would not be reasonable for a variety of reasons. A residential use remains the preferred use.

f) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation.

To a large extent much of this has been covered above, however evidence has been submitted by the applicant that explores this "test" more deeply. The "development site" has been marketed for a considerable length of time. The evidence shows that this extends from 2005 until 2012. The initial date reflects the time at which the Local Plan became a material planning consideration of weight and the publication of the Development Brief. The site was marketed on the basis of "offers invited" given the heritage issues involved and the Local Plan policies on affordable housing provision. There were over 200 expressions of interest in the first year but only one was pursued in detail though the next year, but this was not continued. In view of the Development Plan's policies on affordable housing provision the Society explored the development of the site in partnership with a Registered Social Landlord through 2007 and 2008. Notwithstanding early prospects for such a way forward, the economic downturn, its impact on the property market and increasing funding difficulties for Housing Associations, there was little interest and the site was not actively marketed again until 2010. A promising initiative was being explored in 2010 but funding difficulties for the Housing Association led to its demise and the current proposal is the final one that has now been developed in some detail.

There are four general conclusions from this account. Firstly, the site has been marketed during good and bad economic times and properly targeted at residential developers in light of the support set out in the Local Plan. Secondly, the period of the marketing without a development being secured has led to uncertainty and to the buildings remaining unoccupied. Thirdly, the advice from the Society's Chartered Surveyors is that the combination of heritage requirements; the Local Plan's affordable housing requirements and the economic downturn has affected interest and thus the likelihood of a prospective successful scheme. It is considered that weight does have to be given to this conclusion. Finally it is agreed that the site has been marketed in line with English Heritage advice without a particular value, so as to avoid deterring interest and to thus properly test the market. In light of these matters it is agreed that the marketing has been appropriate; that it has been extensive and that expressions of interest have been followed through in detail. Additionally external factors such as the downturn and the funding difficulties of Housing Associations have certainly influenced the disposal of the site.

g) Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible.

The difficulty with this particular test is that the heritage asset here is the Conservation Area and not an individual building. As such the sources of any grant

funding for conservation purposes is very limited. English Heritage does not have the capacity to do so and the priorities of Trusts or other sources such as the Heritage Lottery Fund or the Landmark Trust are not in accord with the residential outcome promoted by the Development Plan. It is also a matter of fact that the Conservation Area here is not defined by English Heritage as Outstanding, and thus even more unlikely to attract grant funding. As referred to above there has neither been any interest shown from any local community group and nor has any application come forward under the new Community Asset opportunities. It is noteworthy too that English Heritage in its response does not refer to this test or to other avenues or sources which have not been explored by the applicant.

Whilst the above focuses on the heritage asset being an “area” based asset, it is a material consideration that the Council through the Local Plan, the Development Brief and the emerging Core Strategy accepts that demolitions will take place. Given the recent fire too, the overall substance of this “test” is somewhat weakened. In looking at St Edwards alone, then it is not a Listed Building and as reported above would not easily convert into a viable alternative use. Hence the likelihood of grant funding for the building in isolation is very limited.

The Society itself is a Charitable Trust and therefore given the wording of this “test”, it has been asked to respond. That is at Appendix G. In short it is saying that the cost of maintaining its social care agenda whilst retaining the existing buildings is not viable and that in order to retain the Society’s presence in the town and to concentrate on its social objectives particularly here at its historic base in Coleshill as a Charity, it has to compromise, as all other organisations do. In this case, this means releasing surplus land for redevelopment so as to sustain its charitable purpose. It is agreed that such a situation as described here is of weight and will assist in satisfying the requirements of the test.

There is one outstanding matter and this relates back to section (e) above – the possibility of the Society using the single retained building on the site for its own offices rather than building anew and thus conserving a vestige of this part of the Conservation Area. In other words this would address the “conservation through charitable ownership” matter as set out in the test.

h) Viability

This is not one of the NPPF tests, but before any initial assessment can be made on the balancing exercise as set out by the fourth NPPF test, it would be prudent to spend a little time looking at this issue. This is prompted by the caveat expressed in the response from English Heritage as outlined above, and in the concluding paragraph of section (g). An alternative redevelopment scenario involving the retention of St Edwards for the Society’s office use would retain part of the character and appearance of the heritage asset and could perhaps be compensated for, through more housing on the site of the proposed new office block.

The applicant would respond to this with three main arguments. Firstly, it would be transferring its existing inefficient office with its associated high running costs to another building with the same problems. Secondly, the proposals that are currently put forward are a package of different elements. McCarthy and Stone Ltd as

indicated that it would withdraw if it did not have a frontage site. As such, the overall cost of any redevelopment proposal would then need to be redistributed between the remaining development partners and funding is already at its limit. The proposals provide 30% affordable housing provision including that for specialised needs, and this proportion could be placed into question if the cost of conversion of St Edwards could not be recouped through the maximum amount of new housing to compensate. Thirdly, an increase in the number of houses to compensate for the displaced offices would be large, probably resulting in a further apartment block. Whilst this might be attractive in heritage terms, reflecting the character and appearance of the existing Conservation Area, it would be difficult to market and to let, particularly if competing with the more marketable frontage units already proposed.

It was acknowledged above that the conversion of St Edwards to office accommodation would be costly and not result in a user-friendly environment or one that would be marketable. The issue therefore arises because the building is not a Listed Building, and because it is the internal layout that causes the issues, that the façade could be retained with new office accommodation provided behind, thus keeping the frontage appearance and character of the Conservation Area. The same arguments apply to this option as above – the loss of McCarthy and Stone Ltd as a partner; the overall increase in costs and the potential increase in housing numbers and reduction in affordable housing provision. To this, the applicant would add a further factor in that this is the building associated with the recent uncomfortable past history of the site and it is said that there is a strong local public reaction to the retention of the building however much that it might be attractive in appearance.

It is agreed that these arguments do carry weight and this is because of the publication of the NPPF. This includes a section which is increasingly carrying more weight in current planning decisions due to the present economic situation. It is the section on viability and deliverability. This explicitly says that sites identified in a Development Plan should not be the subject of obligations and “policy burdens” such that their ability to be developed is threatened. Continuing, it says that costs of any requirements should still provide “competitive returns to a willing land owner and developer to enable the development to be deliverable”. In this case it is acknowledged that English Heritage and the Council's Valuation Officer suggest that there is a potential alternative redevelopment scheme here, but that has to be without adverse impact – a reduction in affordable housing provision; increased traffic generation, housing unable to be let and a far more dense built form. In other words there is a planning decision to be made here and that requires a balance to be decided based on all factors, not just a single focus.

These matters will be returned to below in the next section.

i) The Harm or Loss is outweighed by the benefit of bringing the site back into use.

This is the fourth and concluding test set out in the NPPF.

It is appropriate here to outline the benefits of this proposal as expressed by the applicant. They are:

- Redeveloping a site that would otherwise continue to remain vacant and unused to the detriment of one of the town's Conservation Areas and its townscape
- New houses in line with the Development Plan and emerging Core Strategy such as to sustain the five year land supply
- The provision of 30% of the dwellings as affordable houses including special needs housing
- The Society retaining its head quarters in Coleshill thus retaining its historic continuity; sustaining existing social care provision on site and safeguarding around 150 jobs within Coleshill on site
- Introducing "retirement" housing into Coleshill where there is an identified need
- Providing an overall good quality design for the whole site respecting the main characteristics of the Conservation Area particularly along the frontage such that there is continuity with the remainder of the Conservation Area.
- The provision of a pedestrian crossing over the Coventry Road.

The NPPF says that the benefits that have to be weighed in the balance have to be "substantial public benefits". Whilst Members might consider that some of the matters referred to above might not be substantial when considered alone, it is considered that when treated cumulatively they do represent an overall substantial benefit.

The issue is thus whether they are of sufficient weight to override the substantial harm done here to the Conservation Area. It is considered that they are. There are three main reasons.

Firstly, all of these benefits accord with Development Plan policy in some form and are in accordance with the emerging policies of the Core Strategy.

Secondly, the Council has agreed to the demolition of the rear buildings through its Development Brief, but considered that the two frontage buildings should be retained. One of them, St Mary's, is to be removed because of fire damage. The focus is thus on the single remaining building of St Edwards. Therefore the issue has become concentrated - whether the loss of St Edwards is sufficiently harmful to the character and appearance of the Conservation Area to warrant refusal. It is considered not. It is important to here not to treat St Edwards as a Listed Building – it is not and English Heritage has confirmed that it is not to be recommended for listing. The only feature of the building is its façade, and the issue thus really boils down to whether its loss is harmful to the character and appearance of the

Conservation Area as a whole. The key characteristic of this part of the Area as outlined above is the Coventry Road frontage – the detached individual blocks with a deep building line behind a green frontage. That will be retained in the southern part of the Conservation Area beyond the application site and the proposals replicate this, albeit with buildings of different appearance. There are good reasons as to why the retention and re-use of the building is not reasonable and perhaps not therefore proportionate to its status. Retention would have consequences elsewhere on the application site which could affect the Area's character and appearance. Additionally, it has to be recognised that the local community is not comfortable with this particular building for non-planning reasons. It can be argued that the overall ambience and perception about how one perceives a "place" is part of the make up of its character and appearance. In this case there is some weight to this argument. As a consequence of these considerations it is considered that the weight of the benefits included in the proposals outweigh the loss of St Edwards.

Thirdly, the proposals before the Board constitute a package of development that presents the best opportunity that there has been for the residential development of this site. There have been attempts in the past, including during better economic times, but none has resulted in a firm planning application. The package includes benefits which the Council would wish to see and which the developer has confidence in, as a viable and deliverable proposal. The NPPF has explicitly recognised these factors as material planning considerations and thus they carry weight.

The overall conclusion on this, the final factor, needs to be put into context, and there are three matters that require clarification. The first is that the conclusion above runs contrary to the Council's own Development Brief for the Father Hudson's site. It is not easy to come to that conclusion, but that Brief is dated 2005. Since then there has been significant planning and economic change and the current application has to be determined on the basis of the current evidence available. Secondly, it follows that it could be argued that such a conclusion "diminishes" the Council's own priorities and objectives in wishing to retain and preserve the Borough's built heritage. It might be "trite" to say that each case should be considered on its own merits, but that is exactly what has been done here. Thirdly, the view of English Heritage is not being ignored here. It considers that a different scheme here could retain more of the buildings in this part of the Conservation Area, and that issue quite properly has been explored by the applicant and by officers. It might indeed be the case that an alternative scheme could be put together but that would bring a different set of benefits and potentially some adverse impacts. However that is not what is before the Council presently. It has to determine the proposals in front of it. Moreover English Heritage does conclude that the end of the day, by saying that it is the Council to undertake the final balancing exercise – the view of English Heritage is not a direction of refusal.

Having completed the discussion on the heritage issue, it is now appropriate to turn to a number of other matters.

j) Highway Matters

The Highway Authority – Warwickshire County Council – has no objection in principle. As the site here has been allocated for up to 150 houses in the current Local Plan and this is carried forward in the emerging Core Strategy, albeit for 120 house, this is not surprising. The line of the proposed access has always been known since the planning permission for the new St Joseph's dementia unit a few years ago. The current proposals effectively re-introduce that proposal.

The concerns expressed by those making representations refer to the principle of such an access; the capacity of Coventry Road and to the speed of existing traffic here. The Highway Authority is aware of all of these issues but has not submitted an objection. It does however recognise that there will be a significant increase in pedestrian usage as a consequence of this proposal, both from residents walking into town and from school children walking down to Packington Lane. A pedestrian crossing has therefore been required as part of the proposal. The applicant has agreed to fund this and this would be through a Section 106 Unilateral Undertaking. In the event of a planning permission being granted then a planning condition can be attached too.

The Civic Society suggests that a secondary or second access should be provided onto Maxstoke Lane. However this would could potentially cross Green Belt land and also the desirability of a further access onto the slope of Maxstoke Lane is questionable. As the Highway Authority support the current proposals as the best highway option, this alternative carries no weight.

Amended plans have been submitted to satisfy the detailed layout issues raised by the Highway Authority. As mentioned above, these do not affect the overall layout.

k) Drainage Matters

Neither the Environment Agency nor Severn Trent Water Ltd have raised any objection to the foul and surface water disposal systems being proposed.

l) Landscape and Trees

This is a significant matter given the importance of the existing tree lined and green frontage to Coventry Road as a key characteristic of the character and appearance of the Conservation Area. Members will have appreciated this from their site visit, and the supporting documentation referred to in Appendix A describes this in more detail. It is however a matter of fact that the bulk of the trees along this frontage are leylandii; that there a lot of them, that they are now very tall and beginning to shield views of the buildings. The proposals are to fell many of these so as open the frontage up. However the grassed banks and areas would remain; the native tree species would be retained and lower level hedgerows planted parallel with the proposed built frontage. The main characteristics of the Area would thus be retained and it is considered that this would result in an overall enhancement. There are few native trees within the actual site itself, with the majority being leylandii again or ornamental fruit trees. The main trees are being retained around the site boundaries. Quite a lot of work too has been undertaken to ensure that the internal layout is not enclosed by inappropriate property treatments – e.g. tall brick walls or wooden fences. This all helps to retain the open feel of the site.

m) Amenity Matters

The main issue here is the likelihood of there being significant privacy and amenity concerns arising from the new proposals. In general given the location of the site and its setting there would not appear to be any issue in these respects. However there are two areas to look at – the first being the main Coventry Road frontage. The new blocks fronting the Coventry Road will be residential blocks and three storeys tall. The McCarthy and Stone block would have the same building line as St Edwards has presently. Members saw on their visit the separation distances from the properties on the other side of the Coventry Road. The other two new residential blocks to the north will be brought forward from the existing building line of St Mary's so as to match that of the new McCarthy and Stone building. Again there are wide separation distances with the property on the other side of the road; there will be some retention of existing trees on the site but the trees and tall hedgerows on the other side of the road will remain. Overall there is not considered to be a material concern here so as to warrant refusal. It is noticeable to that no objections have been received from existing residents.

The second area to look at is the potential impact on the amenity of those occupiers of the existing houses in Walkers Way and The Colesleys immediately adjoining the site to the north. This is more serious issue as these properties presently back onto the existing access drive into the former hospital and the open car park at the rear of the site. There were three objections from residents here concerned about the proximity of the new houses and the loss of view and openness which they currently enjoy. Amended plans have been submitted which substitute the largest of the originally proposed houses here – the one on plot 63 changing from two and a half storeys to two and with a re-alignment – such that the situation is improved. The separation distances between the rear of existing houses and the rear of those proposed align with those approved elsewhere in the Borough in its main urban areas (namely between 20 and 22 metres) and the cross sections through the rear part of the site in particular show ground levels equivalent to those in that adjoining residential estate. At the time of their visit Members paid particular attention to these issues and spent some time in this part of the site assessing the proposed location of the new houses and the proposed levels. It is not considered that there would be material harm. It is accepted that the outlook from some of these properties would change, but that is not a planning consideration which members should take into account.

n) Quality of Design

The quality of design for any new development is important and the Council has a record of improving the appearance of new development proposals that are submitted. However within a Conservation Area this issue takes on more significant weight. The key characteristics of this part of the Area are the approach to the frontage and that there is a “campus” like feel to the character and appearance beyond this.

The built form of the proposed development reflects the existing frontage – large three storey blocks set back behind a green frontage. The overall approach to their appearance has been to reflect the Georgian character of the town centre so as to provide both historic and architectural continuity. This is explained and illustrated more fully in the applicant’s Design and Access Statement referred to in Appendix A. Whilst the overall approach to the three new blocks is similar, there are detailed differences between each which adds to the overall design. It is noteworthy that English Heritage has not passed any comment and both the Town Council and the Civic Society support the proposals.

There is a material change however to the rear – the introduction of a more “suburban” residential estate to the site. However this is not a feature over the whole site – there are other blocks, notably the Society’s proposed offices and the other residential blocks including that for the special needs provision. There is however a change in character in the north east quadrant of the site and this not a minor change as there is a noticeable change in character and appearance. There is weight to the argument that an important element here is that the taller and more bulky buildings are on the western side and so do not therefore provide a “high rise” boundary when viewed from the open countryside to the east. Similarly, the proposal does still retain opportunities for open views from within the site to the open

land to the east. But this could still allow for a different built form within the site. As always there is a balance here and given all of the considerations covered already in this report the current proposal is being treated as a whole and as a combined "package" of proposals.

o) Other Matters

Members will have seen in the consultation section that other Agencies have requested a total of some £140k in contributions for running existing services. The pedestrian crossing will raise this to just over £200k. The applicant has agreed to fund the crossing but not to the other contributions. This is reasonable as these requests are for running costs and not directly attributable to the planning requirements of the development. These are matters that are far more properly addressed through the Community Infrastructure Levy (CIL). They do not meet the statutory tests of Section 106 of the Planning Act as without them the development would not be recommended for refusal.

p) Representations Received

The representations covered by local residents have largely been covered in the report. However it is worth pointing out that construction traffic will be for a temporary period – albeit for several months, and that the plans have been amended to show two car parking spaces for each of the residential properties.

The one representation yet to be addressed is that from the adjoining tenant farmer – see Appendix F. The ownership issue is for resolution between the parties. There is no dispute that the land the subject of the application is owned by the Society; the issue appears to be about the boundary of the tenancy. Members will be aware that this is not a planning consideration. However the matter of there being residential development adjoining a working livestock farm and thus its cattle sheds, yards and hay/straw storage areas is. Advice has been sought from the relevant Authorities as can be seen from the consultation section above. The Council is being advised that there is not a reason for refusal here. In the event of permission being granted then appropriate notes and informatives should be added drawing the attention of prospective purchasers to the farm. It is noted too that neither the Environment Agency nor Severn Trent Water Ltd object to the drainage proposals.

q) Conclusion

It is not proposed to re-run the arguments and conclusions reached above in this section. It is understandable that a recommendation of approval here is difficult to make given the Development Brief and the comments from English Heritage. But it has been made on balancing all of the evidence available. It is important to understand that the position of English Heritage is to point out that there “might” be an alternative form of proposal here that could retain St Edwards, but that is not a reason for refusal. Firstly, we do not know what form that alternative might take, or whether there is a reasonable prospect of it being viable and deliverable; or whether it would lead to other consequences such as increased traffic generation, more apartment blocks and less affordable housing. Secondly, and this is the key point. Its position has to be fed into the overall balancing exercise set out in the NPPF and that has to be carried out in overall planning terms, not just in heritage terms. This report and its recommendations reflect that approach.

Recommendations

A) PAP/2013/0168 – Conservation Area Consent

That Conservation Area Consent be **GRANTED** subject to the following conditions:

- 1) Standard Three year condition
- 2) Standard Plan number condition – plan number PL05C received on 4/4/13.
- 3) No work whatsoever shall commence on the demolition of any building on the site until such time as full details of the following matters have first been submitted to and approved in writing by the Local Planning Authority:
 - a. The date of commencement and its likely duration
 - b. The phasing of the demolition through the site
 - c. The working hours
 - d. The location of the site compound.
 - e. The location of the access for HGV movements
 - f. Details of the measures to be installed for the suppression and minimisation of noise and dust arising from the demolition work.
 - g. Details of the measures to be installed for the prevention/minimisation of waste material being transported and/or deposited onto the adjoining highway network.
 - h. A point of contact for the local community in the event of concerns or complaints.
 - i. Confirmation of the location for the deposit of materials arising from the demolition.
 - j. Details of the measures to be installed to ensure protection to existing trees that are to be retained on site.

Only the approved details shall then be implemented on site and the details agreed shall remain in place throughout demolition works.

REASON

In the interests of the amenities of the area

B) PAP/2013/0169 – Planning Application

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

Standard Conditions

- 1) Standard Three year condition
- 2) Standard Plan numbers condition – plan numbers PL05C; PL100, 101,102,103, 201C, HT 01J, 02E, 03F, 04H, 05F, 06F, 10J, 11H, 12H, 13K, 14F, 17F, 18C, 19C, 20B, 21D, 22H, 23A, 17A all received on 4/4/13; plan

numbers PL08Z, 09E, 11K and 12C all received on 21/6/13, plan numbers PL10D, 100A, HT09K, 15G, 16G, 24A, 25B and 26 all received on 24/6/13, plan numbers 12/48/11A, 12A, 13B and 14B all received on 1/7/13 and plan numbers 12009 2C and 5A received on 3/7/13, together with the External Materials Schedule received on 28/3/13; the proposals set out in Section 3 of the Flood Risk Assessment received on 27/3/13 and the Arboricultural Method Statement also received on 27/3/13.

Overall Controlling Conditions

- 3) The offices hereby approved shall be occupied by the Father Hudson's Society and for no other Company or person whomsoever.

REASON

In view of the particular individual circumstances of this case justifying the demolition of buildings within the Conservation Area.

- 4) Within the McCarthy and Stone development hereby approved, no apartment shall be occupied by a person under the age of 60 years. However a person under the age of 60 years but over the age of 55 years may also occupy an apartment provided they are the recognised partner of an occupier aged 60 or over.

REASON

To ensure that this particular residential accommodation is occupied by residents for whom the development has been designed and in the interests of avoiding adverse highway and amenity impacts.

Pre-Commencement Conditions

- 5) No work shall commence on site other than demolition works, until a scheme for the provision of a total of 22 affordable and special needs houses, as part of the development hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The special needs houses shall be designed for adults with learning difficulties, and the affordable houses shall meet the definition of affordable housing set out in the relevant saved policies of the North Warwickshire Local Plan 2006 and the NPPF. The scheme shall include: the type and tenure of those 22 dwellings, the timing of their construction and its phasing in relation to the occupancy of the market houses, the arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the 22 dwellings and the occupancy criteria to be used for determining the identity of occupiers of the affordable houses and the means by which such occupancy criteria are to be enforced.

REASON

In the interests of securing affordable and special needs accommodation on site so as to meet the requirements of the Development Plan, its emerging replacement and the NPPF.

- 6) No work shall commence on site other than demolition works, until such time as a scheme for the provision of adequate water supplies and fire hydrants necessary for fire fighting purposes at the site has been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

In the interests of public safety

- 7) No development shall commence on site other than demolition works, until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority

REASON

In the interests of the archaeological interest in the site.

- 8) No development shall commence on site other than demolition works, until the applicant has undertaken a Phase One ground survey assessment of the site in order to establish any likely contamination of the ground. The brief for this assessment shall first be submitted to and approved in writing by the Local Planning Authority. It shall also include recommendations for remedial measures proportionate to the findings of that survey. Such measures shall only be commenced following the written agreement of the Local Planning Authority

REASON

In the interests of reducing the risk of pollution.

- 9) If remedial measures are required under condition (8) above, then they shall be completed in full and evidence of this shall be submitted via a Verification Report to the Local Planning Authority prior to any construction work commencing on site. Work shall only then commence following receipt of written approval of the Verification report from the Local Planning Authority

REASON

In the interests of reducing the risk of pollution.

- 10) No development shall commence on site other than demolition works, until the applicant has provided details of the glazing and ventilation to be installed in the front elevations of those properties that will face the Coventry Road. Only the approved details shall then be installed.

REASON

In order to reduce the risk of noise pollution

- 11) No work shall commence on the construction of any dwelling hereby approved until such time as a detailed construction management plan has first been submitted to and approved in writing by the Local Planning Authority. It shall include details of the phasing of the construction work; the working and delivery hours, the location of the site compound, the HGV access points, a noise and dust management plan, the measures to be installed to reduce the deposit of material on surrounding roads, details of the measures to protect trees to be retained on site and a point of contact for the local community in the event of any problems arising.

REASON

In the interests of the amenities of the area.

- 12) No work shall commence on site other than demolition works, until details of the actual design of the foul and surface water drainage 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.

REASON

In the interests of reducing the risk of flooding.

Pre-Occupancy Conditions

- 13) There shall be no occupation of any of the houses hereby approved or occupation of the office hereby approved for business purposes, until such time as the whole of the details approved under conditions (5) to (12) inclusive have all been discharged, and the approved measures fully implemented on site, to the written satisfaction of the Local Planning Authority

REASON

In the interests of highway safety; reduction in the risks of pollution and flooding and
in
the interests of the general amenities of the area.

- 14) There shall be no occupation of any of the houses hereby approved or occupation of the offices hereby approved for business purposes until such time as a signalised pedestrian crossing has been provided in full across the Coventry Road to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety

- 15) There shall be no occupation of the 74th dwelling of the Bellway Homes development hereby approved until such time as the whole of the affordable and special needs houses hereby approved have been satisfactorily completed and made available for occupation to the written satisfaction of the Local Planning Authority.

REASON

In the interests of securing the provision of affordable and special needs accommodation.

On-going Conditions

- 16) All of the car parking areas and car parking hard-standings for individual houses shall be retained for this purpose at all times.

REASON

In the interests of highway safety.

Notes

- 1) The following saved policies of the North Warwickshire Local 2006 are relevant to this decision: Core Policies 1, 2, 3, 8 and 11 together with policies ENV1, ENV4, ENV6, ENV8, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, HSG1, HSG2, HSG5, TPT1 and TPT6.
- 2) The Local Planning Authority has worked positively with the applicant in this case to address the planning issues arising from this development through pre-application discussion, seeking amended plans and reacting to consultation responses, thus meeting the requirements of the National Planning Policy Framework 2006.
- 3) Advice from the Crime Prevention Officer of the Warwickshire Police Authority is attached for information.
- 4) Advice from the Flood Risk Manager of the Warwickshire County Council in respect of condition (xii) above is attached.
- 5) Attention is drawn to the relevant sections of the 1980 Highway Act in respect of works required for the formation of the access and to the same Act in respect of highway drainage. Additionally attention is drawn to the Traffic Management Act and the Road and Street Works Act and the relevant Codes of Conduct.
- 6) Attention is drawn to the working livestock farm which adjoins the site along its eastern boundary.
- 7) Attention is drawn to the fact that there is a private right of access through the site from Coventry Road to the farm referred to above and this should be respected at all times.

BACKGROUND PAPERS

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

Planning Application No: PAP/2013/0168 and PAP/2013/0169

| Background Paper No | Author | Nature of Background Paper | Date |
|---------------------|---|---|---------|
| 1 | The Applicant or Agent | Application Forms, Plans and Statement(s) | 4/4/13 |
| 2 | NHS Property Services | Letter | 17/4/13 |
| 3 | WCC Education Services | Letter | 22/4/13 |
| 4 | Warwickshire Police | Consultation | 30/4/13 |
| 5 | Severn Trent Water Ltd | Consultation | 12/4/13 |
| 6 | Environment Agency | Consultation | 18/4/13 |
| 7 | WCC Library Services | E-mail | 22/4/13 |
| 8 | WCC Fire Services | Consultation | 1/5/13 |
| 9 | Mr Axe | Support | 16/4/13 |
| 10 | Coleshill Town Council | Representation | 29/4/13 |
| 11 | Mr Barrett | Objection | 22/4/13 |
| 12 | Mr Carberry | Objection | 27/4/13 |
| 13 | Mr Hoyle | Representation | 30/4/13 |
| 14 | Coleshill Neighbourhood Plan Steering Group | Representation | 29/4/13 |
| 15 | Mr Kerr | Representation | 1/5/13 |
| 16 | Mr & Mrs Myers | Objection | 30/4/13 |
| 17 | Mr & Mrs Wells | Objection | 30/4/13 |
| 18 | Head of Development Control | Letter | 17/4/13 |
| 19 | Head of Development Control | E-mail | 29/4/13 |
| 20 | English Heritage | Consultation | 8/5/13 |
| 21 | Head of Development Control | Letter | 29/4/13 |
| 22 | Warwickshire Museum | Consultation | 24/5/13 |
| 23 | Building Control Officer | E-mail | 7/6/13 |
| 24 | WCC Highways | Consultation | 5/6/13 |
| 25 | Head of Development Control | Letter | 10/6/13 |
| 26 | Coleshill Civic Society | Representation | 11/6/13 |
| 27 | Member Site Visit | Note | 15/6/13 |
| 28 | Head of Development Control | Letter | 17/6/13 |
| 29 | Applicant | E-mail | 17/6/13 |
| 30 | Head of Development Control | E-mail | 17/6/13 |
| 31 | Coleshill Town Council | Letter | 17/6/13 |

| | | | |
|----|--------------------------------|----------------|---------|
| 32 | Applicant | Letter | 21/6/13 |
| 33 | WCC Highways | Consultation | 20/6/13 |
| 34 | Environmental Health Officer | Consultation | 21/6/13 |
| 35 | Applicant | E-mail | 21/6/13 |
| 36 | Head of Development Control | Letters | 25/6/13 |
| 37 | Head of Development Control | E-mail | 24/6/13 |
| 38 | Environmental Health Officer | Consultation | 26/6/13 |
| 39 | Father Hudsons Society | Letter | 10/6/13 |
| 40 | Mr R Learoyd | Objection | 2/7/13 |
| 41 | Mrs McCarthy | Support | 4/7/13 |
| 42 | Mr Stevenson | Objection | 5/7/13 |
| 43 | Warwickshire Fire Services | Consultation | 12/7/13 |
| 44 | Warwickshire Trading Standards | Consultation | 23/7/13 |
| 45 | Agents | E-mail | 26/6/13 |
| 46 | Agents | E-mail | 22/7/13 |
| 47 | S Cooper | Support | 18/7/13 |
| 48 | Mr Carberry | Representation | 15/7/13 |
| 49 | Head of Development Control | Letter | 18/7/13 |
| 50 | Environmental Health Officer | Consultation | 16/7/13 |
| 51 | Valuation Officer | Consultation | 15/7/13 |
| 52 | Gateley LLP | Letter | 12/7/13 |
| 53 | Environmental Health Officer | Consultation | 8/7/13 |
| 54 | Agents | E-mail | 5/7/13 |
| 55 | Agents | Letter | 29/7/13 |

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/2013/0168 and PAP/2013/0169

Father Hudson's, Coventry Road, Coleshill, B46 3EA

Demolition of existing buildings and proposed mixed residential and commercial development comprising 74 new dwellings; a retirement complex of 39 flats, a new office building, landscaping and ancillary structures (including a pumping station and an electrical substation), for

Bellway Homes Ltd

Introduction

These are major development proposals involving significant planning issues.

This report is thus intended to provide an introduction for Members. It will describe the site and the proposals together with identifying the relevant Development Plan background and outlining other material planning considerations. In particular these will include reference to the adopted 2005 Design Brief for the site; the National Planning Policy Framework 2012 and the present position in respect of emerging Development Plan policy. The major planning issues will also be identified together with some initial recommendations.

Members have already received a presentation from the applicant at pre-application stage and so there will already be some recognition of the development described later in this report.

The Site

This is a substantial area of land on the east side of the Coventry Road to the south of the town centre. It amounts to 3 hectares and runs back from the main road to farm land at the rear. This "divide" is marked by a break of slope. The northern limit of the site is the existing residential cul-de-sacs of Walkers Way and The Coseleys, and the southern limit is the southern portion of the Father Hudson's land holding. There is residential development to the west. Where it lies opposite to the site, this is characterised by larger detached dwellings set back from the Coventry Road, with a marked frontage of large deciduous trees and substantial hedgerows. The primary vehicle access into the site is central to the existing frontage. It leads into the site and also gives access to the St Joseph's Care Home to the south of the application site.

The site is characterised by a "campus" appearance with individual buildings located throughout surrounded by open space. Each building is different in appearance and design but in general terms they are all substantial three storey brick built structures. Two prominent buildings front the site – St Mary's and St Edwards. They are set well back from the main road and there is a parallel smaller service road in front of each with grass lawns and banks and a significant number of shrubs and mature conifers and trees. The main access into the site runs between them.

In the middle of the site are a number of other detached buildings – St Gerard's, St Philomena's, Old St Joseph's and St Edward's Convent together with a power sub-station. These generally follow a north/south grain parallel to the frontage. At the rear of the site is a more modern hospital extension, a number of old Ward buildings and a memorial garden. This part of the site is more open and overlooks the countryside to the east. The highest point of the site is at the rear of the old St Joseph's building. Whilst not in the application site, the Schools Commission occupy the former Father Hudson's Society offices in the building directly to the north.

The location of the site is generally illustrated at Appendix A. The buildings referred to above and the general existing site layout can be better appreciated by reference to Appendix B. These will be described in general terms below.

Background to the Father Hudson's Society

A Catholic mission had been set up in Coleshill in 1850 and a Church to the south of the current site was first built in 1880. Father Hudson was responsible for setting up the first boy's home on the site and subsequent developments included the hospital and a nurses home. A school was added in 1914 and additional homes constructed for younger children in the 1920's. The offices were added at this time too. Following Father Hudson's death in 1936, memorial chapels were added. The site had become a complex for the residential care of poor Catholic children and orphans.

Not only have attitudes and practice changed towards such care, but Social Care legislation has also contributed towards making the buildings inappropriate for continued use. Whilst the Society's charitable aims remain the same, it is no longer associated just with residential children's care or indeed with those of Catholic faith. For instance a dementia care home and bungalows for people with physical and learning difficulties have been built on land to the south of the application site in the last twelve years. As a consequence of this change, the use of the Society's land holding at Coleshill has reduced. Its headquarter offices however remain on the site, temporarily located in the former hospital building. The Society works across the Archdiocese of Birmingham (Staffordshire, West Midlands, Warwickshire, Worcestershire and Oxfordshire) employing 250 staff. The majority work in Coleshill.

Information on the Existing Buildings

A brief description of the existing buildings is now provided using the location references from Appendix B.

St Edwards Boys Home (A) is the substantial frontage building to the right of the main site access. It is a large two storey building dating from 1906 with later additions including a large service and kitchen wing and notably, a chapel at the rear. Its main form takes the shape of an "H" floor plan and its frontage is of symmetrical appearance following a Queen Anne revival period of the late 19th Century. It has a plain interior with no decoration or features.

St Marys Nurses Home (D) is the other substantial frontage building to the left of the main site access. It is a large two storey range constructed around 1930. It has a

symmetrical frontage comprising seven bays, with the broader three central ones set back and with a brick arched arcade. There are three rear extensions

Old St Joseph's Convent (E) was built in the late 1940's and is a low flat roofed structure.

St Edwards Convent (C) is a two storey brick structure with a tall roof built in the late 1940's with an unusual part colonnade.

St Philomena's Convent (F) dates from the late 1940's and is a two storey "T" shaped building with symmetrical brick and fenestration detail, including substantial attic/roof space with sloping hipped edges and dormer windows.

St Gerard's Hospital (H) dates from 1913 and is designed on "pavilion" lines in which the main components – the wards, sanitary blocks and nurses stations – are all separated into three parallel ranges and linked via a covered corridor that continues internally through the ranges. The appearance is a combination of neo-vernacular and neo-Baroque. A chapel was added after 1918 and is of rendered brickwork with bare brick and tile detailing. It is a tall single storey five bay building with external buttresses, exaggerated eaves and a narrow projecting apse.

The New Hospital Extension (H) is a late 20th Century highly fenestrated flat roof addition in the north east corner of the site, linked to St Gerard's via a covered corridor.

The Old Wards (I) is a complex built shortly after the hospital so as to provide an "open air" ward. It is a single storey complex consisting of a main ward and a service wing. The main range is of steel or iron construction with some rendered brickwork and a significant proportion of fenestration.

The Temporary Buildings (G) are long timber framed structures with mock timber external decoration.

The Power House (B) is the original brick building from 1920 to house the site's generator. It has six bays and fenestrated gable ends.

The Green Areas are mainly open lawns but there is small informal memorial garden on the eastern boundary in the area of the old ward blocks.

The Proposals

In short these amount to the demolition of all of the existing buildings as described above and their replacement with new residential development and an office block.

The redevelopment scheme can be described in three sectors. The first is the construction of 74 new dwellings for Bellway Homes. Two new three storey blocks of 12 town houses would be located on the site of and with the same building line as St Mary's fronting the Coventry Road. These would reach to 13 metres at their ridge lines thus being taller than St Mary's. They would be set back from the main road with an access drive and visitor parking provision in front. Car parking area would be

provided at ground floor level with access from the rear. The remaining dwellings comprising the Bellway Homes segment of the site are shown to the rear of this main frontage block. There are different elements to this too. Immediately at the rear of the new block is a group of four smaller three storey blocks (11 metres tall). Adjacent to these is a three storey block of ten units to accommodate the "care" accommodation. At right angles to this are two storey terraces of 9 of the "affordable" units. The remaining three are in a similar nearby terrace. The remaining units would take the form of a normal residential layout comprising detached two storey properties. The mix of the 52 "non-affordable" units is 13 five bedroom houses; 37 four bedroom houses and 2 two bedroom houses. The 22 "affordable" units would comprise 10 apartments for those requiring "care" and twelve, two and three bedroom family houses.

The second part of the scheme is a new 39 roomed three storey apartment block for McCarthy and Stone. This would front the Coventry Road and stand on the site of the present St Edwards. It would be 12 metres tall and have the same building line. The area in front between the block and the road would be for pedestrian access only. This three storey block takes the shape of a "T" in footprint. The block would provide 21, one bedroom and 18 two bedroom apartments for retired people together with communal facilities. 29 car parking spaces are shown to be provided at the rear.

The third part of the scheme is a new office block for the Society itself. They used to be sited in the building currently occupied by the Schools Commission referred to above, but presently occupy rooms in the former hospital at the rear of the site. They would thus move into new accommodation in the current proposals. This would comprise a three storey rectangular block 14 metres tall at the rear of the McCarthy and Stone block and provide some 860 square metres floor space. 49 car parking spaces are to be provided.

These sectors fit together around the central vehicular access to the site off the Coventry Road. This is the present access. It would pass between the new three storey frontage blocks as described above and then lead into the main Bellway Homes estate.

The proposal includes a 30% provision for affordable housing. This is restricted to the Bellway Homes part of the development – thus resulting in 22 such units. Of these, ten would be socially rented one and two bedroom apartments; seven would be two and three bedroom houses at affordable rent and five would be two and three bedroom shared ownership houses. The social rented accommodation would be owned and managed by the Society as "supported housing with care accommodation for those with learning disabilities". The remainder would be delivered in partnership with the Waterloo Housing Association.

The proposed layout is illustrated at Appendix C. The proposed elevations are best shown in a series of street scenes and these are at Appendices D and E. The Society's proposed office building is at Appendix F.

Supporting Documents

A significant number of supporting documents have been submitted with these applications. These are referred to below together with a brief description of their content and conclusions. Copies of these can be viewed on the planning pages of the Council's web site or Members can refer to officers if they require any document.

i) Planning Statement

This sets out the applicant's planning case for the proposals. It describes the site and its history together with an account of pre-application work with officers, Members and the local community. The Statement describes the proposals and the conclusions from the supporting evidence base. There is an outline of Development Plan policy and National Planning Policy as well as other material considerations. The document concludes with an outline of the applicant's conclusions on the main planning issues involved in the assessment of the proposals.

ii) Heritage Statement

This has been prepared to describe the "significance" of the site from a heritage point of view. It sets out a detailed history of the site and of the Father Hudson's Society itself thus providing an overall historic context. Each of the buildings is then described in some detail – particularly from an architectural perspective. These are extensive descriptions of both the external and internal appearance of the buildings. There is a concluding section on each building which addresses the architectural merit of each and assesses what contribution they make to the character and appearance of the Conservation Area. These conclusions are then all brought together in the final sections of the report with reference to the Conservation Area Report, the 2005 Development Brief and to the planning history. An Impact Assessment s then made. The overall conclusion is that none of the buildings are of great architectural value and that redevelopment is "the only real way in which the modern Father Hudson's Society can retain its historic links with Coleshill now that the original purposes for which it was founded are no longer needed".

iii) Design and Access Statement

This describes the existing character and appearance of the site, its setting and the individual buildings. It discusses the main design criteria in dealing with proposals on a cleared site, such as to reflect the setting and the character of the site within a new built form. The reasoning behind the proposed layout is explained as is the approach to built form – the taller buildings at the frontage, their mass and setting and the views through the site to the countryside beyond. There is a substantial analysis of the proposed appearance of the new development. This includes both the main blocks and the residential areas, illustrating how local character and design features seen elsewhere in the town have been reflected within the proposals. The Statement concludes by showing how the proposals have evolved both through an understanding of the character of the existing site and also through pre-application and community involvement.

iv) An Ecological Appraisal

This concludes that the present site has little ecological value and is not subject to any statutory or non-statutory designations. Surveys show that no protected, rare or notable flora species were identified; that there was evidence of bat roosts in three of the buildings with the frontage trees providing suitable foraging habitat, a wide range of bird species associated with an urban environment, but no notable reptile or amphibian habitats. The only likely ecological impacts from the proposals are thus concluded to be the loss of possible of bat roosts and bird nesting sites. However these impacts can be resolved through suitable mitigation measures and enhancing bio-diversity on the site through appropriate landscaping.

v) Archaeological Assessment

There are no designated or non-designated heritage assets associated with the site. It has low potential for remains pre-dating the post-medieval period and the later extensive 20th Century building works would have caused ground disturbance reducing archaeological potential. There is possibly interest in the south western corner for a post-medieval house and further investigation could be made prior to work commencing on site.

vi) Transport Assessment

This document assesses the proposed traffic generation likely from the development proposals against all national and local transport policies and standards. It also studies the context of the site and the patterns, scope and scale of existing traffic movements. Account has also been taken of public transport provision and accident records. It concludes that satisfactory vehicular access can be achieved and that the overall impact can be absorbed onto the existing highway network without off-site mitigation works.

v) Noise Assessment

This concludes that there are no unusual mitigation measures needed beyond sound reduction to all habitable rooms being included in their construction and that the frontage blocks to the Coventry Road should have alternative forms of background ventilation.

vi) Flood Risk Assessment

This concludes that there is adequate capacity in the public foul sewer located in Coventry Road to accept flows from the proposals. Because of the site levels, a foul water pumping station will be needed.

In terms of surface water provision then ground tests have shown that soakaways are not possible resulting in the need for a sustainable drainage system. Two systems are proposed because to the site levels. The front of the site will connect to the existing combined sewer in Coventry Road but with restricted discharge rates. The rear of the site will drain into existing surface water in farmland to the east attenuated by culverts and oversized pipes. There is an additional requirement to

respond to flooding risks. Hence additional storage is to be built into the surface water system. Filtration trenches are also to be added to reduce run off and capture contaminants. Adoption and maintenance is proposed to be through Severn Trent Water and a management company.

vii) Landscape Appraisal

This appraisal addresses the landscape and visual effects of the proposals on the town, the Conservation Area and the surrounding landscape. This concludes that as the development does not extend further to the east than the existing and that the proposal here is for detached two storey development with gaps between, that there is unlikely to be any visual impact or difference to the current situation. The overall scale of the new built form with the larger blocks towards the frontage will not affect this conclusion. There are also retained views through the site. The report concludes that the overall visual impact will be minimal.

viii) Tree Survey

There are no Tree Preservation Orders on the site but as this is within a designated Conservation Area then they are all protected. 129 individual or groups of trees on the site have been surveyed. Nine of these have been identified as being of high quality and value – comprising lime, sycamore, London Plane and Western Hemlock. The moderate quality trees include Cypress, Lombardy Poplar and a Cedar. The low quality trees are largely self set cypress trees but also include ornamental varieties. The survey concludes that thirteen trees will need to be removed in any event because they are all dead, in poor condition or presently structurally dangerous. Trees that might need to be felled because of their proximity to the proposed new development are considered in the following document.

ix) Arboricultural Impact Assessment

This assessment compares the tree survey findings with the proposed layout particularly taking account of the root protection areas of the trees. This assessment concludes that 65 low quality trees should be removed along with 24 medium quality trees and one high quality tree – 90 in total. The low quality trees are substantially self-set cypress and ornamental trees. The medium quality ones are generally semi-mature cypresses but also include Lombardy Poplars, silver birches, a sweet chestnut and a lime tree. The high quality tree proposed for felling is a mature London Plane tree.

x) Statement of Community Involvement

This outlines how the applicant has engaged with the local community prior to the submission of the application. It describes the public exhibition of the proposals in October 2012, as well as the presentations given to the Coleshill Town Council and to the Borough Council. Summaries of the responses and comments made during the exhibition are included in the document. Over 200 visitors attended this event and 108 comments sheets were returned. Of these, 81% supported demolition and 7% expressed a wish to retain the buildings in case further opportunities arose for

their re-use. 85% supported the proposed layout and 91% supported the design of the new buildings.

xi) Marketing Summary

This document describes the marketing undertaken by the Society from early 2005 until the end of 2012. This outlines the interest shown in the site and follows through a number of cases where that interest was subsequently withdrawn. Reasons mentioned include the Council's affordable housing policies and the economic downturn.

xii) Affordable Housing Delivery

This describes how the offer of 30% provision is to be made up by tenure type and accommodation including how the units would be managed. A Section 106 Agreement is suggested.

xiii) Materials Schedule

This provides a complete list of the materials to be used in the Bellway Homes part of the development proposals. These are a mixture of weathered red and dark orange bricks with russet and grey tiles.

xiv) Financial Appraisal

This document is confidential and not available for public viewing. It provides an assessment of the viability of refurbishing both St Edwards and St Marys within a comprehensive mixed use redevelopment for the site. The model assessed is to retain these two buildings for residential use and to develop the remainder of the site residentially using the proposed layout, and including the Society's new offices, but omitting the McCarthy and Stone involvement. This concludes that such a scheme would not be viable.

Development Plan

Saved Policies of the North Warwickshire Local Plan 2006 – Core Policies 1 (Social and Economic Regeneration), 2 (Development Distribution), 3, (Natural and Historic Environment), 8 (Affordable Housing) and 11(Quality of Development) together with policies ENV1 (Protection and Enhancement of Natural Landscape), ENV4 (trees and Hedgerows), ENV6 (Land Resources), ENV8 (Water Resources), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), ENV15 (Conservation), ENV16 (Listed Buildings), HSG1 (Housing Allocations), HSG2 (Affordable Housing), HSG5 (Special Needs Accommodation), TPT1 (Transport Considerations) and TPT 6 (Vehicle Parking).

Other Material Planning Considerations

The National Planning Policy Framework 2012 ("the NPPF") – Sustainable Development (Paragraphs 7 to 16), Core Planning Principles (Paragraph 17), Housing (Paragraphs 47 to 55), Transport (Paragraphs 29 to 41), Good Design

(Paragraphs 56 to 68), Historic Environment (Paragraphs 126 to 141), Ensuring Viability and Deliverability (Paragraphs 173 to 177).

The Council's Submission draft Core Strategy (Feb 2013) - Policies NW1 (Settlement Hierarchy), NW3 (Housing Development), NW4 (Split of Housing Numbers), NW5 (Affordable Housing), NW8 (Sustainable Development), NW 10 (Quality of Development), NW11 (Natural and Historic Environment), NW13 (Green Infrastructure) and NW19 (Infrastructure).

The Council's Preferred Options for Site Allocations (Consultation Document 2013) – COL 4 (Coleshill)

The Council's Development Brief for Father Hudson's (2005) – The whole of the application site is shown within a "redevelopment" area with the retention of St Edwards and St Mary's.

The Coventry Road Conservation Area Designation Document (1995) – This recognises the unique position of the Society's land holding to Coleshill as part of its social history and as represented by the resultant built heritage within that holding. The character of the Area is the prime consideration here rather than its individual buildings.

New Homes Bonus

Observations

a) Introduction

This site is located within the defined settlement boundary for Coleshill and is allocated for residential redevelopment in the existing 2006 Local Plan. The emerging replacement Plan identifies Coleshill as a suitable settlement to accommodate a further 275 houses up to 2028, and the recently published consultation document on the preferred options for new housing locations retains the 2006 allocation for this particular site. As a consequence Members are reminded that there is no objection in principle to new residential development on this site. The issues for the Board in determining the applications will thus be around how that development is provided. The 2005 Development Brief provides the starting point here as it explicitly expresses the wish to retain St Edwards and St Marys. The remainder of the site is thus seen as the area for new development.

Clearly there will be a number of technical matters to resolve – are there satisfactory highway and drainage solutions and can adverse archaeological and ecological impacts be mitigated or not? These matters will need to be explored with the benefit of responses to the consultations now underway. The applicant's own supporting documentation provides the starting point for this, but the conclusions reached therein will need to be verified externally through the consultation process. These matters will be dealt with in the later determination report.

At this preliminary stage therefore it is important to focus on the key issues which the Board will have to assess in its assessment of the proposals and its final determination. These are now identified.

b) The Heritage Asset

The Heritage Asset here is the character and appearance of the designated Coventry Road Conservation Area. The NPPF makes it quite clear that Local Planning Authorities should firstly identify and assess the significance of any heritage asset that might be affected by a development proposal. It then has to identify the impact of that proposal on this significance. The Authority's objective is to try and minimise the conflict between the retention of the asset and the benefits from the proposal. Hence if there is no or limited harm to the asset, then that gap is likely to only be slight. As a consequence amendments and revisions to the proposal might not be needed or if they are, they should be minor alterations. On the other hand if there is substantial harm, then that gap is likely going to be very wide and even further amendments or revisions might not close it. In this latter case, the NPPF says that if the proposed development would lead to substantial harm or the total loss of significance of an asset, then the Local Authority should refuse consent unless it can be demonstrated that that harm or loss, is necessary to achieve substantial public benefits that outweigh that harm or loss.

Therein lies the most critical issue of all in the determination of this application. Are the public benefits arising from this proposal substantial enough to outweigh the loss of all the buildings within a significant proportion of the Conservation Area through complete demolition and subsequent re-development?

The NPPF assists the Council here in identifying a number of criteria against which to assess this issue. They are:

- does the nature of the heritage asset prevent all reasonable uses of the site?
- can a viable use be found for the heritage asset for the medium term through appropriate marketing that will enable its conservation?
- that demonstrable evidence is provided to show that conservation through grant-funding or some form of charitable or public ownership is not possible, and,
- whether the harm or loss is outweighed by the benefit of bringing the site back into use.

The Board will need to explore each of these criteria.

Establishing the significance of the heritage asset here and the degree of impact of the proposals on that is currently the subject of assessment by officers and English Heritage. However at the present time, officers are starting from the position that the proposals will lead to substantial harm and substantial loss because of the very nature of the proposals – demolition and complete re-development. As such, considerable attention will need to be given to the applicant's evidence base relating to the four criteria identified above. Notwithstanding the amount of supporting documentation already submitted, officers consider that insufficient attention has

presently been given to these four matters. The following paragraphs will amplify this.

The first two criteria are related. They are about providing evidence to show that the applicant has sought reasonable alternative uses for the site and the buildings, and if in so doing the buildings can be retained at least in the medium term. Whilst it can be acknowledged that the existing buildings on site are not appropriate for modern day social care provision, there is no evidence submitted to show that a range of alternatives has been fully considered, marketed and evaluated. The financial appraisal referred to above only deals with the possible conversion of St Mary's and St Edwards to residential use. There is however no analysis of why any of the existing buildings, and particularly St Mary's and or St Edwards could not be used for the Society's offices or indeed let as offices to the general market. There is neither any evaluation as to whether any of the buildings could not be used for community uses. It is neither known if the site or any of the buildings have been marketed for alternative uses. Moreover there is no analysis of whether the frontage facades of St Mary's and/or St Edwards can be retained with new accommodation provided to the rear of the two buildings. In all of these circumstances it is considered that the applicant needs to be far more explicit in his evidence base if he is going to fully satisfy this criterion. This is particularly the case if he is to overcome the requirements of the 2005 Development Brief.

The third criterion is not addressed at all in the submitted evidence. This is a significant failing as it calls for "demonstrable" evidence that conservation is not possible through either grant funding or other means. This is particularly pertinent in this case given that the Society is a registered Charity and therefore there is already a substantial degree of "charitable ownership". Whilst it is understood that any Charity should seek "best value", the social objectives of the Society and the clear statement set out in the NPPF have not been addressed and appear to be out of balance.

The final criterion is really a concluding balance of all of the issues and clearly this will need to be undertaken in the final determination report when all of the evidence is assessed.

Officers therefore remain to be persuaded by the applicant that the four criteria specifically set out in the NPPF can be satisfactorily met by this development. These comments have been referred to the applicant in advance of the Board's meeting and it is understood that additional work is being undertaken to address these matters.

c) Quality of the New Development

Notwithstanding the shortcomings set out above, the Council if it is to support a scheme involving complete demolition of buildings within a substantial part of a Conservation Area, will still have to ensure that the quality of the new either matches or improves that which is presently on site, and that it aligns with the character and appearance of that Area. This will be considered in a later determination report when the representations of English Heritage and the local community are known.

d) Housing Provision

This particular issue is not necessarily about numbers. The 2006 Local Plan allocation here was for 150 dwellings and the emerging Core Strategy with the attendant Preferred Options Consultation Document refers to 120 units. So the current application for 113 units is clearly in line with the emerging plan for this site. The key issue here is the amount of affordable housing to be provided within this overall total. The 2006 Local Plan requires 40% provision on site and the emerging Plan refers to 40% provision in the Borough as a whole, as well as looking towards more flexible delivery than just through on-site provision alone. The proposal includes 30% on-site provision. However this figure has not been justified through a financial appraisal. It is also confined to the Bellway Homes proposals without any reference to the McCarthy and Stone proposal. The site should be treated as a whole and officers have requested that much further work be undertaken in establishing the level of provision for the whole site and how that might be delivered. The proposed provision is clearly welcomed, but it has not arisen from a systematic financial analysis or appraisal. Additionally, and this relates to the issue looked at under (b) above, the fact that the Society is a charity and provides "social care" housing as part of its objectives, should be a material consideration here. It is considered that full advantage has yet to be shown in this proposal as a consequence of this consideration.

Officers therefore remain to be convinced that the current proposal can be supported because of these shortcomings. Similarly here, the applicant is aware of these concerns and seeking to address them.

e) Other Matters

There is one further consideration that has to be addressed as it is referred to in the supporting documentation and indeed in the responses that were received at the time of the exhibition. Recent sexual abuse incidents have been directly linked to this site and this may have affected the general public's perception of the Society to the extent that the buildings – and particularly St Edwards - are now seen as an "unwanted symbol" of an unfortunate recent past. Members are asked to treat this perception with caution. Whilst understandable, it is considered that this should not be a material planning consideration that alone leads to support of any proposal to demolish all of the buildings on site.

Conclusion

There is a significant amount of work still to do with this application as outlined above, before a full and balanced assessment can be made. The applicant should be given the opportunity to address these due the fact that the site is a preferred site for new housing in the town, and because of the weight to be given to the NPPF criteria.

Members too should take the opportunity to visit the site not only to assess the character and appearance of the whole site and its setting, but also to view the individual buildings.

Recommendations

- a) That Members visit the site prior to final consideration of the application, and
- b) That the applicant be requested to address the matters raised in this report.

BACKGROUND PAPERS

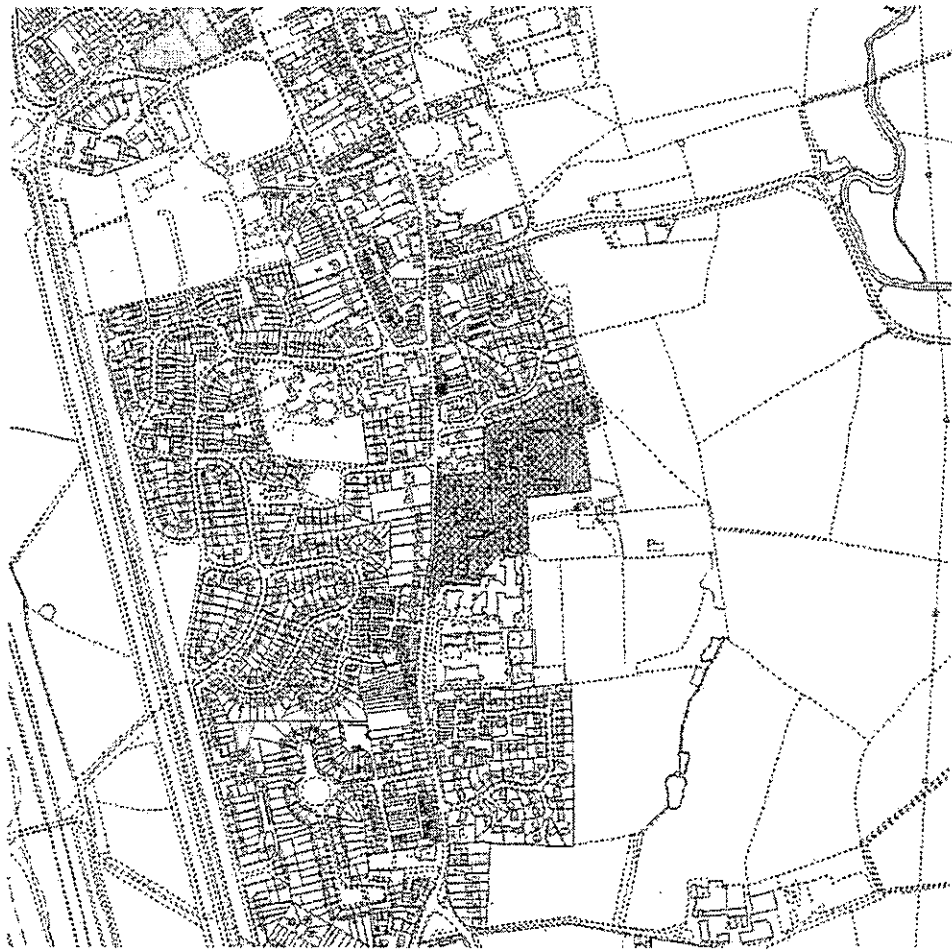
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2013/0168

| Background Paper No | Author | Nature of Background Paper | Date |
|---------------------|------------------------|---|----------|
| 1 | The Applicant or Agent | Application Forms, Plans and Statement(s) | 04/04/13 |
| 2 | | | |
| 3 | | | |
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| 33 | | | |

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.

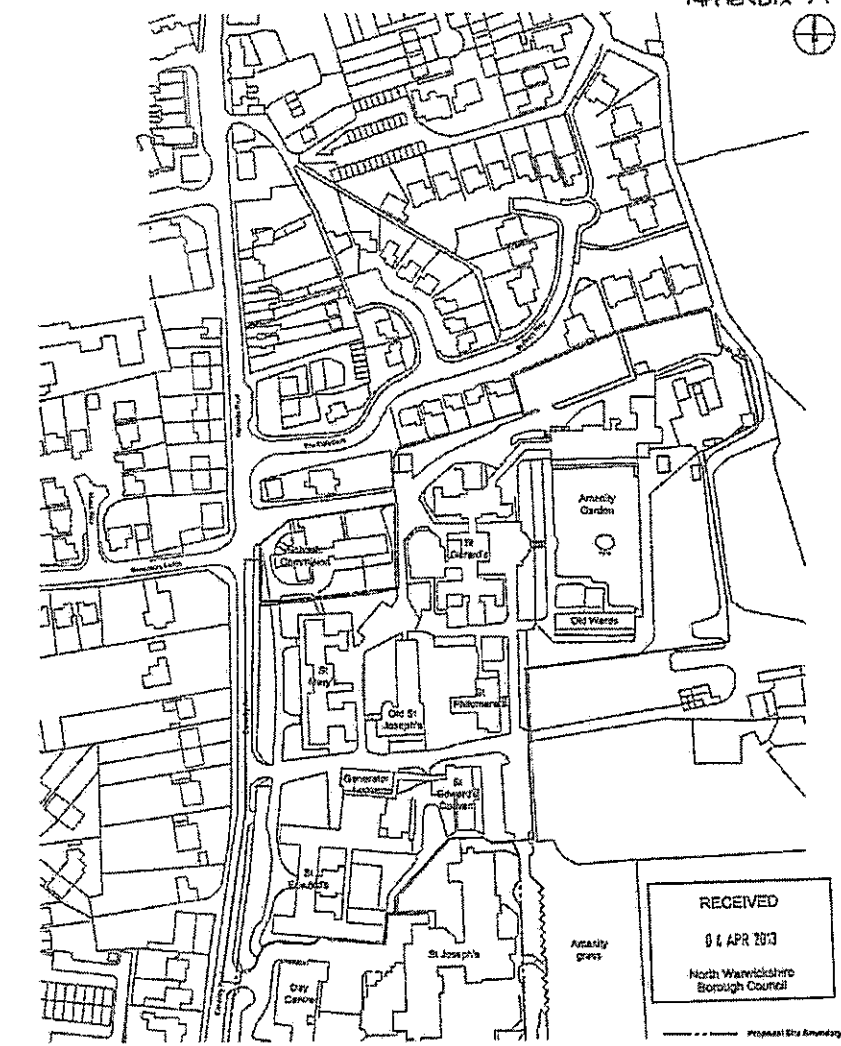


2013 / 0168

Proposed Residential Development, Retirement Housing & New Offices at Coventry Road, Colethill.

Site Location Plan

APPENDIX A



RECEIVED
06 APR 2013
North Warwickshire
Borough Council

Proposed Site Boundary

Bellway



MCDONNELL & STONE
LANDSCAPE ARCHITECTS

TREBDR
PLANNING

CONSTORPINE
WRIGHT

SHUCKENBERRY ASSOCIATES

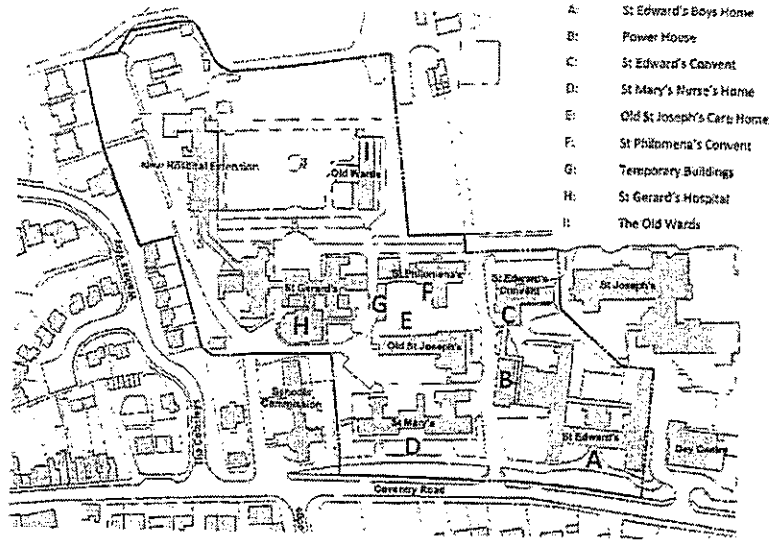
nicol thomas

SCALE 1:1250
SCALE 1:1250



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| DATE | 06 APR 2013 |
| PROJECT | Proposed Residential Development, Retirement Housing & New Offices at Coventry Road, Colethill. |
| SHEET | 1 of 1 |
| SCALE | 1:1250 |
| DRAWN BY | |
| CHECKED BY | |
| DATE | |

APPENDIX B

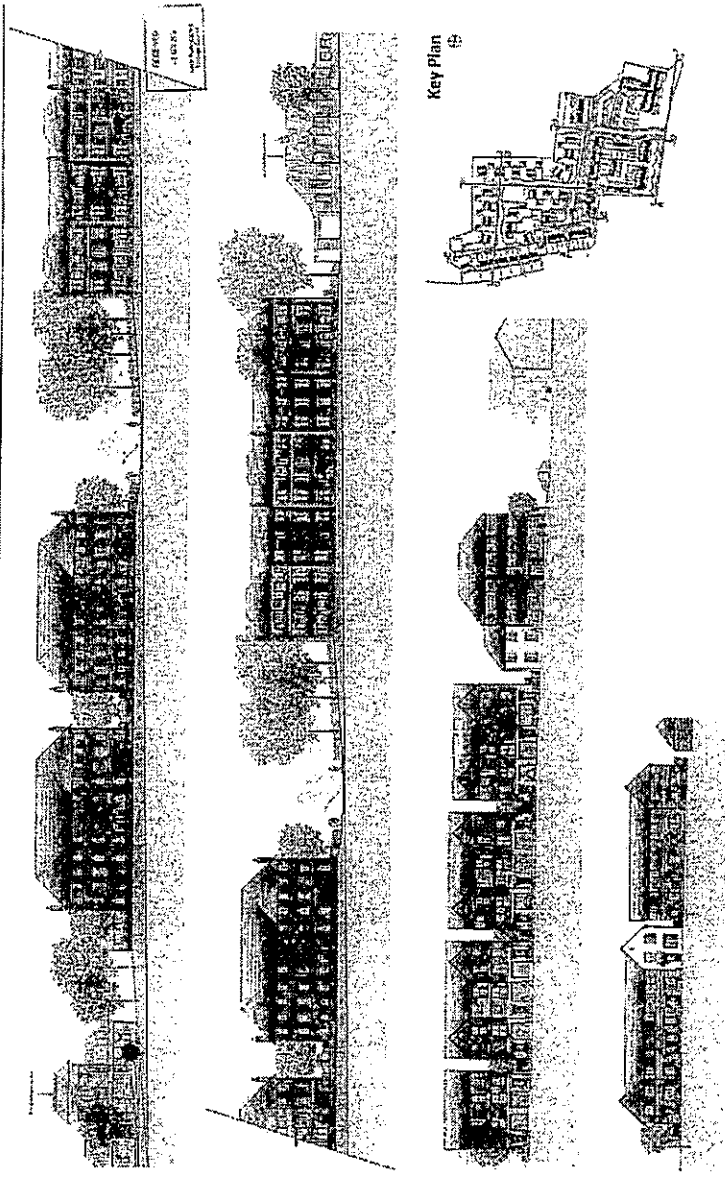







Coventry Road



Proposed Residential Development, Retirement Housing & New Offices at Coventry Road, Coleshill

APPENDIX D

2015 / 2016
Proposed Street Elevation K-A to C-C

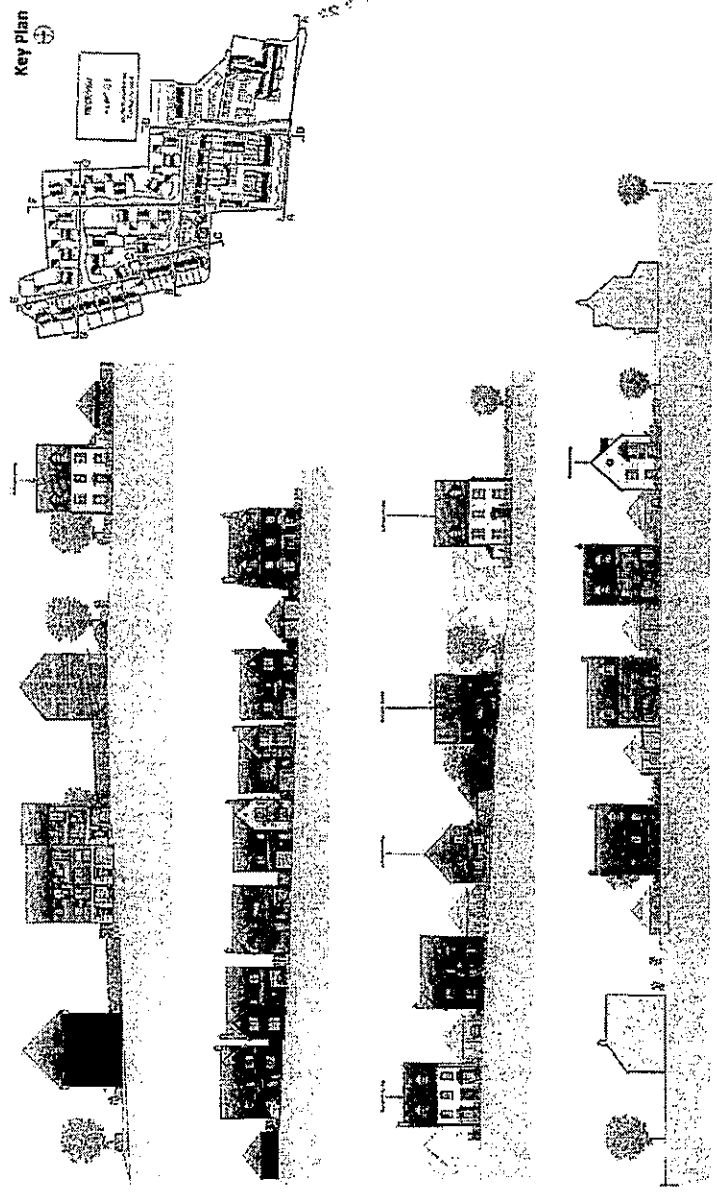



Bellway  **McCarthy Stone**  **Corstorphine + Wright**  **Stephens Lowe Associates**  **nicol thomas** 

Patric Hubbert's  **DUNSON DEVELOPMENTS** 

2015 / 2016
Proposed Street Elevation K-A to C-C

| | | |
|------------|-----------|-----------|
| DATE | BY | APP'D |
| 2015/04/15 | J. WRIGHT | N. THOMAS |
| 2015/04/15 | J. WRIGHT | N. THOMAS |



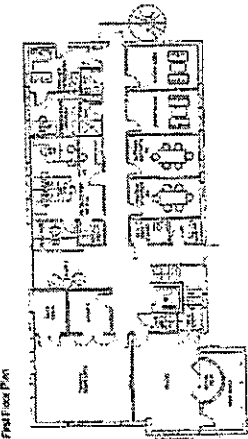
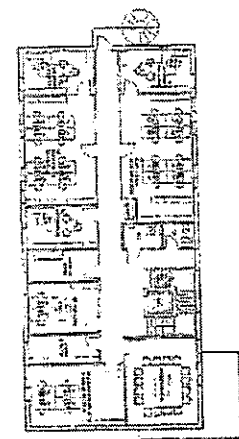
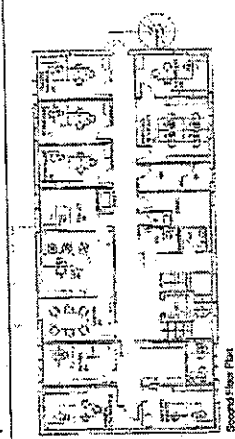
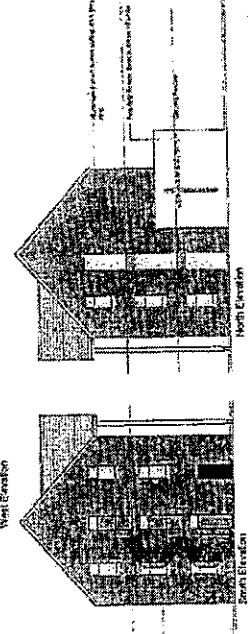
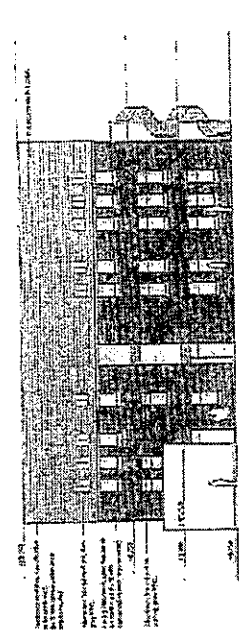
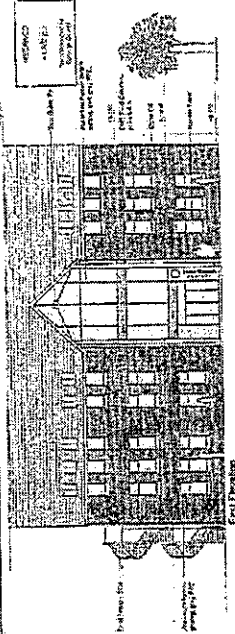









Bellway
 McCarthy & Stone
 Local Area Specialist
 TD THE TOWER DEVELOPMENTS
 CORSTORPHINE WRIGHT
 Stepha Lowe Associates
 nicol thomas

Proposed Residential Development, Retirement Housing & New Offices at Coventry Road, Colcathill **APPENDIX F** Proposed Sular Hudson's Building Office Plans & Elevations






Bellway
Property Services
100 Colcathill Road
Colcathill, Co. Wick
Tel: 046 904 1234



McCarthy Stone
100 Colcathill Road
Colcathill, Co. Wick

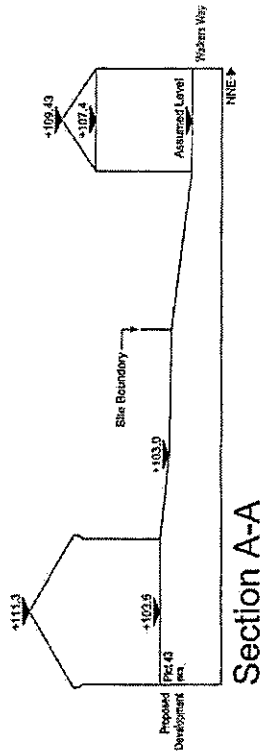
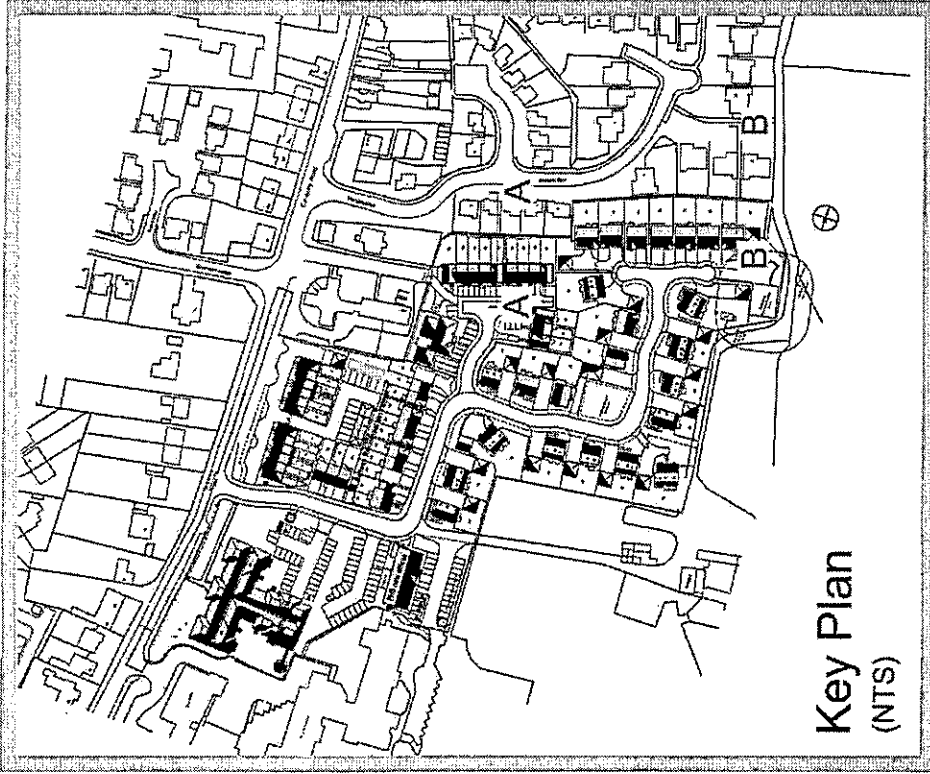


TREBEAR
DEVELOPMENTS

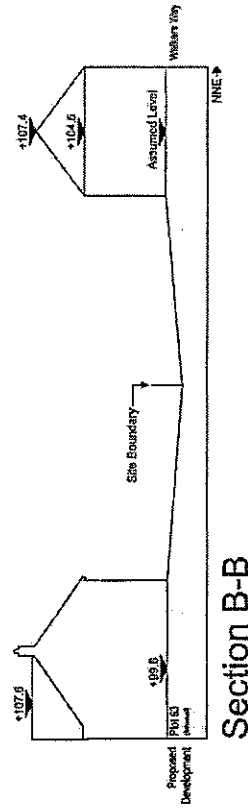
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nicol thomas
WRIGHT

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| Client | Sular Hudson Architects |
| Scale | 1:50 |
| Date | 10/05/2018 |
| Drawn By | J. Kelly |
| Checked By | J. Kelly |
| Project No. | 18/001 |
| Sheet No. | 1 of 1 |



NORTH WARWICKSHIRE
BOROUGH COUNCIL
RECEIVED
24-Jun-15
PLANNING & DEVELOPMENT
DIVISION



nicol thomas
Architects
1200-1204 Coventry Road, Coleshill, Warwick, CV35 9EF
Tel: 01927 552222 Fax: 01927 552223
www.nicolthomas.co.uk

| Number | Date | Issue |
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| | |
|----------------------|---|
| Client: | Farmer & Malcolm Estates, Coventry, Warwick CV3 9EF (Page 4 of 4) |
| Job: | Proposed Retirement Housing Development at Coleshill, Warwick |
| Designing Architect: | nicol thomas |
| Project Manager: | B. S. S. 15 |
| Date: | 15/05/15 |
| Scale: | 1:2000 |
| Sheet: | 02/01/15 |
| Drawn: | N.T./J.S./A.C./P.T./Z.C. |

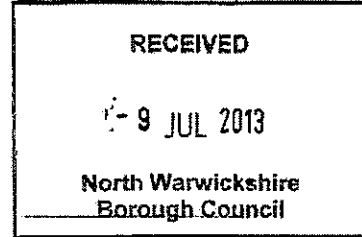
APPENDIX C
SX3-2013/0168 ✓
- 2013/0169 ✓



ENGLISH HERITAGE

WEST MIDLANDS REGION

Jeff Brown
Planning Control
North Warwickshire Borough Council
The Council House
South Street
Atherstone
Warwickshire
CV9 1DE



Direct line: 0121 625 6847

8 July 2013

Dear Jeff Brown

Father Hudson's, Coleshill, North Warwickshire

I write following the receipt of further information from the developers, particularly their (confidential) revised viability submission dated June 2013.

Significance

The Father Hudson's site is a Conservation Area and contains a number of historic buildings of significance, none of which are listed. The Conservation Area appraisal summarises the overall character of the Father Hudson's site as containing 'important and good examples of Edwardian architecture.' As has been demonstrated by Richard Morriss's appraisal of the site on behalf of the developers this is not accurate, in that only the St Edward's building is Edwardian, the rest being later. Morriss also points out that none of the buildings have been accorded the status of listed buildings, and in his view none of them are worthy of it. However, the point of a Conservation Area is not about the individual buildings, but rather the overall character derived from a wide range of factors which take into account the development of the place and its current form.

English Heritage would agree with Morriss's assessment that none of the buildings on the site which is to be developed are 'either important or good examples of their type'. However, they form a collection of interesting buildings reflecting the piecemeal development of such an institution, and the character of those buildings lies in their relationship to the topography of the area and to each other. That significance is partly encompassed by the character of the buildings which cannot be reproduced in a new development: the significance is carried by the fabric and its design.

We also need to acknowledge that the main building on the Coventry Road frontage, St Mary's, was substantially damaged by fire earlier this year. This is unquestionably of lesser importance than many buildings on the site, although still an important part of the character. We must also acknowledge that this cannot be considered as case of deliberate neglect on the part of the owners, who have taken reasonable steps to protect the empty buildings on the site pending decisions on the redevelopment.

THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG
Telephone 0121 625 6820 Facsimile 0121 625 6821
www.english-heritage.org.uk
The National Monuments Record is the public archive of English Heritage



ENGLISH HERITAGE

Impact

The scheme proposes the complete demolition of all the buildings on the Father Hudson's site. This is not the entirety of that establishment: there are the former central offices to the north and the (listed) church to the south which are not included within the development.

You have acknowledged that if the scheme in its current form were to be permitted this would almost certainly lead to the de-designation of the Conservation Area.

Policy

Planning briefs for the site produced by your authority allowed for the demolition of much of the site, although they were particularly concerned to retain the Coventry Road frontage blocks.

The 1990 Act (section 72) requires decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The scheme amounts to 'substantial harm' to the Conservation Area in the terms of the NPPF. Thus the considerations set out at paragraph 133 need to be applied.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

The requirement to examine the necessity of the harm in delivering other public benefits is set out above and in paragraph 129. Heritage assets are an irreplaceable resource, so any harm requires a clear and convincing justification (paragraphs 126 and 132).

Position

The financial considerations with respect to this scheme have been addressed in the application and in the appraisal which we have been shown. The marketing exercise was conducted in accord with the guidance associated with the NPPF (still the old guidance attached to the PPS5). I am less convinced by the financial appraisal which has been shared with us because it includes a substantial cost for the provision of new offices for the owners and also an allowance for the provision of affordable housing. I appreciate the latter is in line



ENGLISH HERITAGE

with the Council's policies, but if the preservation and enhancement of the site's significance as a heritage asset is to be delivered then there might be case for varying this requirement. The office block could deliver considerable value to the developer as that, or as a further opportunity to offer more residential development. This option could well deliver a scheme which had a reasonably positive residual land value.

Overall, English Heritage does not believe that the case for the development can be made on heritage grounds, as there is a possibility of a successful scheme without the necessity for the total demolition of all the historic structures within the development boundary. For example, it would appear to be possible to retain the St Edward's building and have a workable scheme if the current owners did not require an office block.

Ultimately, it is for your authority to balance the 'substantial harm' to the Conservation Area which your authority deemed worthy of that status versus the public benefits to be achieved by the scheme.

Yours sincerely

Nicholas A D Molyneux

Principal Inspector of Historic Buildings and Areas

cc Giles Brockbank, Hunter Page Planning Ltd

Brown, Jeff

From: Brown, Jeff
Sent: 15 July 2013 10:41
To: Brown, Jeff
Subject: FW: FW: Father Hudsons Society - Planning proposals

From: Rachael Dimbleby [mailto:rachaeldimbleby@warwickshire.gov.uk] **Sent:** 12 July 2013 13:09
To: Brown, Jeff
Subject: Re: FW: Father Hudsons Society - Planning proposals

Hi Jeff

I have now gained a reply from Group Commander Andrew Kelly as follows:

"In reply to the questions raised I have looked at the fire incident data for the county last year to identify if we have had issues with stacks of hay/straw. Our incident types are grouped and hay/straw are recorded as Outdoor > Grassland, woodland and crops > Stacked/baled crop (incl manure heap). Of this type we had 9 incidents last year, 6 in the period May to October, 2 of which were in North Warwickshire with one caused by natural occurrence and the other recorded as a deliberate ignition by a naked light (matches). Therefore, whilst fires involving hay/straw storage do occur, there is no data to indicate causes related to nearby property such as garden bonfires, BBQs and similar.

Our arson reduction team can offer advice on reducing the risk and impact of hay and straw bale fires and I would be happy to direct them to make contact and offer such advice. I have copied them in for your information.

Our Operations department were forwarded the information relating to the existence of the current storage and will notify the local station commander appropriately to enable them to have necessary details of the storage risk.

Hopefully this will assist in informing your decision on planning along with our specific water supplies recommendations for the proposal."

I trust this information will be of assistance Jeff but please do get in touch should you have any further query.

Regards

Rachael Dimbleby
Water Officer
Warwickshire Fire and Rescue Service
Training and Development Centre
Leicester Road
Bedworth
CV12 8AG
+ e-mail: rachaeldimbleby@warwickshire.gov.uk

024 7649 1051 ext 4122
Web: <http://www.warwickshire.gov.uk>

On 5 July 2013 15:29, Brown, Jeff <JeffBrown@northwarks.gov.uk> wrote:
Rachael

At the beginning on the week, we spoke about the concerns that Mr Stephenson had about these planning proposals – namely the fire risk of stored hay/straw very close to new houses.

15/07/2013

I have now received his letter of objection and you will see that he's included a section spelling out his concern. In short he can't move the storage area because there is no other dry land.

I would appreciate your views on the general matter of housing close to such storage and then secondly whether you have been able to get any information about this actual site, as you said that you were going to get your Local Group Commander to take a closer look.

Many thanks

Jeff

This transmission is intended for the named addressee(s) only and may contain sensitive or protectively marked material up to RESTRICTED and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it, or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately. All email traffic sent to or from us, including without limitation all GCSX traffic, may be subject to recording and/or monitoring in accordance with relevant legislation.

C

C

15/07/2013

APPENDIX E

Brown, Jeff

From: Mark Lavin [marklavin@warwickshire.gov.uk]
Sent: 23 July 2013 15:16
To: Brown, Jeff
Subject: Father Hudson's Society Premises Coventry Road Coleshill - Proposed Residential Development
Dear Jeff

Further to our telephone conversation today (23/07/2013).

I contacted the Animal Health and Veterinary Laboratories Agency (AHVLA) at Leicester regarding your enquiry relating to the above.

They were of the opinion that animal disease would not be a consideration to prevent a residential development in close proximity to a farm from going ahead. Many farms already operate adjacent to houses etc.

If there was a disease outbreak the farm itself would be regulated by disease control measures.

● Compliance with planning regulation requirements would be the overriding factor.

Please do not hesitate to contact me if you require any further details.

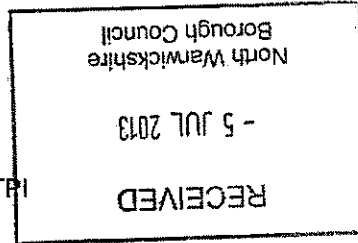
Kind regards
Mark

Mark Lavin
Animal Health Practitioner
Trading Standards Service
WCC Localities & Community Safety
Old Budbrooke Road
Warwick
CV35 7DP
Tel:01926 414055
Minicom:01926 412277
● Email:marklavin@warwickshire.gov.uk
Secure e-mail: marklavin@warwickshire.gcsx.gov.uk
www.warwickshire.gov.uk

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23/07/2013

APPENDIX F



Jeff Brown BA Dip TP MRTPI
The Council House
South Street
Atherstone
Warwickshire. CV9 1DE

Farm Address
Homes Farm
Coventry Road
Coleshill
North Warwickshire
B46 3EA

5th July 2013
Mobile: 07407538174

Mr Brown

Application Ref: PAP/2103/0168

I, Gary Stevenson, am a farmer in the area of Coleshill. I currently farm some 200 head of beef cattle on approximately 300 acres locally. One of my tenant holdings is on the Father Hudson's Estate, Coventry Road, Coleshill.

This farm is a registered agricultural holding.
European holding number: 43-095-0096
Address: Homes Farm, Coventry Road, Coleshill, North Warwickshire. B46 3EA

This farm address is registered through the British Cattle Movement Service BCMS, the Animal Health and Welfare Board for England AHWBE (previously the State Veterinary Service SVS) and the Rural Payments Agency RPA. The farm is subject to the regulations of these government departments and of DEFRA - Department for Environment Food and Rural Affairs and MAFF - Ministry of Agriculture Fisheries and Forestry. Like all holdings I am under strict agricultural regulations within the European Union.

Homes Farm is part of my business, my livelihood and although it is not the biggest area I farm it is still my main base and the location for my tools, agricultural machinery and fodder feed. Homes Farm is also the holding address for my annual TB testing.

I wish to object in part to the above planning application adjacent to my tenancy at Homes Farm on the following grounds:

Boundary dispute

There is an ongoing boundary dispute between Father Hudson's Estate and me as their tenant which is yet to be resolved. The piece of land under dispute has been included in the plans for the proposed development and is the equivalent of approximately four dwellings. I would suggest that there are many other issues here that need to be discussed to achieve a satisfactory outcome between myself and Father Hudson's Society, my landlords, before any of this can go ahead.

I feel it is unreasonable that I have not been fully informed or consulted about the proposals. The dispute remains unresolved.

Loss of mature trees

So many of the fine mature trees on the site of Father Hudson's Homes are not visible on the plans for this development. I am concerned about their loss and destruction.

Fire

Plans have been drawn for residential properties immediately adjacent to my feed storage area, approximately 3/4 acre, which contains up to 1000 to 1500 tons of baled fodder feed and straw at any one time. This is my only practical base, with hard standing and all weather access for fodder feed and my main supply for other Coleshill areas which I farm.

I would ask that an independent risk assessment be undertaken, by the appropriate fire service body, of the fire risk to nearby residences. The assessment may include a small lateral area for bale storage which is also close to the proposed housing development. May I suggest this risk assessment is a matter of urgency.

If the developers are intent on building residential properties adjacent to a known fire hazard then the matter needs to be properly addressed before proceeding, rather than as a potentially very expensive afterthought. I would suggest a safety zone of 60 metres. Should a serious fire incident occur, destroying residential properties, who will be made legally responsible for the subsequent damage and loss?

Disease

I need to have a disease safety zone between the farm with livestock and residential properties of approximately 60 metres to reduce the risk of the spread of notifiable diseases in animals such as Foot and Mouth. Humans are a well known factor in the spread of such diseases.

In the event of an outbreak of disease, such as Foot and Mouth, there will be compulsory restrictions on the movement of cattle. Even if my holding was not directly affected by disease I would be under restrictions of movement of both cattle and people. Conditions would be difficult to enforce with residential buildings so close by and the matter needs to be looked into by the appropriate agricultural department.

Complaints leading to loss of business

I would hope to be assured that if residences were to be built adjacent to my working farm occupiers would, as part of the sale legalities, agree to accept the usual noise such as cattle bellowing 24/7 for up to five days after having their calves weaned, tractor noise late in the evenings and at week ends when cattle are being fed, the general smell of cattle manure and fodder feed and mud on the neighbouring roads, all associated with this type of industry. I may also wish to keep pigs in the near future. A legally binding condition would be required agreeing not to take legal action against normal farming practices.

Loss of land or facilities

This holding is my business and livelihood since the late 70's and my main holding. My other land is pasture only with no storage facilities and totally unsuitable and unsafe for the keeping of agricultural equipment or fodder feed. My business will not be realistically viable if significant areas of land are to be removed or restricted and if there is no legal protection from residents placed so close to a working farm. I also wish to retain the existing trees and hedges as boundaries rather than the original thin fence.

Drainage

Part of my land is waterlogged for most of the year. The proposed development runs on a fall of land fashioned into levels, including an immediate 10 – 12 foot drop to the lowest which forms a boundary to my land. Will this bottom level be raised to the level of the memorial gardens, leaving the houses nearest to my boundary unreasonably raised, or built on the current level of the farm land? As the development proceeds the natural drainage of the land will be altered. Looking at the lie of the land, I have serious concerns that an extensive drainage system will have to be incorporated in order to prevent water logging or flooding on the farmland. The existing storm drain system on the neighbouring land, also owned by Father Hudson's, has been partially filled in.

Services

Currently my water and electricity comes from the old hospital site which is earmarked for development. Amongst many other issues, Father Hudson's has failed to discuss how these problems are to be resolved. Prior to disconnection I would need new supplies laid on.

Time

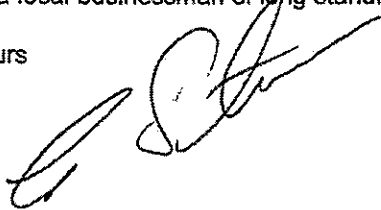
I am very concerned that there is little time for independent surveys so that these matters may be properly investigated before the meeting on 15th July when councillors, I understand, are considering this planning application.

I expect a certain amount of disruption to my business but it is important that the matters I have raised are fully addressed and resolved before the planning application is allowed.

I am very disappointed in conduct by members of Father Hudson's Society and their partners and, to date, no one has approached me at any time to discuss a number of the issues in question, other than the boundary dispute and asking for farmland back for a park area as part of the development.

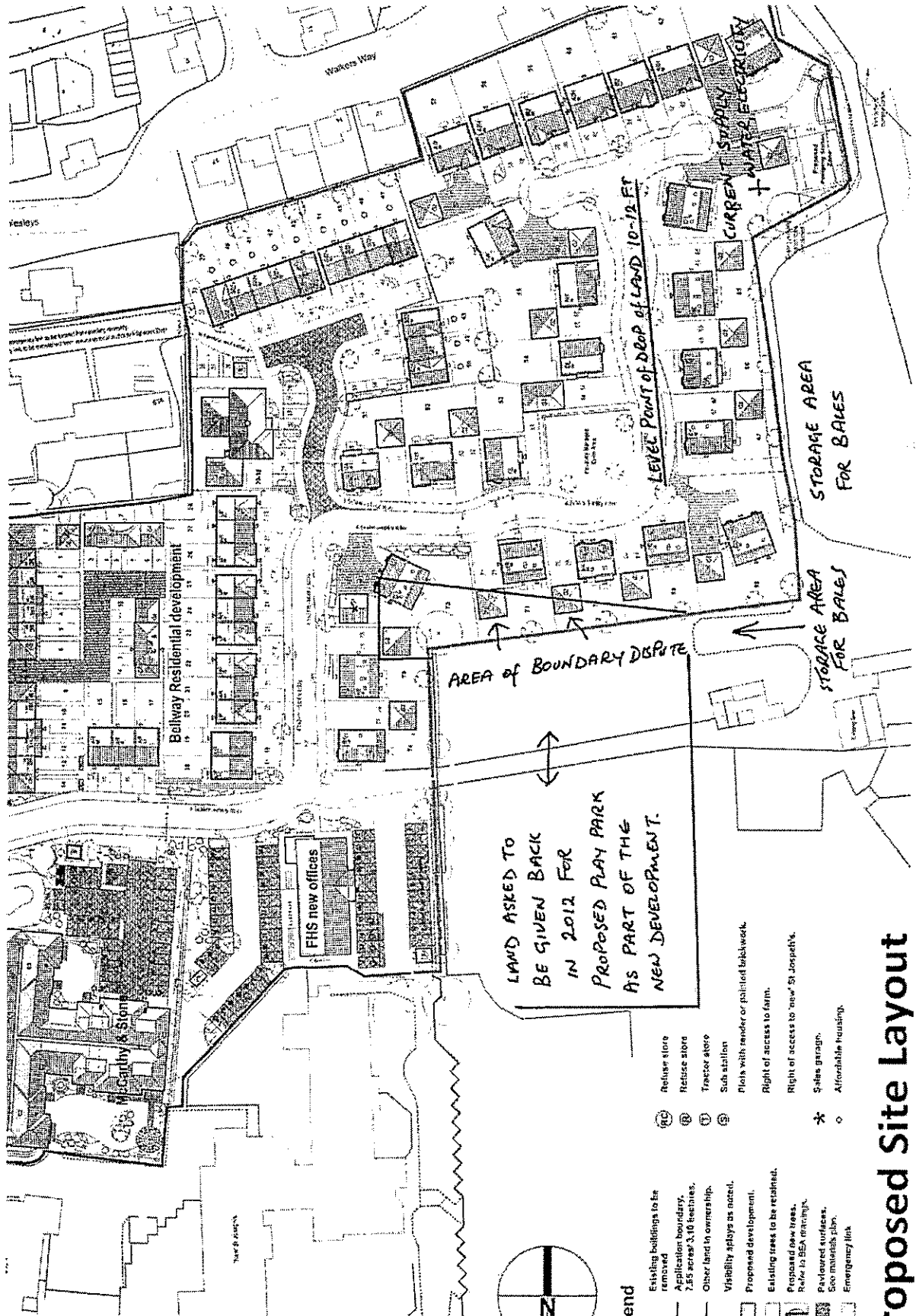
This is my business and livelihood and I do ask that I be given appropriate respect as a local businessman of long standing in the area of Coleshill. Thank you.

Yours



Gary Stevenson (Mr)

Attached – diagram with related annotations.



end

- Existing buildings to be removed
- Application boundary, 7.65 acres, 3.10 hectares
- Other land in ownership
- Visibility splays as noted
- Proposed development
- Existing trees to be retained
- Proposed new trees
- Refer to BSX drawings
- Paved surfaces
- See materials plan
- Emergency link

- Refuse store
- Refuse store
- Tractor store
- Sub station
- Ploths with tender or painted bitelwood
- Right of access to farm
- Right of access to 'new' St Joseph's
- Sales garage
- Affordable housing

Proposed Site Layout

APPENDIX G.



Father Hudson's
SOCIETY

Coventry Rd, Coleshill,
BIRMINGHAM.
B46 3ED.

Tel. 01675 434000
Fax. 01675 434010
www.fatherhudsons.org.uk

10th June 2013

Mr Jeff Brown,
North Warwickshire Borough Council,
Atherstone.

Dear Sir,

Planning Application: Father Hudson's Site, Coventry Road, Coleshill.

Further to my earlier letter in support of the application made jointly by Father Hudson's Society, Bellway Homes and McCarthy & Stone, I should like to point out other facts which may be relevant to those considering the application.

Father Hudson's Society is a registered Charity and operates as the Social Care Agency of the Archdiocese of Birmingham (Staffordshire, West Midlands, Worcestershire, Warwickshire and Oxfordshire), employs almost 250 staff, the majority of whom work here in Coleshill, from where all the work is co-ordinated, and has over 100 volunteers involved in the organisation. Our work cover many aspects including residential Care for the elderly, residential and day care for adults with complex and profound disabilities, domiciliary care for adults with a learning disability, an Ofsted registered fostering agency working in Warwickshire, Coventry, Solihull, Worcestershire and Birmingham, an Ofsted registered adoption support agency, community based projects in some of the most disadvantaged areas of West Midlands (one of which has been awarded the Prime Ministers Big Society Award, and the manager of another has been awarded an MBE for her work with women in the justice system) and Schools based Family Support from Stoke on Trent down to Oxford.

In 2001 we invested over £4million in our purpose designed care facilities here in Coleshill providing highest quality care for adults with multiple disabilities and for frail older people and those with dementia; facilities of which we are very proud and which do, we hope, make a positive contribution to Coleshill. We invested further a few years later in significantly renovating and preserving the former St Edward's Primary school which is used as a daycentre for adults with multiple disabilities, and who are now well known on the Coleshill Community.

The Society owns a number of houses in Coleshill and lets these to adults with a degree of learning disability at affordable rents. These residents too are well known long term residents in the town.

The Society will be acquiring a further 10 apartments for similar use if the planning application is successful.

Over many years the Society successfully operated North Warwickshire Orthopaedic hospital in Coleshill. It was with great sadness that, due to funding changes within the NHS for independent hospitals, the hospital had to close in 1998, and the community lost a much loved resource.

The Society is expanding its work and has to spread its charitable efforts more widely across the Archdiocese, serving all people in need regardless of faith (or lack of it), gender, colour, ethnicity etc. In doing so it must operate efficiently and in order to minimise running costs it requires modern efficient offices from which to direct, administer and offer services. These could be anywhere within the Archdiocese, but the Society has a long association with Coleshill and has decided to remain in the town (subject to be granted permission for new offices on its site). We are pleased to do this and wish to continue to contribute to the economy of Coleshill, as we have done for over 100 years.

The Society has tried very hard of many years to find alternative uses for the buildings which formed part of the former children's home complex. The former cottage homes are now used by the Archdiocese (Don Bosco House) and "Teddy'n Daisy's" day nursery. The former primary school is used as a daycentre and the former administration building is used as offices by the Schools Commission. The Society has used the former hospital as offices, moving in in 2000 for what it thought would be 5 years maximum while the site development plan was brought to fruition. We are still in this building 13 years later. The attempts to find a satisfactory solution for the redundant site have been numerous. A quick trawl through the files revealed 22 attempts in 22 years. The cost to the Society in both time and money has been enormous and the fire in one of the boarded and fenced buildings at the beginning of June shows the urgent need for a resolution to this.

The parties involved in this application have invested a huge amount of time and money in finding what we believe is a viable solution for this site, which meets the needs of the Society for good neighbours to our charitable works on site and enables the Society to retain its administrative head office on site, whilst at the same time bringing to Coleshill much needed housing and retirement apartments.

I hope the committee will look favourably upon the application.

Yours faithfully,



Tim Bradford

Chief Executive

Father Hudson's Society

Registered Charity No. 512992 Registered in England and Wales No. 1653388

REACHING OUT TO PROVIDE SOCIAL CARE IN THE ARCHDIOCESE OF BIRMINGHAM

ADOPTION SUPPORT & FOSTERING

ADULT CARE

COMMUNITY PROJECTS



North Warwickshire
Borough Council

Rachael Dimbleby
Warwickshire Fire and Rescue Service
Training and Development Centre
Leicester Road
Bedworth
CV12 8AG

Jeff Brown BA Dip TP MRTPI
Head of Development Control Service
The Council House
South Street
Atherstone
Warwickshire
CV9 1DE

Switchboard : (01827) 715341
Fax : (01827) 719225
E Mail : jeffbrown@northwarks.gov.uk
Website : www.northwarks.gov.uk
This matter is being dealt with by
: Mr J Brown
Direct Dial : (01827) 719310
Your ref :
Date : 14 August 2013

Dear Sirs

**Proposed Residential Redevelopment
Father Hudson's Society, Coventry Road, Coleshill**

I refer to the above development proposal and to our exchange of correspondence, particularly your e-mail of 15 July.

This planning application was referred to this Council's Planning and Development Board on 12 August. It resolved that planning permission be granted, but has instructed that I write to you seeking clarification of the content of that e-mail. Mr Stevenson, the farmer, addressed the Board re-iterating the concerns that he has in respect of the storage of his hay and straw. The Board is seeking confirmation that your officers will visit the site in order to assess any fire risk, and is keen to hear if you have any recommendations that you might consider would lessen any risk.

I look forward to hearing from you.

Yours faithfully

Jeff Brown
Head of Development Control

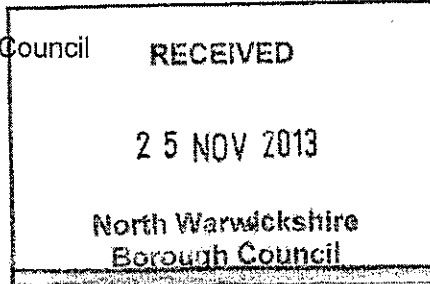
My ref: CT001/SB



Fire and Rescue

For the attention of MS. S. WILKINSON
 Planning Officer
 Planning Department
 North Warwickshire Borough Council
 The Council House
 South Street
 ATHERSTONE CV9 1BD

Group Commander Paul Bagnall
 Organisational Risk
 Warwickshire Fire & Rescue Service
 Service HQ, Warwick Street
 Leamington Spa CV32 5LH
 Tel: 01926 423231
 Fax: 01925 450332
 paulbagnall@warwickshire.gov.uk
 www.warwickshire.gov.uk



22 November 2013

Dear Madam,

Post Site Visit Operational Fire Risk Assessment (FRA)**Location: Farm Land to the rear of Father Hudson's, Coleshill****Date & Time: 16 October 2013 @ 1200 hrs.****Persons present: Gary Stevenson, John Whitehead (witness), Sharon Wilkinson (Planning Officer), Paul Simmons (WFRS), Chris Thompson (WFRS).**Context of Fire Risk Assessment (FRA)

The following operational FRA is theoretical and experience based. The assessment works on the premise of full involvement of a baled hay stack adjacent to the boundary of a planned domestic development. The outcome of the FRA is recorded on a standard risk assessment document that is used by Warwickshire Fire and Rescue Service (WFRS); the form has been slightly amended to meet the needs of this particular FRA. The operational FRA only covers the risk to the occupants and properties adjacent to the boundary of the planned development.

The distances from the boundary of the land under planning to the planned domestic properties was discussed at the meeting. The distances quoted were 4 and 6 metres from the boundary. The operational FRA works on the premise of properties this distance from a fire in a baled stack.

The quantity of baled hay and straw adjacent to the boundary was estimated by Mr. Stevenson to be 1000 to 1200 tonnes; it appears that there will be several stacks amounting to this figure. At the time of the site visit Mr Stevenson was in the process of building baled hay and straw stacks adjacent to the boundary of the planned development.

/.....



*Working for
Warwickshire*

Ignition sources are not included within the operational FRA, however, they were mentioned by Mr. Stevenson. His concern was associated with the proximity of the properties and the use of fireworks; he also expressed concerns with regards to the number of children that will inhabit the planned development. There is no evidence in North Warwickshire that fireworks have caused barn or haystack fires and there are existing domestic properties within 100m of the baled hay and straw, however, it accepted that fireworks and other naked flames or burning embers are capable of causing fire in combustible materials i.e. hay stacks. Due to the nature of fires in baled hay and straw a fully involved fire could take a significant time to extinguish – over 24 hours is not unknown.

Miscellaneous

During the visit an analogy was used to explain a different but similar perspective on the issue of the boundary. The analogy was the replacement of baled hay and straw with a forest of trees surrounding the development.

As a very simple observation increasing the distance of the baled hay and straw from the boundary will reduce the risks identified in the operational FRA or conversely increasing the distance of the properties from the boundary and the baled hay and straw.

Yours faithfully,



Paul Bagnall
Group Commander
Organisational Risk



*Working for
Warwickshire*



RISK ASSESSMENT

Form HS3

| Risk Assessment For: | | Fire involving 1000 tonnes of baled hay & straw adjacent to domestic dwellings. | | Assessor's Name: | | Chris Thompson | | | |
|----------------------------|---|---|---|--|--------------------|----------------|----------------------|--|--|
| Department: | | Theoretical FRA | | Reference Number | | NA | | | |
| Date of Initial Assessment | | 16.10.13 | | Review Date | | NA | | | |
| No. | Activity / Process / Operation | Hazards | Persons Affected | Existing Control Measures | Evaluation of Risk | | | Measures required to prevent / reduce risk further | Date of completion of further controls |
| | | | | | S 1-5 | L 1-5 | Risk Rating S x L | | |
| 1 | Radiated heat from the length of a hay stack or several hay stacks that are fully involved in fire. | Fire spread to adjacent properties | Public Occupants and properties adjacent to the fire | Evacuation of occupants until safe to return. Direct fire attack on the face of the stack affecting the adjacent property. Flat fan sprays or spray jets to reduce levels of radiated heat effecting adjacent premises. Removal of unaffected bales to reduce fire loading and fire spread. | 3 | 3 | 9 | Greater distance between the baled hay and any property. The risk rating of 9 would reduce as covering sprays are located or other firefighting action was taken. | |

RECEIVED

25 NOV 2013

North Warwickshire
Barnfields Fire Station



WARWICKSHIRE
FIRE & RESCUE SERVICE

RISK ASSESSMENT

Form HS3

| | | | | | | | | | |
|---|---|--|---|--|---|---|---|--|--|
| 2 | Large quantities of smoke from the length of a hay stack or several hay stacks that are fully involved in fire. | Smoke affecting/entering adjacent property | Public Occupants and properties adjacent to the fire | Large quantities of smoke entering adjoining properties may require the evacuation of the occupants due to the potential discomfort or the affect that the inhalation of smoke may have on members of the public with respiratory conditions or other health issues. Small quantities of smoke may require occupants to close windows and doors | 2 | 3 | 6 | Greater distance between the baled hay and any property. | |
| 3 | Flying embers from the length of a hay stack or several hay stacks that are fully involved in fire. | Fire spread to adjacent properties | Public Occupants and properties adjacent to the fire | Evacuation of occupants until safe to return. Close all doors and windows Direct fire attack on to the face of the stack affecting the adjacent property. Flat fan sprays or spray jets to reduce potential fire spread by flying embers. Removal of unaffected bales to reduce fire loading and fire spread. | 2 | 3 | 6 | Greater distance between the baled hay and any property. | |



RISK ASSESSMENT

Form HS3

| RISK ASSESSMENT MATRIX | LIKELIHOOD | | | | |
|---|------------|---------------|-------------|------------------|--------------|
| | RARE 1 | UNLIKELY 2 | LIKELY 3 | VERY LIKELY 4 | CERTAIN 5 |
| (S) Severity x (L) Likelihood = (RR) Risk Rating | | | | | |
| MINOR INJURY 1 | | | | | |
| HARMFUL 2 | | | | 8 | 10 |
| EXTREMELY HARMFUL 3 | | | 9 | 12 | |
| MAJOR INJURY 4 | | 8 | 12 | | |
| FATALITY 5 | | 10 | | | |

My ref: PB007/SB



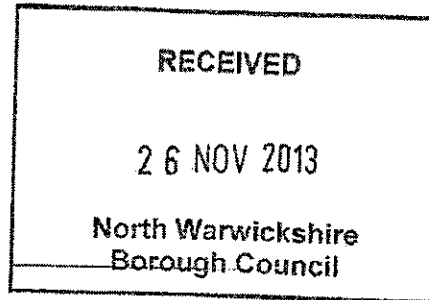
**Warwickshire
County Council**

Fire and Rescue

Paul Bagnall
Group Commander, Organisational Risk
Warwickshire Fire & Rescue Service
Service HQ, Warwick Street
Leamington Spa CV32 5LH

Tel: 01926 423231
Fax: 01926 450332
paulbagnall@warwickshire.gov.uk
www.warwickshire.gov.uk

For the attention of MR. J. BROWN
Planning Department
North Warwickshire Borough Council
The Council House
South Street
ATHERSTONE CV9 1BD



22 November 2013

Dear Jeff,

The North Warwickshire Development & Planning Board met on the 12 August 2013 to discuss and take decisions on a number of submissions. Warwickshire Fire & Rescue Service (WFRS) Officers were requested to make a visit to the location of the proposed development on the Father Hudson's site following concerns aired by members of the Board.

I agreed to that request and a visit was undertaken on the 16 October 2013 by the operational Station Commander responsible for North Warwickshire, a Fire Protection Officer and a NWBC Planning Officer. I have attached the operational fire risk assessment (FRA) created by Station Commander Christopher Thompson.

It should be borne in mind that the FRA is not a professional fire engineer's assessment, it is an operational assessment of risk from a fire fighting perspective. A qualified fire engineer's professional assessment would be required to quantify the risk from the baled hay and straw to the proposed development.

I have also now amended the information that was submitted to the Planning Board by WFRS following receipt of further information that was omitted with the initial request.

Therefore, regarding the potential risk posed to the proposed development by a fire in the baled hay and straw currently located adjacent to the development site, I would offer the following statistical information:

/.....



**WARWICKSHIRE
FIRE & RESCUE SERVICE**

*Working for
Warwickshire*

2/.....

- Warwickshire Fire & Rescue Service were mobilised to 1,150 primary fires during a period of time between January 2012 and October 2013.
- Of these incidents 3 fires that originated in a building spread to another property (0.26%).
- 2 of these incidents involved a house fire spreading to another house.
- The other incident involved a garage fire spreading to another garage.
- It is not known whether these properties were connected or detached.
- The spread of fire and damage was not extensive in any of these incidents.
- There were no persons injured in any of the 3 incidents.
- No records exist of fire spread from baled hay to buildings during that time.

I feel that I should further explain that WFRS are not obliged and do not have the capacity and technical expertise to provide a fire engineering report for the numerous and varied planning application requests.

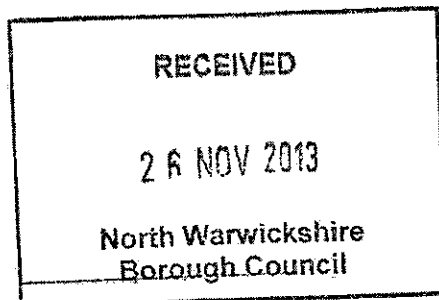
I would advise that interested parties involved with the development and planning process should commission an independent fire engineer to carry out a fire risk assessment of the proposals in response to any fire safety concerns.

Yours sincerely,



Paul Bagnall
Group Commander
Organisational Risk

Copy : Mr. Stevenson, 71 Barn Cottage, Coventry Road, Coleshill B46 3EA





RISK ASSESSMENT

Form HS3

| Risk Assessment For: | | Fire involving 1000 tonnes of baled hay & straw adjacent to domestic dwellings. | | Assessor's Name: | | Chris Thompson | | | |
|----------------------------|---|---|---|--|--------------------|----------------|----------------------|--|--|
| Department: | | Theoretical FRA, NW | | Reference Number | | NA | | | |
| Date of Initial Assessment | | 16.10.13 | | Review Date | | NA | | | |
| No. | Activity / Process / Operation | Hazards | Persons Affected | Existing Control Measures | Evaluation of Risk | | | Measures required to prevent / reduce risk further | Date of completion of further controls |
| | | | | | S 1-5 | L 1-5 | Risk Rating S x L | | |
| 1 | Radiated heat from the length of a hay stack or several hay stacks that are fully involved in fire. | Fire spread to adjacent properties | Public Occupants and properties adjacent to the fire | Evacuation of occupants until safe to return. Direct fire attack on the face of the stack affecting the adjacent property. Flat fan sprays of spray jets to reduce levels of radiated heat effecting adjacent premises. Removal of unaffected bales to reduce fire loading and fire spread. | 3 | 3 | 9 | Greater distance between the baled hay and any property. The risk rating of 9 would reduce as covering sprays are located or other firefighting action was taken. | |

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North Warwickshire
Borough Council



RISK ASSESSMENT

Form HS3

| RISK ASSESSMENT MATRIX | | LIKELIHOOD | | | | | |
|---|--|------------------------|---------------|-------------|------------------|--------------|----|
| | | RARE 1 | UNLIKELY 2 | LIKELY 3 | VERY LIKELY 4 | CERTAIN 5 | |
| (S) Severity x (L) Likelihood = (RR) Risk Rating | | MINOR INJURY 1 | 1 | 2 | 3 | 4 | 5 |
| | | HARMFUL 2 | 2 | 4 | 6 | 8 | 10 |
| | | EXTREMELY HARMFUL 3 | 3 | 6 | 9 | 12 | |
| | | MAJOR INJURY 4 | 4 | 8 | 12 | | |
| | | FATALITY 5 | 5 | 10 | | | |
| SEVERITY | | | | | | | |

Agenda Item No 8

Planning and Development Board

16 December 2013

**Report of the Assistant Chief Executive
and Solicitor to the Council**

**Neighbourhood Designation Area
for Arley Neighbourhood Plan**

1 Summary

- 1.1 This report informs Members of the progress of the formal consultation on the Arley Neighbourhood Plan Designation area.

| |
|---|
| <p>Recommendation to the Board</p> <p>a That the responses to the proposed Arley Neighbourhood Plan Designation be noted; and</p> <p>b The Neighbourhood Designation Area for Arley Neighbourhood Plan be agreed and approved.</p> |
|---|

2 Consultation

- 2.1 Councillors Sweet, Winter, Simpson, Hayfield and M Stanley and Arley and Whitacre Ward Members (Councillors Barber, Fox and Turley), have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Background

- 3.1 In North Warwickshire a Neighbourhood Plan can be prepared by a Town or Parish Council. It can cover one or more areas. When adopted the Neighbourhood Plan will be part of the Local Plan for North Warwickshire and will be taken in to consideration in the determination of planning applications. This report relates to the designation of the area to be covered by a Neighbourhood Plan for Arley. There has been no indication by the Parish Council which subjects will be covered by their Neighbourhood Plan and they are not required to do so until the drafting of the Plan.

4 Arley

- 4.1 Arley Parish Council has applied to North Warwickshire Borough Council for designation of a Neighbourhood Plan Area. The area covered by the designation consists of all the land within the current Arley Parish boundary. Arley Parish Council's reasons for designating the area are set out below;

- Clarity with neighbouring parishes, County, Borough and Town Councillors and residents as to where responsibilities start and finish,
- A desire to include all areas of the parish within the Parish boundary in the future development of Arley

5 Consultation

5.1 The consultation ran until Thursday 26 September 2013 and a total of three consultation responses were received. Members are asked to note the responses.

5.2 The consultation responses can be summarised as follows;

| | | | |
|----|--------------------|-----------|--|
| A1 | The Coal Authority | 20/9/2013 | No specific comments |
| A2 | Network Rail | 18/7/2013 | No specific comments beyond standard development management response regarding requirement to contact/consult Network Rail in event proposals are near or next to operational railway. |
| A3 | Natural England | 25/9/2013 | No specific comments |

5.3 It is considered that following the responses to the consultation no valid or reasonable reasons have been raised that warrant refusal of the Arley Neighbourhood Designation Area. The Area should therefore be agreed and approved as the right area to frame the production of the neighbourhood plan and the Parish Council informed of the Borough Council's decision.

6 Report Implications

6.1 Finance and Value for Money Implications

6.1.1 The Borough Council can claim for up to £30,000 for each Neighbourhood Development Plan – the first payment of £5,000 will be made following designation of the neighbourhood area. This recognises the amount of officer time supporting and advising the community in taking forward a Neighbourhood Development Plan. A second payment of £5,000 will be made when the local authority publicises the Neighbourhood Development Plan prior to examination. The third payment of £20,000 is made on successful completion of an independent examination.

6.2 Legal and Human Rights Implications

6.2.1 The process conforms with the legal requirements for Neighbourhood Plans

6.3 Human Resources Implications

6.3.1 Staff time is expected to be provided by the Borough Council to support and advise the Town Council and community in taking forward a Neighbourhood Development Plan. However the amount of staff time will be limited, essentially to an advisory role, due to the other work priorities of the Forward Planning Team and that this role must be provided to the other Parishes who are also considering undertaking Neighbourhood Plans.

6.4 Environmental and Sustainability Implications

6.4.1 Each Neighbour Plan will need to consider the effects of the Plans contents in terms of environmental and sustainability issues in accordance with the relevant regulations.

6.5 Links to Council's Priorities

6.5.1 The designation of the Neighbourhood Plan Designation Area will have links to the following priorities;

1. Enhancing community involvement and access to services
2. Protecting and improving our environment
3. Defending and improving our countryside and rural heritage

The Contact Officer for this report is Sue Wilson (719499).

Background Papers

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

| Background Paper No | Author | Nature of Background Paper | Date |
|---------------------|--------------------|----------------------------|-----------|
| 1 | The Coal Authority | Consultation response | 20/9/2013 |
| 2 | Network Rail | Consultation response | 18/7/2013 |
| 3 | Natural England | Consultation response | 25/9/2013 |