

To: The Deputy Leader and Members of the Planning and Development Board (Councillors Simpson, Bowden, Davis, L Dirveiks, Jenkins, Lea, Morson, B Moss, Sherratt, M Stanley, Swann, Sweet, Winter and Wykes)

For the information of other Members of the Council

This document can be made available in large print and electronic accessible formats if requested.

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

PLANNING AND DEVELOPMENT BOARD AGENDA

13 SEPTEMBER 2010

The Planning and Development Board will meet in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire on Monday 13 September 2010 at 6.30 pm.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Declarations of Personal or Prejudicial Interests.**
(Any personal interests arising from the membership of Warwickshire County Council of Councillors Lea, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Davis (Atherstone), B Moss (Kingsbury), Sherratt (Coleshill) and M Stanley (Polesworth) are deemed to be declared at this meeting.)

PART A – ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 4 **Budgetary Control Report 2010/2011** - Period Ended 31 August 2010
- Report of the Assistant Director (Finance and Human Resources)

Summary

The report covers revenue expenditure and income for the period from 1 April 2010 to 31 August 2010. The 2010/2011 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371).

- 5 **Planning Applications** – Report of the Head of Development Control.

Summary

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

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

- 6 **Old Bank House Garden Wall and Trees** – Report of the Assistant Director (Streetscape) and the Assistant Director (Leisure and Community Development) – REPORT TO FOLLOW

Summary

This report addresses the proposed felling of a number of trees in Old Bank House Garden, Atherstone; both to protect the unstable wall that surrounds the Garden and also to open up the area to provide a more attractive amenity space for the local community.

The Contact Officers for this report is Chris Jones (719265) and Peter Wharton (719275).

- 7 **Interim Planning Policy Statement** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report outlines the recent changes to the Planning system and sets out the Borough Council's planning policy stance in order to give clarity to residents, landowners, developers and other stakeholders on how the Council will consider development proposals. A Draft Interim Planning Policy Statement has been prepared and will be taken into account as a relevant material consideration in determining planning applications.

The Contact Officer for this report is Dorothy Barratt (719250)

- 8 **Section 106 Monitoring** – Report of the Head of Development Control.

Summary

This report provides the six monthly review of outstanding Section 106 Agreements, following the last report in March.

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

- 9 **Design Briefs** – Report of the Head of Development Control.

Summary

This report responds to the Council resolution of 16 August, requiring a number of Design Briefs be urgently brought to this Board for consideration.

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

**PART C – EXEMPT INFORMATION
(GOLD PAPERS)**

- 10 **Exclusion of the Public and Press**

Recommendation:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

- 11 **Breaches of Planning Control** – Report of the Head of Development Control

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

JERRY HUTCHINSON
Chief Executive

Agenda Item No 4

Planning and Development Board

13 September 2010

Report of the Assistant Director (Finance and Human Resources)

Budgetary Control Report 2010/2011 Period Ended 31 August 2010

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2010 to 31 August 2010. The 2010/2011 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

Recommendation to the Board

That the report be noted and that the Board requests any further information it feels would assist it in monitoring the budgets under the Board's control.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Both Councillors' Bowden and Butcher have been consulted regarding this report. Any comments received will be reported verbally to the Board.

3 Report

3.1 Introduction

- 3.1.1 Under the Best Value Accounting Code of Practice (BVACOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but also support costs relating to such areas as finance, office accommodation, telephone costs and IT services. The figures contained within this report are calculated on this basis.

4 Services Remaining Within Resources Board

4.1 Overall Position

- 4.1.1 Net controllable expenditure for those services that report to the Planning and Development Board as at 31 August 2010 is £285,707 compared with a profiled budgetary position of £274,532; an over spend of £11,175 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period. Where possible, the year-to-date budget figures have been calculated with some allowance for seasonal variations, in order to give a

...

better comparison with actual figures. Reasons for the variations are given, where appropriate, in more detail below.

4.2 Planning Control

4.2.1 Income is currently behind forecast by £22,191 due to a decrease in the larger value planning applications. This has been partially offset by a reduction in professional services of £3,976. However the expected planning application for the Ocado scheme is likely to be submitted very shortly, which should reduce the shortfall in income.

5 Performance Indicators

5.1 In addition to the financial information provided to this Board, when the budgets were set in February, performance indicators were included as a means of putting the financial position into context. These are shown at Appendix B.

...

5.2 The position after five months is that the gross costs of planning applications is lower than expected due to lower professional advice costs and net costs of planning applications are higher than expected due to the reduction of the larger high value applications being processed. The gross costs of Land Charges are higher per search as a lower number of searches have been completed than expected. The net income per search is higher than expected as the actual mix between personal searches and full searches has changed in favour of the higher priced full searches.

6 Risks to the Budget

6.1 The key risks to the budgetary position of the Council from services under the control of this Board are:

- The need to hold Public Inquiries into Planning Developments. Inquiries can cost the Council around £20,000 each.
- Reductions in income relating to Planning applications.
- Risk to the mix of applications not bringing in the expected level of fee income.

7 Estimated Out-turn

7.1 Members have requested that Budgetary Control Reports provide details on the likely out-turn position for each of the services reporting to this Board. The anticipated out-turn for this Board for 2010/2011 is £521,740 as detailed in the table below:-

	£
Approved Budget 2010/2011	496,740
Potential reduction in Planning Fee income	25,000
Expected Out-turn 2010/11	521,740

7.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this board, and may change as the financial year progresses. Members will be updated in future reports of any changes to the forecast out turn.

8 Building Control

8.1 The table below analyses the figures provided by the Partnership for the period up to July 31 2010/11 and details the impact for this Council:

	The Building Control Partnership £	NWBC share £
Net Budget	189,890	72,590
Additional loss predicted for the year (34.3%)	30,092	10,320
Predicted net budget	219,982	82,910
Less NWBC Support costs recharged to the partnership		(32,090)
Net Cost to NWBC in 2010/11		50,820

8.2 The approved budget provision for Building Control is £51,510. The table above shows that unless the Building Control Partnership figures deteriorate further, then North Warwickshire Borough Council will have sufficient budget to cover the current predicted situation.

9 Report Implications

9.1 Finance and Value for Money Implications

9.1.1 The Council's budgeted contribution to General Fund balances for the 2010/2011 financial year is £17,310. The anticipated shortfall in planning income of £25,000 will affect this contribution, although this will be more than offset by expected reductions in Board expenditure elsewhere.. Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board for comment.

9.2 Environment and Sustainability Implications

9.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

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

**North Warwickshire Borough Council
Planning and Development Board
Budgetary Control Report 2009/2010 as at 31 August 2010**

Description	Approved Budget 2010/2011	Profiled Budget August 2010	Actual August 2010	Variance	Comments
Planning Control	389,780	189,577	203,757	14,179	comment 4.2.1
Building Control Non fee-earning	67,130	58,018	57,328	(690)	
Conservation and Built Heritage	33,660	25,089	25,136	47	
Planning Delivery Grant	1,220	508	508	-	
Local Land Charges	(2,280)	(1,674)	(3,318)	(1,644)	
Civic Awards	-	-	-	-	
Street Naming & Numbering	7,230	3,013	2,295	(718)	
	496,740	274,532	285,707	11,175	

Appendix B

Key Performance Indicators for Budgets Reporting to the Planning and Development Board

	Budgeted Performance	Profiled Budgeted Performance	Actual Performance to Date
Planning Control			
No of Planning Applications	650	271	267
Gross cost per Application	£1,160.08	£1,135.30	£1,114.55
Net cost per Application	£599.55	£699.98	£763.13
Local Land Charges			
No of Searches	1,490	621	476
Gross cost per Search	£39.62	£33.92	£44.85
Net cost per Search	-£1.53	-£2.70	-£6.97
Caseload per Officer			
All applications	118	49.2	48.5

Agenda Item No 5

Planning and Development Board

13 September 2010

Planning Applications

Report of the Head of Development Control

1 Subject

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

2 Purpose of Report

- 2.1 This report presents for the Board decision, a number of planning, listed building, advertisement, proposals, together with proposals for the works to, or the felling of trees covered by a Preservation Order and other miscellaneous items.
- 2.2 Minerals and Waste applications are determined by the County Council. Developments by Government Bodies and Statutory Undertakers are also determined by others. The recommendations in these cases are consultation responses to those bodies.
- 2.3 The proposals presented for decision are set out in the index at the front of the attached report.
- 2.4 Significant Applications are presented first, followed in succession by General Development Applications; the Council's own development proposals; and finally Minerals and Waste Disposal Applications. .

3 Implications

- 3.1 Should there be any implications in respect of:

Finance; Crime and Disorder; Sustainability; Human Rights Act; or other relevant legislation, associated with a particular application then that issue will be covered either in the body of the report, or if raised at the meeting, in discussion.

4 Site Visits

- 4.1 Members are encouraged to view sites in advance of the Board Meeting. Most can be seen from public land. They should however not enter private land. If they would like to see the plans whilst on site, then they should always contact the Case Officer who will accompany them. Formal site visits can only be agreed by the Board and reasons for the request for such a visit need to be given.

4.2 Members are reminded of the “Planning Protocol for Members and Officers dealing with Planning Matters”, in respect of Site Visits, whether they see a site alone, or as part of a Board visit.

5 **Availability**

5.1 The report is made available to press and public at least five working days before the meeting is held in accordance with statutory requirements. It is also possible to view the papers on the Council's web site www.northwarks.gov.uk

5.2 The next meeting at which planning applications will be considered following this meeting, is due to be held on Monday, 18 October 2010 at 6.30pm in the Council Chamber at the Council House.

Planning Applications – Index

Item No	Application No	Page No	Description	General / Significant
s	PAP/2007/0594		Atherstone Garage 157-159 Long Street Atherstone Demolition of existing garage and erection of 2 offices, 19 apartments and 21 houses	General
s	PAP/2009/0592		Wagstaff Farm Shawbury Lane Shustoke Change of use from haulage yard to residential development, erection of 14 private dwellings and ancillary works	General
s	PAP/2010/0387		Land Adjacent to and including 12 Meadow Street Atherstone Demolition of no: 12 Meadow Street, change of use of council depot into new development of 6 flats of supported housing for young families and associated works. All for rent	General

General Development Applications

() Application No PAP/2007/0594

Atherstone Garage, Long Street, Atherstone

**Redevelopment of the site to provide 2 offices and 40 residential units for
Atherstone Garage Ltd**

Introduction

In 2008, the Council granted detailed planning permission for the residential redevelopment of this site in the centre of Atherstone. It included 40 new dwellings. The permission was accompanied by a Section 106 Agreement that required the land owner to make a financial contribution to the Council for it to use in the provision of off-site affordable housing, in lieu of on-site provision. The applicant is seeking to re-negotiate the terms of that Agreement.

The Site

This comprises just under 0.5 hectares of land to the south of Long Street, running between Long Street and South Street. It is just to the east of Woolpack Way and is in a wholly residential area. It is illustrated at Appendix A

It is occupied by the buildings of the Atherstone Garage comprising petrol pumps, canopy, car showroom, offices, shop and extensive workshop/repair buildings extending throughout the site as can be seen on the plan. The garage use has now ceased and there is limited use of the site for car sales and other vehicle related uses.

Background

The detailed planning permission was granted in 2008 for the residential redevelopment of this site. This was considered by the Board to be of high quality in its design and appearance and seen as a major step in the regeneration of the town. Plans illustrating the approved scheme are attached at Appendices B and C so as to remind the Board of the approval.

A full financial appraisal was submitted with the application, which was verified by the Council's own valuer. This confirmed that the provision of a minimum of a 40% provision of affordable housing on the site, would have rendered the scheme unviable. This was due to a number of factors, but in the main to the costs of complete demolition and then remediation of the site known to contain some contamination, and the high specification of the design of the new build reflected in higher building costs. The proposal could have accommodated a low on-site provision of affordable units, but these would not have attracted interest from a Registered Social Landlord. As a consequence, an off-site contribution was agreed, in lieu of that on-site provision. This would pass to the Council for use in its own housing schemes within the town. The value of this contribution was £260k, and this was to be paid to the Council before occupation of the 15th of the 40 residential units on the site.

The Proposal

The land owner and signatory to the Section 106 Agreement, Atherstone Garage and Electrical Company Ltd, has written to the Council to seek a re-negotiation of this Section 106 Agreement. It says that the approved development has become unviable and that the contribution is resulting in the owner's inability to complete a sale of the land to a prospective buyer. The owner is seeking a reduction of the contribution to £30k.

In support of this request, the applicant has provided a fresh viability appraisal. This is available for Members to view on request, but the written analysis is attached in full at Appendix D.

Development Plan

Saved Policy HSG2 of the North Warwickshire Local Plan 2006 provides the thresholds for the provision of affordable housing on sites within Atherstone. In this case a minimum of 40% is expected. The policy continues however, by pointing out that if this provision would render an otherwise acceptable housing scheme unviable, then lower provision would be supported, provided that the application was substantiated by financial evidence to show that this was the case.

Consultations

The Council's Valuer has inspected the full papers accompanying the owner's request. He was also involved in the case at the time of the 2008 permission and thus fully understands the background. He confirms that he has considered the appraisal. He points out that it is a full and very detailed report on the present situation regarding the housing market, and compares the potential of the site against the market value of the site for the present use for mixed commercial uses, mostly of a motor trade nature. He concludes by saying that, "Unfortunately I have to agree that the document does illustrate that the expected income for redeveloping the land for mostly residential use, set against the costs of such redevelopment, will not be viable if any contribution towards the provision of social housing is required".

AD Housing – Expresses disappointment that the contribution as agreed may not be possible, but accepts the professional view of the Valuer.

Observations

The Council is posed a problem. It has approved a planning permission that is of high design quality, and one that it sees as providing a valuable role in regenerating the town. In doing so it has recognised that the scheme would not have been viable if it was required to contribute a 40% provision of affordable housing on the site. In order to achieve the very positive outcomes from the permission, the Council compromised on the level of that provision and on the means of that provision. That compromise was justified on the financial evidence base that was applicable at the time. The issue is here is whether it is prepared to reconsider its position based on the current evidence base giving rise to the fresh financial appraisal that underpins the owner's request.

It is accepted that since the 2008 permission, there has been a substantial change in the economic situation nationally, and that that has impacted on the housing market. It is also accepted that land values in North Warwickshire were amongst the lowest

in the area prior to the recession, and that they currently remain depressed. The applicant's evidence supports these factors, in that his endeavours to conclude a sale of the land with this 2008 permission have all been unsuccessful. The constant themes running through this process are the high development costs and the low values of the housing. The 106 contribution adds to the "negative" value that was deterring prospective developers. This evidence together with the conclusions of current financial viability appraisal is verified by the Council's own Valuer. As such it is considered that there is the evidence base to justify the re-negotiation of the current Section 106 contribution.

The owner has a prospective developer who wishes to implement the approved scheme, and it is considered that if a way can be found to "kick-start" the permission, then that should be explored. Whilst acceptance of the current offer from the owner might well provide this impetus, it also leaves the Council with a less than satisfactory result in terms of it enabling affordable housing in the area. Whilst it is accepted that in the current economic situation there is not likely to be a material improvement for a little while, it is still considered that the Council needs more comfort if it is consider acceptance of the current offer. It is thus recommended that the following matters are raised with the owner.

- There has to be certainty that if this current offer is accepted, that the owner does sell the land and that the prospective developer completes the full permission, but with an early and agreed start date, such as within six months of the date of any varied Agreement.
- The varied Agreement should say that if this is not achieved, then the owner contribution should revert to its current level.
- If the revised contribution is agreed, then it should be paid to the Council upon commencement of development, not at some point during the implementation of the approved development.
- The housing market may well improve as this permission is implemented. Indeed, the quality of the development itself, once seen, may positively influence values. The Council should benefit from any such uplift through phased contributions. As a consequence, any varied Agreement should include provision for new financial appraisals to be undertaken half way through occupation of the development, and then again at completion. These would then justify any further contributions to the Council.

Recommendation

That officers are asked to continue discussions with the owner on the basis of the matters set out in this report, and to bring a further report to the Board on the outcome.

BACKGROUND PAPERS

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

Planning Application No: PAP/2007/0594

Background Paper No	Author	Nature of Background Paper	Date
1	Atherstone Garage	Letter	12/8/10
2	Council Valuer	Consultation	18/8/10
3	Head of Development Control	Letter	17/8/10
4	Assistant Director (Housing)	Consultation	18/8/10

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.



2007 / 0594

17 SEP 2007



SITE LOCATION PLAN
scale 1:2500

2007/0594

REDEVELOPMENT OF ATHERSTONE GARAGE

NORTH WARRICKSHIRE
BOROUGH COUNCIL
RECEIVED
Jan 18, 2008
PLANNING & DEVELOPMENT
DIVISION

NORTH WARRICKSHIRE
BOROUGH COUNCIL
RECEIVED
Feb 22, 2008
PLANNING & DEVELOPMENT
DIVISION
SUBJECT TO CONDITIONS
ON NOTICE

The Site Plan is to be read in conjunction with the following notes and specifications. The site plan is to be read in conjunction with the following notes and specifications. The site plan is to be read in conjunction with the following notes and specifications.

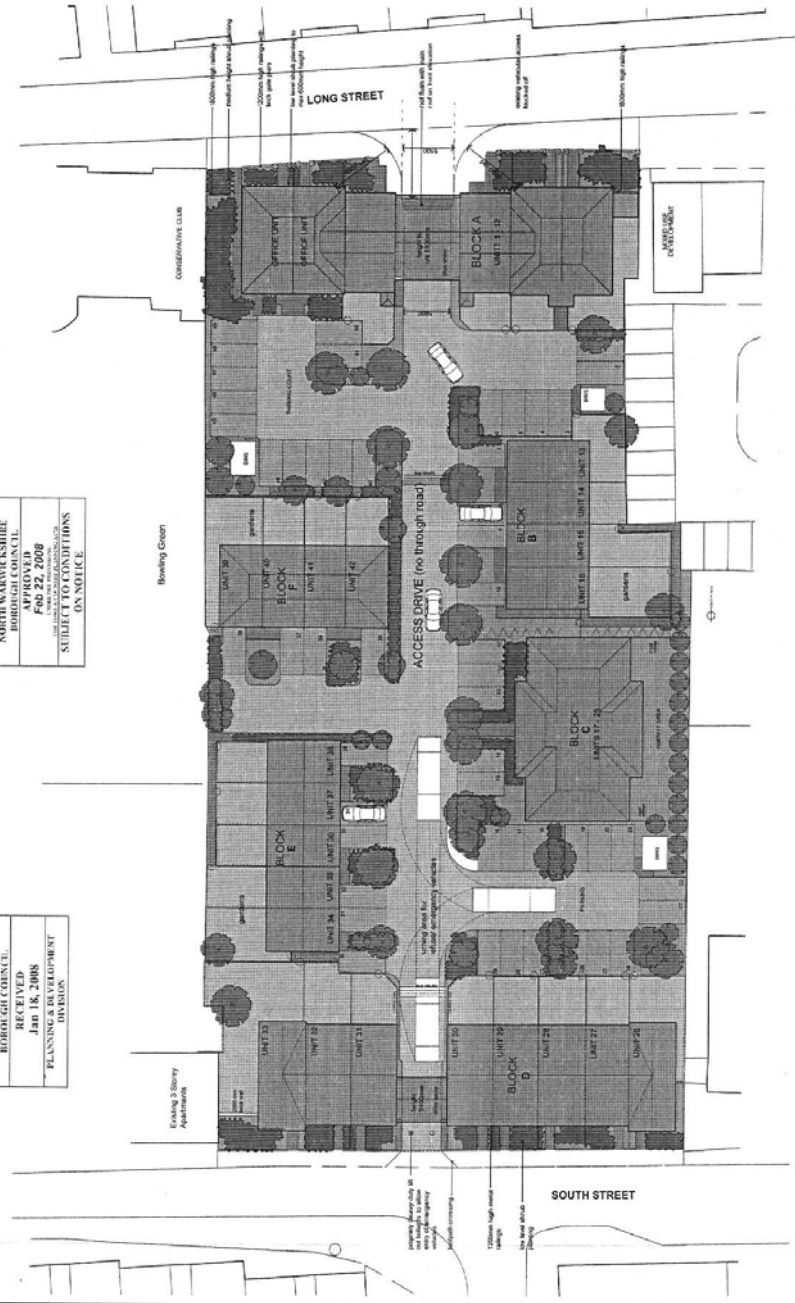
- proposed indicates tree planting
- low and medium shrub planting
- variable size with granite sets
- 1800mm high back screen
- 1800mm high loose boarded fencing and timber gates
- 1800mm high brick screen panels to timber gates

Symbol	Description
(Symbol)	Proposed tree planting
(Symbol)	Low and medium shrub planting
(Symbol)	Variable size with granite sets
(Symbol)	1800mm high back screen
(Symbol)	1800mm high loose boarded fencing and timber gates
(Symbol)	1800mm high brick screen panels to timber gates

HADEN RITCHIE BAILEY
ARCHITECTS, PLANNERS & CIVIL ENGINEERS
100, BRISTOL ROAD, BIRMINGHAM, B2 4JG
0121 708 1100
www.haden-ritchie-bailey.co.uk

Redevelopment of Atherstone Garage
Long Street, ATHERSTONE

SITE PLAN
Scale: 1:300
Date: JAN 08
Drawn: CSB/RTT
No: 5396/00 C



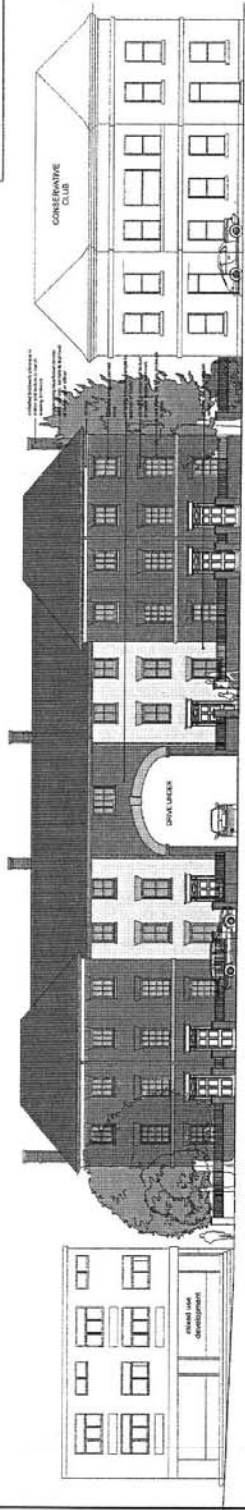
SITE PLAN scale 1:300

2007/0594

REDEVELOPMENT OF ATHERSTONE GARAGE

Block 'A'

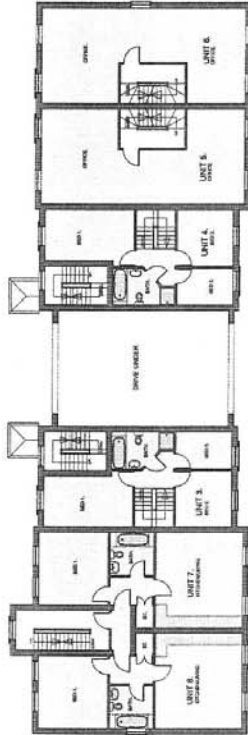
The Applicant hereby certifies that the information provided in this application is true and correct to the best of their knowledge and belief. The Applicant also certifies that the information provided in this application is not misleading, deceptive or fraudulent in any way.



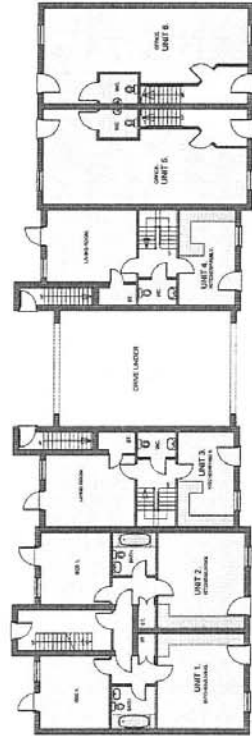
FRONT ELEVATION Facing Long Street
scale 1:100

WORTH TOWN ENGINEERING
100/100 LONG STREET
MELBOURNE VIC 3000
DATE: 18.04.2009
PROJECT: REDEVELOPMENT OF ATHERSTONE GARAGE

WORTH TOWN ENGINEERING
100/100 LONG STREET
MELBOURNE VIC 3000
DATE: 22.04.2009
PROJECT: REDEVELOPMENT OF ATHERSTONE GARAGE



GROUND FLOOR PLAN
scale 1:100

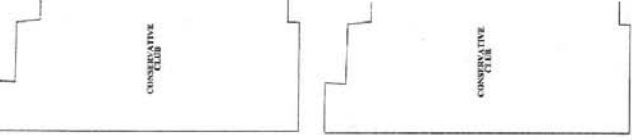


FIRST FLOOR PLAN
scale 1:100

DATE: 18.04.2009	SCALE: 1:100
PROJECT: REDEVELOPMENT OF ATHERSTONE GARAGE	CLIENT: HADEN RITCHIE BAILEY
DESIGNER: WORTH TOWN ENGINEERING	APPROVED: [Signature]

HADEN RITCHIE BAILEY
100/100 LONG STREET
MELBOURNE VIC 3000
REDEVELOPMENT OF ATHERSTONE GARAGE
Long Street, ATHERSTONE
PROPOSED BLOCK 'A'

DATE: 18.04.2009
SCALE: 1:100
PROJECT: REDEVELOPMENT OF ATHERSTONE GARAGE
CLIENT: HADEN RITCHIE BAILEY



DBK

Affordable Housing Viability Submission

**Former Atherstone Garage
157-159 Long Street Atherstone**

August 2010

1.0. Introduction

- 1.1 DBK Group has been commissioned by Atherstone Garage & Electrical Company Ltd to carry out a revised assessment of the viability of the consented residential redevelopment of the Atherstone Garage Site following the downturn in the residential property market.
- 1.2 The Site Plan drawing number 5396.90 D dated January 2008 produced by Haden Ritchie Bailey Architects is attached at Appendix 1.
- 1.3 This report has been produced by David Sammons, Director of Affordable Housing Consultancy at DBK Group.
- 1.4 David has over 18 years of extensive experience in all aspects of affordable housing provision.
- 1.5 David worked in the development departments of two major West Midlands Registered Social Landlords
- 1.6 After which David worked for 7 years in a senior role at David Wilson Partnership Homes negotiating S106 affordable housing and RSL contracts.
- 1.7 Prior to joining DBK David was at Knight Frank heading their Out of London Affordable Housing Consultancy service.
- 1.8 David's curriculum Vitae is attached for reference at Appendix 8.

2.0 Background

- 2.1 The Atherstone Garage site comprises a currently vacant petrol station and shop, car showroom premises and associated workshops.
- 2.2 The site is located on Long Street less than 0.2 miles from the retail heart of Atherstone.
- 2.3 The site has planning consent and a signed Section 106 dated 12th February 2008 (attached at Appendix 2).

3.0 Proposals

- 3.1 The Site Plan drawing number 5396.90 D dated January 2008 produced by Haden Ritchie Bailey Architects (attached at Appendix 1) provides for 21 houses and 19 apartments along with 2 office units. The table below provides a breakdown of the unit types by plot number:

Plot Number	Unit Description	Comment	Floor Area ft ²
1	1 Bedroom Apartment	Garden & 1 Parking Space	488.5
2	1 Bedroom Apartment	Garden & 1 Parking Space	488.5
3	3 Bedroom Apartment	Garden & 1 Parking Space	904.7
4	3 Bedroom Apartment	Garden & 1 Parking Space	904.7
5	Office/Commercial Unit	6 Parking Spaces	1625.4
6	Office/Commercial Unit	6 Parking Spaces	1625.4
7	1 Bedroom Apartment	1 Parking Space	488.5
8	1 Bedroom Apartment	1 Parking Space	488.5
9	2 Bedroom Apartment	1 Parking Space	891.3
10	2 Bedroom Apartment	1 Parking Space	891.3
11	1 Bedroom Apartment	1 Parking Space	488.5
12	2 Bedroom Apartment	1 Parking Space	891.3
13	3 Bedroom House	Garden & 1 Parking Space	950.0
14	3 Bedroom House	Garden & 1 Parking Space	950.0
15	3 Bedroom House	Garden & 1 Parking Space	950.0
16	3 Bedroom House	Garden & 1 Parking Space	950.0
17	2 Bedroom Apartment	1 Parking Space	664.3
18	2 Bedroom Apartment	1 Parking Space	682.0
19	2 Bedroom Apartment	1 Parking Space	664.3
20	2 Bedroom Apartment	1 Parking Space	664.3
21	2 Bedroom Apartment	1 Parking Space	682.0
22	2 Bedroom Apartment	1 Parking Space	664.3
23	2 Bedroom Apartment	1 Parking Space	664.3
24	2 Bedroom Apartment	1 Parking Space	682.0
25	2 Bedroom Apartment	1 Parking Space	664.3
26	3 Bedroom House	Garden & 1 Parking Space	976.3
27	3 Bedroom House	Garden & 1 Parking Space	921.0
28	3 Bedroom House	Garden & 1 Parking Space	963.6
29	3 Bedroom House	Garden & 1 Parking Space	921.0
30	3 Bedroom House	Garden & 1 Parking Space	921.0
31	3 Bedroom House	Garden & 1 Parking Space	921.0
32	3 Bedroom House	Garden & 1 Parking Space	963.6
33	3 Bedroom House	Garden & 1 Parking Space	921.0
34	2 Bedroom House	Garden & 1 Parking Space	816.3
35	2 Bedroom House	Garden & 1 Parking Space	816.3
36	2 Bedroom House	Garden & 1 Parking Space	816.3
37	2 Bedroom House	Garden & 1 Parking Space	816.3
38	2 Bedroom House	Garden & 1 Parking Space	816.3
39	2 Bedroom House	Garden & 1 Parking Space	688.9
40	2 Bedroom House	Garden & 1 Parking Space	688.9
41	2 Bedroom House	Garden & 1 Parking Space	688.9
42	2 Bedroom House	Garden & 1 Parking Space	688.9

4.0 Methodology

- 4.1 The most widely recognised methodology to demonstrate the viability of a proposed development such as Atherstone Garage is by utilising a discounted cash-flow model to establish the residual land value. In simple terms this involves calculating the total sales value of the completed properties and subtracting the costs involved in building them along with a reasonable profit for the developer. The remainder of this calculation is the amount that could viably be paid for the land, known as the residual value.
- 4.2 There are a number of discounted cash-flow models available that could be used, ranging from bespoke Excel based spreadsheets to commercially available appraisal software packages such as Circle Developer or Pro Dev, of these The Homes & Community Economic Appraisal Tool¹ (EAT) is the pre-eminent choice for viability as part of the planning process.
- 4.3 The EAT¹ was specifically developed by GVA Grimley on behalf of the then Housing Corporation to fulfil a need for a model to assist both Local Authorities and the Housing Corporation in assessing the economic viability of residential and mixed use schemes and the impact of affordable housing on it.
- 4.4 The EAT¹ has been in use since June 2006 and was mandatory for schemes being funded by the Housing Corporation in their 2008-11 NAHP (National Affordable Housing Programme). Following the merger of the Housing Corporation and English Partnerships to form the Homes & Communities Agency the EAT¹ remains the most widely used appraisal tool for economic viability exercises.
- 4.5 In order to test the effect on overall scheme viability resulting from the imposition of an affordable housing obligation we have carried out a series of appraisals testing the effect of grant levels and affordable housing provision levels on the residual land value.
- 4.6 From these we have selected two appraisal scenarios which demonstrate the affordable housing options available. The first of which reflects the policy compliant position and the second appraisal shows the position without the affordable housing obligation.

¹ The Homes & Communities Agency – Economic Appraisal Tool by GVA Grimley & Bespoke Property Group (Version 2.0 July 2009)

5.0 Appraisal Parameters and Assumptions

5.1 In producing the two sets of appraisals the following inputs and assumptions have been used:

5.2 Development Mix

The development mix for the purposes of the viability appraisals has been based on the Site Plan drawing number 5396.90 D dated January 2008 produced by Haden Ritchie Bailey Architects (Attached at Appendix 1). The layout provides for 40 residential units and 2 commercial units in a mix as per the table at 3.1.

5.3 Affordable Housing Provision

For the baseline compliant appraisal the affordable housing provision is based on the S106 requirement for a commuted sum of £260,000.

5.4 Affordable - Appraisal Parameters

The S106 provides for a commuted sum and therefore the Affordable Housing Appraisal Parameters within the EAT₁ have not been utilised.

5.5 Open Market - Capital Values

Sales values for the open market units are based on a marketing report dated 9th August 2010 provided by S.E.L. Estate Agents and Professional Surveyors of Market Street Atherstone (attached appendix 7).

5.6 Ground Rents

For the purposes of this appraisal it has been assumed that ground rents of £200 per annum are charged on all of the units.

5.7 Building Costs

Build cost estimates have been provided by Steve Yeubrey Associate Director Cost Planning, a Quantity Surveyor with over 25 years of experience. Steve's Curriculum Vitae is attached at appendix 9 for information.

The figures are based on analysis of actual recent tender adjusted to reflect the particular circumstances of the Atherstone Garage site. The build cost calculations already include for communal areas and circulations space within flat blocks and therefore the Net to Gross Ratio input within the EAT₁ model has not been utilised.

5.8 Residential Car Parking Build Costs

The costs of driveways, roads and communal parking areas which have been included in the main building and infrastructure costs.

1 The Homes & Communities Agency – Economic Appraisal Tool by GVA Grimley & Bespoke Property Group (Version 2.0 July 2009)

5.9 **Building Cost Fees**

These have been based on the EAT₁ default figure of 10% of build cost.

5.10 **Building Contingencies**

These have been based on the EAT₁ default figure of 5% of build cost.

5.11 **Section 106 Payments**

The S106 specifies a commuted sum payment of £32,500 for each affordable housing unit not provided on site. The agreement envisages a payment equivalent to 8 off site units being four 1 bedroom apartments and four 2 bedroom apartments. The total commuted sum payment of £260,000 to be paid to North Warwickshire Borough Council prior to the occupation of the 15th Dwelling.

5.12 **Site Abnormals**

The abnormal costs used in the appraisal are based on the following technical reports and quotations which are attached at Appendices 3 to 6:

- **Hyder Consulting**
Geotechnical and Geoenvironmental Report dated February 2003
- **Phoenix Environmental Consultants**
Asbestos Survey Report dated 2nd November 2006
- **Roger Bullivant**
Foundation & piling package quotation dated 8th November 2006
- **AR Demolition**
Demolition, tank and asbestos removal quotation dated 10th April 2008

Whilst these quotes date back in some cases to 2006, the costs are considered to be reasonable.

5.13 **Site Specific Sustainability Initiatives**

No Site Specific Sustainability costs have been assumed.

5.14 **Lifetime Homes**

No additional costs have been assumed for Lifetime Homes₁₀ compliance.

5.15 **Code for Sustainable Homes**

No allowance has been made for any costs associated with achieving Code for Sustainable Homes₂ level 3. The scheme has been appraised based on the current building regulation requirements only.

5.16 **Other Cost Increases**

No further additional costs have been assumed.

1 The Homes & Communities Agency – Economic Appraisal Tool by GVA Grimley & Bespoke Property Group (Version 2.0 July 2009)
2 Communities and Local Government - Code for Sustainable Homes Version 2 (May 2009)

- 5.17 **Site Acquisition Costs - Agents Fees**
The EAT₁ default value of 1% of site value has been utilised.
- 5.18 **Site Acquisition Costs - Legal Fees**
The EAT₁ default value of 0.75% of site value has been utilised.
- 5.19 **Site Acquisition Costs - Stamp Duty**
Prevailing government policy has been assumed and therefore set at 4%.
- 5.20 **Site Acquisition Costs - Other Acquisition Costs**
No additional site acquisition costs have been assumed.
- 5.21 **Finance Costs - Arrangement Fee**
A finance fee of £20,000 has been assumed.
- 5.22 **Finance Costs - Interest Rate**
In light of the current finance market conditions and a less favourable lending proposition for property companies an interest rate of 6.5% has been assumed.
- 5.23 **Finance Costs - Miscellaneous Fees**
A figure of £7,500 has been assumed to cover surveyors and other costs.
- 5.24 **Open Market Housing Marketing Costs - Sales Fees**
A figure of 4% of sales values has been used which is below the EAT₁ default value of 6%.
- 5.25 **Open Market Housing Marketing Costs - Legal Fees**
The EAT₁ default value of £600 per unit has been utilised
- 5.26 **Developers Return for Risk and Profit on Open Market Housing**
The EAT₁ default value of 17.5% has been assumed of the Gross Development Value of the private residential units. Having regard to the level of risk associated with a residential scheme in the current uncertain market a gross developer's profit of 17.5% is below current industry expectations.
- 5.27 **Office Assumptions - Rental Value**
We have converted the capital values produced by S.E.L. Estate Agents and Professional Surveyors (attached at appendix 7) to rental figures. These calculations are shown on the 'Sheet 5 - Notes & Calculations' tab of the appraisal.
- 5.28 **Office Assumptions - Yield**
Based on advice from DBK's Associate Director of Valuation, Paul Steele MRICS an investment yield of 7% has been assumed.

¹ The Homes & Communities Agency – Economic Appraisal Tool by GVA Grimley & Bespoke Property Group (Version 2.0 July 2009)

- 5.29 **Office Assumptions - Purchasers Costs**
A figure of 4.75% has been utilised which is lower than the EAT₁ default value of 5.75%.
- 5.30 **Office Assumptions - Building Costs**
Build costs for office accommodation have been provided by Steve Yeubrey. These figures are based on basic office fit out.
- 5.31 **Office Assumptions - Professional Fees**
The EAT₁ default value of 10% has been utilised.
- 5.32 **Office Assumptions - Building Contingencies**
The EAT₁ default value of 5% has been utilised.
- 5.33 **Office Assumptions - Letting Fees**
The EAT₁ default value of 10% has been utilised.
- 5.34 **Office Assumptions - Advertising Fees**
The EAT₁ default value of 1% has been utilised.
- 5.35 **Office Assumptions - Letting Fees**
The EAT₁ default value of 1.75% has been utilised.
- 5.36 **Office Assumptions - Developers Return for Risk and Profit**
The EAT₁ default value of 20% has been utilised.
- 5.37 **Existing Use Value**
The site was valued at £700,000 by GVA Grimley as at 14th September 2009. A copy of GVA Grimley's full valuation report is attached at Appendix 10.
- 5.38 **Build & Sales Periods**
We have assumed that the development will commence 3 months after the grant of planning consent. A 12 month build period has been assumed. A further period of 6 months after the completion of building works has been assumed for the final sales.

¹ The Homes & Communities Agency – Economic Appraisal Tool by GVA Grimley & Bespoke Property Group (Version 2.0 July 2009)

6.0 Appraisal Results

6.1 Viability Appraisal with Full Affordable Housing Commuted Sum

This appraisal has been run with the full affordable housing commuted sum of £260,000 as per the S106.

The appraisal is based on assumptions listed in section 5.

A full print out of the appraisal is attached at appendix 11 for reference.

The residual land value produced is £190,780.00

6.2 Viability Appraisals with Reduced Affordable Housing Commuted Sums

Based on no affordable housing commuted sum but all other assumptions as section 5 the residual land value produced is £421,637.00

A full print out of the appraisal is attached at appendix 12 for reference.

7.0 Conclusion

The attached EAT appraisals clearly show that the impact of the credit crunch has severely affected the viability of the proposed scheme. The current S106 requirement for a commuted sum payment of £260,000 results in an unacceptable residual land value which is over £500,000 less than the value of the site in September 2009.

If the commuted sum remains at this level the scheme will not proceed in the foreseeable future.

At the time the commuted sum was agreed the projected sales values for the residential and commercial units were over £850,000 higher than today.

Our client is therefore looking to reduce the commuted sum to a level which is more appropriate in the current market.

Our appraisals also show that even with a nil affordable housing commuted sum the scheme actually falls short of the existing use value of the site by over £275,000.

Our client however is keen to see the redevelopment of this prominent and highly visible site in the centre of Atherstone and therefore in the interests of pragmatism he is prepared to offer a reduced commuted sum of £30,000 even though the scheme viability cannot currently support this.

The Redevelopment of this key site will deliver significant benefits to the visual amenity of Atherstone by providing an attractive street frontage. The scheme would also provide potential financial gains under the Government's proposed New Homes Bonus Scheme as part of their Big Society initiative.

(2) Application No PAP/2009/0592

Wagstaff Farm Shawbury Lane Shustoke

**Change of use from haulage yard to residential development, erection of 14 private dwellings and ancillary works,
For Wagstaff Developments Ltd**

Introduction

The receipt of this application was reported to the July meeting of the Board. It was pointed out that the development proposed was for inappropriate development in the Green Belt, and that because of its size, should the Council be minded to support the application, the case would need referral to the Secretary of State. The Council is able to refuse planning permission without such a referral.

The written report for the July Board is attached at Appendix A. It is not proposed to repeat matters already recorded there.

A site visit, as requested by the July Board, has been arranged.

Consultations Received

Warwickshire Wildlife Trust - Originally the Trust objected to the application as it had insufficient information available about the suitability of the existing buildings to house bat roosts, and secondly as to whether the outfall from the proposed sewage treatment works would impact on a nearby local wildlife site. Following receipt of additional information, the Trust no longer has an objection, subject to conditions being attached to the grant of any planning permission.

Severn Trent Water – No objection subject to a standard condition.

Environmental Health Officer – No objection subject to a condition requiring a preliminary Phase 1 ground investigation survey prior to work commencing on site.

Warwickshire County Council as Highway Authority – No objection subject to conditions requiring re-alignment of the access geometry so as to provide better access and vision at the entrance.

Fire Services Authority – No objection subject to a standard condition.

Representations

Fillongley Parish Council objects to this inappropriate development in the Green Belt, and considers that the extant Notice should be enforced and the fields reinstated.

The Coleshill and District Civic Society has some reservations; it is a very rural location, but there is an opportunity here to tidy up the site, whilst it is brown field land there is a question as to whether there are very special circumstances here, there might be an impact on the openness of the Green Belt and traffic might increase.

The Warwickshire Branch of the CPRE objects outlining similar concerns to the Civic Society. It considers that the Notice should be enforced and that the development should not be allowed because of an intensification of a use that was not permitted.

Two letters of objection have been received from local residents citing the fact they do not consider that very special circumstances exist here; that the requirements of the Enforcement Notice should be enforced, that the site is not within a settlement, that it will lead to extra traffic, that the use has intensified to its present position, and that the use has come about through intensification.

Seven letters of support have been received from local residents saying that the proposals will bring about an environmental improvement particularly through the removal of the HGV's.

Observations

a) Introduction

The development proposal here is for inappropriate development in the Green Belt, and thus there is a presumption that planning permission will be refused. The applicant is saying that there are material planning considerations here that are of such weight that they amount to the very special circumstances needed to override this presumption. In essence he is saying that the removal of the existing lawful uses and their replacement through the residential redevelopment scheme would provide a "better" environmental and highway outcome than continuing with those uses and the problems that are associated with them. Members will have to decide whether this "exchange" can be supported in planning terms.

b) The Existing Uses

There are indeed existing lawful uses at this site – those granted for general industrial use under the 1994 planning permission, and under the 2006 Certificate for the use of the yard for haulage and commercial vehicle repairs. These are uses that are located in a very isolated location, and uses that necessarily involve HGV use. Because of the nature of the uses, the visual appearance of the site, and the fact that the surrounding road network that gives access to the site is inappropriate and unsuited for such use, it is agreed that there is merit in environmental and highway terms to removing these uses. Whilst they do provide a source of employment, the location of the site carries significant dis-advantages such that it is considered that the weight of the argument runs in favour of removing these uses rather than in retaining them. The application site is limited to the area over which these lawful

uses exist, and thus this “offer” of removal is a material consideration of significant weight

Members will recall that there are also unauthorised uses at this site, and that the requirements of an extant Enforcement Notice are yet to be completed. Even if there is compliance with these requirements, the lawful uses as described above will be able to continue to operate. It is not accepted that such compliance would lessen the problems that currently exist, to the extent that the lawful uses would become unnoticeable. This is because the lawful uses themselves involve HGV usage; that those uses could operate independently from the unlawful uses, and because parts of the unlawful uses could relocate to the site of those lawful uses without recourse to the Council. As such, the conclusion reached above still retains its weight.

c) The Alternative Use

This is not a location where new housing would normally be permitted, being in a very isolated location, with no public transport and no local services or facilities. Moreover in such locations, only housing that requires an essential rural location, or provides 100% affordable housing up to a maximum of ten units, is considered to be acceptable. This scheme does neither, and thus if there is to be any weight given to supporting the applicant’s case, there needs to be a robust evidence base. That must show that the proposal is the minimum scale necessary in order to achieve the removal of the existing lawful uses; that it can be shown to have considered the provision of affordable housing and that in itself, it does not cause adverse impacts.

The applicant has provided a financial appraisal, which the Council Valuer has fully examined. He accepts that overall, the value provided by the development, when development costs are taken into account, will provide a return that allows a developer’s profit and a return to the land owner equivalent to its value with the benefit of the lawful uses, but discounted so as to take account of some provision for affordable housing. He therefore agrees that there is the evidence to support a scheme of fourteen houses. He also agrees that such a scheme could not provide ten affordable housing units or even a 40% provision of 6 units. However, he does conclude that the scheme could afford a contribution to the Council for off-site provision in lieu of on-site provision, of the order of £240k. This would reduce the developer’s profit margin to 10%. From a planning and housing perspective it is recommended that this site is not a preferred location for affordable housing given its isolation and lack of facilities. Moreover, Registered Social Landlords have shown no interest in the site, particularly if only one or two units are to be provided. They and the Council’s housing officers would prefer to manage affordable housing in the smaller villages hereabouts. A contribution of the size being proposed here would achieve wider and better housing outcomes in those villages. It is thus considered that there could be merit in supporting the alternative use provided that the contribution is made, and this is a material planning consideration of some weight.

The housing scheme proposed is of a high design standard in appearance and in specification. As such there is merit in supporting the approach taken in attempting to create a former farm house with its attendant range of buildings. The layout is confined here to the extent of the lawful uses, and in that respect is compact. It sits close to existing residential buildings that are to be retained and it sits well into the surrounding contours. The design approach is supported as it would certainly assist in achieving the Council's priority of preserving and protecting its rural heritage and countryside. It is considered that this will have a significant beneficial visual impact over the existing, and a continuation of the existing uses. This benefit is thus a material consideration of weight. On the other hand, it is considered that there will be an impact on the openness of the Green Belt hereabouts because of the increased footprint of 40% over the existing buildings. At best therefore, that impact is neutral because of the mitigating factors described above.

A development of fourteen houses will generate traffic, and particularly here due to the isolated location. This would amount to around 100 movements a day compared with the 30 HGV movements a day with the current uses. The Highway Authority considers this to be an acceptable exchange because of the damage done to the highway from the HGV's and because they do pose a far more significant safety hazard. Overall the change in the nature of the traffic generated is considered to have a beneficial impact, and this is therefore a planning consideration of significant weight.

On balance, the alternative use is considered to have benefits that carry weight, in that it provides a beneficial visual and highway development, which offers material improvements over continuation of the existing uses. However, those benefits would only carry substantial weight if they could also overcome the residual adverse impact of there being no on-site affordable housing provision.

d) Other Matters

It is not considered that there are other material adverse impacts; the Wildlife Trust is satisfied that the relevant bio-diversity matters can be covered through conditions, the Highway Authority is satisfied with the amended plans for the access arrangements, and no objections have come from the drainage authority in respect of the proposed means of sewage treatment. The content of the representations received are covered in the main two sections above. However a couple of points do arise. Firstly, some of the representations appear to assume that the "exchange" being proposed here is from the unauthorised uses to the alternative. That is not the case. It is the substantial lawful uses here that being offered in exchange. The requirements of the extant Enforcement Notice will need to be complied with whatever the outcome of this application, and when completed, will still the lawful uses free to operate. Secondly, the Council has used the argument concerning "exchange" of uses in other cases too - most recently at the former Corley Nursery site, and in the past at the former Skelton's Haulage yard in Fillongley. Each case will have different characteristics because of the nature of the lawful uses; the alternative being proposed, and the degree to which there is an overall improvement. The relevant matters to this case are recorded above.

Conclusion

There is little doubt that the proposed development here would be beneficial as it would remove commercial uses that are causing problems to the visual appearance

of the countryside, and more particularly as a consequence of HGV movements on wholly unsuitable roads. There is thus merit in seeking an opportunity to do so. This proposal represents a development of high quality with a beneficial outcome that removes the adverse impacts arising from the lawful uses. As such it has the basis for support. However, it is considered that it would only carry the weight to amount to the very special circumstances necessary to fully support the scheme, if the residual adverse impact of there being no provision for affordable housing can be mitigated. This report suggests that that can be achieved through an off-site contribution. This is matter that needs to be placed before the applicant, and the recommendation thus follows this suggestion.

Recommendation

- A)** That the Council is prepared to consider support for this proposal providing that the applicant is prepared to enter into a Section 106 Agreement obligating a financial contribution of £240k to be paid to the Council in order to provide off-site affordable housing in the locality, in lieu of on-site provision.
- B)** That officers be instructed to inform the applicant of this position, and to report back to a further meeting on the outcome.
- C)** That, subject to the above Section 106 Agreement and the imposition of conditions as drafted in recommendation (c) below, the application be referred to the Secretary of State under the 2009 Direction to see if he wishes to call-in the application for his own determination. If he does not, then the application be determined in line with recommendations (a) and (c)
- D)** That the following conditions be attached to the grant of any planning permission:
 - i) Standard Three year permission
 - ii) Standard Plan numbers – Location Plan, 784P/31A, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and plan number 784/09 all received on 18/6/10, together with plan numbers
 - iii) No development shall commence on site until such time as full details of the means of disposal of surface water and foul sewage, including full details of the discharge to outfall, have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site, and those measures shall be fully installed and completed prior to occupation of the first of the dwellings hereby approved.
Reason: In the interests of reducing the risks of pollution and flooding.
 - iv) No development, including any demolition works, shall commence on site until such time as a bat survey has been undertaken within the buildings on site, and a detailed mitigation plan, including the replacement of any loss of suitable roosting and foraging habitat, has been submitted to and approved in writing by the Local Planning Authority. The plan as approved shall be fully

implemented prior to occupation of the first dwelling hereby approved.

Reason: In order to ensure that European protected species are not harmed by the development.

- v) No development shall commence on site 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 first been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until such time as the approved scheme has been implemented in full.

Reason: In the interests of fire safety.

- vi) No development shall commence on site until such time as a Phase 1 preliminary Risk Assessment has been carried out in order to establish the potential for contamination of the site. Should any contamination be found a Phase 2 Intrusive Survey shall be undertaken. No work shall commence on site until the findings from the Phase 1 survey have been submitted to the Local Planning Authority, and its written agreement given that work may commence.

Reason: In order to reduce the risk of pollution

- vii) No work shall commence on the construction of the dwellings hereby approved until such time as full details of all of the facing materials; surface treatments and boundary treatments have first been submitted to and approved in writing by the Local Planning Authority. Only the materials so approved shall then be used on site

Reason: In the interests of the visual amenities of the area.

- viii) No development shall commence on site until such time as details of a landscaping scheme covering the whole of the site, have first been submitted to and approved in writing by the Local Planning Authority. There shall be no occupation of the first house to be occupied until such time as the landscaping scheme so approved has been implanted in full.

Reason: In the interests of the visual amenities of the area.

- ix) No dwelling hereby approved shall be occupied until such time as the details of the whole of the access arrangements, including the permanent closure of the existing access, as shown on the approved plan have first been completed in full to the satisfaction in writing of the Local Planning Authority.

Reason: In the interests of highway safety.

- x) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended, or as subsequently amended following the date of this permission, no

development within Classes A and B of Part 1 of Schedule 2 to that Order, shall be commenced on site without the prior written approval of the Local Planning Authority.

Reason: In view of the site's location within the Green Belt.

- xi) The development hereby approved shall be constructed to the minimum Code of Sustainable Housing applicable at the date of its commencement. For the avoidance of doubt this shall at least Code Level Three, and all air and water heating shall be provided by means of a ground source heat pump

Reason: In order to achieve the most energy efficient construction.

Policies:

As set out above

Notes:

It is likely that buildings on site provide optimal habitat for breeding birds, protected under the Wildlife and Countryside Act 181 as amended. All construction activities which could disturb breeding birds should be undertaken outside of the breeding season - generally March to September. However, features likely to support breeding birds should be checked irrespective of the time of year. If at any time nesting birds are observed, works that may disturb them must cease and advice sought from an experienced ornithologist.

Justification:

The site is in the Green Belt and the development proposal is by definition, inappropriate development. As such there is a presumption of refusal. It is considered however that there are material planning considerations here that are of such weight to amount to the very special circumstances sufficient to override this presumption. These are the removal of lawful industrial and haulage uses from the site that have adverse visual and traffic consequences. The latter in particular, as the site can Only be accessed by narrow single carriageway lanes. The quantum of the alternative residential use is the minimum necessary to achieve this removal, and the development proposal itself is of a high design quality and specification in keeping with the rural character and appearance of the site; would have less traffic impact than the existing uses, and would have a neutral impact on the openness of the Green Belt hereabouts. Of significance is the fact that the application is accompanied by a Section 106 Agreement that provides a financial contribution towards off-site affordable housing in lieu of on-site provision. The Council is satisfied that from a planning and housing perspective that the location of this site is not a preferred location for affordable housing due to its location. The contribution therefore mitigates the adverse residual impact of there being no affordable housing on site.

BACKGROUND PAPERS

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

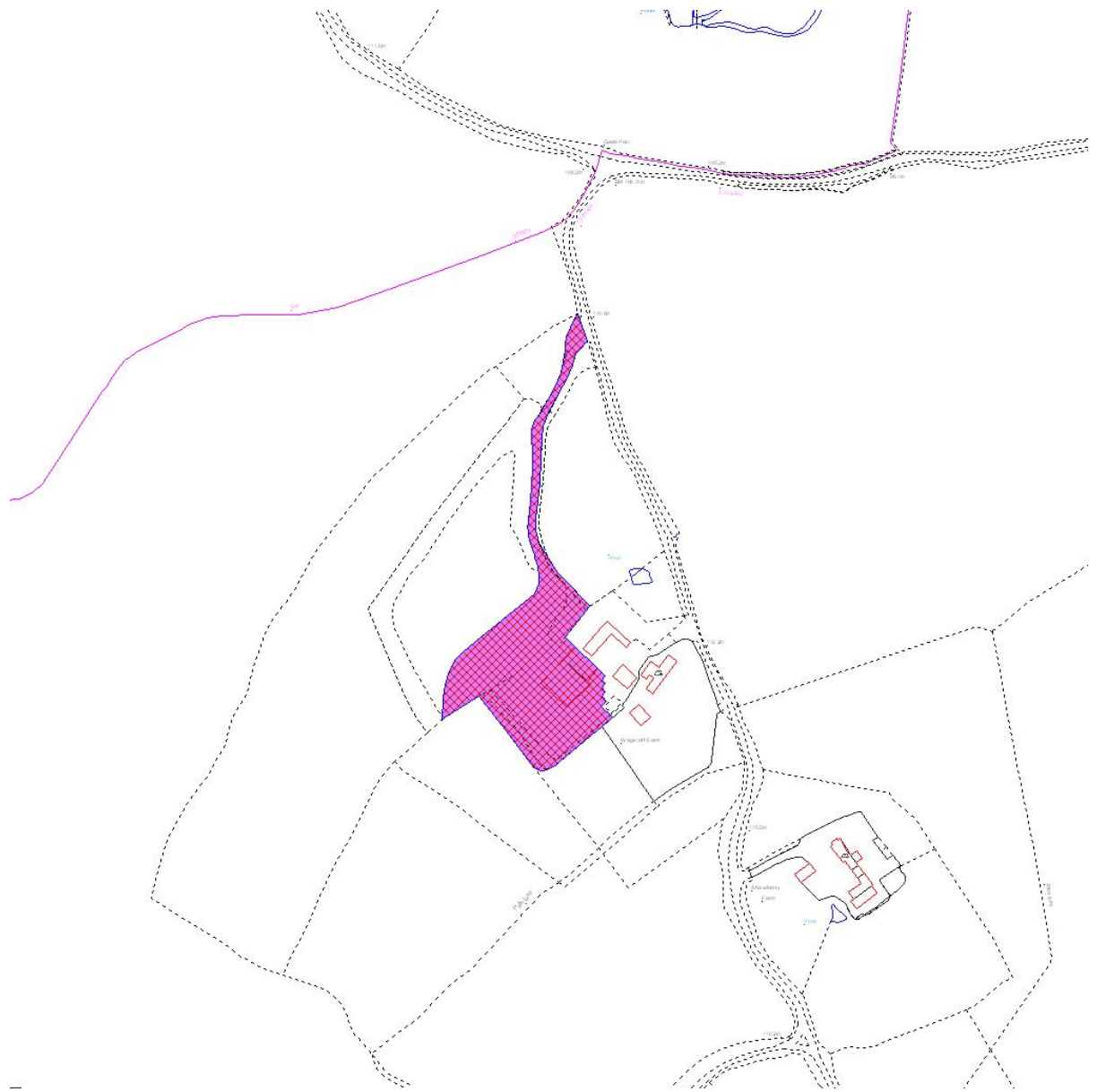
Planning Application No: PAP/2009/0592

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Applicants Agent	Planning Application Forms and Plans	23/6/10
2	Case Officer	Letter	24/6/10
3	Case Officer	E-mail	25/6/10
4	Applicants Agent	E-mail	25/6/10
5	Council Valuer	Consultation	9/7/10
6	Case Officer	E-mail	12/7/10
7	D Fisher	Support	13/7/10
8	R Barber	Support	13/7/10
9	D Thomas	Support	13/7/10
10	Mr & Mrs Griffiths	Support	13/7/10
11	J Nightingale	Support	12/7/10
12	A Knibbs	Support	12/7/10
13	M Sansom	Support	14/7/10
14	Warwickshire Wildlife Trust	Consultation	15/7/10
15	B Newman	Objection	15/7/10
16	Fire Services Authority	Consultation	19/7/10
17	Severn Trent Water	Consultation	15/7/10
18	Fillongley Parish Council	Objection	16/7/10
19	Environmental Health Officer	Consultation	26/7/10
20	CPRE	Objection	23/7/10
21	Coleshill Civic Society	Representation	12/8/10
22	Warwickshire County Council	Consultation	28/6/10
23	S Davis	Objection	3/8/10
24	Warwickshire Wildlife Trust	Consultation	20/8/10
25	Case Officer	E-mails	12/7/10
26	Council Valuer	Consultation	27/8/10
27	Applicants Agent	Letter	24/8/10
28	Applicants Agent	E-mails	18/8/10

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/2009/0592

Wagstaff Farm, Shawbury Lane, Shustoke

**Change of use from haulage yard to residential development, erection of 14 private dwellings and ancillary works,
For Wagstaff Developments Ltd**

Introduction

This report records receipt of this application as it is proposed to refer it to the Board for determination given that it involves a major development in the Green Belt. The development proposal will be described together with an outline of the Development Plan policies applicable in its determination. The major issues will also be identified. It is anticipated that a determination report will be brought to the August Board, depending on consultation responses.

The development proposal is for inappropriate development in the Green Belt. If the Council is minded to support the proposal, then, because of the floor area involved, the application will have to be referred to the Secretary of State under the 2009 Direction to see if he wishes to call-in the proposal for his own determination. The Council can refuse planning permission without referral.

The Site

The development site comprises 0.67 hectares of land close to the hamlet of Shawbury about 1.5 kilometres south east from the junction of Shawbury Lane with the B4114 at Church End. This is part of a larger holding of several hectares. This consists of a house, its garden, a number of outbuildings and former agricultural buildings together with agricultural land and land used for commercial purposes. There is a separate access to the house and one to the land. The whole site is set in open countryside with scattered houses and farmsteads as neighbouring property. Road access to the site is via narrow single carriageway lanes set between high banks with poor visibility and many bends. There is significant hedgerow and tree cover around the boundaries of the site. These features are illustrated on the plan at Appendix A.

Background

The site used to be a working farm, but land has been sold. In planning terms, there are a number of lawful uses at the site. These comprise:

- i) the residential house and its curtilage;
- ii) agricultural use of land,
- iii) a B2 General Industrial use for some of the former agricultural buildings by virtue of the grant of planning permission in 1994, and
- iv) a lawful use of land for haulage, vehicle repair and plant hire, together with ancillary office and storage space by virtue of the grant of a Certificate of Lawfulness in 2006. Together the business/commercial uses described in

(iii) and (iv) amount to around 760 square metres of floor area as measured by their footprint.

The site has been the subject of planning enforcement action, and there is an extant Enforcement Notice, upheld at appeal, requiring the cessation of the use of the land the subject of the Notice, for the haulage and storage of primary and secondary aggregates; building materials, plant hire and as a training facility together with the removal of associated structures and the reinstatement of the land. The compliance period for these requirements expired on 22 December 2009.

The unauthorised uses described above continue on the site. Action to prosecute the failure to comply with the Notice requirements is currently not being pursued because the owner confirmed that he would be seeking compliance through the submission of a planning application that sought extinguishment of the other lawful commercial uses at the site, at the same time as undertaking the Notice requirements. That application is now submitted.

Members may better know the site as the base for Wagstaff Developments Ltd, which has operated from here for some time now. The Company is presently involved in the uses covered by the Enforcement Notice and the Certificate Use as described above. The haulage business is mainly involved with heavy landscape works, for instance the construction of lakes and pools, and general earth moving and landscaping associated with larger civil engineering projects, and the site is used as the base or depot for this work. Much of the heavy plant remains away from this site at the various construction sites, but the site is used for the overnight parking of HGV's and all repair and maintenance work is undertaken here. The site is also used as the general storage area for sand, gravel, planings, stone and bricks. Twenty staff are currently employed at the site, and these travel daily to the various construction sites. Survey work concludes that around 30 HGV movements in and out a day is common place. The morning peak is between 0500 and 0700 hours and the afternoon peak is between 1545 and 1730.

The application site for the residential redevelopment proposals matches that of the land covered by the 2006 Certificate, and this also includes the site of the 1994 permission. These lawful uses would be extinguished if the application is approved and then implemented. The land covered by the extant Enforcement Notice covers a wider area. However the repair, maintenance and office uses, together with the diesel and oil tanks would be removed through implementation of any planning permission. The remaining land is used for the open storage of aggregates and materials and as a parking area. This is required to be removed and re-instated through the terms of the Enforcement Notice. This land is also in the ownership of the applicant. These areas are shown on Appendix B.

The Proposal

In essence this involves the redevelopment of the site. This would involve the demolition of all buildings and structures included in the 1994 permission and the 2006 Certificate, together with the cessation of the uses and activities covered by the Certificate, and their replacement with fourteen new houses.

The proposed residential development would be on the site of the 1994 and 2006 Notices close to the existing and remaining outbuildings and house. All access would be via the existing "business" access to the site, but with an improved entrance. This would lead to the grouping of new houses which has been designed so as to

replicate a farmhouse and ancillary agricultural buildings. Separate car/garage “barns” would be provided.

These proposed houses would include 5 three bedroom and 9 four bedroom properties, together with car port/barns for the garaging. In total this amounts to a footprint of 1100 square metres – 40% increase over that of the lawful uses as described above. The density proposed, in round terms would be 20 units per hectare No affordable units are provided. A financial appraisal has been submitted by the applicant that sets out his evidence and thus his argument for proposing the quantum of development, and for the case for not including any affordable units.

The development would include its own private foul water treatment works, and air heating and water heating is to be provided by a ground source heat pump.

The application is supported by a Design and Access Statement; a Planning Statement, a Transport Analysis, an Initial Ground Condition Survey, a Financial Appraisal and a Valuation Report.

The proposed layout and design of the houses is shown at Appendices C and D.

Development Plan

Saved Policies of the North Warwickshire Local Plan 2006 – Core Policy 2 (Development Distribution); Core Policy (Affordable Housing), Core Policy 11 (Quality of Development), and Policies ENV2 (Green Belt), ENV6 (Land Resources), ENV7 (Development of Existing Employment Land), ENV10 (Energy Generation and Conservation), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG2 (Affordable Housing), HSG3 (Housing Outside Development Boundaries), HSG4 (Densities), TPT 6 (Car Parking)

Other Material Planning Considerations

Government Planning Policy Statements – PPS1 (Delivering Sustainable Development), PPS3 (Housing), PPS4 (Planning for Sustainable Growth), PPS7 (Sustainable Development in Rural Areas)

Government Planning Policy Guidance – PPG2 (Green Belts), PPG13 (Transport)

Observations

This development proposal is inappropriate development in the Green Belt, being for new residential development. As such there is a presumption that planning permission is refused. The applicant is arguing that there are other material planning considerations here of such weight, that they amount to the very special circumstances needed to override this presumption. The issue for the Board is whether it agrees with that this is the case. In essence the applicant is saying that the main consideration is that the development proposed would replace the lawful uses at the site, thus resulting in an overall environmental and highway benefit, which would not accrue if these lawful uses are allowed to continue. In other words, the benefits and dis-benefits of the proposed outcome are overall, significantly “better”, than those of continuing with the existing uses.

The Board will need to identify the benefits and dis-benefits of the existing uses, and balance those against those arising from the proposal. It will have to conclude

whether these are marginal or material. If the former, then there might not be the weight needed to advance a “very special circumstance” case. In undertaking this assessment, it will have to conclude on whether the scale of the proposal is justified, and whether that weight is weakened in that the proposal fails to meet the Council’s objectives on providing new housing in the Borough’s main settlements, and on affordable housing provision.

The Board will also have to conclude on a number of other considerations that will then be put into the final balance on the determination – these will include the impact of the proposal on the openness of the Green Belt hereabouts; whether there are adverse highway, drainage or nature conservation impacts, the quality of the design and whether it is in-keeping.

Recommendation

That the Board takes the opportunity to visit this site in view of the issues involved in the determination of this application as described in this report.

BACKGROUND PAPERS

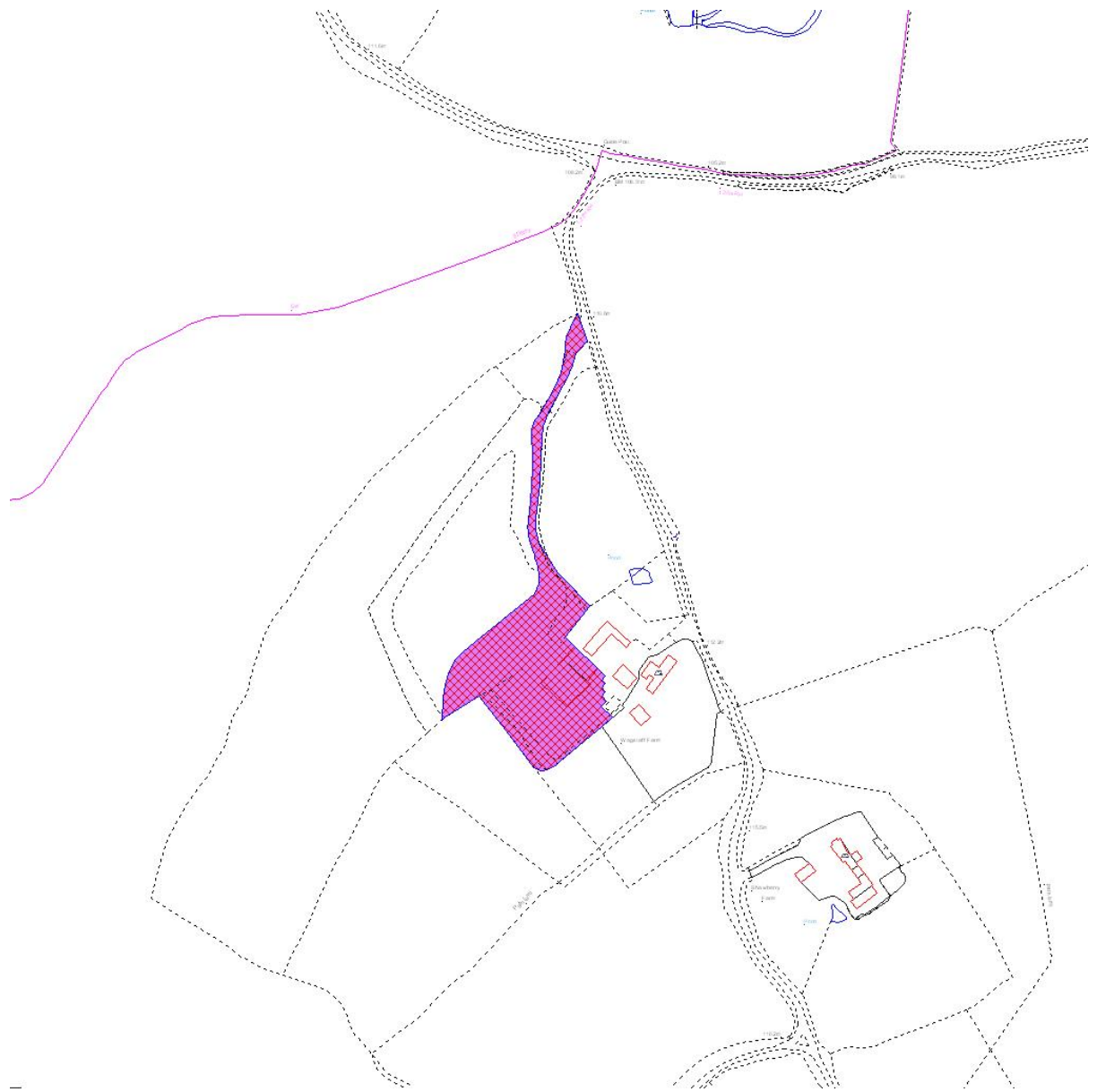
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2009/0592

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Applicants Agent	Planning Application Forms and Plans	23/6/10
2	Head of Development Control	Letter	24/6/10
3			

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.





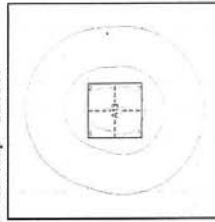
**10k Raster Mapping
Published 2009
Source map scale - 1:10,000**

This map was derived from Ordnance Survey's 1:10,000 raster map data. The data is a high resolution digital map which replaced the old 1:10,000 maps originally published in 1970. The data is high resolution showing buildings, lines and land boundaries as well as all relevant road number and classification. Boundary information (parish, district, county, unitary authority, district, civil parish and constituency).

Map Name(s) and Date(s)

SP29SW	SP29SE
1:10,000	1:10,000
SP28NW	SP28NE
1:10,000	1:10,000

Historical Map - Slice A



Order Details

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 Suborder Ref: 1456361
 National Grid Reference: 4263530, 2865580
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 Search Buffer (m): 0.56
 Search Buffer (m): 1000

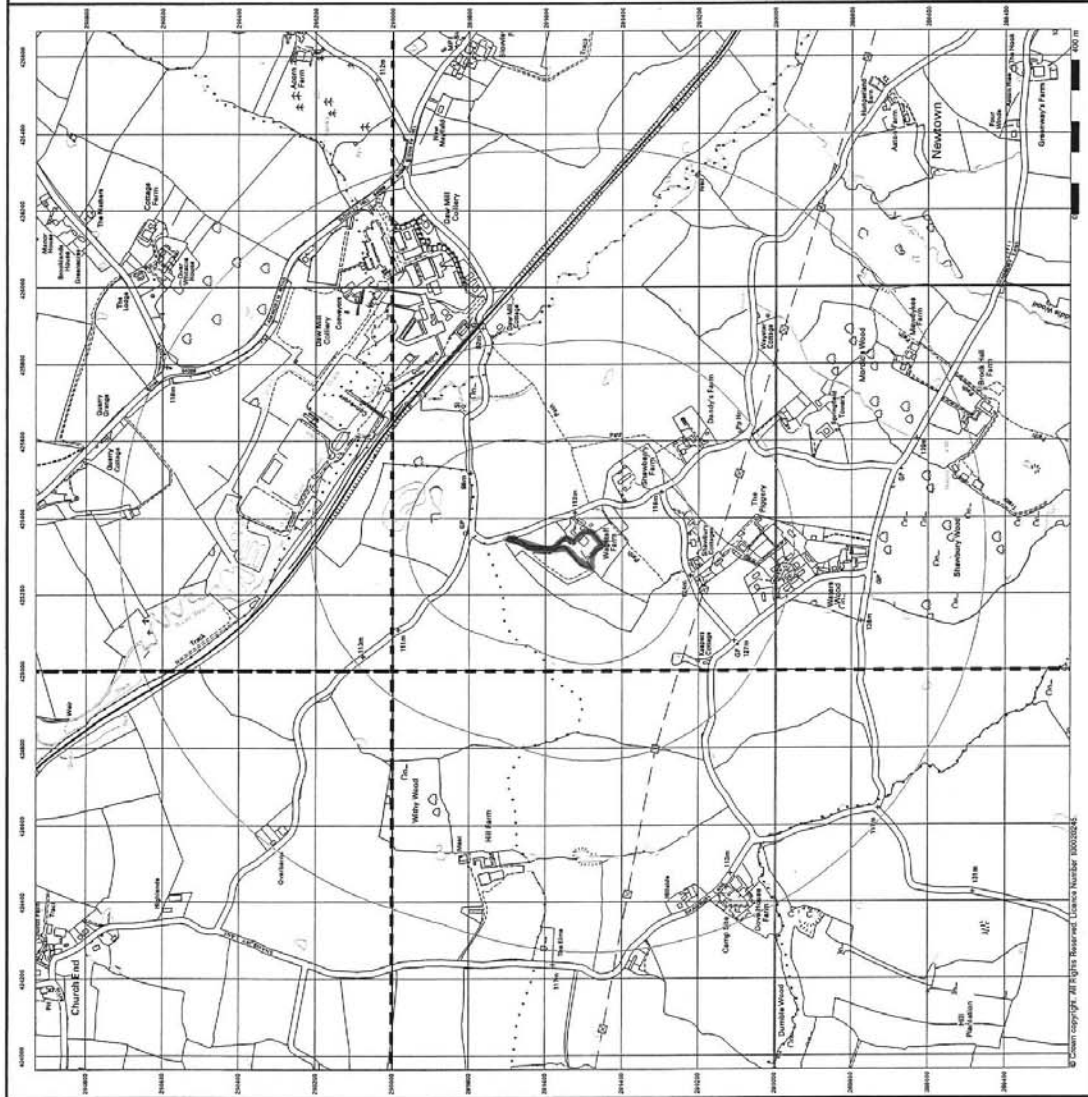
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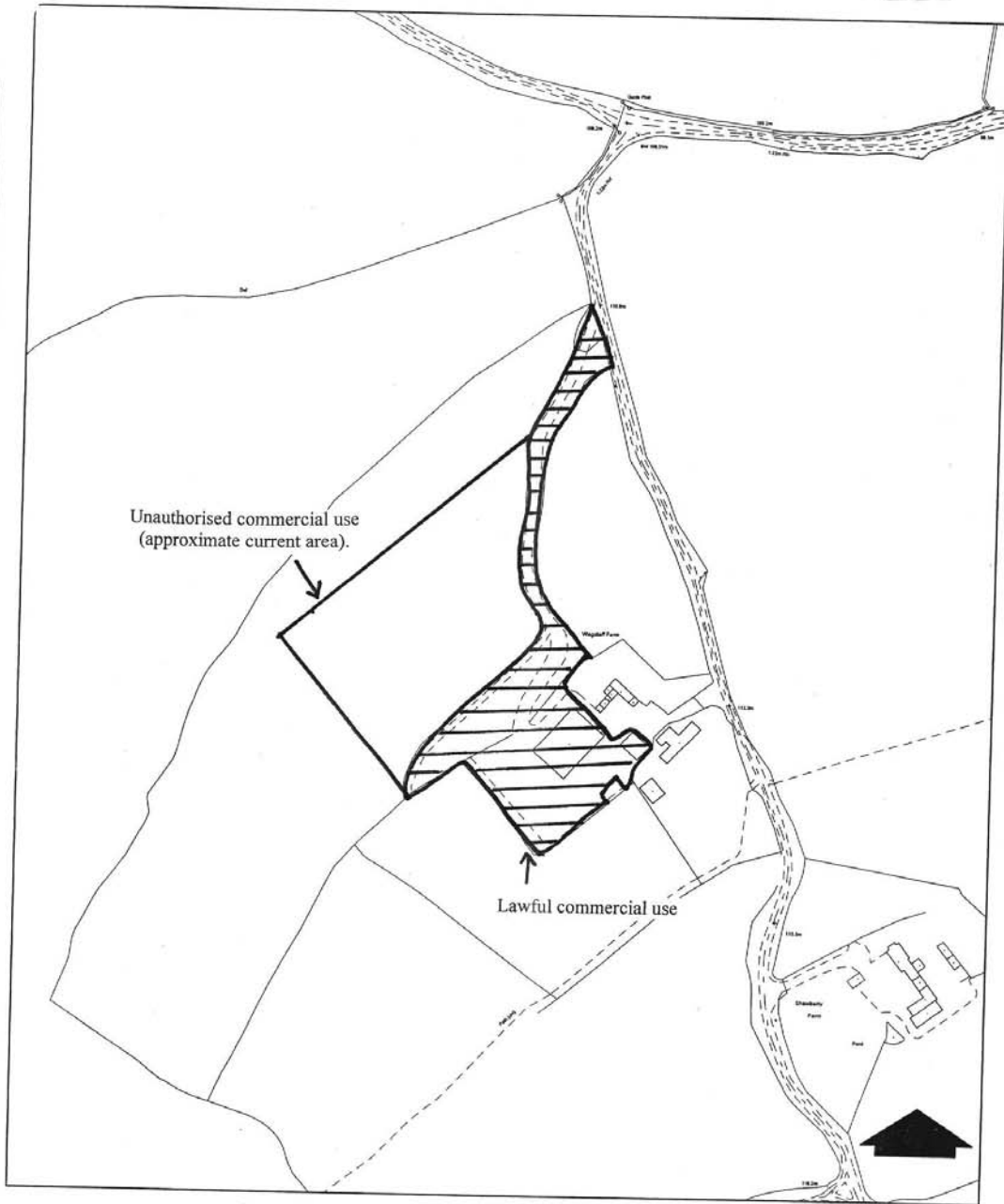
Vagsstaff Farm, Coleshill, Birmingham, B46 2SG



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 Fax: 0844 844 853
 Web: www.landmark.co.uk

A Landmark Information Group Service v46.0 21-Dec-2009 Page 17 of 17



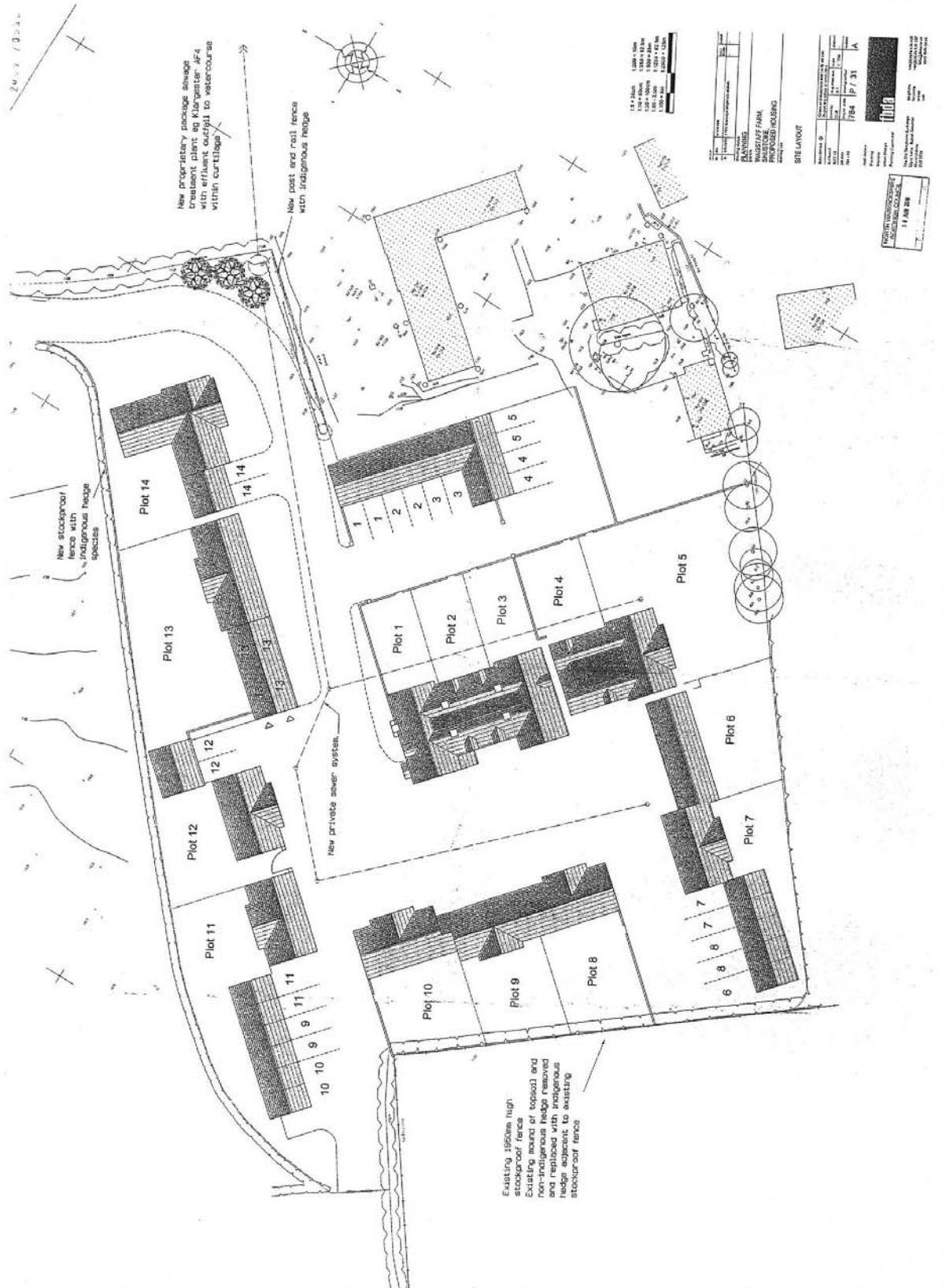


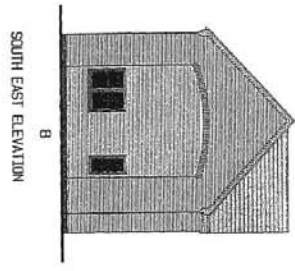
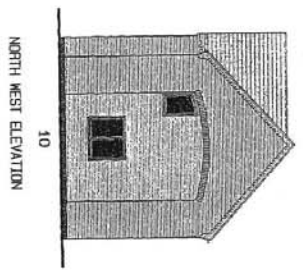
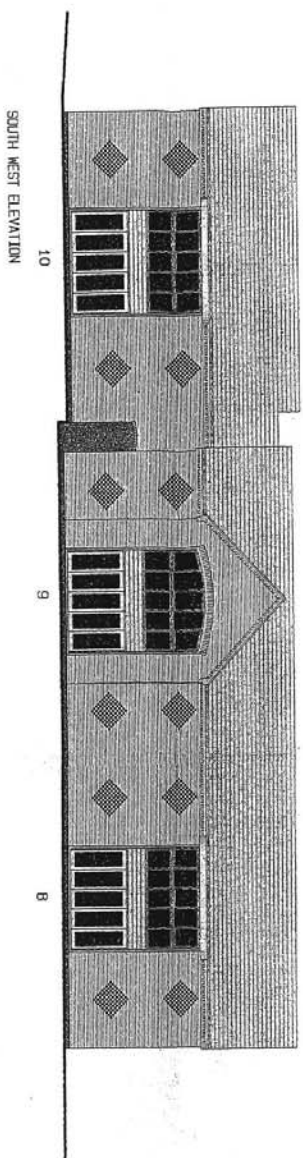
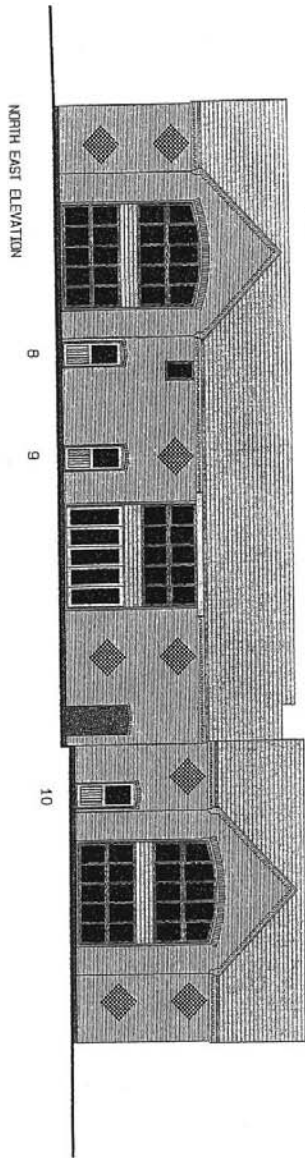
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17/01/2007



North Warwickshire
Borough Council

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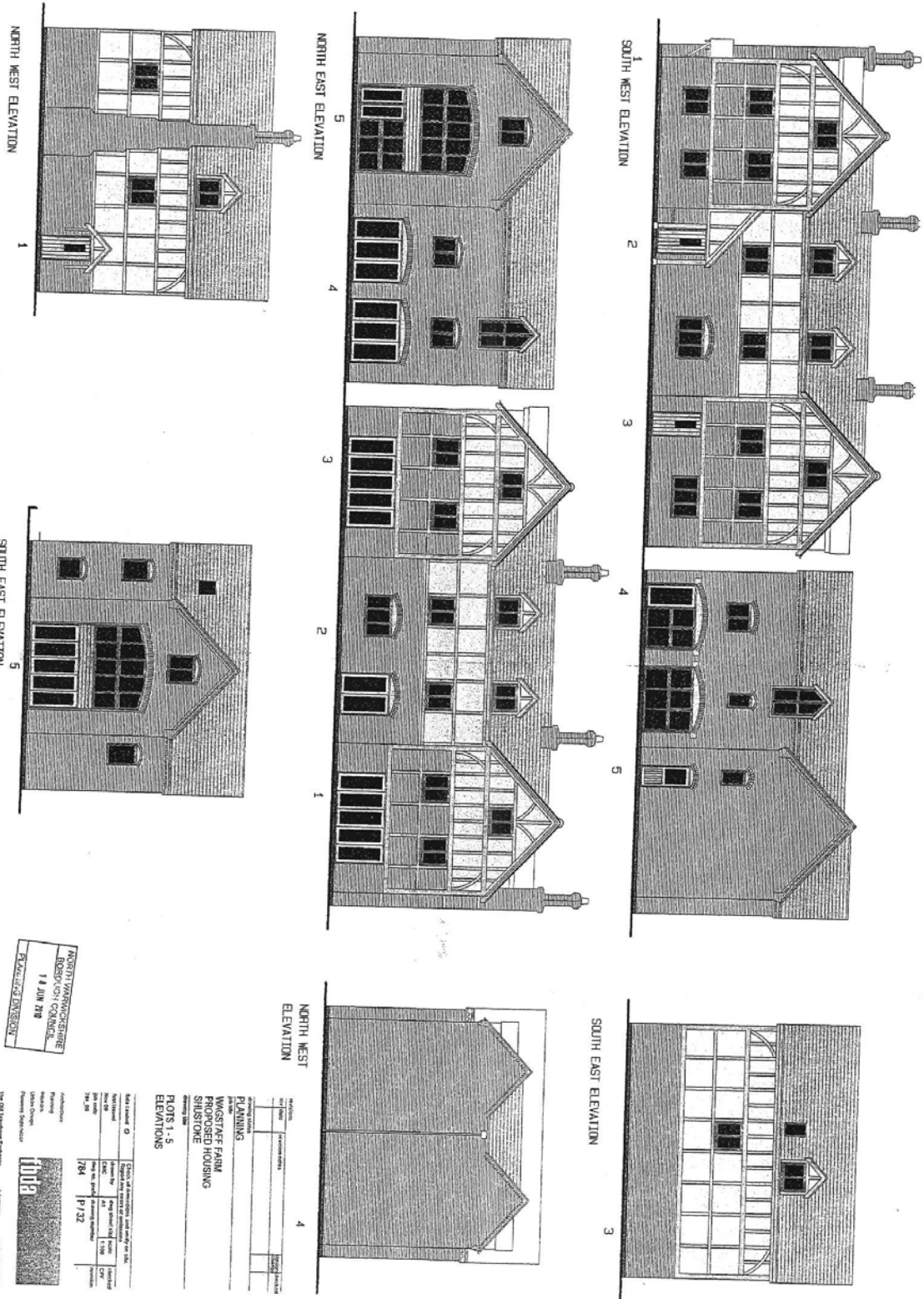
2009 / 0592

NORTH HAMPSHIRE
APPROVAL COUNCIL
11 JUN 2009
PLANNING DIVISION

PLANNING
WAGSTAFF FARM
PROPOSED HOUSING
PLANS
PLOTS 8-10
ELEVATIONS

Plot No.	10
Plot Area	1.13
Plot No.	9
Plot Area	1.13
Plot No.	8
Plot Area	1.13

The Old Forge, Eastbourne
 East Sussex, TN20 7JN
 Tel: 01323 810000
 Fax: 01323 810001
 Email: info@totalplanning.co.uk
 Website: www.totalplanning.co.uk



ROSLIN TOWN COUNCIL
 11 JUN 2010
 FRANCIS DENSON

WAGSTAFF FARM
 PROPOSED HOUSING
 SHUSTOKE

PLOTS 1-5
 ELEVATIONS

Scale: 1:100

184 P/32

148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200

(3) Application Nos PAP/2010/0387 and 2010/0388

Land Adjacent to and including 12 Meadow Street, Atherstone

Planning Application and Conservation Area Consent for the demolition of number 12 Meadow Street, and the change of use of a former Council depot so as to provide six flats for rent as supported housing and associated works, for the

Bromford Group

Introduction

The applications are referred to the Board as the Council is the land owner.

The Site

This is a rectangular parcel of land on the south side of Meadow Street extending back to the main West Coast Railway line. It is some 300 metres from the town centre, and comprises a vacant end of terrace residential property (number 12), together with a Council depot yard containing a few containers. Access is directly off Meadow Street and there are residential back gardens adjoining either side. It is within a wholly residential area, and there is a public open space on the opposite side of the road. The site is shown at Appendix A.

It is wholly within the Atherstone Conservation Area.

The Proposal

It is proposed to demolish number 12, and then to construct a terraced building across the frontage to comprise six two bed roomed flats. These would be available as "supported housing" for rent with on-site communal facilities and managed by the Bromford Group, one of the Council's preferred Registered Social Landlord partners. The development provides a two storey brick and tile development reflecting the terraced design in the locality. Four flats would be provided on two floors with a fifth within the combined roof space. A single storey "wing" extends to the rear in order to provide the communal accommodation and the sixth of the residential units. The building would adjoin number 13 Meadow Street, but retain a small gap with number 11 so as to provide rear pedestrian access. On street car parking would provide three spaces. Street scenes and site layout are provided at Appendices B and C.

Number 12 Meadow Street is currently used by the Council as a hostel, but it not compliant with access for the disabled, and it needs further refurbishment so as to improve the whole premises. The opportunity was therefore considered to combine the need for this with a wider provision. The proposal is for six self contained flats as part of a supported housing project for young families. This arises from a need identified by the Council for this type of supported affordable housing. That need has remained unmet since 2007. Whilst some of this is addressed through family and short term support, the longer term and underlying need for support remains. The Housing Division has been working with its partner Registered Social Landlords to accommodate a project of the nature now being proposed. The Bromford Group

specialise in this kind of accommodation. The proposal has the backing of the Council's Resources Board.

The application is accompanied by a number of supporting documents. These are a:

- Design and Access Statement which includes a Conservation Area Appraisal looking in particular at the loss of number 12 Meadow Street.
- A Site Investigation Report looking into potential ground contamination given the existing use and that the site used to house industrial premises.
- A Habitat Survey that particularly looks at the presence of bats on the site, and a
- Noise Survey given that the site adjoins the West Coast Main Line.

Development Plan

Saved Policies of the North Warwickshire Local Plan 2006 – ENV6 (Land Resources); ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), ENV15 (Conservation Areas), Core Policy 2 (Development Distribution), HSG2 (Affordable Housing), TPT6 (Vehicle Parking)

Other Material Planning Considerations

Government Policy - PPS3 (Housing); PPS5 (Planning for the Historic Environment), PPG13 (Transport), and PPG24 (Planning and Noise)

North Warwickshire Borough Council – Draft Atherstone Conservation Area Appraisal (2006)

Consultations

Severn Trent Water Ltd – No objection but draws attention to a nearby public sewer within the highway

Warwickshire County Council as Highway Authority – No objection subject to standard conditions

Warwickshire Wildlife Trust – The survey concludes that there are no bat roosts on the site, and the Trust therefore advises that the buildings be sealed immediately, otherwise a further survey will be required prior to demolition.

Environmental Health Officer – There are no issues with regard to land contamination and no remedial measures are required, but a watching brief is suggested as work commences. Whilst the site would have exposure to noise, this can be overcome through various design measures in the new buildings. These are shown on the plans, and thus they should be conditioned for them fully to be installed prior to occupation.

Conservation and Heritage Officer – The building forms part of a terrace which makes a positive contribution to the Conservation Area. The heritage significance of number 12 resides in it being a building which typifies and characterises this part of the Conservation Area, that is – private sector artisan housing built during the late 19th and early 20th Centuries. As such there is a presumption on favour of its conservation. Its loss would entail a degree of harm, albeit rather small, given the

size of the building in relation to the terrace as a whole; the number of terrace properties within the area, and the modest nature of its architecture. Its loss does nevertheless require some justification. From the applicant's statement it seems clear that for funding reasons its demolition is required otherwise the whole scheme would not proceed. Also, the infilling of the gap in the street scene with a sympathetic terrace is a positive which should be weighed in its favour. In these circumstances it appears that the public benefits arising from the scheme outweigh the limited harm caused by the conservation loss, and thus there is no objection. On the whole, the proposed replacement is satisfactory subject to details. It should fit in with the established street scene and surrounding character. The roof lights are unfortunate, but provided they are of the conservation type and flush fitting, there is no objection. All windows should be of timber construction and plain clay tiles are required.

Warwickshire Police (Crime Prevention Design) – No objections

Representations

Atherstone Civic Society – It objects to the proposal considering it too intensive. It involves the demolition of an attractive early 20th Century building. The proposed replacement is a poor pastiche with greater mass and inappropriate modern materials –e.g. plastic windows, and roof lights. Car parking is inadequate and this proposal will make matters worse.

Three representations have been received from local residents. One is an objection, whilst the other two do not object in principle to the redevelopment of the Council depot with a residential development, but ask why this should involve demolition within the Conservation Area, and raise a number of other matters. All three letters raise common issues. The first is that they all see the demolition of number 12 as an adverse step as the general approach set out in planning policy is not to approve demolitions, particularly if the building makes a positive contribution to the Conservation Area. There are issues about the design of the replacement being bulky and over bearing and thus adverse to the area; the loss of an open gap that adds a feeling of openness in the area, details such as the inclusion of roof lights, noise and disturbance from the occupiers, and that proposals are needed for the elderly not younger people. A common theme through all three letters is the potential parking problem. All say that the existing street is already overcrowded particularly in the evenings and one quotes the Council's parking requirements which it says are not met here. A further comment says that the only reason the application is submitted is because of a financial agreement reached by the Council with the applicant, and this would not provide value for money to Atherstone residents. The letters also say that the single storey "wing" is not appropriate in the Conservation Area and that residents will suffer noise and vibration from the passing trains.

Observations

There is no objection in principle to the redevelopment of the depot yard for residential development as it would remove a use of land that is not in keeping with this residential area; infill a prominent, ugly and artificial gap within the street scene which does not enhance the appearance of the Conservation Area, and enable a potentially contaminated site to be cleared. Moreover it is entirely reasonable and appropriate that this site should provide 100% affordable housing, being located within one of the main towns in the Borough and close to the services and facilities of the town centre. For all of these reasons the proposals can be supported in principle.

However, notwithstanding this conclusion, there are a number of issues to consider in the assessment of whether this particular proposal can be said to achieve the benefits set out above.

The first of these, and the most substantial, is the demolition of number 12 Meadow Street. National and Local planning policy does not support demolitions within a Conservation Area, and any proposal has therefore to be justified as an exception to this general approach. This particular house is one of several similar terraced properties in Meadow Street that is typical of their age. They display simple and plain features. Their value in Conservation Area terms, as pointed out by the Conservation Officer, rests in their group value as a terrace form with buildings of similar appearance, rather than them having any individual distinguishing architectural merits, apart from slightly different treatments such as window heads, eaves and door treatments. The significance of the area in conservation area terms is thus the architectural consistency and general uniformity of a style and type of house set out in rows of terraces along a grid road pattern, the appearance and character of which is typical of the era. The loss of any one building is thus noticeable immediately, because of the gap that is left, interrupting the general rhythm of the street scene. As a consequence, the significance of the loss of number 12 is not the loss of the individual unit as such, but the fact that it would widen an existing and wholly unattractive gap. That would be unsupportable. However in this case, a replacement is being proposed, and that replacement includes the infilling of the wider gap in the terrace. The issue therefore becomes whether that replacement as a whole is beneficial, outweighing the loss of the individual dwelling. In this case, it is considered that it is does. The Conservation Officer agrees.

The proposed replacement building is of a scale, height and proportion that sits comfortably with its neighbours, and it displays the very simple treatments characterised by those neighbouring properties. The Conservation Officer considers that the street side approach is acceptable, and preserves the general character and appearance of the Conservation Area.

The rear single storey “wing” is unusual and not characteristic of the Conservation Area. Whilst terraced properties here do have rear extensions, they are usually two storey in nature and they then would be expected to reduce in height as the range extended further to the rear. This is not the case here. A significant mitigating factor here is what could be constructed in the rear gardens of these houses using permitted development rights, because up to half of the rear garden could be covered in a variety of flat and pitched roofed buildings in these circumstances.

It is acknowledged that the front elevation contains two roof lights. Whilst there is a small dormer on a property a little further along Meadow Street, these would be first roof lights along this frontage. Their limited introduction on the application site is not considered to be fatal to the scheme, provided that they are of the “conservation” type, that is to say, not standing proud of the roof slope.

The applicant has agreed to the inclusion of timber joinery for the windows in the front street elevation. The Conservation Officer accepts this position.

The proposal contains no on-site car parking provision. If this was to be provided, the terrace would have to retain a gap sufficient to accommodate a vehicular access with the appropriate driver vision splays, given that adjoining property would be at the back of the pavement. Moreover practically the whole of the rear garden would then need to be put over to car parking and turning space. No other property here has

rear vehicular access. The Local Plan requires a maximum number of spaces for new developments, and not minimum numbers so as to reflect Government policy. This development meets that requirement. Members are aware of the content of this policy and its reference to the developer's assessment of parking provision taking preference over that of a Local Planning Authority. It is considered that there are other mitigating factors here. The location is close to the town centre and to public transport links. The Council has approved many properties in such locations without onsite provision, in line with national and local policy. Moreover in this case, housing officers and the Registered Social Landlord, from their own experience, do not expect 100% car ownership from tenants renting these properties. In all of these circumstances provision is considered to be appropriate, and any refusal on these grounds would be unlikely to be upheld if appealed.

As Members are aware, the representation made suggesting that the development represents, "poor value for money" is not relevant. The Board has to determine this application solely on its planning merits. In this respect it is worth noting however, that the proposal itself does include a number of individual matters, as recognised above, that Members may not feel entirely comfortable with. It is important however to look at the proposal as a whole and to assess whether the benefits outweigh the dis-benefits. On the positive side, the proposal provides accommodation that is particularly needed in the town and has to date not been delivered. It also provides a solution to the removal of an unattractive site within the town's Conservation Area, which currently detracts from its character and appearance. Finally it proposes a replacement building whose street elevation is in keeping with the scale, appearance and design of the surrounding area. On the dis-benefit side, then an existing building is to be demolished; the design of the replacement building contains some elements which are not overall in keeping with the Conservation Area, it might add to on-street car parking congestion, and it is sited close to busy main railway line. On balance however, it is considered that in all of these circumstances the proposal can be supported because there is an overall improvement to the character and appearance of the Conservation Area.

Recommendations

A) PA2010/0387

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

- i) Standard Three year condition
- ii) Standard Plan numbers condition – plan number 22224/01 received on 26/7/10; plan numbers 22224/03B and 04G received on 6/8/10 and plan number 22224/05C received on 10/8/10.
- iii) No development shall commence on site until such time as full details of the facing materials to be used have first been submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall then be used on the site.

Reason: In the interests of the visual amenity of the area, given the site's location in a Conservation Area.

- iv) No development shall commence on site until full details of the following have first been submitted to and approved in writing by the Local Planning Authority:
- a) External joinery details with elevations at 1:20 and sections at 1:2 scale
 - b) Window head and cill detail
 - c) Brick bond and mortar colour
 - d) Eaves verge and roof ridge details
 - e) Roof light details
 - f) All Vents and flues to the front elevation
- Only the approved details shall then be installed on site

Reason: In the interests of the visual amenity of the area, given the sites location in a Conservation Area.

- v) All windows on the front elevation shall be constructed in timber and be finished in a white paint and shall not be stained.

Reason: In the interests of the visual amenity of the area, given the site's location within a Conservation Area.

- vi) No work shall commence on 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: the proposed means of mechanical ventilation, acoustic glazing, external wall insulation and acoustic fencing. Only the approved details shall then be installed.

Reason: In the interests of reducing the potential for noise pollution.

- vii) Seven days notice shall be given to the Local Planning Authority prior to work commencing on site that will involve the removal of the concrete slab. If contamination is found at this time, measures for its remediation shall be agreed in writing by the Local Planning Authority, and those measures undertaken prior to construction work commencing on site.

Reason: In order to reduce the potential of pollution

- viii) Notwithstanding the requirements of the Town and Country Planning (General Permitted Development Order) 1995, as amended, or as it may be subsequently amended in the future, there shall be no development, defined under Part 1 of Schedule 2 to that Order, undertaken on site unless the details have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented.

Reason: In view of the site being located within a Conservation Area

- ix) For the avoidance of doubt the development hereby approved shall only be occupied and managed by a Registered Social Landlord in association with the Council acting as Housing Authority.

Reason: In acknowledgement of the particular circumstances of the proposals, given the identified need that the development is to cater for.

- x) The development hereby approved shall not be occupied for residential purposes until such time as all parts of the existing access within the public highway not included in any permitted means of access have been closed and the kerb and highway reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety

- xi) There shall be no works to the highway that reduce the effective capacity of any drain within the limits of the highway.

Reason: In the interests of highway safety

Note:

Works in accordance with conditions (x) and (xi) will involve works within the highway. Before commencing such works, the applicant/developer must enter into a Highway Works Agreement with the Warwickshire County Council under Section 184 of the Highway Act 1980. At least 12 weeks should be allowed for completion of the Agreement. In accordance with the Traffic Management Act 2004, all works within the highway must accord with the New Roads and Street Works Act 1991 and the relevant Codes of Practice. Application should be made to the County Council and for works lasting less than ten days, ten days notice will be required, and for works lasting longer, three months notice will be required.

Severn Trent Water advises that there is a public sewer close to the application site boundary. This is protected under the Water Industry Act 1991 as amended by the Water Act 2003. Contact should be made directly with Severn Trent Water Ltd prior to any work commencing on site.

Policies:

As set out above

Justification:

The site is in the Conservation Area. It is considered that on balance the benefits arising from the scheme outweigh the dis-benefits. The benefits are that a particular long standing and unmet housing need is to be catered for; an inappropriate, non – conforming yet lawful commercial use of land in a residential area is to be removed, an inappropriate gap within a terraced frontage is to be in-filled and the design of the development is of a scale, design and appearance that is in keeping with the character and appearance of the Conservation Area. The disadvantages of the scheme are that the development involves the demolition of an existing building; that the appearance of the development includes minor attributes that might not wholly be appropriate within the Conservation Area, the site is close to a busy railway line and there could be increased on street car parking pressures. In overall terms it is considered that the wider public interest is best served through an approval, rather than to leave the present unacceptable situation to continue.

B) PA 2010/0388

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

- i) Standard Three year condition

- ii) As per (iii) above
- iii) As per (iv) above
- iv) As per (v) above

Policies:

As set out above

Justification:

It is considered that the house to be demolished gains its conservation significance from being one of a frontage terrace. It is thus its group value that is significant rather than any particular individual historic or architectural attribute or merit. It is considered that the replacement development is of a scale, design and appearance that matches the character and appearance of the whole terrace here. Additionally it provides an opportunity to in-fill a wider, significant and inappropriate existing gap in the frontage. As a consequence the wider significance of enabling the improvement of the Conservation Area outweighs the demolition of the single house.

BACKGROUND PAPERS

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

Planning Application No: PAP/2010/0387 and 2010/0388

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Applicants Agent	Planning Application Forms and Plans	26/7/10
2	Warwickshire Wildlife Trust	Consultation	4/8/10
3	Conservation and Heritage Officer	Consultation	6/8/10
4	Case Officer	E-mail	9/8/10
5	Applicant	E-mail	9/8/10
6	Case Officer	E-mail	11/8/10
7	Warwickshire County Council	Consultation	16/8/10
8	Severn Trent Water Ltd	Consultation	13/8/10
9	Mrs Smith	Objection	21/8/10
10	Warwickshire Police	Consultation	19/8/10
11	Applicant	Letter	9/8/10
12	Applicant	Letter	5/8/10
13	Case Officer	E-mail	18/8/10
14	Environmental Health Officer	Consultation	27/8/10
15	Conservation and Heritage Officer	Consultation	23/8/10
16	Applicant	E-mail	26/8/10
17	Atherstone Town Council	Objection	17/8/10
18	Atherstone Civic Society	Objection	23/8/10
19	P McIlroy and J Harris	Representation	17/8/10
20	P Shilton	Representation	5/8/10
21			

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.

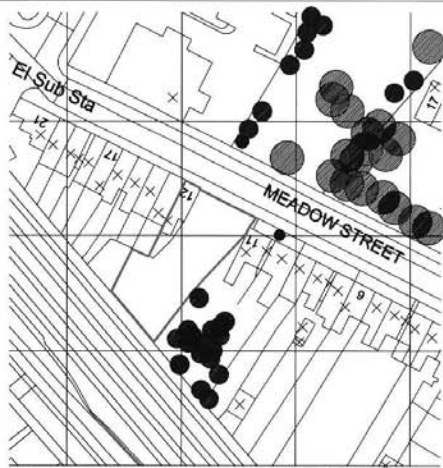
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

ATHERS



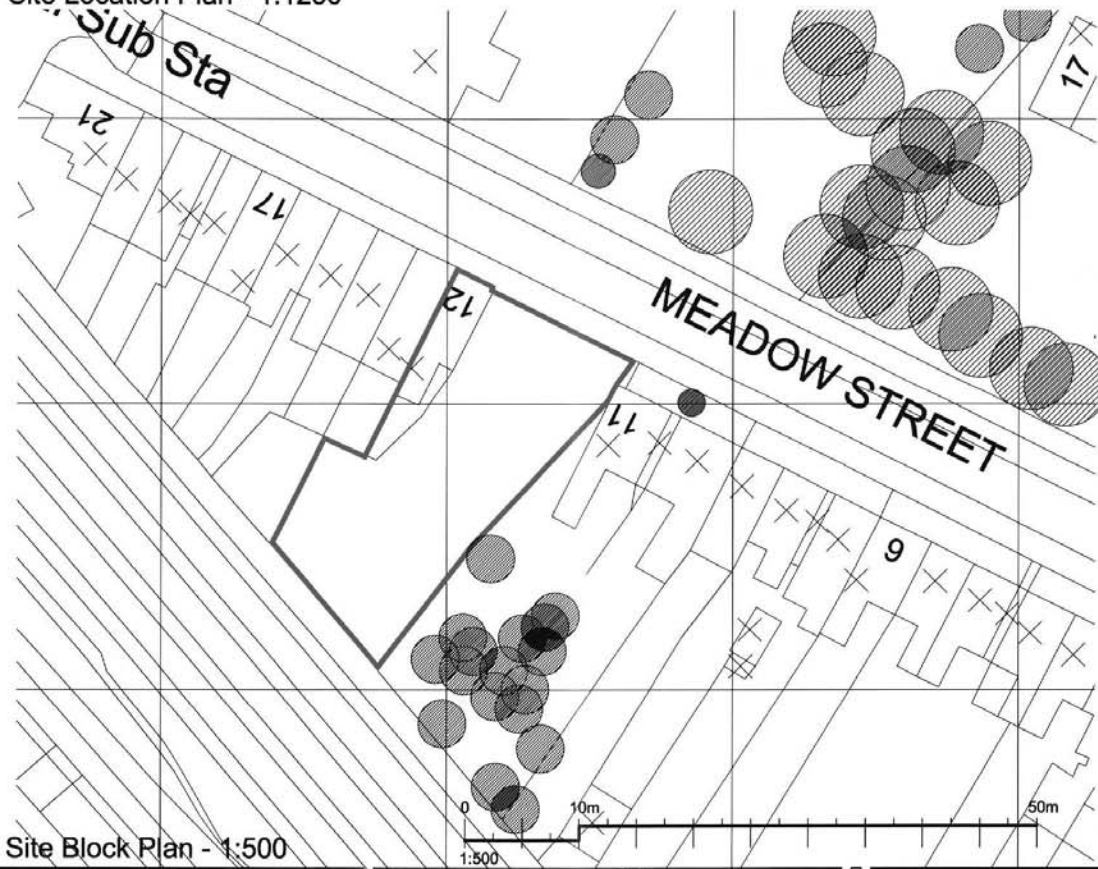
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All dimensions and levels to be checked on site by contractor prior to preparation of shop drawings and commencement of work on site.
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This drawing is to be read in conjunction with all relevant consultant's and/or specialist's drawings/documents and any discrepancies or variations are to be notified to Baily Garner before the affected work commences.



NORTH WARWICKSHIRE
BOURNHAMPTON COUNCIL
26 JUL 2010
PLANNING DIVISION

Site Location Plan - 1:1250



Site Block Plan - 1:500

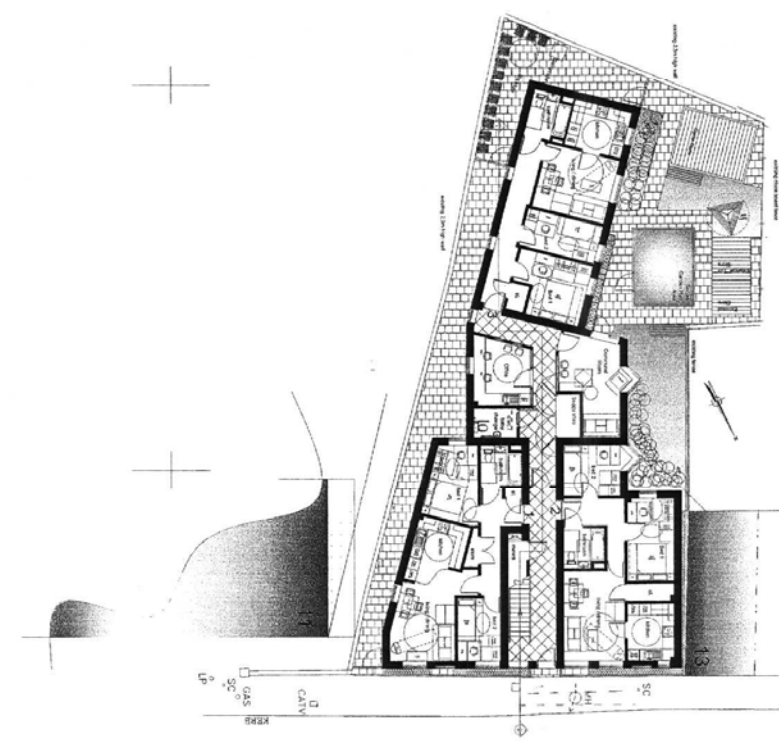
CLIENT: Bromford Housing Group	PROJECT: Residential Development
ADDRESS: Meadow Street Atherstone	TITLE: Site Location & Block Plan
SCALE: 1:1250 & 1:500	PURPOSE OF ISSUE: Planning
JOB NO: 22224	DATE: 23/07/2010
REVISION: D C	DRAWING NO: 01

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e. birmingham@bailygarner.co.uk

2020N
 2020N
 1980N

APPLICANT	PROJECT	AREA	DATE
2020N	2020N	1980N	2020N
2020N	2020N	1980N	2020N
2020N	2020N	1980N	2020N
2020N	2020N	1980N	2020N

NOTES:
 1. This drawing is a preliminary drawing.
 2. All dimensions are shown in feet and inches.
 3. The owner is responsible for obtaining all necessary permits.
 4. The architect is not responsible for the accuracy of the information provided.
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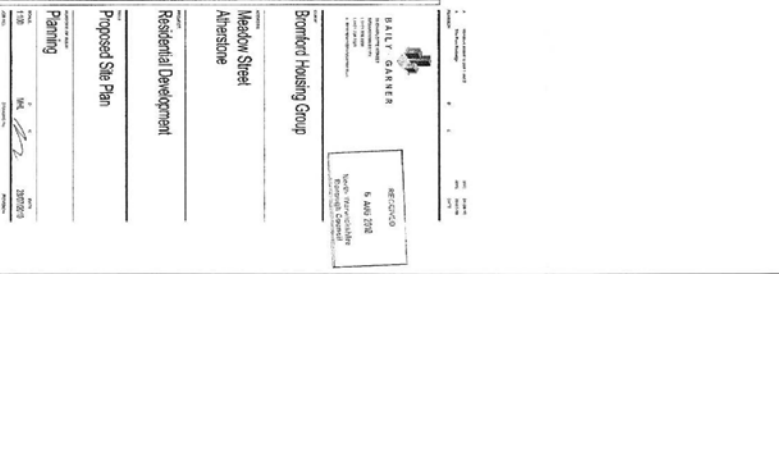


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APPLICANT	PROJECT	AREA	DATE
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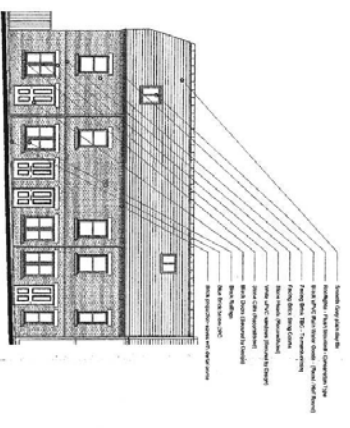
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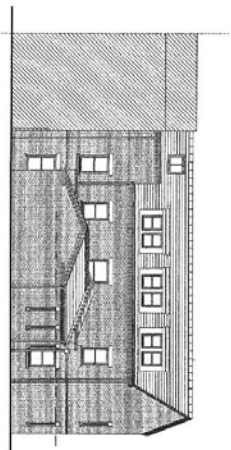
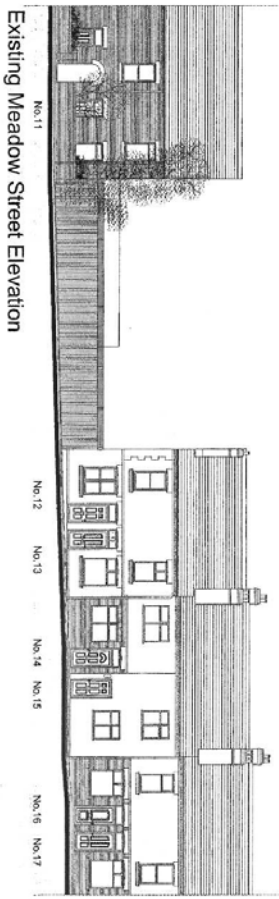
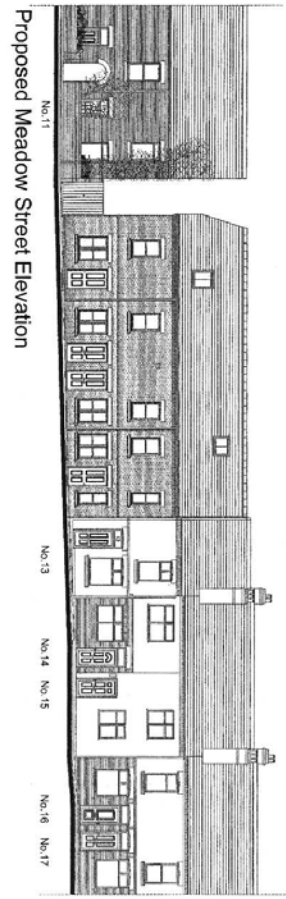
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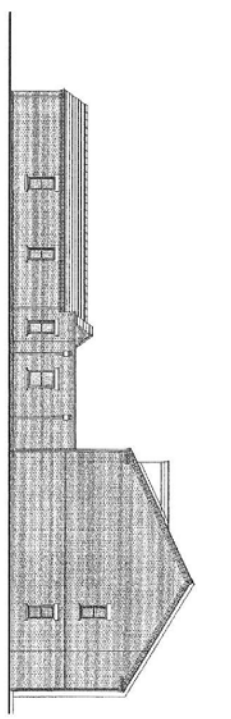
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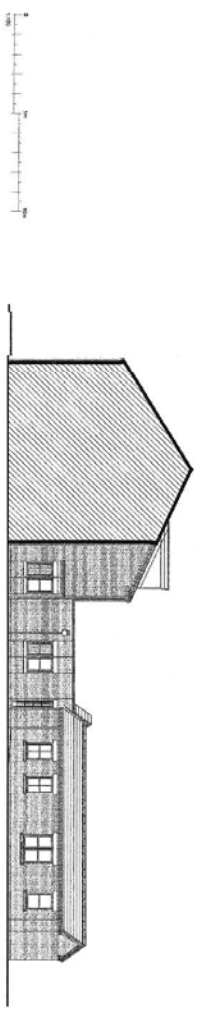
Proposed Materials



Proposed Rear Elevation



Proposed Side Elevation Facing No. 11 Elevation



Proposed Side Elevation Facing No. 13 Elevation



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Bromford Housing Group

**Meadow Street
Alterstone**
RESIDENTIAL DEVELOPMENT

RESIDENTIAL DEVELOPMENT

**Proposed Elevators
& Section A-A**

Comment

DATE: 05/05/10
SCALE: AS SHOWN
PROJECT NO: 22224
SHEET: C

Agenda Item No 7

Planning and Development Board

13 September 2010

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

Interim Planning Policy Statement

1 Summary

- 1.1 This report outlines the recent changes to the Planning system and sets out the Borough Council's planning policy stance in order to give clarity to residents, landowners, developers and other stakeholders on how the Council will consider development proposals. A Draft Interim Planning Policy Statement has been prepared and will be taken into account as a relevant material consideration in determining planning applications.

Recommendation to Executive Board

- a That the Draft Interim Planning Policy Statement be approved for consultation;**
- b That representations be brought back to Board;**
- c That the Interim Planning Policy Statement be considered as a material planning consideration; and**
- d That the Statement be kept under review as further changes are announced.**

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 The LDF Advisory Panel have been consulted as part of developing the Planning Policy Statement. A verbal update will be given at the meeting.

3 Report

- 3.1 This report outlines the recent changes to the Planning system and sets out the Borough Council's planning policy stance in order to give clarity to residents, landowners, developers and other stakeholders on how the Council will consider development proposals. The Government has announced that consultation will take place on further changes and so the Council's stance will need to be kept under review.

3.2 *The Development Plan*

3.2.1 The Government announced on the 6 July that Regional Strategies have been revoked. As a consequence the 2008 Regional Spatial Strategy (“RSS”) is no longer part of the Development Plan. The Development Plan now consists of the saved policies from the Warwickshire Structure Plan 1996-2011 (“Structure Plan”) and the North Warwickshire Local Plan 2006 (“Local Plan”). In addition there are saved policies from the Minerals and Waste Local Plans. Appendix A of the Interim Statement gives the complete list of saved policies from the above plans.

3.2.2 Central Government has confirmed that although the RSS has been revoked, “evidence that informed the preparation of the revoked Regional Strategies may also be a material consideration, depending on the facts of the case”. Therefore each situation will depend on the Development Plan, the evidence but not the RSS directly, the development proposal itself and any other material considerations.

3.2.3 The LDF process allows for other documents to be prepared and these include Development Plan Documents (which will include the Core Strategy), Area Action Plans, and Supplementary Planning Documents. Draft design briefs have been prepared for the current allocated housing & employment sites from the Local Plan. There are also Supplementary Planning Guidance’s and these are listed in the Interim Planning Policy Statement. All of these will be material consideration in the determination of planning applications.

3.3 *Plan Period*

3.3.1 The RSS plan period covered 2006 to 2026. Now that it is been revoked it is necessary to be clear on the Plan period that the Council will use. Initially, it is recommended that 2026 remains as much of the evidence aligns with this date. However, once it is clear when the likely adoption date of the Core Strategy will be, it will be important that this is reviewed to ensure a 15 year post adoption period.

3.4 *Issues*

3.4.1 The Borough Council when developing its planning policies needs to consider the wider implications of these policies on the local area. Within the Interim Planning Policy Statement it is proposed to include a section detailing the key issues that the Council considers are important for the locality. For example: the issues contained in the Sustainable Community Strategy of access to services and facilities and skills. These are detailed in Section 5.

3.5 *Targets*

3.5.1 The RSS set out what the Borough should provide in terms of housing numbers and the amount of employment land. The Borough Council now needs to decide what figures it is going to use. The following sections consider the available figures and the proposed approach.

3.6 *Housing*

3.6.1 The Preferred Option of the RSS gave a housing target of 3,000 new homes (up to 2026). This figure came about due to collaborative work with other authorities from the Coventry, Solihull Warwickshire sub-region. The thrust of the strategy was for the regeneration of Coventry, allowing for growth in a north / south corridor (Nuneaton to Warwick) and to protect the rural north and south of the County with more limited growth. Joint working is continuing with partners from the sub-region and the Council would wish to continue to give its support for a sub-regional strategy that accepts the need to protect and improve the rural nature of the Borough, whilst continuing with an approach of catering for local needs and that major growth is delivered elsewhere in the sub-region. It was recommended in the RSS Panel report, following the Examination in Public that the Borough's housing figures should remain at 3000 to 2026.

3.6.2 With the abolition of the RSS the Borough Council can decide to continue with the RSS figures or agree an alternative. The only determining factor is that there must be evidence, which is up to date, to support the figures. There are other sources of household projections/ information:

- In September / October time the national household projections should be published with more detailed information being made available in spring 2011. These will update the 2004 and 2006 Household projection figures.
- The 2011 Census will also provide some information but this will not be available until later in 2011.
- The Housing Market Assessment (2008) which looked at both the affordable and market housing areas. For North Warwickshire the Housing Market Assessment indicated a figure of 4,000 by 2029. The annual requirement would thus be 174 per annum. To bring this end date in line with the RSS (2026) the amount of housing required would be just below 3500.

3.6.3 The Council is required to maintain a five-year housing supply as required in *PPS3-Housing*. The guidance prepared to say how this is to be worked out is now no longer available on either the Inspectorate or CLG websites. Advice from GOWM is that we should still provide a five year supply and it is up to us to demonstrate the evidence to say that we have a five year supply.

3.6.4 The following table using 3000 as the requirement shows the annual housing requirement, which over the Plan period equals to 150 units per annum. However taking in to account what has already been completed up to March 2010 this requirement increases to 155.75 units per annum.

		Dwellings Net	Average Dwellings per annum
a)	Housing requirement 2006-2026 (3000 ÷ 20 yrs=)	3000	150
b)	Net additions to stock 2006-2010 (4 years)	508	
c)	Residential net requirement for 20010-2026 (16 yrs)	2492	155.75
d)	Requirement for 5 years 2011- 2016	778.75	(155.75 x 5)

Table 1: Five years Housing Requirement based on the requirement of 3000 between 2006 - 2026 (Net)

3.6.5 Looking at now at what can be delivered the following table details the various categories of sites.

Existing Housing Supply	
Sites	No of Potential Units
With Planning Consent (Outline & Full) not started	457
With Planning Consent Under Construction	116
Allocated Local Plan Sites	206
Total 5 yr housing supply	779

Table 2: Showing the Existing Supply of housing

3.6.6 There is therefore a five year housing supply from the existing supply. (The total five year supply equates to (d) in Table 1)

Additional Potential Housing Supply	
Local Authority Owned sites within the development boundaries under discussion	160
Private Sites within development boundary under discussion	30
Outstanding Applications subject to signing of S106 Agreement	37
Green Belt exceptions site	11
OVERALL POTENTIAL TOTAL	238

Table 3: Showing the Additional Potential Supply of Housing

3.6.7 Non-delivery of sites may be highlighted as an issue. Having looked at other potential sites that are currently being discussed, and are likely to come forward within the next five years, there is a further potential of at least 238 units (Table 3). Therefore there is confidence that a five year housing supply is being and can be maintained.

- 3.6.8 It is recommended that the housing figure to be adopted is 3000 dwellings up to 2026 as proposed by the RSS review. The RSS evidence was based on a sub-regional strategy that is still progressing as sub-regional partners are continuing to work together.
- 3.6.9 The Government has announced that they intend to introduce an incentive scheme to encourage Council's to bring forward additional housing land. This may take the form of being able to retaining up to 6 years of Council tax. A further report will be brought before members when more information becomes available.

3.7 *Employment*

- 3.7.1 The West Midlands Regional Assembly prepared a paper called "*Employment Land Provision, Background Paper, revised version March 2009*", explaining where and how the employment figures for the region were devised. The Regional Assembly used mainly the past trends methodology to arrive at this figure. This essentially looked at the amount of development that had taken place in the past and projects this forward into the future. However in the case of North Warwickshire this was skewed by the large amount of development that had taken place so taking this in to consideration and following discussions with the Council the Preferred Option of the RSS gave the Borough an employment target of 33 hectares of new employment land (up to 2021), with a rolling five year requirement of 11 hectares.
- 3.7.2 This was based on a calculation whereby the amount of housing numbers and employment land were linked. The housing requirement of 3,000 dwellings was divided in to five yearly segments to give a 5 year requirement of 750 dwellings for which a supporting employment need of 11 hectares of employment land were equated. Therefore up to 2021 (three 5 year periods) the requirement was 33 hectares. It was recommended in the Panel report, following the Examination in Public, that the Borough's new employment land would be increased to 44 hectares so that the plan period would be the same for both housing and employment (i.e. 4 x five year periods = 2026). There is no further update information that could be used to evidence a higher or lower figure at the present time.
- 3.7.3 The Borough Council wants to reflect the key priorities from the Sustainable Community Strategy in considering future development. Therefore in terms of the type of employment land an emphasis will be placed on B1 / B2 including highly skilled businesses, catering for local needs to assist in the delivery of jobs for the current and aspirational skill levels of the locality.
- 3.7.4 The Borough's employment land requirement will remain as 44 hectares for the period up to 2026. The Council will prioritise the delivery of employment land that delivers a full range of skills.

3.8 *Other issues*

3.8.1 At the present time there are other issues that it would be useful for the Council to indicate what its stance would be. Initially these relate to the issues of RLS (regional logistics sites) and Gypsy and Traveller accommodation.

3.9 *Regional Logistics Sites (RLS)*

3.9.1 Although the abolition of the RSS means that there are now technically no “regional” logistic sites, the evidence that underpinned the RLS policy, PA9, and its proposed revision, including the Panel Report and the Regional Logistic Sites Studies, point to a large requirement for the West Midlands region. The Council, in its evidence to the RSS Inquiry, stated its opposition to the level and need of further RLS provision. However the Panel Report stated that 40 hectares at Birch Coppice and 20 hectares at Hams Hall should be considered as part of the baseline figure for the West Midlands and no further requirement was placed on North Warwickshire to provide any further sites.

3.9.2 In relation to Birch Coppice the planning was approved for a 40 hectare expansion on 16 August 2010.

3.9.3 In relation to Hams Hall the situation is different in that the site lies within the Green Belt. Given the abolition of the RSS and the Government policy of returning control over planning matters to District/Borough Council, the Council considers that it has now made adequate RLS provision within the Borough and that no further provision is necessary, particularly given the policy detailed below on the importance of Green Belt land.

3.10 *Green Belt*

3.10.1 The Green Belt covers over half of the Borough and is very important to maintaining the rural character of the Borough as well as stemming urban sprawl. In the Interim Planning Policy Statement it is recommended to restate the Council’s commitment to the Green Belt in pursuit of these aims and that it attaches the highest importance to the prevention of inappropriate development in the Green Belt unless very special circumstances exist. This approach is fully supported by Central Government.

3.11 *Gypsy and Travellers*

3.11.1 The needs of the Gypsy and Traveller community were to be considered in Phase Three of the RSS review. Although a paper was prepared by the West Midlands Regional Assembly before it was abolished in April 2010 there was no public consultation taken on it. The Borough Council have carried out, with other authorities along the A5 corridor, a Gypsy and Traveller Accommodation Assessment (GTAA) which identified the need for an additional 27 residential pitches and for 5 transit pitches for Gypsies and Travellers up to 2026. Therefore, the Council will use the evidence from the GTAA and take this

forward in developing its Development Plan Documents to ensure there is a supply of sites.

3.12 Transport Issues

3.12.1 Reference is made in this section to the draft proposal for the high speed link from London to Birmingham and beyond. Once the route has been formally announced a report will be brought back to members and the route will be safeguarded. In the meantime the Council will continue to work with other affected authorities to ensure that information is given and available to local communities.

3.13 Outside Issues and influences

3.13.1 Discussions are on going on a number of issues and in particular around housing and the economy and these are being reported to the Executive Board. Clearly, the Council will need to consider issues that don't, wholly or partially, arise from needs of the Borough. These have traditionally been dealt with at a regional or a county level. However until national policy on this becomes clearer the Council will give less weight to proposals the need for which originate outside of the Borough and that this will be particularly so if those proposals conflict with the Council's view on the Green Belt, distribution of development, housing and employment provision.

3.13.2 Examples of cross-border / regional issues are the provision of logistics sites, consideration of the needs of Tamworth, waste facilities for the County, provision of a site for travelling show people, minerals.

3.14 Future Work Programme

3.14.1 The Local Development Scheme outlines the documents that the Borough Council will be preparing over the next three years. It is proposed that this is discussed with the LDF Advisory Panel and developed in to a revised Local Development Scheme taking in to account changes at both regional and national level. A report will be brought back to Board.

4 Report Implications

4.1 Environment and Sustainability Implications

4.1.1 A key role of the Interim Planning Policy Statement is to ensure that development is sustainable and that the rural nature of the Borough is maintained.

4.2 Human Resources Implications

4.2.1 The Forward Planning Team and the Development Control Team will work to prepare the design briefs for the allocation sites.

4.3 Links to Council's Priorities

4.3.1 This report is linked to all the Council priorities.

The Contact Officer for this report is Dorothy Barratt (719250).

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

Interim Planning Policy Statement

September 2010

1 ***Introduction***

- 1.1 This Statement sets out the Borough Council's policy stance in order to give clarity to residents, landowners, developers and other stakeholders on how the Council will consider development proposals. The Government has announced that consultation will take place on further changes and so this Interim Statement will need to be kept under review.

2 ***The Development Plan***

- 2.1 The Development Plan for North Warwickshire consists of:
- saved policies from the Warwickshire Structure Plan 1996-2011 ("Structure Plan")
 - saved policies from the North Warwickshire Local Plan 2006 ("Local Plan")
 - saved policies from the Minerals Local Plan; and,
 - saved policies from the Waste Local Plan.
- Appendix A has the full list of saved policies.

3 ***Other Material Considerations***

- 3.1 In addition to the Development Plan there are other documents that the Council will take account of as material considerations when considering proposals for development. These include national planning statements / guidance, as well as documents the Borough Council has prepared. This includes the following:

Adopted Supplementary Planning Guidance:

- A Guide for the Design of Householder Developments (2003)
- A Guide for Shop front Design (2003)
- A Guide for the Design of Lighting Schemes (2003)
- Supplementary Planning Guidance for Water Orton (2003)
- Father Hudson's Development Brief (2005)

Adopted Supplementary Planning Documents:

- Affordable Housing SPD (2008)
- Creation of the Affordable Housing SPD

Draft Supplementary Planning Documents:

- Draft Green Space Strategy (in progress)
- Design Briefs for Local Plan Allocated sites (in progress)
 - Site at Father Hudson's Society, Coleshill
 - Site at Britannia Mill, Atherstone
 - Site at Birch Coppice, Dordon
 - Site at Holly Lane, Atherstone

- 3.2 In addition although the Regional Spatial Strategy has been revoked, "evidence that informed the preparation of the revoked Regional Strategies may also be a material consideration, depending on the facts of the case". (Source: *letter from Eric Pickles*)

Interim Planning Policy Statement

September 2010

4 ***Plan Period***

- 4.1 The Borough Council will use the plan period 2006 to 2026. Targets and evidence will be aligned to these dates wherever possible. This will be reviewed once the potential adoption of the Core Strategy is known to ensure at least a 15 year plan-period.

5 ***Key Local Issues***

- 5.1 There are some key local issues that the Council considers are priorities that in the absence of an adopted Core Strategy should be highlighted:
- 5.2 Affordable Housing: The provision of locally affordable housing continues to be a key issue that will be pursued through the relevant saved local plan policies as well as the Local Investment Plan.
- 5.3 Rural Services: The Council sees the viability and vitality of its settlements as key to maintaining thriving communities in this rural Borough and will be pursued through the relevant saved local plan policies
- 5.4 Local Employment: Low education attainment and low aspirations are issues that are reflected in the key priorities from the Sustainable Community Plan. Improving the skills and aspirations of the local area will be a key driver.
- 5.5 Quality of Development: The saved policies from the Local Plan do require quality developments but developers have often found this hard to express and then deliver. The Council places emphasis on developments contributing to the local distinctiveness of this rural area and ensuring that developments are built to the highest quality in terms of its design; are of an appropriate scale for a rural area; creating soft urban edges and providing high quality landscaping. Ensuring materials used in schemes are sustainable is also important and is linked to the next key issue.
- 5.6 Climate Change: The previous issue and this one are inter-linked. Looking after the resources we have and ensuring their long-term sustainability is very important. Developments should be of the highest energy saving and lowest energy consumption possible looking to use BREAM standards, the Code for Sustainable Homes, renewable sources of energy, energy efficient materials in all developments.
- 5.7 Targets: It is now up to the Borough Council to decide what figures it is going to use. The amount of housing numbers and employment land that the Borough should provide in terms of targets are discussed below. The only determining factor is that there must be evidence, which is up to date, to support the figures.

Interim Planning Policy Statement September 2010

5.8 The Distribution of Development: Development within the Borough will continue to be distributed based on the saved Core Policy CP2.

6 ***Housing***

6.1 There are sources of household projections/ information. These range from the Housing Market Assessment as well as household projections. Around September / October national household projections should be published with more detailed information being made available in spring 2011. These will update the 2004 and 2006 Household projection figures. The 2011 Census will also provide some information but this will not be available until later in 2011. The Housing Market Assessment (2008) looked at both the affordable and market housing areas. For North Warwickshire the Housing Market Assessment indicated a figure of 4,000 by 2029. The annual requirement would thus be 174 per annum. To bring the date in line with the RSS (2026) the amount of housing required would be just below 3500.

6.2 The Preferred Option of the RSS gave a housing target of 3,000 new homes (up to 2026). This figure came about due to collaborative work with other authorities from the Coventry, Solihull Warwickshire sub-region. The thrust of the strategy was for the regeneration of Coventry, allowing for growth in a north / south corridor (Nuneaton to Warwick) and to protect the rural north and south of the County with more limited growth. Joint working is continuing with partners from the sub-region and the Council would wish to continue to give its support for a sub-regional strategy that accepts the need to protect and improve the rural nature of the Borough, balanced with an approach of catering for local needs.

6.3 The Borough Council will continue to work with sub-regional partners so the Borough's housing requirement will remain as 3000 for the period up to 2026.

7 ***Employment***

7.1 The Preferred Option of the RSS gave the Borough an employment target of 33 hectares of new employment land (up to 2021), with a rolling five year requirement of 11 hectares. This was based on a calculation whereby the amount of housing numbers and employment land were linked. The housing requirement of 3,000 dwellings was divided in to five yearly segments to give a 5 year requirement of 750 dwellings for which a supporting employment need of 11 hectares of employment land were equated. Therefore up to 2021 (three 5 year periods) the requirement was 33 hectares. It was recommended in the Panel report, following the Examination in Public, that the Borough's new employment land would be increased to 44 hectares so that the plan period would be the same for both housing and employment (i.e. 4 x five year periods = 2026). There is no further update information that could be used to evidence a higher or lower figure at the present time.

Interim Planning Policy Statement September 2010

- 7.2 The Borough Council wants to reflect the key priorities from the Sustainable Community Strategy in considering future development. Therefore in terms of the type of employment land an emphasis will be placed on B1 / B2 including highly skilled businesses, catering for local needs to assist in the delivery of jobs for the current and aspirational skill levels of the locality.
- 7.3 The Borough's employment land requirement will remain as 44 hectares for the period up to 2026. The Council will prioritise the delivery of employment land that delivers a full range of skills.

8 ***Other issues***

8.1 *Regional Logistics Sites (RLS)*

8.1.1 Although the abolition of the RSS means that there are now technically no "regional" logistic sites, the evidence that underpinned the RLS policy, PA9, and its proposed revision, including the Panel Report and the Regional Logistic Sites Studies, point to a large requirement for the West Midlands region.

8.1.2 The Council, in its evidence to the RSS Inquiry, stated its opposition to the level and need of further RLS provision. However the Panel Report stated that 40 hectares at Birch Coppice and 20 hectares at Hams Hall should be considered as part of the baseline figure for the West Midlands and no further requirement was placed on North Warwickshire to provide any further sites.

8.1.3 This need for further RLS provision was a material consideration when considering the planning application for the further development of Birch Coppice. On 16th August 2010 the Council decided to approve the planning application for a 40 hectare expansion at Birch Coppice.

8.1.4 Given the abolition of the RSS and the Government policy of returning control over planning matters to District/Borough Council, the Council considers that it has now made adequate RLS provision within the Borough and that no further provision is necessary, particularly given the policy detailed below on the importance of Green Belt land. In addition, to encourage local job opportunities and improve local skills the Council would consider changes from B8 to B1/ B2 uses, where appropriate.

8.2 *Green Belt*

8.2.1 As the Local Plan states, sustainable development is the primary planning policy in North Warwickshire. Development restraint will help protect and enhance the Borough as an area of pleasant countryside with Market Towns and local service centres by preventing the incursion of nearby urban areas. This will benefit those who currently live in, work in and visit the Borough and

Interim Planning Policy Statement September 2010

future generations and ensure that development more appropriate to urban areas goes there.

8.2.2 The Council in this interim planning statement wishes to restate its commitment to the Green Belt in pursuit of these aims and attaches the upmost importance to the prevention of inappropriate development in the Green Belt unless very special circumstances exist. It supports the five objectives of the Green Belt, but, in particular, sees the prevention of urban sprawl as important.

8.3 Gypsy and Travellers

8.3.1 The needs of the Gypsy & Traveller community were to be considered in Phase Three of the RSS review. Although a paper was prepared by the West Midlands Regional Assembly before it was abolished in April 2010 there was no public consultation undertaken. In addition, the Council is awaiting an appeal decision and this will inform future needs and policy. The Council will use its evidence when considering any applications.

8.4 Transport Issues

8.4.1 The Government has announced a potential route of a High Speed Railway line (HS2) linking London to Birmingham and beyond. The Borough Council will work with other affected authorities to ensure that information is given and available to local communities. A report will be considered by the Council once the formal route has been announced for consultation. Once the route has formally been announced the route will be safeguarded.

8.5 Cross Border Issues

8.5.1 Cross border issues will arise and the Council will expect evidence of the need for the development and a demonstration that the development can not be delivered elsewhere. Until national policy on this becomes clearer the Council will give less weight to proposals, the need for which originates outside of the Borough, and that this will be particularly so if those proposals conflict with its view on the Green Belt, housing and employment provision.

9 ***Future Work Programme***

9.1 In view of the changes currently taking place a new work programme through the Local Development Scheme will be brought forward.

Interim Planning Policy Statement September 2010

Appendix A

Saved Policies

Policies saved from Local Plan (adopted July 2006)

2	LOCAL PLAN STRATEGY
<i>CP1</i>	Social & Economic Regeneration
<i>CP2</i>	Development Distribution
<i>CP3</i>	Natural & Historic Environment
<i>CP5</i>	Development in Towns and Villages
<i>CP6</i>	Local Services & Facilities
<i>CP8</i>	Affordable Housing
<i>CP10</i>	Agriculture & the Rural Economy
<i>CP11</i>	Quality of Development
<i>CP12</i>	Implementation
3	NATURAL & BUILT ENVIRONMENT POLICIES
<i>ENV1</i>	Protection & Enhancement of Natural Landscape
<i>ENV3</i>	Nature Conservation
<i>ENV4</i>	Trees and Hedgerows
<i>ENV5</i>	Open Space
<i>ENV6</i>	Land Resources
<i>ENV7</i>	Development of Existing Employment Land outside Defined Development Boundaries
<i>ENV8</i>	Water Resources
<i>ENV9</i>	Air Quality
<i>ENV10</i>	Energy Generation & Energy Conservation
<i>ENV11</i>	Neighbour Amenities
<i>ENV12</i>	Urban Design
<i>ENV13</i>	Building Design
<i>ENV14</i>	Access Design
<i>ENV15</i>	Heritage Conservation, Enhancement and Interpretation
<i>ENV16</i>	Listed Buildings, non Listed Buildings of Local Historic Value and Sites of Archaeological Importance (including Scheduled Ancient Monuments)
<i>ENV17</i>	Telecommunications
4	HOUSING POLICIES
<i>HSG1</i>	Housing Land Allocations & Proposals
<i>HSG2</i>	Affordable Housing
<i>HSG3</i>	Housing Outside Development Boundaries
<i>HSG4</i>	Densities
<i>HSG5</i>	Special Needs Accommodation
5	ECONOMY POLICIES
<i>ECON1</i>	Industrial Sites
<i>ECON2</i>	Employment Land
<i>ECON3</i>	Protection of Existing Employment Sites & Buildings within Development Boundaries

Interim Planning Policy Statement September 2010

<i>ECON4</i>	Managed Workspace / Starter Units
<i>ECON5</i>	Facilities relating to the Settlement Hierarchy
<i>ECON6</i>	Site at Station Street including Former Hat Factory, Atherstone
<i>ECON7</i>	Agricultural and Forestry Buildings & Structures
<i>ECON8</i>	Farm Diversification
<i>ECON9</i>	Re-Use of Rural Buildings
<i>ECON10</i>	Tourism & Heritage Sites & Canal Corridors
<i>ECON11</i>	Hotels & Guest Houses
<i>ECON12</i>	Services & Facilities in Category 3 & 4 Settlements
6	COMMUNITY FACILITIES POLICIES
<i>COM1</i>	New Community Facilities
<i>COM2</i>	Protection of Land & Buildings used for Existing Community Facilities in the Main Towns & Market Town
<i>COM3</i>	Safeguarding Educational Establishments
7	TRANSPORT POLICIES
<i>TPT1</i>	Transport Considerations in New Development
<i>TPT2</i>	Traffic Management & Travel Safety
<i>TPT3</i>	Access and Sustainable Travel and Transport
<i>TPT4</i>	Public Transport Improvements & New Facilities
<i>TPT5</i>	Promoting Sustainable Freight Movement & Safeguarding Future Freight Opportunities
<i>TPT6</i>	Vehicle Parking
<i>TPT7</i>	Airport Parking

Policies saved from Minerals Local Plan for Warwickshire (adopted February 1995)

M1	Areas of Search and Preferred Areas.
M4	Sand and Gravel Extraction in the context of Landbanks
M5	Sterilisation of Mineral Reserves
M6	Considerations and Constraints affecting Minerals Extraction
M7	Mitigation and Planning Conditions/Agreements
M9	Restoration of Mineral Workings
M10	Monitoring of Mineral Sites

Policies saved from Waste Local Plan for Warwickshire (adopted August 1999)

1	General Land Use
3	Landfilling
5	Incinerators
6	Materials Recycling Facilities
9	Large Scale Composting
13	Proposed Facilities

Interim Planning Policy Statement September 2010

Policies saved from Warwickshire Structure Plan (adopted August 2001)

<i>GD7</i>	Previously developed sites
<i>I2</i>	Industrial Land provision
<i>T10</i>	Developer contributions
<i>TC2</i>	Hierarchy of Town Centres
<i>T7</i>	Public Transport

Agenda Item No 8

Planning and Development Board

13 September 2010

Report of the Head of Development Control

Section 106 Monitoring

1 Summary

- 1.1 This report provides the six monthly review of outstanding Section 106 Agreements, following the last report in March.

Recommendation to the Board

That the report is noted.

2 Consultations

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 No specific Member consultation has taken place, as the report content is a progress report only.

3 Progress

- 3.1 There have been three Section 106 Agreements agreed since March – one of which has not yet been signed. The three are:

- i) Application 2010/0009 - The Dog Inn, Water Orton. The agreement requires an of-site financial contribution in lieu of on site affordable housing provision. Whilst the Council has resolved to grant a planning permission subject to the Agreement, the developer has not yet signed.
- ii) Application 2010/0113 - Shaw House, Freasley. This was a Unilateral Undertaking whereby the land owner agreed not to construct a previously approved stable in lieu of a fresh permission for the stable on a different site.
- iii) Application 2010/0103 – Birch Coppice Phase Two. This involved a financial contribution of £205k for public transport and training purposes.

- 3.1.1 The table below shows the up to date position in respect of monies currently being held by the Council.

Site Notes	Payments to Date	Outstanding Payments to Date	Expenditure Held	Balance
Birch Coppice	£1,001,040	Nil	£280,591	£840,739 (i)
Aston Villa	£50,000	Nil	£25,000	£29,491 (ii)
Aldi Warehouse	£10,000	Nil	Nil	£10,000 (iii)
Persimmons	£69,700	Nil	Nil	£69,700 (iv)
TOTAL				£949,930

Notes:

- (i) This amount includes the Phase One monies plus interest earned, together with the very recent addition of the Phase Two monies. The County Council is expected to Invoice the Council in the next few weeks for £300k, following commencement of the Phase Two development.
- (ii) Payments have been paid to two parties as agreed by Board. We are waiting for the third – the Wishaw Parish Council – to submit its claim. A reminder has been sent.
- (iii) Discussions are to start with the Economic Development group at the County and Aldi, to see how this money can now be used for training purposes.
- (iv) This contribution was to assist the Hartshill Parish Council in enhancing recreation facilities. A planning application is expected soon for such works. If approved, the monies could be transferred.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 Regular monitoring of these contributions means that there is an audit trail, as well as ensuring that the benefits expected from the developments are delivered.

4.2 Legal and Human Rights Implications

4.2.1 These Agreements are often subject to conditions and clauses that require regular monitoring to ensure that the Obligations can be completed.

4.3 Environment and Sustainability Implications

4.3.1 These obligations often contain clauses that are directly related to making development more sustainable.

4.4 Links to Council Priorities

4.4.1 The obligations within these Agreements are often linked to delivery of outcomes that support the Council's priorities – safeguarding countryside; recreation provision and enhancing employment opportunities.

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

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

Agenda Item No 9

Planning and Development Board

13 September 2010

Report of the Head of Development Control

Design Briefs

1 Summary

- 1.1 This report responds to the Council resolution of 16 August, requiring a number of Design Briefs be urgently brought to this Board for consideration.

Recommendation to the Board

That the Board agrees to circulate the draft briefs as set out in this report for a period of consultation, prior to considering any representations received as part of their adoption as material planning considerations.

2 Background

- 2.1 Following the abolition of Regional Strategies, Council has requested that an Interim Policy Statement be prepared such that the Council's present position is made clear in the transitional period until new guidance is published, and the Council's own Core Strategy is prepared. This is being reported to the Executive Board. As part of that process, a separate request was made for Design Briefs to be prepared for the allocated development sites in the present North Warwickshire Local Plan 2006 which still remain undeveloped, together with one for a major site that has recently been granted planning permission.
- 2.2 As a consequence, this report contains draft briefs for four sites. The first three relate to the Local Plan (see saved Policies HSG1 and ECON2) whereas, the fourth follows on from the grant of permission at Birch Coppice.

- Father Hudsons Society land at Coventry Road, Coleshill.
- The Britannia Works Site, Coleshill Road, Atherstone.
- The vacant Aldi land in Holly Lane, Atherstone.
- The Birch Coppice Phase Two land.

3 Observations

- ... 3.1 The draft briefs are contained in a single Appendix (D) attached to this report, and the remainder of this report outlines the main approach and principles taken in each.

Father Hudson's Society, Coventry Road, Coleshill

... The Local Plan identifies 2.48 hectares of land at the northern end of the present Society land holding on the east side of Coventry Road towards the southern end of the town. This site is illustrated in Appendix (A). It is wholly within a Conservation Area and there are Listed Buildings adjoining the site. A Development Brief for this land was in fact adopted in 2005 by the Council, and this has been used to the present day in discussing development proposals with prospective purchasers. It is not considered that this 2005 Brief needs amendment and that it can thus remain as the ongoing brief for the future of this site.

The key principles set out in the Brief are:

- i) The frontage buildings should remain.
- ii) All other buildings can be demolished
- iii) New built form shall take the form of "blocks" of development within a campus parkland setting
- iv) Taller three storey development will be considered within the core of the site, but two storey development is expected along its eastern boundary
- v) Clear vistas through the site to the countryside beyond will be required
- vi) All new buildings will be of a high design standard to reflect the character, appearance and ambience of the Conservation Area
- vii) Car parking provision should respect the setting of the site
- viii) All existing trees shall remain, unless they can be shown to be dying or dangerous.

This summary will be added to the front of the Brief, together with a note updating the Development Plan policy numbers.

a) The Britannia Works Site, Coleshill Road, Atherstone

... The Local Plan identifies this 0.4 hectare site on the east side of the Coleshill Road and immediately south of the Coventry canal. It presently houses the industrial premises of the former hat making factory – Staffords – and has remained vacant for some time. It is wholly within a residential area, and the frontage buildings are Grade 2 Listed. There have been several attempts to put together a redevelopment scheme for the site and as a consequence there is a library of historical and architectural documentation available that can inform a Development Brief. The site is illustrated at Appendix B.

The key principles set out in the Brief are:

- i) The Listed Building on the Coleshill Road frontage shall remain
- ii) Demolition of the remaining buildings will be permitted
- iii) Repair and refurbishment of the Listed Building will take place prior to occupation of any new build on the site.
- iv) Vehicular access to the site will be from Richmond Road
- v) New built form shall retain a strong focus on developing a canal side frontage, with the scale reflecting the taller Listed Building at its western end reducing to two storey in scale at its eastern end.

- vi) The design and appearance of the new build shall reflect in part, the industrial background of the site.
- vii) Public access to parts of the canal frontage will be expected.
- viii) Public access to part of the Listed Building will be expected through retention of part of the building as a local heritage centre.

b) The vacant Aldi land off Holly Lane, Atherstone

... This is an area of 6.9 hectares of land east of Holly Lane that is allocated for employment uses in the 2006 Local Plan. It remains as a vacant piece of land bounded on two sides by Holly Lane and Rowland Way, and with other industrial premises on the other two sides. It is illustrated at Appendix C. The saved Policy allocates it for alternative uses – either as expansion land for an existing business, or for smaller units. The brief therefore has to accommodate both.

The key principles set out in the Brief are the same for both alternatives:

- i) The development shall front both Rowland Way and Holly Lane.
- ii) A landscaping belt will be provided around these two frontages and the respective roads, incorporating retention of existing hedgerows.
- iii) New buildings shall not exceed the height of existing development on the estate
- iv) It shall be brick built and/or metal clad to match facing materials already seen on the existing estate
- v) All car parking/delivery and turning areas shall be within the site behind the built frontage
- vi) Vehicular access is to be obtained from Rowland Way
- vii) The development shall enable pedestrian/cycle access through to Abeles Way and thus to the town centre

c) Birch Coppice Phase Two

... This is an area of 49 hectares recently granted permission for B8 uses, as an extension to an existing Business Park. The planning permission itself granted approval for a Design Brief and for a Landscape Design Brief that both reflect the quality and standards of the development already achieved on Phase One of this development. These are attached in full at Appendix D and contain a number of illustrative examples taken from the existing estate.

The key principles set out in these Briefs are:

- Main buildings to be set as far forward as appropriate within development plots so as to give the impression of a built frontage
- Elevations to be “broken down” through use of a variety of facing materials and design solutions so as not present a “bland” wall.
- The colours of the materials to match the “muted” colours already seen on Phase One with particular design features “accented”. House styles and colours will be considered where appropriate
- Car parks will be broken up and contribute to green space provision
- Car parks and HGV areas will in general be located behind buildings.

- Ancillary plant and services; site lighting and advertising will be dealt with as design features to enhance the overall appearance of the site.
- There will be significant roadside landscaping alongside the main road infrastructure
- This will be reinforced on site through frontage planting within the development plots.
- Boundary treatments together with frontage treatment and car parking divisions should include hedgerow planting and traditional rural fencing
- All planting is to consist of native species and larger grassed areas should include in part a wildflower mix.

4 **Next Steps**

4.1 If the approach taken in respect of these sites is agreed, there will need to be a period of consultation before they can be formally adopted. The briefs for Father Hudsons and for Birch Coppice are already approved documents, and thus this consultation should relate to the other two. The Board will be asked to consider any comments received as a consequence of this consultation when it comes to decide on the adoption of the Briefs. They can then be published together in one comprehensive document

5 **Report Implications**

5.1 **Links to the Council's Priorities**

5.1.1 The issue of these briefs will reflect the Council's priorities in seeking to improve the quality of new development in the Borough and to protect the rural character and heritage assets that it has.

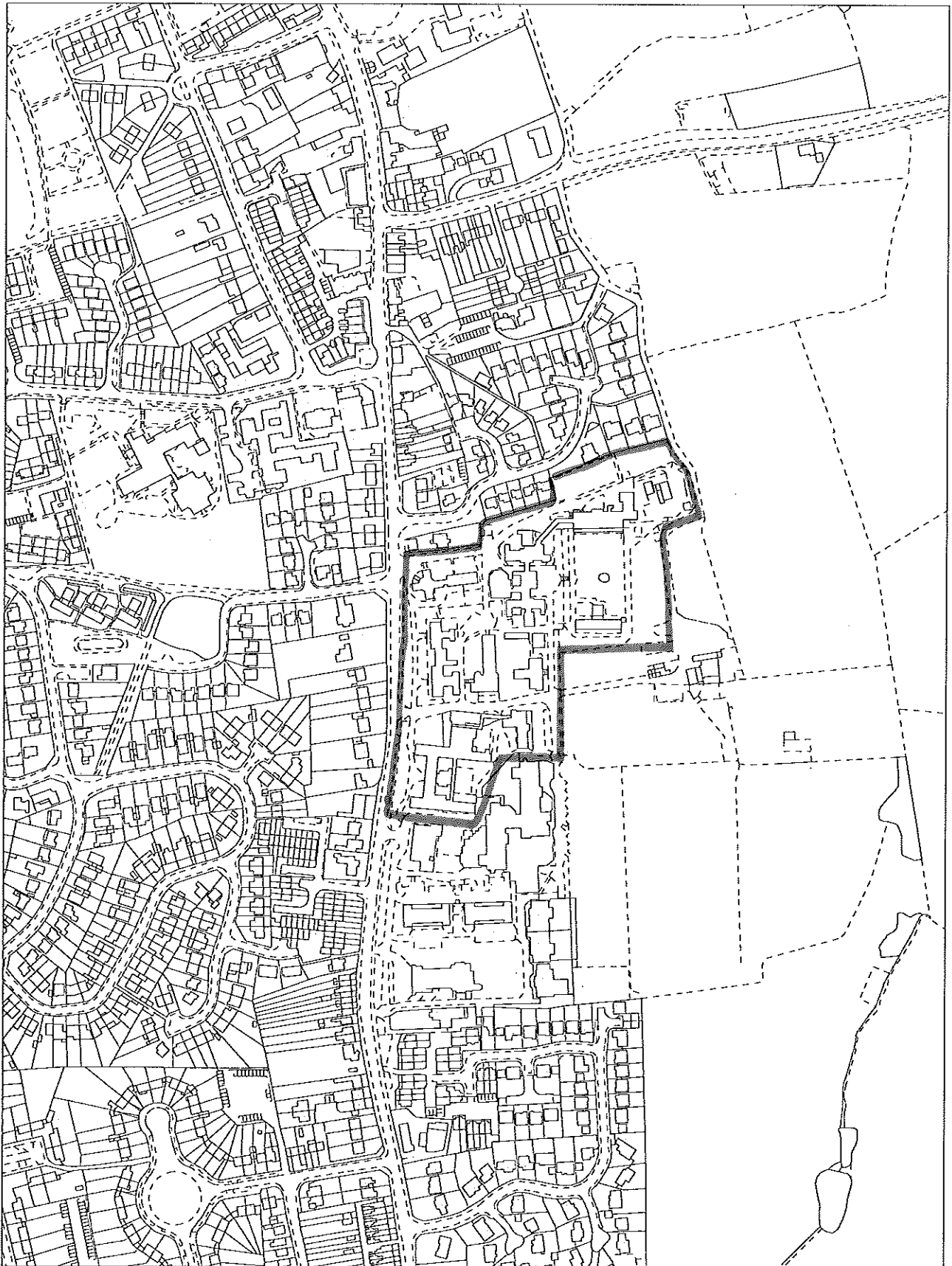
The Contact Officer for this report is Jeff Brown (719310).

Background Papers

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

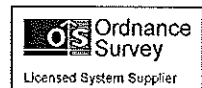
Background Paper No	Author	Nature of Background Paper	Date

APPENDIX A



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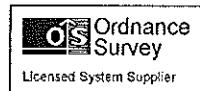
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APPENDIX B

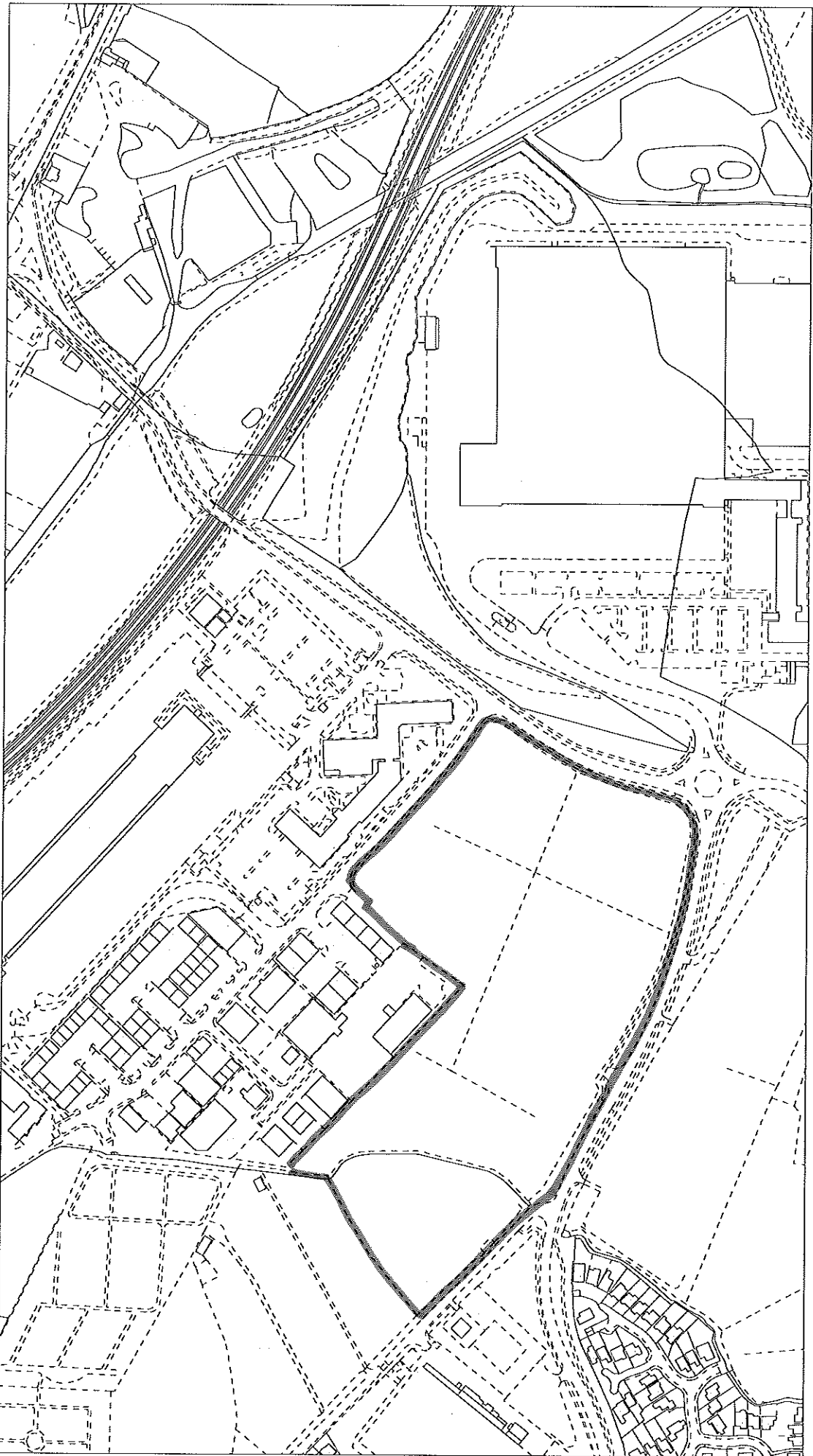


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NORTH WARWICKSHIRE BOROUGH COUNCIL

Design Briefs for Development Sites

FOREWARD

This document includes four Design Briefs for development sites within North Warwickshire. These will be used to guide new proposals for each site such that the quality of that development is ensured, and that by recognising the setting of each site, requiring new proposals to reflect the local character and distinctiveness of that setting. They will be used in all pre-application discussions, and will be treated as material considerations in the determination of planning applications.

Three of the sites were identified in the North Warwickshire Local Plan 2006, but still remain undeveloped. The former are housing sites, but the latter is one to be developed for employment purposes. They are:

- Land at the Father Hudson's Society in Coventry Road, Coleshill
- Land at the Britannia Works, Coleshill Road, Atherstone, and
- Land at Holly Lane, Atherstone.

The fourth is land adjoining the existing Birch Coppice Business Park in Baddesley/Dordon. Planning permission has recently been granted for an extension as Phase Two of the Park, and a Design Brief was agreed under that permission. It is included here.

Land at the Father Hudson's Society, Coventry Road, Coleshill

A Development Brief was adopted by the Council for this land in 2005. It remains relevant today, and follows this cover sheet.

The key principles are:

- The frontage buildings shall remain
- All other buildings can be demolished
- New built form shall take the form of “blocks” of development within a campus parkland setting
- Taller three storey development will be supported within the core of the site, but only two storey development along the site's eastern boundary
- Clear vistas through the site to the countryside beyond will be required
- The blocks of development may adopt individual design characteristics but will be of a high design standard to reflect the character, appearance and ambience of the Conservation Area.
- Car parking provision should respect the setting of the site and should not dominate the open setting
- All existing trees shall remain, unless they can be shown to be dying or dangerous.

The 2005 Brief is attached, and it will be noted that it refers to policies from the 1995 North Warwickshire Local Plan, and to the review of that Plan. That review was completed and a new North Warwickshire Plan was adopted in 2006. Its saved policies are now part of the Development Plan. For completeness, the policies are updated as set out below:

Policy Reference in the 2005 Brief	Policy Reference in the 2006 Plan
ENV14	ENV 15
ENV1	Core Policy 2
ENV24	ENV 11, 12, 13 and 14
HSG1	HSG1

The 2006 Local Plan contains saved Policy HSG 3. This requires a minimum of 40% of the housing on the site to be “affordable”. This will be challenging. The Council will consider a lower provision subject to the receipt of the appropriate robust evidence base in the form of a financial viability appraisal.

FATHER HUDSON'S SOCIETY

COVENTRY ROAD, COLESHILL

REVISED DEVELOPMENT BRIEF

2005

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Appendix A Plans:

Plan A Copy of the Conservation Area plan

Plan B Green Belt/Development Boundary and
Revised Local Plan Policy HSG1 site

Plan C Father Hudson's Society Buildings and
Diocesan Buildings

Plan D Buildings to be Retained and
Buildings to be Demolished

1.0 INTRODUCTION

- 1.1 In 1997 North Warwickshire Borough Council adopted a Development Brief for Father Hudson's Society's complex at Coventry Road, Coleshill. It was prepared in partnership with the Father Hudson's Society to guide the future development of the site in a period of significant change in the Society's activities. The changes were taking place in response to wider changes in social policy and childcare legislation.
- 1.2 The Brief identified the consequent changes, so far as it was possible to do so, in the Society's needs in relation to the buildings at Coventry Road and the substantial asset they represent. A number of the development proposals envisaged in the Brief have been implemented. The most significant is the completion and commission in late 2002 of the newly built St. Joseph's residential care home and dementia unit together with facilities for people with learning difficulties.
- 1.3 The Society has now established in Coleshill in their three care facilities off Coventry Road and at St. Andrews, Blythe Road, Coleshill, a level of care that far exceeds that in any other part of the Archdiocese, an area stretching from Henley-on-Thames to Stoke-on-Trent and from Rugby to Great Malvern. There is now therefore a growing need and obligation for the Society to provide similar facilities to those in Coleshill in other areas of the Archdiocese with little need to add to the facilities at Coleshill.
- 1.4 As a result of the continuing review of the Society's activities and requirements some needs envisaged in the Brief have not been taken forward and other opportunities and challenges have emerged which were not envisaged at the time the Brief was prepared. The most significant of these is the closure of St Gerard's Orthopaedic Hospital and its re-use as the Society's headquarters.

- 1.5 These factors, together with the Society's wish to have a firm up to date framework within which detailed development proposals can be formulated, lead to the conclusion that the Brief should be reviewed and, where appropriate, amended.
- 1.6 This Revised Development Brief has been prepared on behalf of the Society in consultation with the Borough Council as the replacement of the 1997 Brief for development control purposes. The Brief was agreed by the Council at its meeting on 2 March 2005.
- 1.7 As far as possible this Revised Brief has retained the format of the 1997 Brief, with changes made to reflect the current position and proposals, and to reflect the proposals of the emerging review of the North Warwickshire Borough Local Plan.


2.0 DEVELOPMENT PLAN CONTEXT

- 2.1 The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on Local Planning Authorities to consider the designation of Conservation Areas and to keep the matter under review. In October 1995 the Council designated the Coventry Road, Coleshill Conservation Area, as part of that review. The Act also requires the Authority to formulate and publish proposals for the preservation and enhancement of Conservation Areas. This Brief fulfils that requirement, in respect of the Coventry Road Conservation Area.
- 2.2 In May 1995 the North Warwickshire Local Plan was adopted. Policy ENV14 of that Plan refers to Conservation Areas. It provides a comprehensive policy outlining how these Areas in North Warwickshire will be protected and enhanced. It was fully taken account of in the preparation of this Brief.
- 2.3 The site, the subject of the Brief is wholly within the Development Boundary for Coleshill, as defined by Policy ENV1 of the Local Plan. New development is thus acceptable in principle. However, all proposals should respect the setting of the location and meet a number of design and amenity criteria which are outlined in Policy ENV24.
- 2.4 Policy ENV15 of the emerging review of the Local Plan (Revised Deposit Draft) refers to Conservation Areas and is intended to replace Policy ENV14 in the adopted Local Plan.

- 2.5 No change from the adopted Local Plan is proposed in respect of the Development Boundary so far as it affects the site the subject of this Brief. The site is wholly within the development boundary as defined on Inset No.6 for the purposes of Policy ENV1. New development thus remains acceptable in principle. Policy ENV14 is intended to replace existing Policy ENV24 with regard to the quality of design.
- 2.6 Policy HSG1 proposes the allocation of 3.3 hectares of the site the subject of this brief for housing development.
- 2.7 The Society welcomes the principle of the allocation and accepts the proposed level of affordable housing, having regard to the Society's role in Coleshill and that the complex has a mix of uses, including the provision of accommodation for those in need.
- 2.8 The development boundary for Coleshill on the eastern side of the Brief site is coincidental with the Green Belt boundary in both the adopted and the emerging Plans.
- 2.9 Plan A is a copy of the extent of the Conservation Area, Plan B is a plan which illustrates the development boundary referred to above.

3.0 BACKGROUND

- 3.1 The Coventry Road, Coleshill Conservation Area was designated by the Borough Council in October 1995. Development in the south of Coleshill is marked by the distinctive character of the Father Hudson's Society's complex which makes up a dominant proportion of the, designated Area. It was largely for this reason that the Conservation Area was designated.
- 3.2 The origins of the Father Hudson's Society in Coleshill date back to the end of the 19th Century. Father Hudson, Parish Priest of Coleshill was appointed as the first Secretary and Administrator on the formation of the Birmingham Diocesan Rescue Society in 1902.
- 3.3 Construction of the buildings within this complex commenced around the turn of the 20th Century, after Father Hudson came to Coleshill in 1898, and continued into the 1940s. They are substantial, individual buildings set well back from the road frontage, and together they frame a number of open spaces and courtyards. Within the complex as a whole there are a significant number of mature and important trees which enhance the setting of the buildings, the spaces between them and character of the street frontage.
- 3.4 The Society was concerned with the care and protection of children and young persons and in response to these needs a number of residential homes were developed with the Coleshill campus forming the nucleus. An holistic approach to care was adopted with the development of a number of residential units, schools, hospital and Church: most of the buildings of which exist on the campus today.

- 
- 3.5 The complex therefore has not only architecture and historic significance in Coleshill, but it is now part and parcel of the social and community fabric of the town. It is considered important to protect and to enhance the very large contribution that the complex makes to the town.
- 3.6 After many years, and following changes within society generally, in social policy and childcare legislation, there has been a considerable decline in the need for this type of service provision. This had dramatic implications for the Father Hudson's Society, to the extent that in the mid 1980s the last of the Children's Homes was closed, leaving many empty and unused buildings on the site.
- 3.7 In response to these changes, the Father Hudson's Charity decided to develop into a broader based Social Care Agency. Whilst most of the child care and family services are now provided through Adoption and Foster Care placements and community based projects throughout the Archdiocese of Birmingham, a range of adult care services were developed, particularly at Coleshill. Consequently a number of the buildings have been adapted to accommodate adults with learning and multiple disabilities, and for the care of the elderly.
- 3.8 St Gerard's Hospital provided Orthopaedic services through NHS contracts for people from the locality. Although it was anticipated at the time the 1997 Brief was prepared that the hospital would continue to provide this service, changes in NHS funding resulted in its closure in 1998.

3.9 Prior to the preparation of the 1997 Brief St Joan's Convent had been sold and the Church of the Sacred Heart and St Theresa had been transferred to the Archdiocese. In late 2002 the new St. Joseph's residential care home for the elderly was formally opened. It represents a significant investment of the Society's resources and a further commitment to its role as a Social Care Agency.

3.10 Currently, the Society is continuing to develop its services to meet the requirements of the present day. Under Care in the Community contracting-out arrangements by Local Authorities there is a requirement to provide services that are neighbourhood-based and integrated within the local community. This provides a considerable challenge to the Society whose responsibility is to the Archdiocese of Birmingham covering Staffordshire, Warwickshire, West Midlands, Worcestershire and Oxfordshire.

3.11 The Father Hudson's Society mission statement is:-

"Father Hudson's Society, developing as the social care agency of the Catholic Archdiocese of Birmingham, offers services to people in particular need, in order to improve their quality of life. Christ's command 'to love one another as I have loved you' underpins our work with children, young people, adults and families without favour or discrimination."

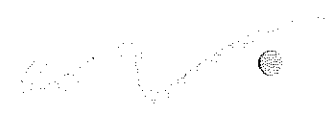
3.12 Its land and buildings are the major asset available to the Society to provide the means of achieving its objectives. The Society has, therefore, resolved to dispose of certain parts of the holding at Coleshill to be described in more detail in this Development Brief.

- 3.13 As a registered charity, however, the Trustees are bound to consider any such disposals of land from the point of view of what is in the best interests of the Society. They are governed by the requirements of the Charities Act 1993 mandating the employment of a surveyor, and through him the Charities (Qualified Surveyors' Report) Regulations 1992 (S.I. 1992 No. 2980). The Trustee must not sell for less than the best price reasonably obtainable.
- 3.14 Whilst the Father Hudson's Society wished to retain, if at all possible, the buildings and appropriate uses on the campus, the adaptation of some of the buildings had only been partially successful. The 1997 Brief responded to the necessity to make a radical reassessment of the site as a whole, rather than concentrating on the individual units within it, to form a coherent planning brief for its future development, and to consider new buildings to meet modern registration standards. That process is continued and updated in this Revised Brief.
- 3.15 In designating the Conservation Area in this part of Coleshill, the Council clearly has an interest in protecting and enhancing the character of the Conservation Area. In so doing it must have regard to the assessment that the Society has to make in respect of how it achieves its objectives in fulfilling its mission as a charitable organisation. It was thus appropriate that the parties came together to draw up the 1997 Brief in partnership so that a coherent framework could be recognised for future development in the locality. It is intended by the Society that the partnership should continue through the acceptance by the Borough Council of this Revised Brief.

4.0 SITE APPRAISAL

a) Buildings

- 4.1 The site covered by this Brief is the land and buildings owned by the Society shown on Plan C. It identifies a number of buildings.
- 4.2 The site was appraised to inform the preparation of the 1997 Brief by examining all of the buildings to assess the importance of each in architectural terms, its contribution to the character of the Conservation Area, its structural condition, and its potential for alternative use.
- 4.3 The main findings of the appraisal continue to be valid. They are:
- The most important buildings on the site are St Edward's Boys Homes, St Edward's Primary School and the Society's former Headquarters office building.
 - The buildings on the site are substantial and individual in character, mainly three storey, set back from the road frontage with important and individual facades, enclosing and separated from each other by a series of open spaces. There is a common appearance through the use of red brick and tile construction.
 - There are a number of smaller and insubstantial buildings that could be removed.



b) Townscape

4.4 The site is characterised by views into and out of the site as well as there being important vistas within the site. The trees on the site have been the subject of a professional arboricultural survey. This shows that a large number of trees are not in good health due to the lack of proper management. Some will have to be removed.

- Views into the site from Coventry Road are substantially screened by mature trees and raised banks. There are a series of glimpses which reveal a number of imposing facades set back from the road. This general characteristic should be preserved, wherever possible.
- Views into the site from the east are relatively open but partially screened by trees and hedges. Any new development on this boundary will need to be carefully considered.
- Views from the site to the east are panoramic and should be retained.
- The trees on the site are vital to the character of the area both as individual specimens and as visually important groups.
- The trees on the site have not been the subject of a full maintenance programme and some will need replacing.
- There is scope within the site to expand the amount of planting so as to enhance the spaces in and around the building.

c) Traffic

- 4.5 There are a number of different access points to the site from the Coventry Road which are substandard, and these do lead to difficult situations at times. The current traffic generation is generally low, and any significant increase as a result of new developments would lead to major new engineering that could have a substantial impact on the street scene.
- 4.6 During the preparation of the 1997 Brief of the Highway Authority was involved in an analysis of the situation by looking comprehensively at the site. It was agreed that the site should follow these guidelines:
- It was proposed that a new access point be made for any future redevelopment proposals at the site at a point between the former St Mary's Nurses Home and the St Edward's Boys Home. This will be required to have vision plays of 90m x 4.5m. In addition it will in the future also serve the remainder of the St. Gerard's site, to be re-used for housing in accordance with the proposals – the emerging review of the Local Plan.
 - At present a temporary access has been provided, but it is to be replaced by a permanent access to serve the new St. Joseph's Residential Home to accord with the requirements of condition 5 of the approval on application 1463/2000.
 - As has been previously indicated, this new access should serve the great majority of the site through a new internal layout. The exceptions should be to retain the two access points at the Church, the existing access at the north to give ingress and egress to the former headquarters office building and the Society's Headquarters, and a new access to serve the former school building. The internal layout should allow for emergency access routes via these retained access points but be designed such that there should be no circulation between them. All other points would be closed.



- Car parking on the site should be related to the need resulting from the uses proposed, and should be well located to that source. The quantum of provision should have regard to the advice in the revised draft Local Plan and PPG13: Transport. The location of the car parks is particularly important in respect of their visual impact and this matter needs to be closely examined. Car parking arrangements should be more informal than formal.

5.0 APPROPRIATE LAND USES

- 5.1 The Society will remain a significant user of the land and buildings on the site. As landowner it will also control through covenants the use of other parts of the site where it would not have a presence, so that the new occupiers and uses that are found are not in compatible with its charitable objectives.
- 5.2 In examining its own requirements it is clear to the Society that because of a number of changed circumstances and the unsuitability of buildings to modern standards, it has a surplus of buildings that will not readily be capable of reuse for its own uses.
- 5.3 Originally the Society saw itself as occupying St. Edward's Home as its headquarters and thus re-focusing all of its social care facilities and activities between these buildings and the Church. Research undertaken by the Society shows that it is highly unlikely that the existing buildings on the site would readily convert to new uses, or be marketable as such, as they were all purpose built for a specific form of institutional use at the beginning of the last century. The Society thus continues to see redevelopment potential as central to its objectives of continuing to provide social care services across the whole Archdiocese.
- 5.4 However, it soon became clear that the St. Edward's Home was economically unviable as the Society's headquarters. The closure of St. Gerard's Hospital provided the opportunity to utilise more suitable buildings. The move into the hospital buildings also enabled other Archdiocese administrative functions, including the Diocesan Schools Commission, to be moved into the former headquarters building.

5.5 The St. Gerard's buildings, purpose built at various periods for hospital use, are not all efficient or suitable for long term office use. It is however, the Society's intention to maintain its headquarters on the site, focussed on the more modern buildings. It will also enable a new office extension of a high quality design, probably limited to 2-storeys in height, but not necessarily in a traditional form of office building, to be built to accommodate headquarters staff currently occupying the older hospital buildings. This has the following primary advantages:

- The retention of the gardens as a setting for both the headquarters offices and their use for community and social functions, particularly during the summer months;
- It will enable the chapel to be retained;

5.6 The area to the north of the St. Gerard's buildings allocated for residential use in Policy HSG1 could be accessed from Coventry Road through the existing access along the northern boundary of the site serving the Society's offices.

5.7 Given these circumstances and the overall conclusions of the site appraisal, it remains the Society's view that appropriate alternative land uses should be compatible with the Society's charitable objectives. It is also the Society's view that funds raised from new development should help it to maintain and expand its ability to provide for and manage its Social Care Agency responsibilities.

6.0 OUTLINE PROPOSALS

6.1 As a result of the re-appraisal and assessment of the needs and requirements of the Father Hudson's Society, the following proposals have been prepared for land within the ownership of the Society, including the proposed Local Plan housing allocation. They are illustrated on Plan B. Although the Local Plan allocation anticipates a wholly residential use of the area allocated, the Society's and other Archdiocese functions continuing on the site will create a mix use of employment and residential uses. It is considered this balance will retain and add to the benefits of the complex to Coleshill as a source of jobs for local people.

6.2 However, the proposal in the emerging Local Plan to allocate land in the Society's ownership for residential development is recognised. It is anticipated that this number of dwellings can be achieved, subject to detailed proposals meeting the relevant design and layout requirements.

6.3 The proposals for land in the Society's ownership are:-

a) **Father Hudson's Society and Archdiocesan Functions**

6.3.1 Father Hudson's Society and Archdiocesan functions will focus on the following buildings:-

- St Edward's Primary School to continue to be a Day Centre for the physically disabled run by the Society, with its own access to Coventry Road (Building 10).

- St George's Building, which is not owned by the Society, to continue in use as offices for organisations connected with the Society, using the access from the Church (Building A).
- St James' Building to continue its use as a Day Nursery using the access for St. Edward's School (Building 12).
- The new St. Joseph's residential care home for the elderly and those with dementia, using the access as described in para 6.3.3 below (Building 11).
- The new St. Catherine's bungalows for adults with disabilities, using the Church access (Building 13).
- The newer St. Gerard's Hospital buildings will continue to be used as the headquarters of the Society (North-eastern section of Building 2), with the intention that an extension to it is built on the location shown on the Proposals Map. If an extension is built in this location the glasshouses, identified as Building 3 on the Proposals Map would be removed. It is anticipated that access will be available via the existing northern entrance next to Building 1.

6.3.2 It is the intention of the Society to improve the setting of the rear of St. Joseph's Residential Care Home in conjunction with proposals for the re-use of the former St. Edward's Boys' Homes. Such proposals may include reducing the rear wings of the former boys' home.

6.3.3 The current temporary access to St. Joseph's will be laid out in permanent form in compliance with the planning permission authorising the construction of the Care Home, in conjunction with the use of land in accordance with Revised Deposit Draft Local Plan Policy HSG1.

6.3.4 Consideration has been given to the location of the electricity sub-station and adjoining generator house. Both have to remain operational and to remain in the ownership of the Society. Attempts should be made to relocate or replace them, but if that proves not to be possible, their retention should be justified when proposals for the area in which they are located are submitted for approval.

b) Development Sites

6.3.5 The Local Plan Review proposed housing allocation includes the sites of St. Edward's, St Mary's, former St Joseph's, St. Philomena's, St. Gerard's Hospital and the Society's former offices (Buildings 1, part 2, and 3-9).

6.3.6 The intentions of the Society with regard to its own use of the site and those of the associated functions for which it has responsibility have been set out in Section 5.

6.3.7 The redevelopment of the site of the existing St. Philomena's and former St. Joseph's buildings, to be disposed of by the Society, is carried forward from the 1997 Brief, as is the guidance on the form the new development should take. The buildings are in a poor state of repair and they do not lend themselves to economic conservation for housing.

6.3.8 Proposals should retain the former St. Mary's building (Building 7) as it is the most significant building here, contributing to the character of the Conservation Area.

6.3.9 Whilst the 1997 Brief makes reference to the likelihood of this site being developed for retirement homes, it is equally suitable for one and two bedroom flats, which could contribute towards the Borough Council's objective of providing affordable housing and the Society's objective of providing up to 40% affordable housing on the site. It would also be suitable for a mixed scheme of retirement homes and one and two bedroom flats.

6.3.10 The St. Edward's building is identified earlier in this Brief as one of the most important buildings in the Father Hudson's complex. It is agreed with the Borough Council that this building should be retained.

6.3.11 Costings prepared for the repair and conversion of St. Edward's demonstrate that, enabling development is required to make the scheme viable. For this reason the Society intends to market the St. Edward's and St. Mary's buildings, the St. Edward's convent site and the St. Joseph's/St. Philomena's and part of St. Gerard's sites together. It is anticipated that a Section 106 Agreement will be sought to ensure that the conversion of St. Edward's and St. Mary's is implemented. Access will be through the new permanent access to be built from Coventry Road.

c) New Buildings

6.3.12 All new buildings on this site will need to be of a high design standard appropriate to a Conservation Area setting, and reflecting the character and ambience of the existing situation. This very largely takes on a garden or parkland atmosphere. All materials should be sensitively selected to match this setting.



6.3.13 The broad principle of development should be to create blocks of development with vistas through to reflect the existing form of development. Within the core of the site 3-storey development will be acceptable in principle in order to achieve this design objective subject to detailed design considerations, including the juxtaposition with other buildings on the site. Buildings on the eastern boundary of the site, where the effect of development on the Green Belt will be a consideration, should be 2 stories.

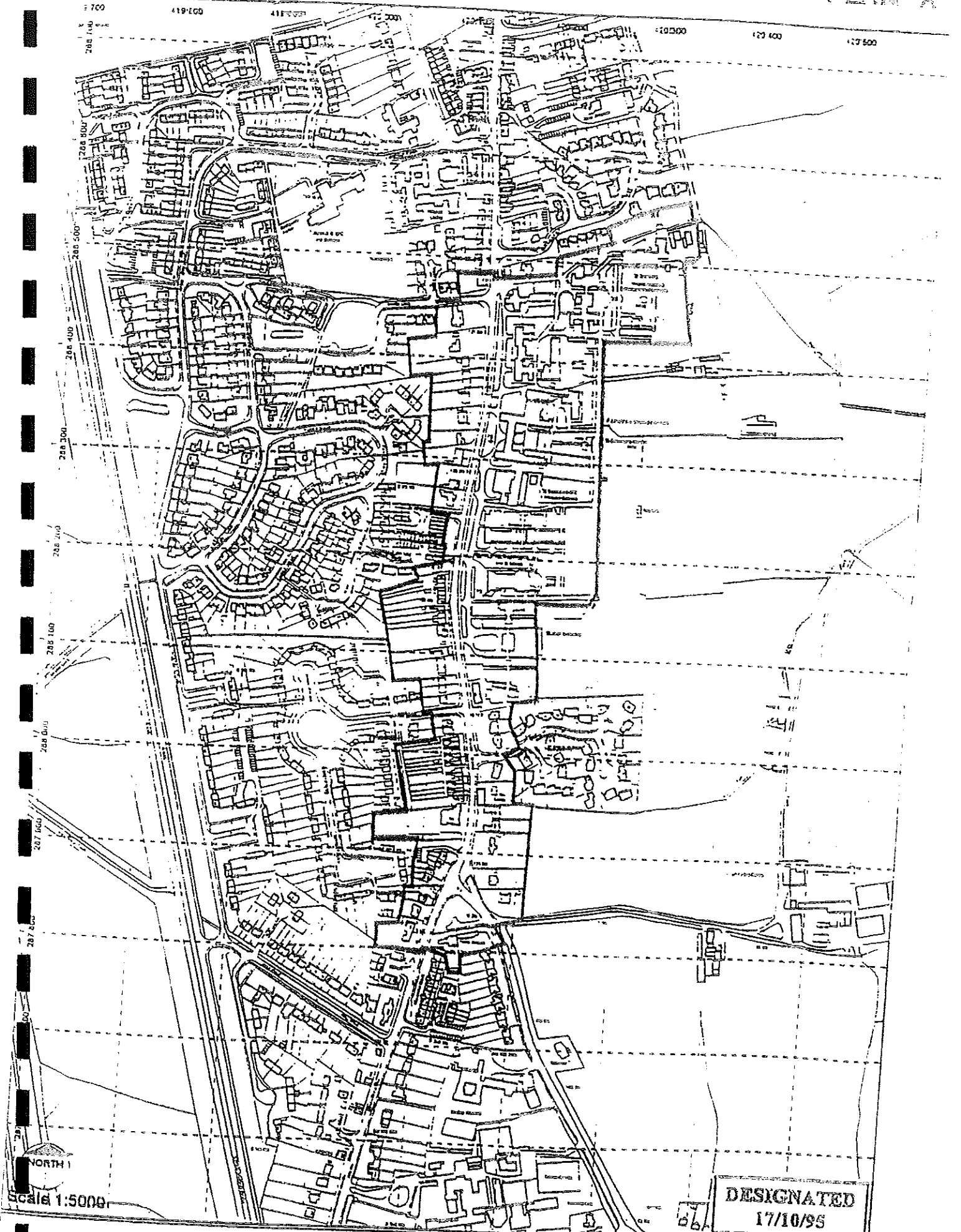
d) Planning and Conservation Area Applications

6.3.14 The Borough Council will expect applications for planning permission and conservation area consent to be submitted and dealt with in parallel.

7.0 CONCLUSIONS

- 7.1 In order to enable the Father Hudson's Society to meet its charitable objectives and development plan therein, and to continue its historical links with Coleshill, it will be necessary to enable redevelopment along the lines discussed. The 1997 Brief provided the Council's view on how that can be achieved. This revised Brief continues to reflect that view and sets it in the context of the development that has taken place in the past 7 years and the Society's current needs and aspirations in response to its developing role as a Social Care Agency within the Archdiocese of Birmingham.
- 7.2 The exact type of development will depend upon market requirements and in attracting interest from development companies. It is important that the area be redeveloped within a masterplan so that landscaping and traffic be co-ordinated, rather than that the site be developed piecemeal. In this way, the best of the important and interesting buildings in the complex can acquire new functions and continue to play their important role in the heritage of the site and the care of the Coventry Road, Coleshill Conservation Area.

PLAN A

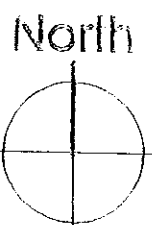
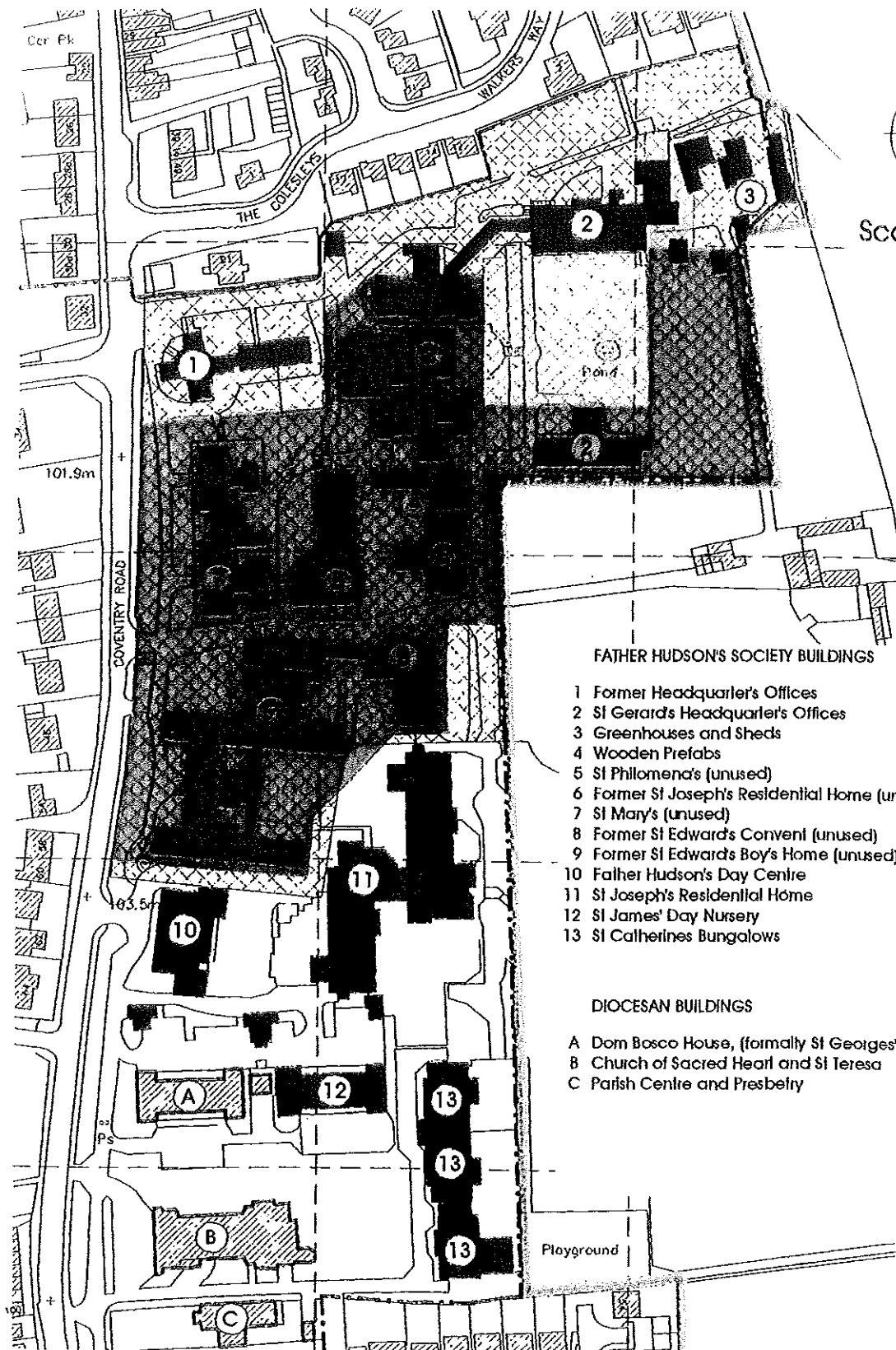


NORTH
Scale 1:5000

DESIGNATED
17/10/95

COVENTRY ROAD COLEBROOK

PLAN B



Scale 1:2000

FATHER HUDSON'S SOCIETY BUILDINGS

- 1 Former Headquarter's Offices
- 2 St Gerard's Headquarter's Offices
- 3 Greenhouses and Sheds
- 4 Wooden Prefabs
- 5 St Philomena's (unused)
- 6 Former St Joseph's Residential Home (unused)
- 7 St Mary's (unused)
- 8 Former St Edward's Convent (unused)
- 9 Former St Edward's Boy's Home (unused)
- 10 Father Hudson's Day Centre
- 11 St Joseph's Residential Home
- 12 St James' Day Nursery
- 13 St Catherines Bungalows

DIOCESAN BUILDINGS

- A Dom Bosco House, (formally St Georges')
- B Church of Sacred Heart and St Teresa
- C Parish Centre and Presbetry

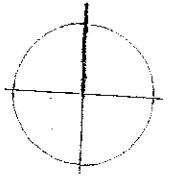
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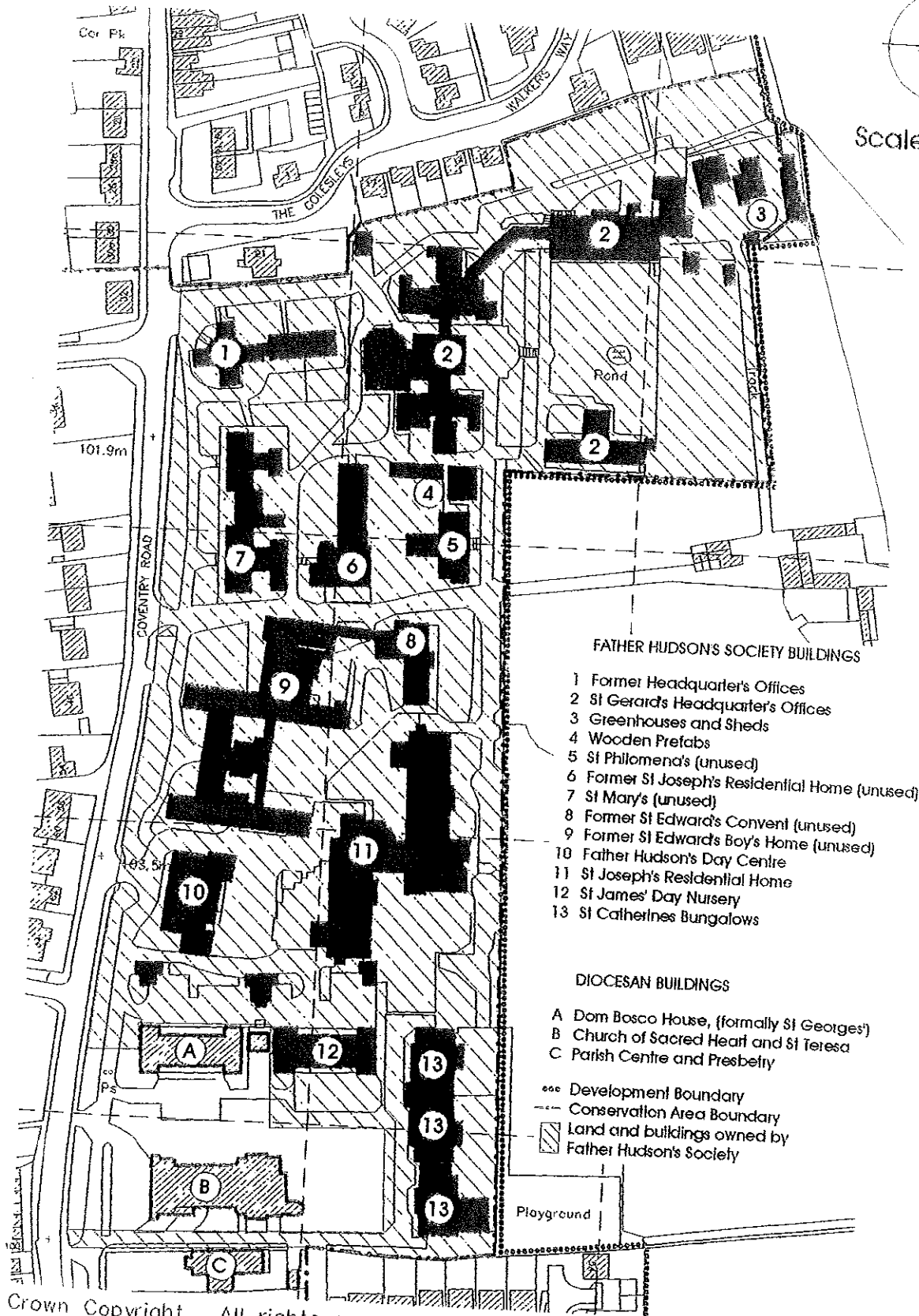
- AREA FOR DEVELOPMENT
- DEVELOPMENT AREA IDENTIFIED IN POLICY HSG1
- PROPOSED OFFICE EXTENSION
- RETAINED MEMORIAL GARDEN
- GREEN BELT BOUNDARY
- CONSERVATION AREA BOUNDARY

PLAN C

North



Scale 1:2000



FATHER HUDSON'S SOCIETY BUILDINGS

- 1 Former Headquarter's Offices
- 2 St Gerards Headquarter's Offices
- 3 Greenhouses and Sheds
- 4 Wooden Prefabs
- 5 St Philomena's (unused)
- 6 Former St Joseph's Residential Home (unused)
- 7 St Mary's (unused)
- 8 Former St Edward's Convent (unused)
- 9 Former St Edward's Boy's Home (unused)
- 10 Father Hudson's Day Centre
- 11 St Joseph's Residential Home
- 12 St James' Day Nursery
- 13 St Catherines Bungalows

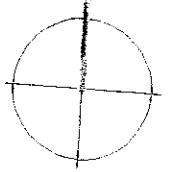
DIOCESAN BUILDINGS

- A Dom Bosco House, (formally St Georges')
- B Church of Sacred Heart and St Teresa
- C Parish Centre and Presbety

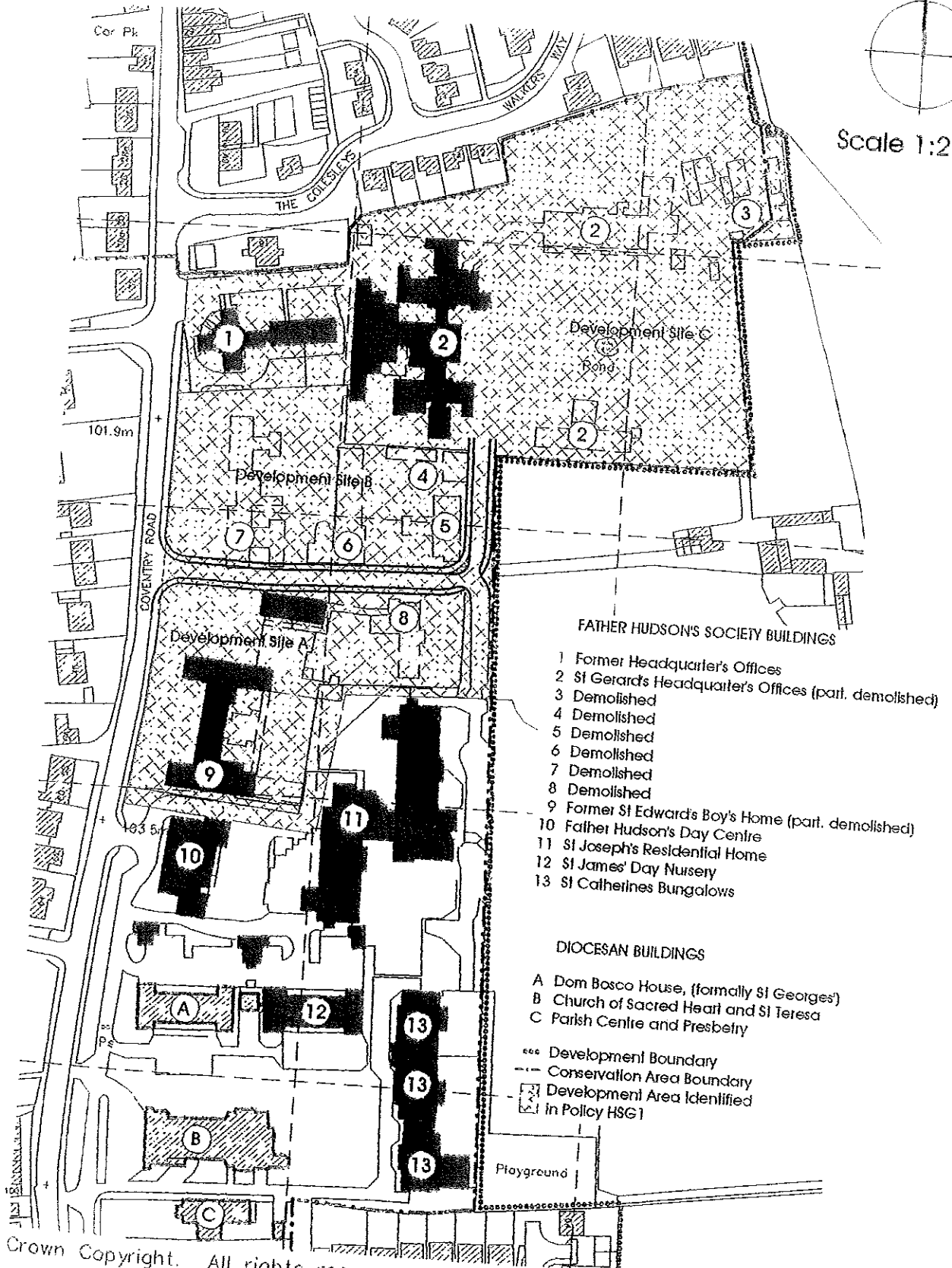
- Development Boundary
- ... Conservation Area Boundary
- ▨ Land and buldings owned by Father Hudson's Society

PLAN D

North



Scale 1:2000



- FATHER HUDSON'S SOCIETY BUILDINGS
- 1 Former Headquarter's Offices
 - 2 St Gerard's Headquarter's Offices (part. demolished)
 - 3 Demolished
 - 4 Demolished
 - 5 Demolished
 - 6 Demolished
 - 7 Demolished
 - 8 Demolished
 - 9 Former St Edwards Boy's Home (part. demolished)
 - 10 Father Hudson's Day Centre
 - 11 St Joseph's Residential Home
 - 12 St James' Day Nursery
 - 13 St Catherines Bungalows

- DIOCESAN BUILDINGS
- A Dom Bosco House, (formally St Georges)
 - B Church of Sacred Heart and St Teresa
 - C Parish Centre and Presbety

- Development Boundary
- - - Conservation Area Boundary
- ▣ Development Area Identified in Policy HSG1

The Britannia Works Site, Coleshill Road, Atherstone

Design Brief for Development Proposals

2010

Introduction

This site is identified by saved policy HSG 1 of the North Warwickshire Local Plan 2006, as being one suitable for residential use. This Brief describes the site and its setting before identifying the key principles that the Council will follow in the assessment of prospective development proposals, and then in the subsequent determination of planning applications.

The Site

This is 0.4 hectares of land on the east side of the Coleshill Road, about 800 metres from Atherstone town centre and immediately south of the Coventry Canal. It presently houses the industrial premises of the former hat making factory – Staffords – and has remained vacant for some time since that factory closed.

The site is in a residential area, bounded to the south by Richmond Road, a short cul-de-sac of terraced properties, and to the north, on the other side of the canal, by semi detached inter war housing. This is at a much lower level than the development site.

The site is highly developed with buildings set around a central yard, and wholly hard surfaced. The scale of the present built form is three storey and industrial in character

Background

The town became famous for its hatting industry and this was the last surviving working factory, until its closure in 1999. The site is made up of what was originally two separate mills – one fronting the Coleshill Road and the second fronting the canal with access off Richmond Road. The dates of the buildings vary across the site from the early 19th Century on the Coleshill Road frontage, to the early 20th Century within the bulk of the site to the rear.

The frontage building is included as a grade 2 building in the Schedule of Listed Buildings. This is due to its historical significance as part of the local traditional hatting industry, and because it reflects the appearance and character both internally and externally of an industrial building constructed in the early 19th Century.

The site is physically constrained by the canal; its sole vehicular access being from Richmond Road, and the amount of building currently on the site.

These features are illustrated in a series of illustrations at Appendices A to C.

Development Plan Background

The relevant part of the Development Plan to this site is the North Warwickshire Local Plan, adopted in 2006. The saved policies from this Plan that relevant to the site's redevelopment are attached at Appendix D .

The Plan seeks the residential redevelopment of the site, and a figure of 56 units is identified.

The Council will consider an alternative use for the main frontage Listed Building on the Coleshill Road if it can be shown to be a more sympathetic use to its retention and conversion. In particular the Council will seek reservation of part of this building as a local heritage centre accessed by the public.

The Council recognises that the provision of a minimum of 40% of the housing on the site being “affordable” dwellings, will be challenging. The Council will consider a lower provision subject to the receipt of the appropriate robust evidence base in the form of a financial viability appraisal.

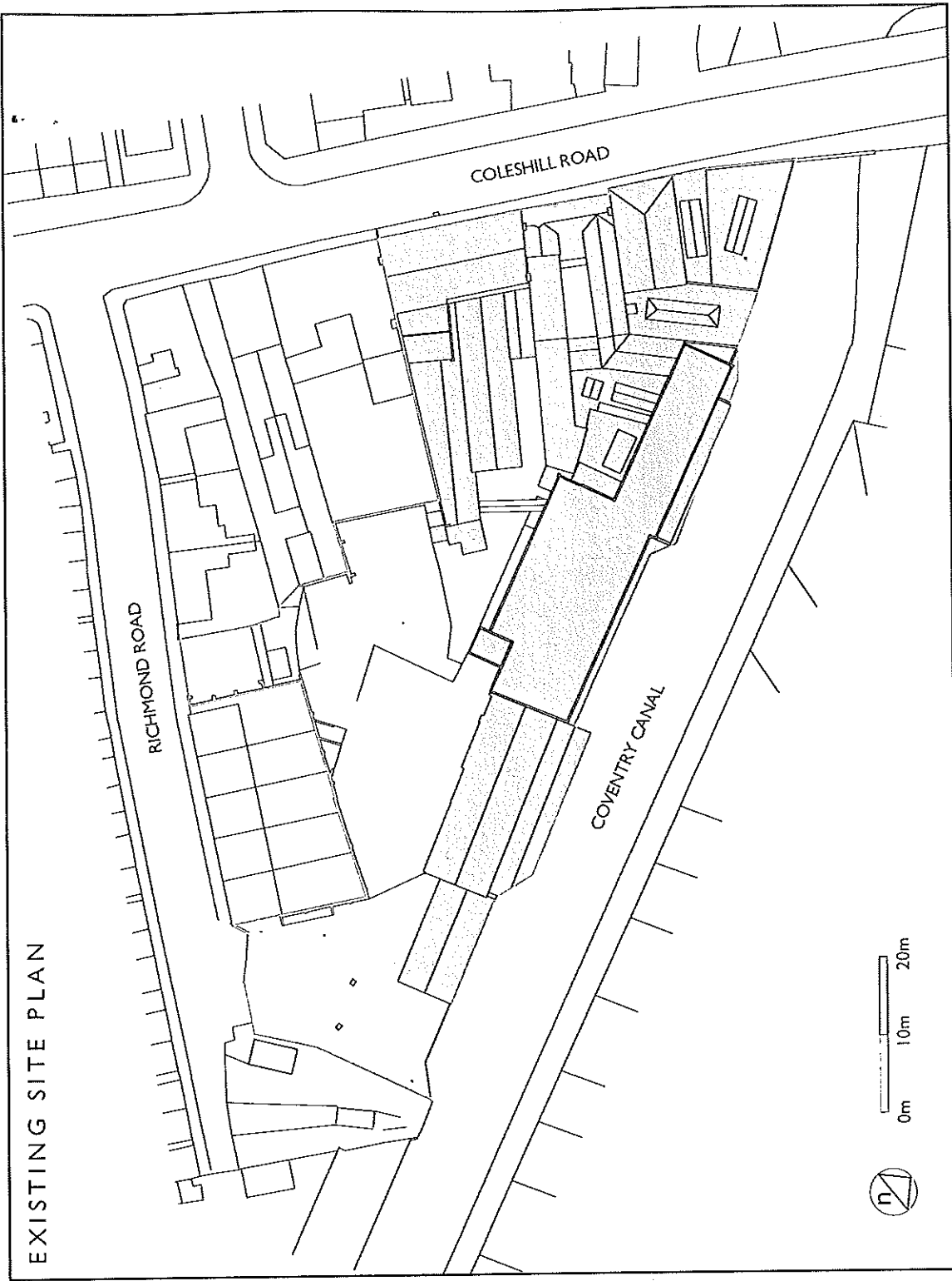
Key Principles




The overriding principle in the redevelopment of this site is to secure the future of the Listed Building and to create a high quality residential development which reflects the industrial heritage of the site and its canal side frontage.

The whole site is taken to be the curtilage of the Listed Building. It is however recognised that demolitions will be appropriate and necessary in order to redevelop the site for its new use. In order to assist, this Brief suggests such buildings so as to provide a starting point for prospective developers. The plan at Appendix E illustrates these buildings.

The key principles for the site’s redevelopment are:

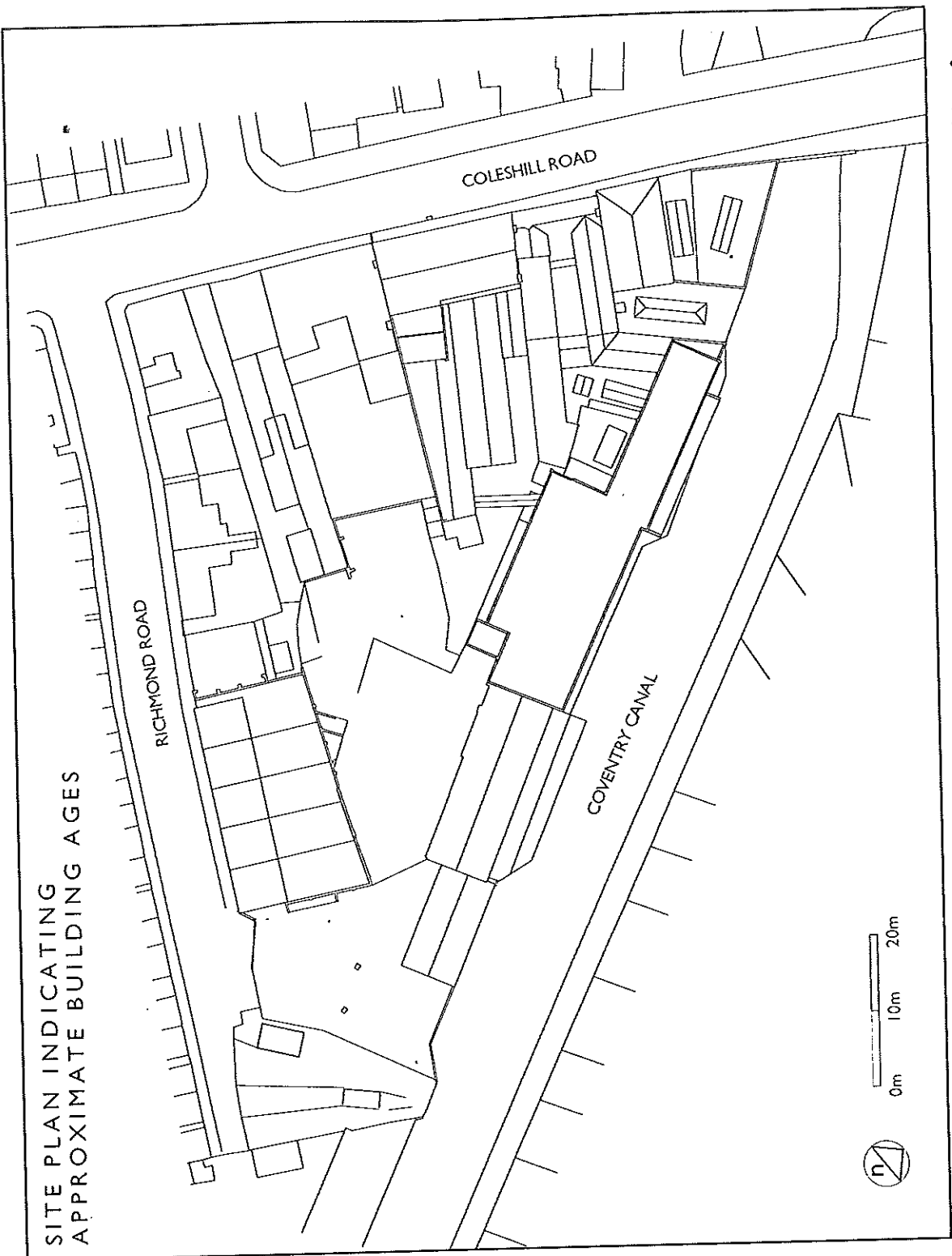
- The retention of the Listed Building on the Coleshill Road frontage.
- The repair and refurbishment of this Building will take place prior to occupation of any new build on the site.
- Demolition of the majority of the remaining buildings will be permitted
- Vehicular access will be from Richmond Road
- New built form shall retain a strong focus on developing a canal side frontage, with the scale reflecting the taller Listed Building at its western end reducing to two storey in scale at its eastern end
- The design and appearance of the new build shall reflect in part, the industrial background of the site.
- Public access to parts of the canal frontage will be expected.
- Public access to the Listed Building will be expected through retention of part of it as a local heritage centre.










-  existing buildings on site
-  existing buildings neighbouring site
-  site boundary

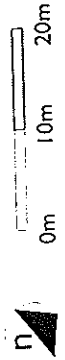
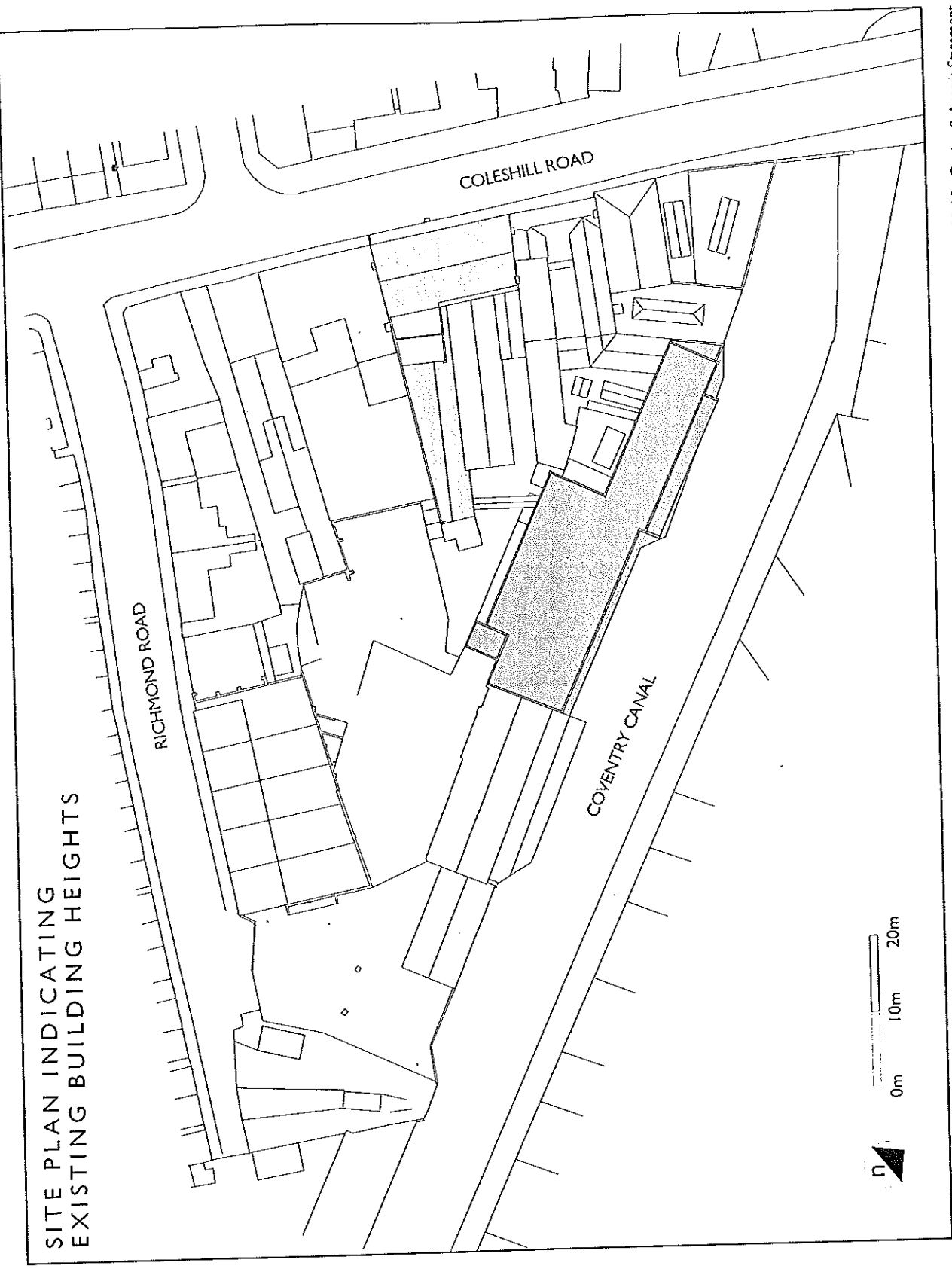
SITE PLAN INDICATING APPROXIMATE BUILDING AGES

- early/mid 19th Century
- mid 19th Century
- late 19th Century
- late 19th/early 20th Century
- early 20th Century



SITE PLAN INDICATING EXISTING BUILDING HEIGHTS

-  1 floor (1 story)
-  2 floors (2 stories)
-  2 floors (2.5 stories)
-  2 floors (3 stories)
-  3 floors (3 stories)
-  3 floors (3.5 stories)
-  3 floors (4 stories)



Appendix D

Saved Policies of the North Warwickshire Local Plan 2006

HSG 1 Housing Land Allocations and Proposals

HSG 2 Affordable Housing

HSG 4 Densities

ENV 6 Land Resources

ENV10 Energy Generation and Conservation

ENV11 Neighbour Amenities

ENV12 Urban Design

ENV13 Building Design

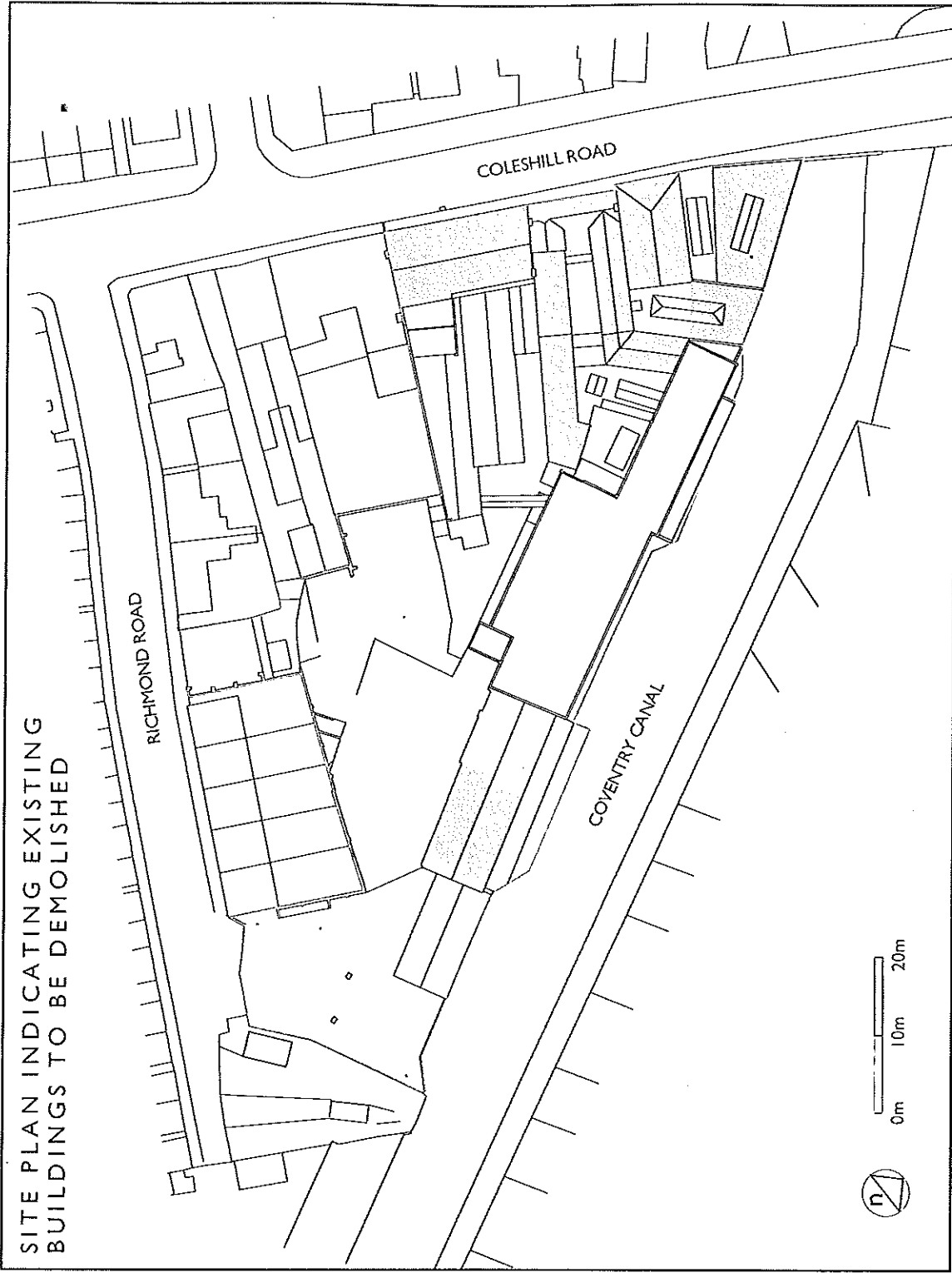
ENV14 Access Design

ENV16 Listed Buildings




TPT 1 Transport Considerations

TPT 6 Parking Requirement

ECON 10 Tourism



SITE PLAN INDICATING EXISTING BUILDINGS TO BE DEMOLISHED

-  existing buildings retained
-  existing buildings demolished
-  site boundary

Land off Holly Lane, Atherstone

Design Brief for Development Proposals

2010

Introduction

This land is allocated for industrial development by saved policy ECON2 of the North Warwickshire Local Plan 2006. It is a vacant, rectangular 6.9 hectare piece of land on an established industrial estate. The Policy enables its use either for expansion by an existing occupier on that estate or by smaller industrial units.

The Site

The site faces the main industrial site roads of Holly Lane and Rowland Way on two sides, and a smaller cul-de-sac, Abeles Way, on a third. There are office buildings, warehouse units and industrial premises in the surrounding area. The land is relatively flat with no on-site trees. There are however strong established road side hedgerows. The site itself is on the edge of the estate and has views over the surrounding countryside. The site and its surroundings are illustrated on the attached plan.

Key Principles

The overriding principle in the development of this site is to ensure high quality in the design and appearance of the built form, whilst ensuring that it retains an open and green feel given the proximity of the countryside.

The key principles for this site are the same for whichever of either of the two forms of development enabled by the Policy comes forward.

- The development shall be a frontage development to both Holly Lane and Rowland Way
- A landscaping belt will be provided around these two frontages incorporating the retention of existing hedgerows.
- The built form shall not exceed the height of existing surrounding developments
- It shall be brick built and/or metal clad to match facing materials already used on the existing estate.
- Vehicular access shall be obtained from Rowland Way
- All car parking/delivery and turning areas shall be within the site behind the built frontage
- The development shall enable pedestrian/cycle access through to Abeles Way and thus to the town centre.

Land at Birch Coppice, Dordon

Design Brief for Development Proposals

2010

Introduction

This is an area of 49 hectares of land granted outline planning permission in August 2010 for the development of a warehouse and distribution estate as an extension to the existing Birch Coppice Business Park. As part of that permission, a Design Brief for new buildings, and a Landscape Design Brief were also approved. The content of these documents is attached. They replicate and develop the high standards of design and appearance that are currently seen on the existing Phase One development at Birch Coppice.

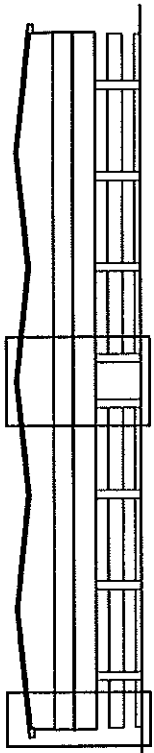
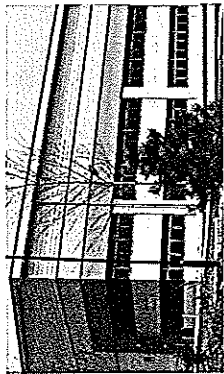
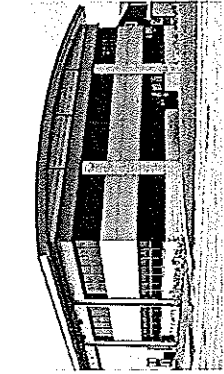
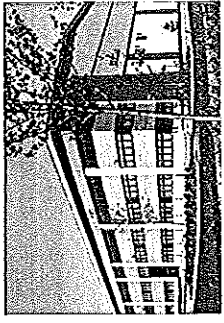
Key Principles

In summary form, the key principles set out in these Briefs are:

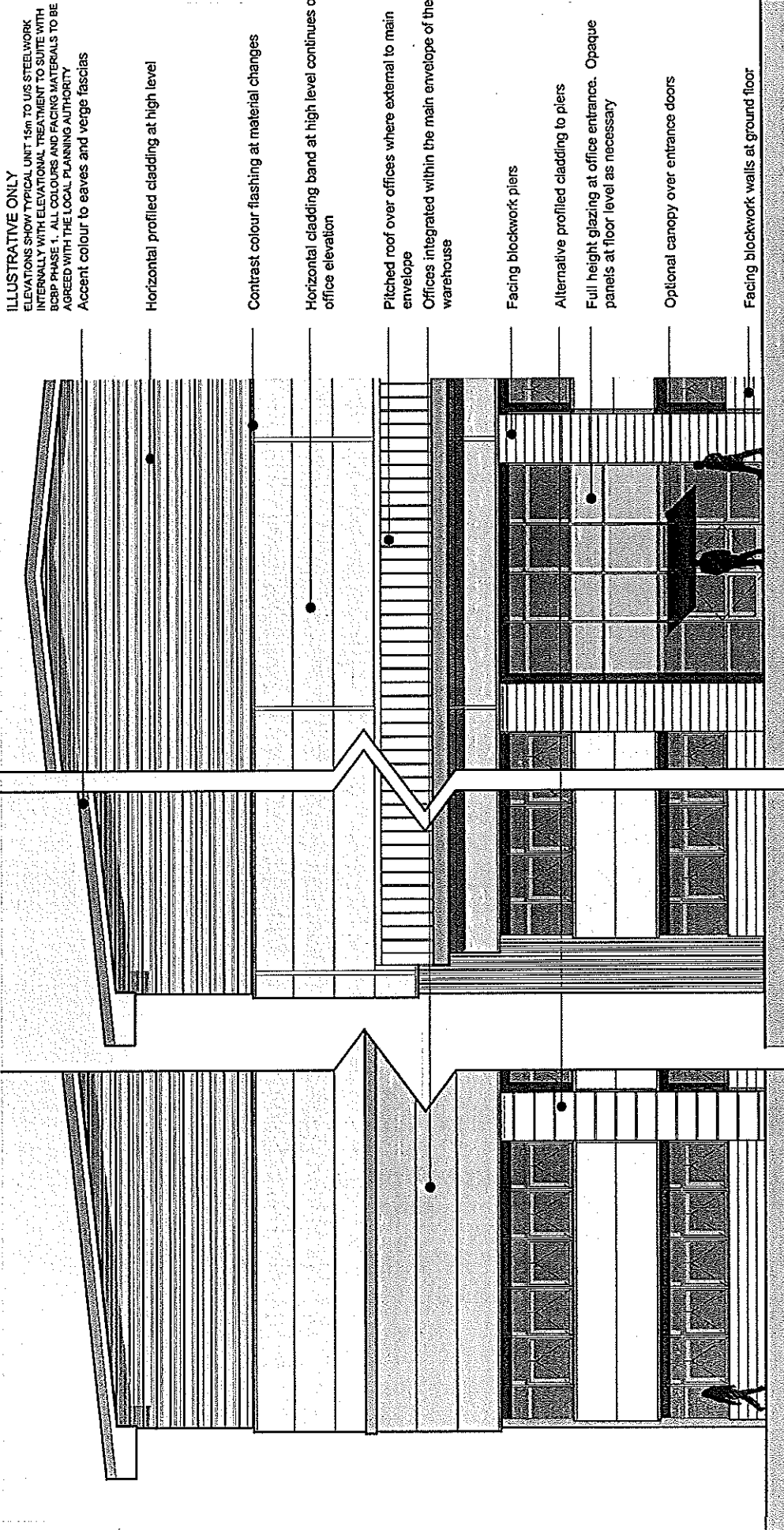
- Main buildings are to be set as far forward as appropriate within development plots so as to give the impression of a built frontage
- Elevations are to be “broken down” through the use of a variety of facing materials and design solutions
- The colours of the materials are to match the “muted” colours already seen on Phase One with particular design features “accented”. House styles and colours will be considered where appropriate.
- Car parks will be broken up and contribute to green space provision
- Car parks and HGV areas will in general be located behind buildings
- Ancillary plant and services, lighting and advertising will be dealt with as design features to enhance the overall appearance of a plot
- There will be significant roadside landscaping alongside the main road infrastructure
- This will be reinforced on site through frontage planting within the development plots
- Boundary treatments together with frontage treatment and car parking divisions should include hedgerow planting and traditional rural fencing
- All planting is to consist of native species and larger grassed areas should include in part, a wildflower mix.

APPENDIX 1 DESIGN BRIEF

- 1.12 Office elevations will be broken down with facing blockwork or profiled clad piers. Low level walls beneath ground floor windows again in facing quality blockwork as utilised on phase 1 of BCBP. Windows will be polyester powder coated aluminium and constructed in smaller modules and will be separated by contrast colour/texture spandrel panels between floors all serving to enhance the visual complexity and human scale of the buildings. Full height glazing of cladding features will be considered at main entrances to offices to give a focus.
- 1.13 It is envisaged that the colours of materials to be utilised on phase 2 will, in the main, theme through with the “muted” utilised on phase 1 of BCBP with accent colours picked out in narrow elements such as flashings, trims, window and door frames Where appropriate to operator requirements these colours may vary to suit house styles and house colours which might also be picked up in accent colours and details to the building.
- 1.14 The car parks themselves will contribute as green spaces broken up with high quality hard and soft landscape features (see below) again emphasising the human scale.
- 1.15 Hard landscape areas, in particular footpaths, will incorporate a mixture of block paviments and high quality concrete paving slabs with associated features (see below).
- 1.16 Service yards fronting the main spine road will be enclosed with facing blockwork walling to match that used on the buildings. Otherwise, service yards will be bounded by palisade fencing coloured to suite with the buildings.
- 1.17 The following illustrations, based upon concept designs for Phase 1 BCBP, serve to indicate one way in which these concepts can be applied to building designs. These are not intended to be prescriptive of design style, but rather to demonstrate how the type of elements identified in the preceding paragraphs might be interpreted and assembled to provide a satisfactory building design.



KEY ELEVATION



ILLUSTRATIVE ONLY
 ELEVATIONS SHOW TYPICAL UNIT 15m TO US STEELWORK
 INTERNALLY WITH ELEVATIONAL TREATMENT TO SUITE WITH
 BCBP PHASE 1. ALL COLOURS AND FACING MATERIALS TO BE
 AGREED WITH THE LOCAL PLANNING AUTHORITY
 Accent colour to eaves and verge fascias

Horizontal, profiled cladding at high level

Contrast colour flashing at material changes

Horizontal cladding band at high level continues or
 office elevation

Pitched roof over offices where external to main
 envelope
 Offices integrated within the main envelope of the
 warehouse

Facing blockwork piers

Alternative profiled cladding to piers

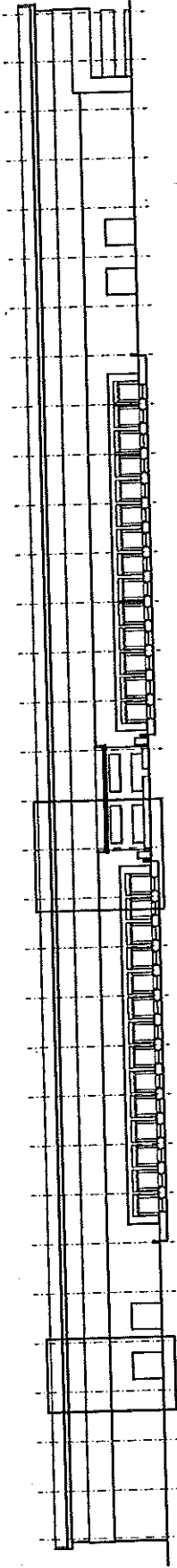
Full height glazing at office entrance. Opaque
 panels at floor level as necessary

Optional canopy over entrance doors

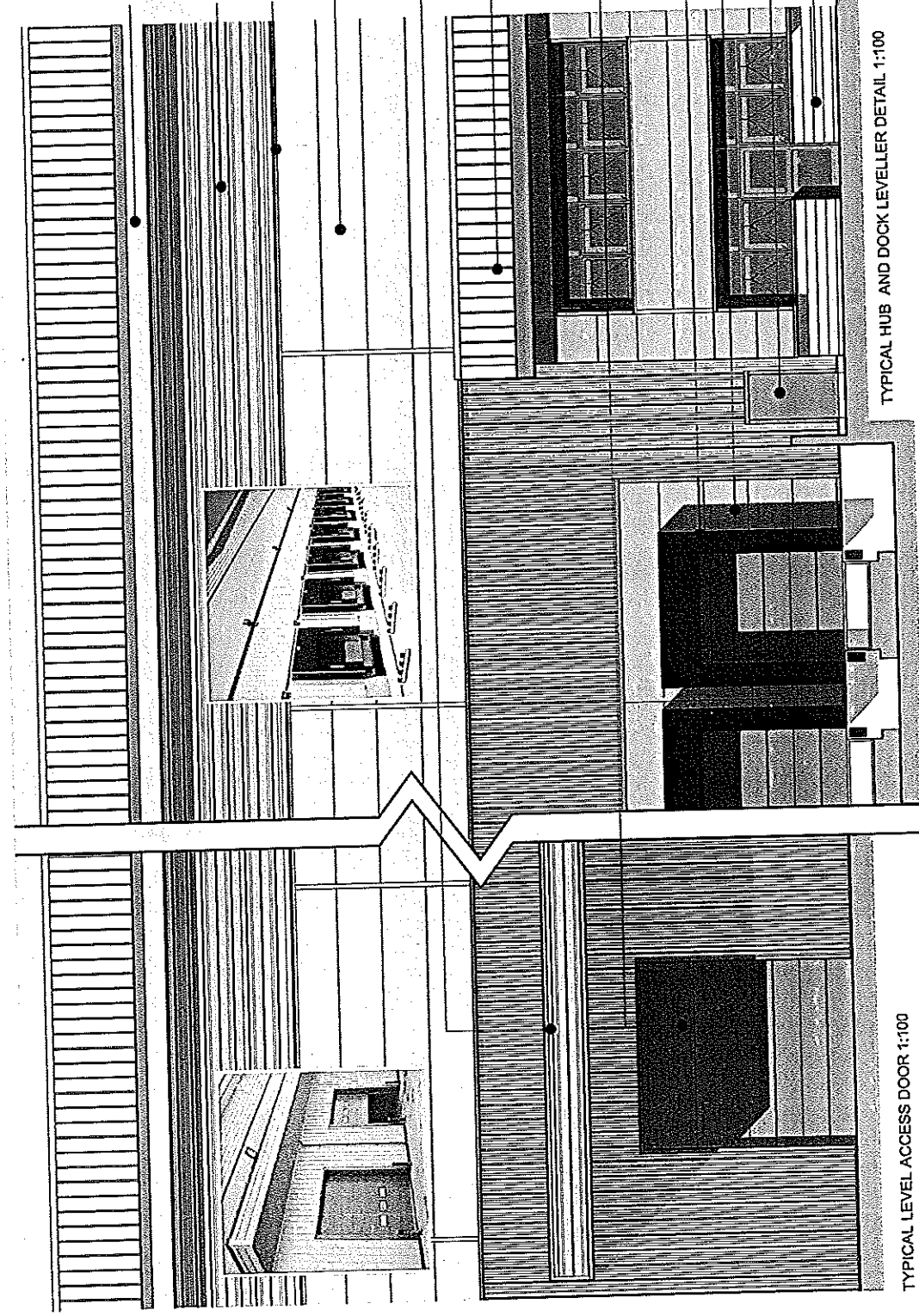
Facing blockwork walls at ground floor

TYPICAL ENTRANCE DETAIL 1:100

TYPICAL CORNER DETAILS 1:100



KEY ELEVATION



ILLUSTRATIVE ONLY
ELEVATIONS SHOW TYPICAL UNIT 15m TO U/S STEELWORK
INTERNALLY WITH ELEVATIONAL TREATMENT TO SUITE WITH
BOBP PHASE 1. ALL COLOURS AND FACING MATERIALS TO BE
AGREED WITH THE LOCAL PLANNING AUTHORITY

Accent colour to eaves and verge fascias

Horizontal profiled cladding at high level

Contrast colour flashing at material changes

Horizontal cladding band. Flat/ribbed profile in
contrast colour to main cladding

Possible canopy over level access doors where
required by the occupier

Pitched roof over offices

Level access doors. Insulated vertical lift doors with
vision panels where required by the occupier

Dock shelter

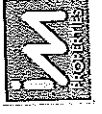
Flat/ribbed cladding (not profiled) surround to dock
levellers to receive dock shelters

Painted steel personnel door

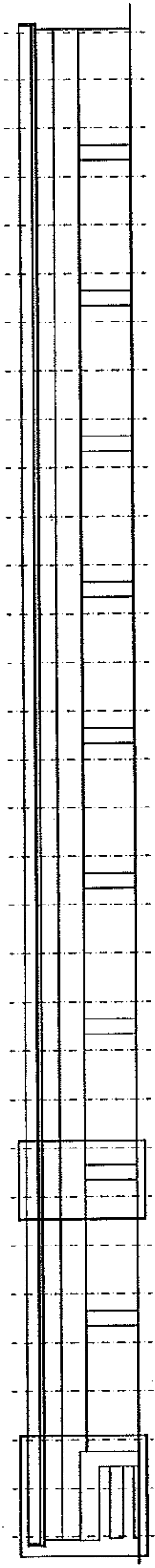
Facing blockwork piers

TYPICAL HUB AND DOCK LEVELLER DETAIL 1:100

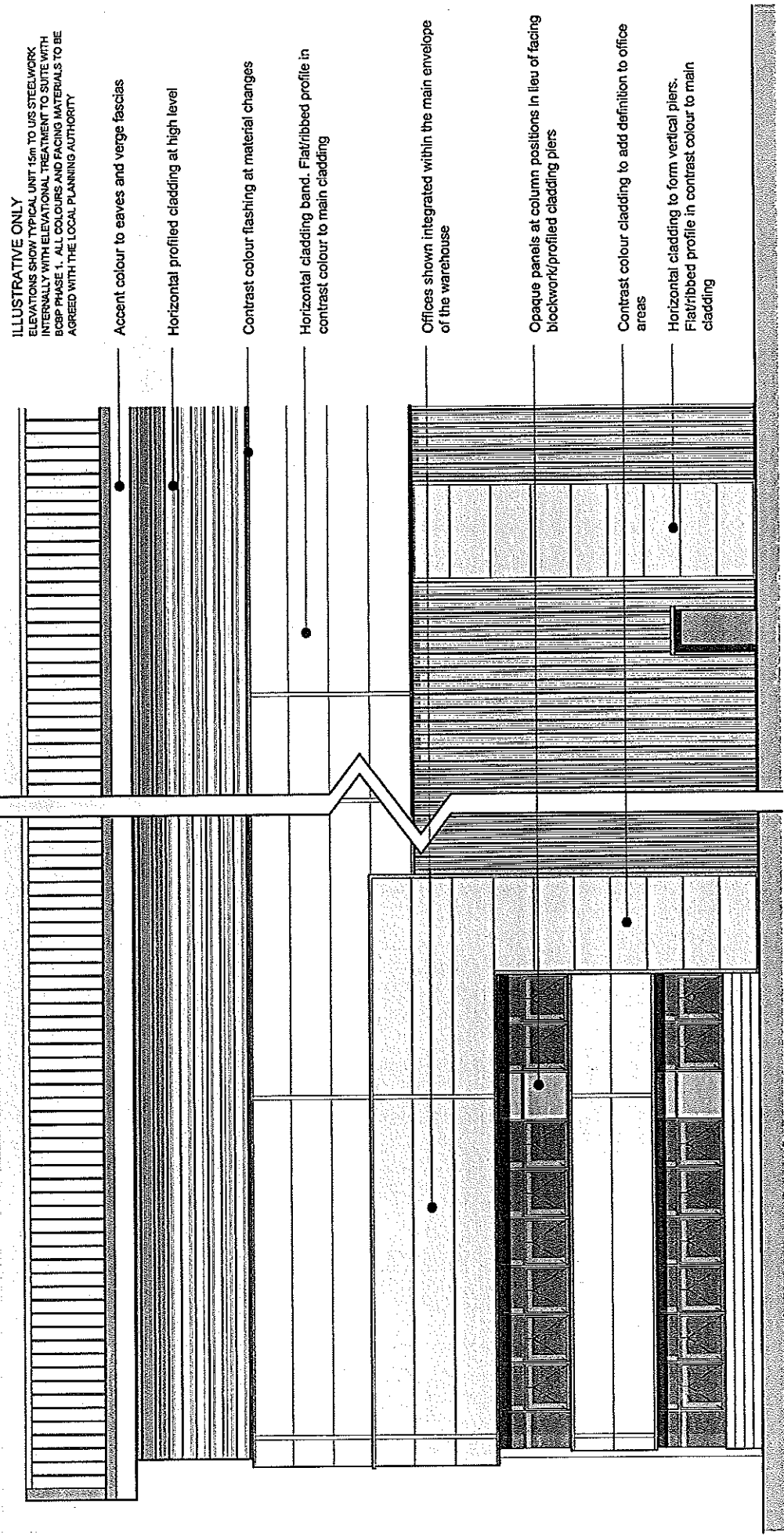
TYPICAL LEVEL ACCESS DOOR 1:100



DESIGN BRIEF ILLUSTRATIONS
SHEET 2 of 4



KEY ELEVATION



ILLUSTRATIVE ONLY
ELEVATIONS SHOW TYPICAL UNIT 15m TO US STEEL WORK
INTERIALLY WITH ELEVATIONAL TREATMENT TO SUITE WITH
BCSP PHASE 1. ALL COLOURS AND FINISH MATERIALS TO BE
AGREED WITH THE LOCAL PLANNING AUTHORITY

Accent colour to eaves and verge fascias

Horizontal profiled cladding at high level

Contrast colour flashing at material changes

Horizontal cladding band. Flatribbed profile in
contrast colour to main cladding

Offices shown integrated within the main envelope
of the warehouse

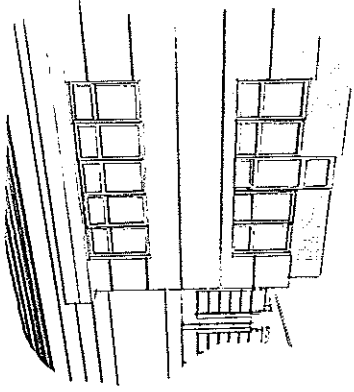
Opaque panels at column positions in lieu of facing
blockwork/profiled cladding piers

Contrast colour cladding to add definition to office
areas

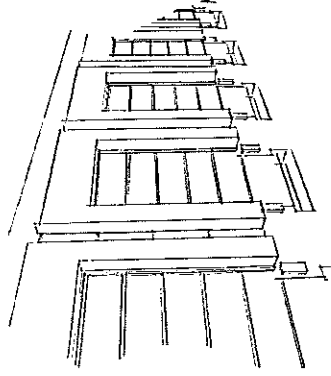
Horizontal cladding to form vertical piers.
Flatribbed profile in contrast colour to main
cladding

TYPICAL WAREHOUSE PIER DETAIL 1:100

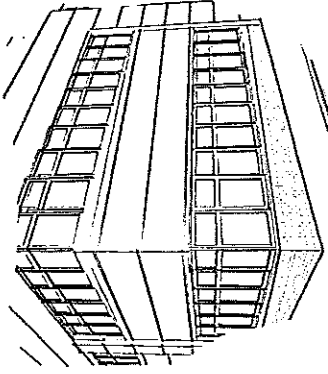
TYPICAL OFFICE CORNER DETAIL 1:100



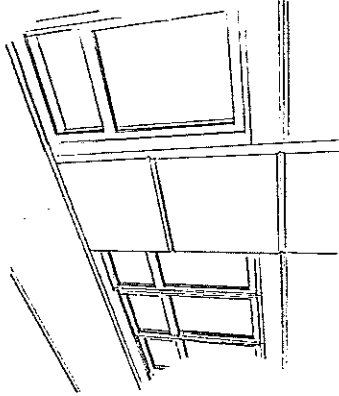
HUB DETAIL



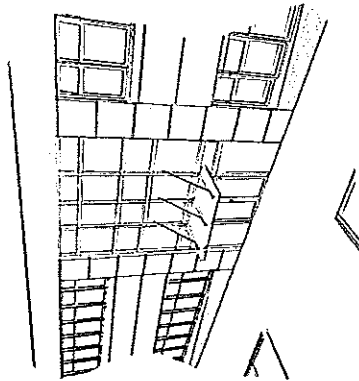
DOCK LEVELLERS



CORNER DETAIL

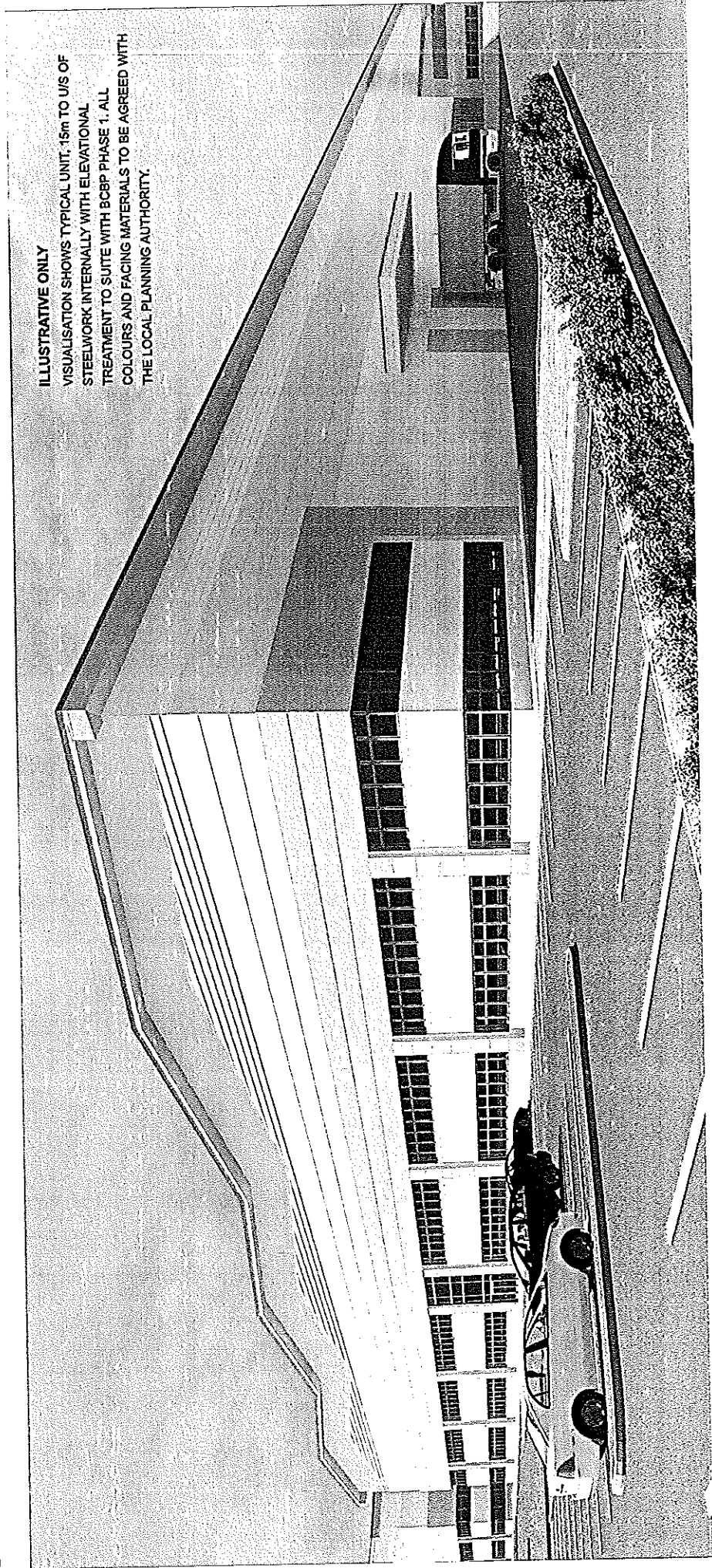


CLAD PIER DETAIL



ENTRANCE DETAIL

ILLUSTRATIVE ONLY
 VISUALISATION SHOWS TYPICAL UNIT, 15m TO U/S OF
 STEELWORK INTERNALLY WITH ELEVATIONAL
 TREATMENT TO SUITE WITH BCBP PHASE 1. ALL
 COLOURS AND FACING MATERIALS TO BE AGREED WITH
 THE LOCAL PLANNING AUTHORITY.



1.0 INTRODUCTION:

- 1.1 This design guide has been prepared by Bea Landscape Design Limited, for and on behalf of the IM Properties (Dordon) Limited for use on Phase 2 Birch Coppice Business Park.
- 1.2 The aim of the design guide is to provide a framework for the future landscaping of the site and to ensure an approved and consistent design approach to the landscaping of the infrastructure, unit landscapes and the treatment of the surrounding landscape setting.
- 1.3 The guide has been written to be read by architects, engineers and contractors working on the construction projects to ensure a best practice, consistent and good quality landscape for all of the development. Where applicable this guide should be read in conjunction with the specification notes included on the landscape drawings.

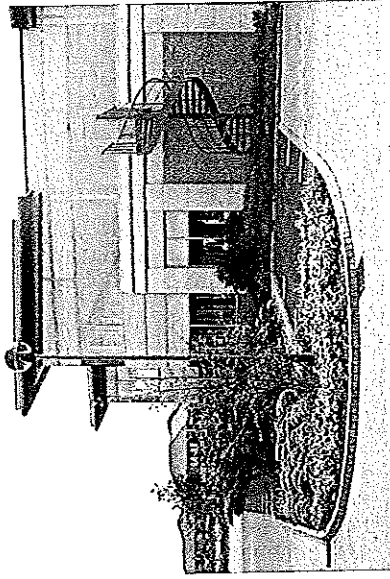
2.0 PLANTING DESIGN GUIDELINES:

2.1 Design principles

- 2.1.1 Landscaping to the units is to consist of ornamental shrub and tree planting, hedging and turfed or seeded grass areas as appropriate. Where possible we would recommend at least 25% of the proposed development sites are apportioned as landscaping.
- 2.1.2 The roadside landscaping to plot entrances should be reinforced to emphasise the plot entrance with sweeping turfed verges and carefully positioned large mature and semi mature tree groups; similarly building entrances should be reinforced with concentrated planting areas including trees and specimen shrubs.
- 2.1.3 Where possible a minimum of 2m landscaping is to be provided on plot to plot boundaries with increased widths to enhance the building setting.

2.2 Ornamental Shrub Planting:

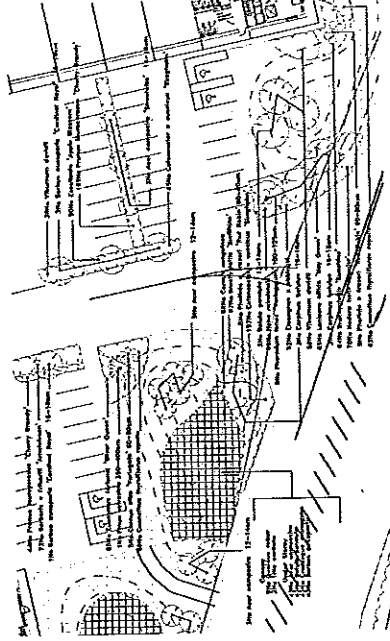
- 2.2.1 The shrub planting is to be in the form of 'island' and back of footpath shrub beds to the car park and between units. The beds are to consist of a mix of evergreen and deciduous ground-cover shrubs in a ratio of 80:20% punctuated with specimen plants to provide focal highlights at principle vehicular access and building entrances.



Example of successful shrub and tree planting

Shrub planting is to be thickened on road bends to help shield light glare and to create a structure to the site planting. The entrances to the separate roads, both secondary and tertiary are to have bold and colourful planting both to highlight the entrances and to create a sense of place.

2.2.2



Extract from a typical planting plan

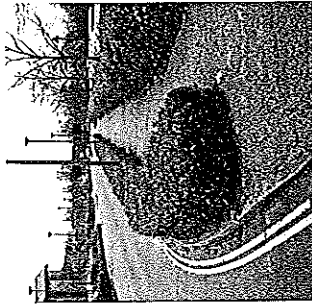
Ornamental shrub areas are to be covered with 75mm depth of ornamental grade bark mulch to deter weed growth, retain moisture in the soil and reduce maintenance costs.

2.2.3

NB Shrub beds are to be individually numbered on planting plans to enable identification of beds during compliance inspections.

2.3 Hedging:

Where appropriate shrub planting adjacent to car parks and site boundary fence lines are to be reinforced with evergreen or deciduous screen hedges. For greater impact where budget allows 'instant' hedging is to be used in either formal locations or close to building entrances.



Example of evergreen and deciduous hedgerow planting

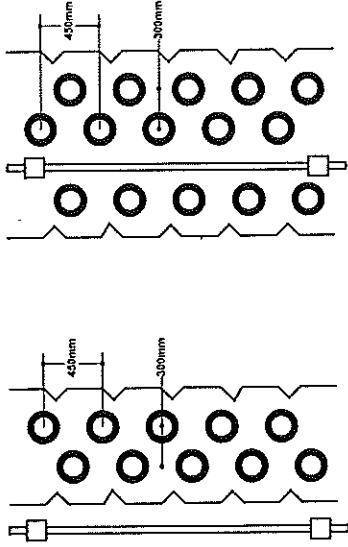


Example of native hedgerow planting (before & after)

2.3.2

Due to the rural nature of this site rural site, infrastructure roads are to be planted with native hedgerow species. Native hedges are to include a percentage of evergreen material with species selected to reflect the indigenous vegetation.

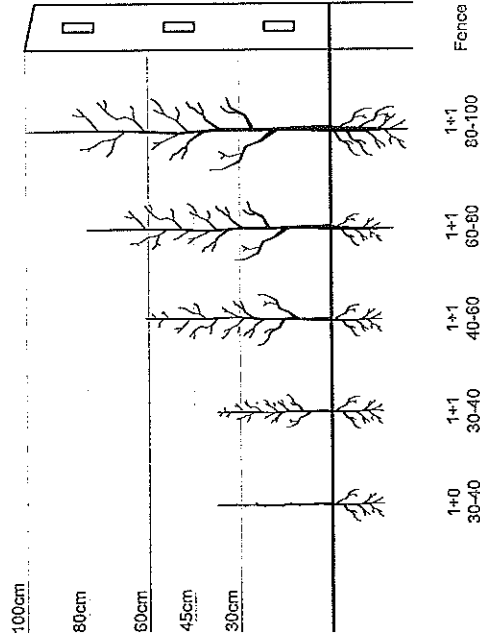
Hedgerow planting layout options:



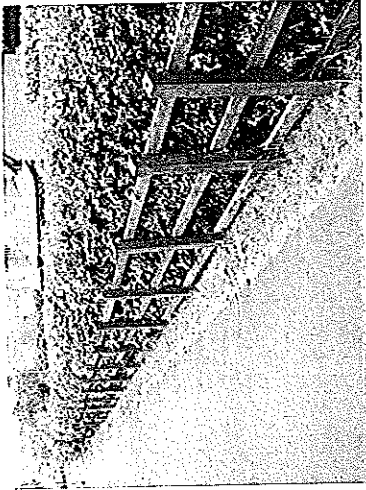
Double Staggered rows

Triple Staggered rows

Hedgerow Plant Sizes:



2.3.3 Native hedges are to be planted where budget allows in triple staggered rows at 0.45m centres in rows 300mm apart with plants being 60-80cm in height. For greater impact feathered taller plants can be used. The hedges are to be reinforced until establishment by a sawn timber post and rail fence. Rabbit spirals and protection tubes are to be black.



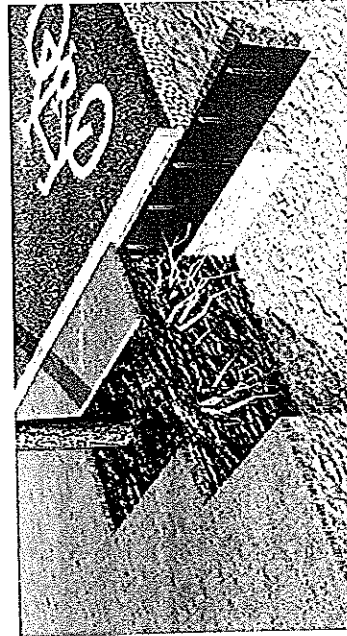
Example of timber post & rail fencing

Ornamental hedges are to be covered with 75mm depth of ornamental grade bark mulch to deter weed growth, retain moisture in the soil and reduce maintenance costs. Native hedges are to be covered with 75mm depth forestry grade bark mulch.

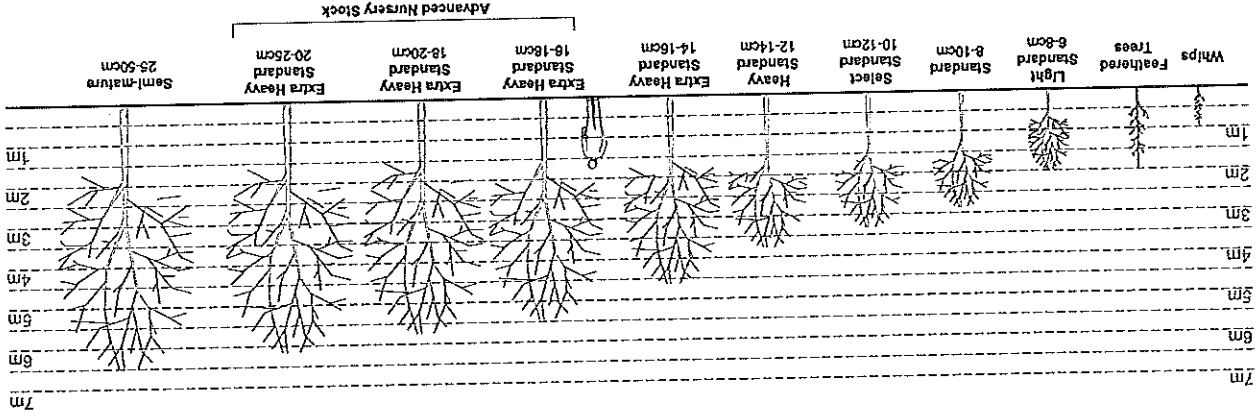
2.4 Tree Planting:

Trees are to be used to reinforce the areas of shrub planting in groups of 3-5 large deciduous species trees or avenues as deemed appropriate along long elevations with accent planting of specimen evergreen Pines 3-5m in height.

As a general rule standard trees are not to be planted within 6 metres of a building elevation, 1 metre from masonry boundary walls, 0.5 metres from concrete service yards or flexible surfaces such as paths of drives (based on mature stem diameter to 30-60cm). If trees are to be planted closer than the above distances root directors or barriers should be considered (BS 5837 Table 3).



Typical example of root directors ('Retroot 300' as supplied by Greenleaf)



Tree Sizes Illustration:

2.6 Woodland Planting

Due to the creation of a level plateau the batters and embankments are to be planted up with woodland planting to provide a backcloth to the Units whilst linking to the perimeter plantings and helping to integrate the proposed development into the existing landscape.

2.6

2.6.1



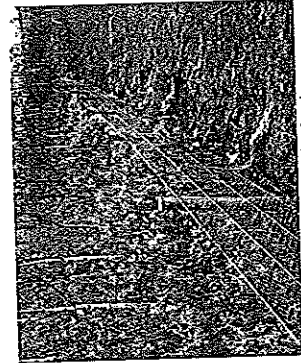
Typical example of screen planting

2.6.2

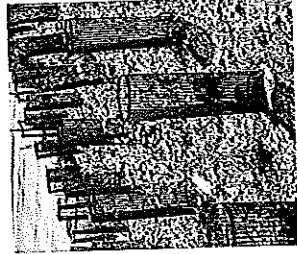
The planting is to consist of native species to reflect those indigenous to the locality, suited to the site conditions soil. Woodland blocks are to be planted no closer than 5 metres to building elevations and 3 metres to the back of footpath or car parks to allow for maintenance access.

2.6.3

Where greater impact is required woodland for forestry planting such as for screening purposes the planting is to be at one metre centres using 60-80cm transplants. Larger feathered plant stock can also be specified to increase initial impact. In other less prominent areas the density can be increased to 1.5 or 2m centres. Where considered necessary 8-10cm girth standard trees are to be planted within the woodland areas to provide additional impact.



Example of protective fencing



Rabbit guards

2.6.4

Smaller woodland areas or those within more visible areas are to be covered with 75mm depth of forestry grade bark mulch with rabbit spirals and protection are to be black. Larger forestry areas or where rabbit damage is known to be a problem planting is to be protected with rabbit fencing.

2.7

Grass Areas:

2.7.1

Grass areas surrounding car parks and building entrances are to be laid with cultivated turf such as Tillers 'Arena' or Rolawn 'Medallion' to provide an instant grass effect. Where specimen trees are to be planted within turf areas a metre square or diameter area is to be free from turf and covered with ornamental grade bark mulch.



Example of laid turf at prominent positions

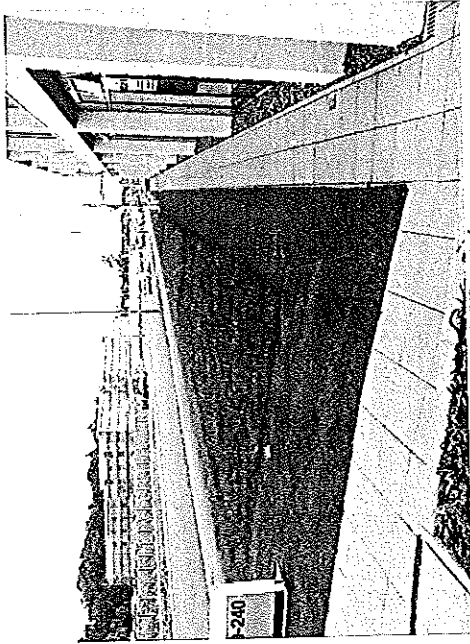
2.7.2

Less prominent areas to the rear / sides of units are to be grass seeded using a British Seed Houses mix appropriate to the soil conditions.



Example of a wildflower meadow

2.7.3 Where there is sufficient area and deemed required by the local authority or ecologists wildflower mixes are to be sown corresponding to the soil type and aspect. For more prominent visual areas within the design wildflower turf is to be used.



Example of wildflower turf

2.8

Gravel:

Landscape areas between units with overhanging rooves, where grass is unlikely to establish are to be surfaced with ornamental gravel colour to match the building elevation, laid on a geotextile membrane with pegged timber or pin kerb edge restraints.

3.0

SITE DESIGN GUIDELINES

3.1

Layout Design

In order for trees, shrubs and hedges to establish within an urban environment sufficient width of planting beds is required to enable an adequate depth and width of topsoil in which the plants can grow, obtain the necessary nutrients, water and support.

3.1.1

Car park splitter islands with areas intended for soft landscaping should be *no narrower* than 1 metre. Areas of 1 metre or less are to be hard surfaced or gravelled. If the bed is to include a fence line with concrete foundations this width should be increased to 1.5m.

3.1.2

Trees planted in soft landscape areas require a minimum of a 3 metre wide shrub bed.

3.1.3

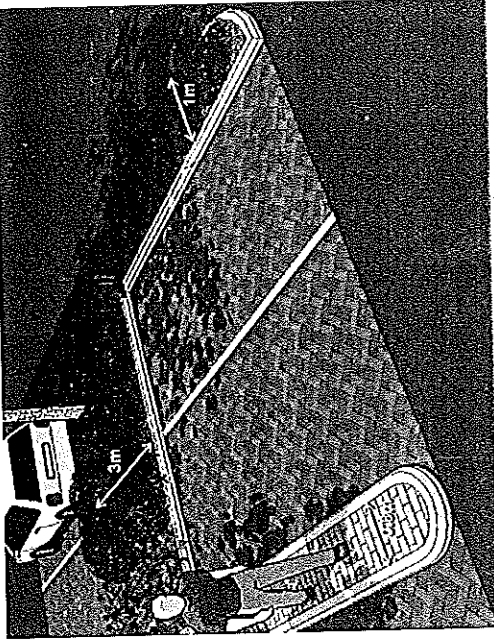


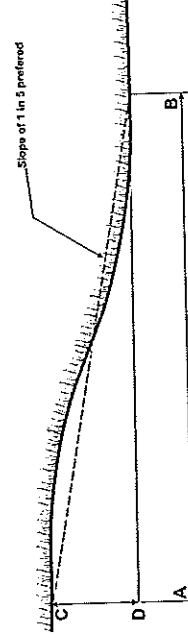
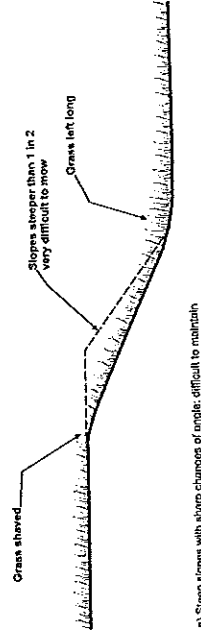
Illustration of planting bed minimum sizes

Landform

Where the proposed unit layout allows infrastructure mounding is to be designed to enhance the setting of the buildings and retain material on site.

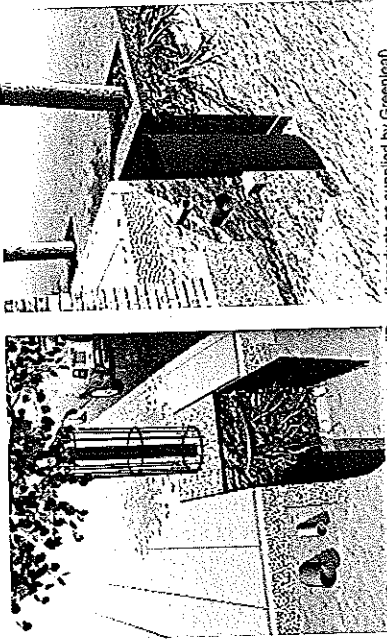
3.2

3.2.1



NOTE: For grades steeper than 1 in 5, AD should be less than or equal to 3.5 x CD. Slope should curve clearly down at all points.

BS 4428 Illustration for slope gradients



Typical example of tree root barrier (Reroot products as supplied by Greenleaf)

3.2.2 The mounds are to be formed to a maximum of 1.5 metre in height with a gradient no steeper than 1:3, with a maximum gradient of 1:5 adjacent to Unit entrances and central vehicular access. The formation of mounds, bunds or slopes is to be in accordance with BS 4428 Code of Practice for General Landscape Operations.

3.2.3 The proposed landform is to be sculpted to form low mounding to provide relief to the existing levels. The mounding will serve to give instant height to the new planting beds, reduce the impact of the plot car parking, enhance the setting of the individual Units whilst improving security and provide a means of disposing of as dug material.

3.2.4 If swales are required these are to be no deeper than 1 metre with a variable batter of no steeper than 1:4.

3.3 Services

3.3.1 The design of services should co-ordinate where possible with the approved landscape proposals to ensure that the landscaping can be implemented in accordance with the planning permission for the development.

3.3.2 In the first instance proposed services are to be designed to avoid conflict with tree locations on approved Landscape Proposals drawings. In the event that proposed tree locations conflict with services, trees are to be relocated in accordance with the appropriate utilities guidance notes subject to local authority approval. Proprietary root barriers are to be installed where relocation is not approved or considered appropriate.

3.3.3 BS 5837:2005 Table 3 'Minimum distance between young trees and structure to avoid direct damage to a structure from future tree growth' recommends the following:

Drains and Underground Services:		Diameter of stem at maturity (30-60cm)	> 60cm
< (less than) 1m deep		1.5	3.0
> (more than) 1m deep		1.0	2.0

3.3.4 If trees are to be planted closer than the above distances root directors or barriers should be considered; installed in accordance with manufactures recommendations.

3.3.4 The installation of services near to or adjacent to existing trees should also comply with the provisions of BS5837: 2005 'Trees in Relation to Construction' and the NJUG 'Guidelines for the planning, installation and maintenance or utility services in proximity to trees'.

3.3.5 Transco prescribes that within gas easements deciduous trees and conifers are not to be planted closer than 6m from the centre line of the gas pipeline.

3.3.6 Proposed services (electric, water, gas, telecoms etc) in landscape areas should be installed as a minimum below the required topsoil depths and clearly identified in accordance with service / utility requirements.

4.0 CONTRACT REQUIREMENTS

4.1 Nursery Stock:

4.1.2 Shrub and forestry plant stock should be obtained from one of the following nurseries; or from a nursery approved by Bea Landscape Design:

- Johnsons of Whixley Ltd
- Notcutts Nurseries
- Wyevale Nurseries Ltd

4.1.3 Standard and mature trees should be obtained from one of the following nurseries; or from a nursery approved by Bea Landscape Design:

- Deepdale Trees Ltd
- Hillier Nurseries Ltd
- Premier Trees Ltd

- 4.2 Landscape Contractors**
- 4.2.1 Landscape Contractors are to be registered with the British Associations of Landscape Industries (BALI) and approved by Bea Landscape Design.
- 5.0 PROCUREMENT STRATEGY**
- 5.1 Main Contractor procured Landscape works**
- 5.1.1 Landscape proposals prepared for planning consent with brief specification notes. *Drawing to be included within the main contract tender documents to ensure services design considers landscape proposals.*
- 5.1.2 Topsoil Plan and Tree Protection Drawing to be prepared for inclusion within the main contract tender documents. *Topsoil Plan to incorporate the base landscape specification notes including: topsoil depths and subsoil formation; tree pit details, root barriers and irrigation. Tree Protection drawing to include any special ecological mitigation requirements.*
- 5.1.4 Bea to carry out compliance inspections to ensure the main contractor carries out the requirements of the Topsoil Plan and Tree Protection drawing and Landscape Proposals drawing.
- 5.2 Bea Administered Landscape Contract**
- 5.2.1 Landscape proposals prepared for planning consent with brief specification notes. *Drawing to be included within the main contract tender documents to ensure services design considers landscape proposals.*
- 5.2.2 Topsoil Plan and Tree Protection Drawing to be prepared for inclusion within the main contract tender documents. *Topsoil Plan to incorporate the base landscape specification notes including: topsoil depths and subsoil formation; tree pit details, root barriers and irrigation. Tree Protection drawing to include any special ecological mitigation requirements.*
- 5.2.3 Landscape Contract to be tendered by Bea based on the approved Landscape Proposals, Topsoil Plan; detailed Landscape Specification and Schedule of Quantities.
- 5.2.4 Bea to carry out compliance inspections to ensure the main contractor carries out the requirements of the Topsoil Plan and Tree Protection drawing.
- 5.2.5 Bea to administer the Landscape Contract based on the JCLI Standard Form of Contract including site inspections up to and including issuing the Final Certificate.