

## **General Development Applications**

**(6/d) Application No: PAP/2022/0423**

**Land to the south of, Watling Street, Caldecote, CV10 0TS**

**Outline planning permission for Extension of MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class Eg); storage (Class B8); new spine road; car parking, landscaping and enabling works  
-All matters reserved for**

**ERI MTP Limited**

### **1. Introduction**

- 1.1 This application was referred to the Board's February meeting. It resolved to grant planning permission subject to conditions and to the completion of a Section 106 Agreement.
- 1.2 Work on that Agreement is progressing.
- 1.3 The reason for referral back to the Board is because following the February meeting, the Council received a Pre-Action Protocol letter from solicitors acting on behalf of an objector to the above planning application – namely Extra Room Self Storage Ltd. Members will recall that the objection referred to the “agent of change” matters within paragraph 200 of the National Planning Policy Framework (NPPF), and the suggestion that alternative off-site highway improvements at the Drayton Lane junction with the A5 would remove the substance of the paragraph 200 matter.
- 1.4 This report updates the Board on this letter.

### **2. Background**

- 2.1 Members are referred to the January and February 2025 reports together with the Supplementary reports that were subsequently tabled. These are attached as Appendices A, B, C, D and E to this report. The Appendices to these five reports are not included for convenience, but Members are advised that they remain as an integral part of this current report.
- 2.2 In essence, the proposed development requires off-site highway improvements, including at the junctions of Drayton Lane and Woodford Lane with the A5. Following consideration of a number of options, the applicant's proposal before the February Board was for the installation of traffic lights at the Woodford Lane junction and for physical restrictions at the Drayton Lane junction – namely to restrict movements to left-in and left-out only. National Highways raised no objection and as a consequence this arrangement was recommended for approval to the Board.

- 2.3 The objector runs a Self-Storage business located in Drayton Lane. The substance of the objection is that these restrictions would result in existing and prospective customers having, in some circumstances, to divert their travel route to the business premises and thus incur longer travel distances. The business claims that this would act as a significant deterrent and thus affect the viability of the business such that the paragraph 200 issues would arise – namely that “unreasonable restrictions” would be incurred by the business. The objector had also commissioned traffic consultants who had proposed an alternative proposal at Drayton Lane, which in their view would provide satisfactory mitigation for the main development proposal, as well as remove the paragraph 200 issue, as no detours would be needed.
- 2.4 The applicant has not proposed this alternative and National Highways was satisfied that the applicant’s own final proposal was satisfactory from a highway point of view.
- 2.5 This summary was the substantive matter discussed at the February meeting.

### **3. The Letter**

- 3.1 The letter referred to in paragraph 1.3 indicates that the matter being challenged is the decision of the Board’s February meeting to resolve to grant permission subject to the completion of a Section 106 Agreement.
- 3.2 It says that the Council:
- i) failed to take into account the necessity, or otherwise, of the Drayton Lane restrictions in its consideration of whether the restrictions on the objector’s business, were “unreasonable” under NPPF paragraph 200.
  - ii) failed to take into account the statutory consultees view on the acceptability of the objector’s alternative highway mitigation proposal in the circumstances where this was obviously material to a matter relied on in the planning balance and also should have been material under NPPF paragraph 200.
  - iii) acted irrationally and misled Members as to the reasons for the change in position in deciding not to seek (and wait for) National Highways review of the objector’s alternative mitigation proposal.
- 3.3 Clearly, the challenge is against the Council’s resolution to grant planning permission at its February meeting and not to the issue of the Decision Notice as that as yet, has not been signed pending completion of the Agreement.
- 3.4 Given this “interim” period between the resolution and the issue of the Notice, the Board is given the opportunity to reconsider its February resolution, in light of the receipt of the letter, and the knowledge of a potential for challenge, should the Notice as resolved be issued in due course.

#### **4. Observations**

- 4.1 It is considered that the Board ought to consider the matter afresh, having regard to the previous reports and the points below. The recommendation remains that permission should be granted and thus the resolution should be re-affirmed.
- 4.2 The letter raised the point that the restrictions were unreasonable in the context of paragraph 200 of the NPPF and that the reports failed to take into account the necessity of these restrictions, in light of there being a potential alternative. However, officers are satisfied that the restrictions would not, as a matter of planning judgement, amount to “unreasonable restrictions”. Whether a restriction is unreasonable is a matter of planning judgement. Officers are satisfied that the restrictions will not inhibit the business to continue and that any change in behaviour required by these restrictions will not be unduly onerous such that these restrictions amount to being unreasonable. Accordingly, this would not change the recommendation as the restrictions are not unreasonable.
- 4.3 It will be recalled that the case submitted by the objector to evidence “unreasonable” restrictions on his business was presented to the Board on more than one occasion – at both the January and the February 2025 meetings. The Board was thus in full knowledge of the details of the objector’s case. As a matter of planning judgement, it acknowledged that whilst the restrictions may well be likely to cause some longer journeys and inconvenience to customers initially, overall, they would not be “unreasonable” in the longer term. Reasons for this conclusion were given. As a consequence, the content of the various Board reports shows that the Council certainly did take account of the objector’s case and that its conclusion was assessed through consideration of matters that were relevant and appropriate to the potential impact.
- 4.4 The second point is that the Council failed to take into account the statutory consultees view on the acceptability of the objector’s alternative highway mitigation being material in the circumstances to the objector’s case under paragraph 200 of the NPPF. There are two matters that are made in response.
- i) Firstly, these alternatives were not part of the applicant’s own highway mitigation measures and therefore formally, there was no requirement for National Highways (NH) – the statutory consultee here – to be consulted on them. NH had already advised that it had no objection to the applicant’s final proposals.
  - ii) Secondly, however, NH did engage and the Board was kept aware of NH’s views on the alternative highway measures put forward by the objector and kept abreast of NH’s responses throughout the period between the January and February Boards. At the January 2025 the Board deliberately deferred determination in order to enable NH to respond and in the February reports, it heard that NH considered that the technical background to the objector’s final alternative measure was “likely to be inaccurate” and that, “the review will not change our response to the planning application consultation”.

- 4.5 In any event, there is no requirement to consult a statutory consultee on alternatives that do not comprise the application being considered. However, even it was considered that the alternatives avoided the restrictions being considered and this was supported by statutory consultees, the restrictions being considered are not unreasonable in any event. Put another way, the Council would regard it to be ill-advised to refuse a scheme that is acceptable, in favour of an alternative scheme. The planning judgement of officers is that the scheme would not cause any material planning harm and thus there is no requirement to consider alternatives (even if statutory consultees regarded those alternatives to be “better” from a highway perspective).
- 4.6 The final point is that the officer report and advice “misled” the Board as there was no formal consultation response from NH reported on the objector’s case, despite the Board deferring determination for its receipt. The Board was not misled. The Board was aware that NH had no objection to the applicant’s own proposals; that the applicant was not prepared to replace them either fully or in part with the objector’s alternative, that NH had indicated that the technical background to the objector’s final alternative was likely to be inaccurate and confirmed that the applicant’s proposals were satisfactory. It is agreed that the Board had no formal letter from NH on the objector’s final alternative, but it had the responses set out above. It is considered that this was not an “irrational” position to take, as weight could be given to the responses as there was no formal requirement to reconsult NH on a highway measure that was not part of the application.
- 4.7 Finally, the previous report suggested that these changes were “necessary” – at paragraph 7.3 of Appendix A. This is withdrawn. It might be that the changes are not necessary as there may well be alternative ways of delivering the scheme. However, ultimately, officers are satisfied that the proposed changes are acceptable in and of themselves, irrespective of whether there are other alternatives. The absence of any material planning harm associated with the scheme means that there is no requirement to consider alternatives. Indeed, the scheme is acceptable in planning terms and thus it is not considered that there is a need to consider whether there is an alternative scheme.
- 4.8 However, even if this is wrong and there was considered to be some planning harm and there was an alternative scheme that would be “better” in planning terms (by avoiding this harm or providing a public benefit), it is not considered that this would be a material consideration that would justify the refusal of planning permission in any event as a matter of planning judgement.



- 4.9 It is in all of these circumstances that the Board is recommended to continue with its February 2025 resolution.

**Recommendation**

That the Board does not alter its resolution from its February 2025 Meeting.

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Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E(g)), storage (Class B8), new spine road, car parking, landscaping and enabling works for

ERI MTP Ltd

### 1. Introduction

- 1.1 This application was referred to the Board's February meeting, when it was resolved to grant planning permission subject to the withdrawal of all objections from the three Highway Authorities, agreed planning conditions and the completion of a Section 106 Agreement including the Heads of Terms as outlined in that report. The conditions referred to, were to be agreed by the Chairman, the Opposition Spokesperson and the local Ward Members. If any of the highway objections remained, then the matter would be referred back to the Board.
- 1.2 Matters have moved on since February and these have all focussed on attempting to resolve one of the highway issues. The referral back to Board is due to amended proposals having been submitted, which have not been previously considered by the Board - the resolution above being based on the proposals as seen by the February Board. These new proposals are supported in principle by the three relevant Highway Authorities.
- 1.3 This report will describe the amended proposals and provide the background to their submission.
- 1.4 The receipt of these amendments has led to there being a re-consultation with the relevant statutory agencies as well as the local communities and businesses who had previously submitted representations. The report will outline the new representations received.
- 1.5 Additionally, it refers to the very recent revision to the National Planning Policy Framework in December 2024.
- 1.6 Due to the length of time since the initial ecological survey work of the application site was undertaken – 2021/22 – the applicant has undertaken a further survey to establish whether there has been any material change on the site, given that the application remains undetermined. This concluded that there has been no significant change.
- 1.7 The opportunity has also been taken to prepare a full Schedule of Conditions and to provide more detail on the 106 Agreement.

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- 1.8 For the convenience of Members, the February Board report is attached in full at Appendix A.

## **2. The Amendments Proposed**

- 2.1 The proposed changes only affect the proposed highway alterations to the Woodford Lane and Drayton Lane junctions with the A5. The remainder of the proposals, as considered at the February meeting, are wholly unchanged.
- 2.2 The previous report set out the highway issues at that time – see paras 4.30 to 4.46 of Appendix A. The majority of those paragraphs dealt with the off-site proposals for the two junctions referred to above. During the course of the application, consideration had been given by the three Highway Authorities involved – National Highways and the Warwickshire and Leicestershire County Councils - to a number of differing proposals for these two junctions. These included traffic lights and restrictions on turning movements. The final position proposed and reported to the February meeting was however that there be no physical alterations to these junctions, but that instead speed restriction cameras be installed along the length of the A5 here.
- 2.3 It appeared that at that time, the three Highway Authorities would not object to this arrangement, and hence the wording of the recommendation to the Board in paragraph 1.1 above.
- 2.4 The Police however expressed concerns to the Highway Authorities. They said that the accidents that occur here are almost wholly due to traffic turning right out of Woodford Lane and crossing over the west bound carriageway of the A5, and not to the speed of traffic on the A5. In other words, speed restrictions would not mitigate the risk to drivers in making these movements. Moreover, speed traffic counts had found that the present 50mph limit was not being materially exceeded in any event.
- 2.5 As a consequence, the three Highway Authorities and the Police have been engaged in reviewing all of the previous options that had already been considered. This has resulted in the submission of amended proposals for these two junctions, in lieu of speed cameras on the A5.
- 2.6 The proposals are now:
- The installation of traffic signals at the Woodford Lane junction, and consequential
  - alterations to the central reservation of the A5 at the Drayton Lane junction such that there are only “left – in” and “left – out” movements permitted.
- 2.7 The plan showing these arrangements is at Appendix B.

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- 2.8 A much fuller account of these proposals is to be found in the updated Transport Assessment submitted with the amendment and attached here at Appendix C. This update also looks at consequential traffic movements. Additionally, the applicant has provided more detail on anticipated traffic flows on the A5 as well as details on the new Red Gate roundabout arrangements – see Appendix D.
- 2.9 A Stage One Road Safety Audit has been undertaken with a Brief as agreed between the Highway Authorities and the consultation responses below have taken this into account. This is attached at Appendix E.

### **3. Consultations**

National Highways – No objection subject to conditions.  
Warwickshire County Council – No objection subject to conditions and a Section 106 request towards public transport provision.  
Leicestershire County Council – No objection subject to conditions  
Hinckley and Bosworth Parish Council - No response received.

### **4. Representations**

Mancetter Parish Council – No objection. The accident record at the Woodford Lane junction is thought to have led to increased traffic through Mancetter in order to avoid it. The lights will make it safer and thus should reduce traffic using the alternative.

Hartshill Parish Council – No objection.

Witherley (including Fenny Drayton and Ratcliffe Culey) Parish Council – No response received.

Five representations have been received in support of the proposed amendments – saying that they will improve safety and reduce traffic through Fenny Drayton.

Another two representations have said that a roundabout junction is needed on the A5 for these two junctions and that the junction from Fenny Drayton onto the A444 needs improvements.

Fourteen representations have been received from established agricultural and commercial businesses as well as their customers in Fenny Drayton on the grounds that the proposals will mean longer journeys for business travel, thus adding to costs and affecting the viability of their businesses. A briefing note in respect of one business, expanding on this is attached at Appendix F together with supporting letters at Appendices G and H. These also question the highway evidence to support the alterations.

## **5. The Development Plan and Other Material Planning Considerations**

- 5.1 There has been no change to the Development Plan since the February Board meeting.
- 5.2 The Hinckley and Bosworth Borough Council has published its initial draft proposals for a review of its Local Plan – Regulation 18 status. This includes a proposed new settlement on the north side of the A5 between Fenny Drayton and the existing MIRA site.
- 5.3 The Government published a consultation paper on proposed changes to the National Planning Policy Framework (the NPPF) in July 2024. Following this, the resulting changes were published in December 2024 and thus references to the NPPF in this report will be to this latest edition. There is extra emphasis in Section 6 on, “Building a strong and competitive economy” in respect of facilitating development to meet the needs of a modern economy and capitalising on the performance and potential of areas with high levels of productivity. The only other changes that might affect this proposal are to paragraph numbers.

## **6. Observations**

### **a) Introduction**

- 6.1 The Board has resolved to grant planning permission here subject to the three Highway Authorities withdrawing their respective “holding” objections. That has now occurred, but with different highway proposals for the two off-site junctions onto the A5. As a consequence, it is necessary to establish whether there are any adverse highway impacts resulting from these changes, that would necessitate re-consideration of the recommendation to grant planning permission. Those impacts revolve around two matters – whether there would be consequential adverse highway and/or environmental impacts elsewhere on the highway network and secondly, whether there would be any adverse impacts on the viability of the established businesses as a consequence of this “agent of change” – i.e. the traffic controls and movement restrictions. The latter issue arises due to the objections received as summarised above. Each matter will be looked at in turn.

### **b) Highway Impacts**

- 6.2 When alterations to these two junctions were first proposed, there was concern expressed locally, that the consequential restrictions to vehicle movements would result in the diversion of traffic, as drivers would seek alternative routes, so as to avoid the new “restrictions”. In short, that they would increase traffic through Mancetter, Fenny Drayton and Witherley. The subsequent withdrawal of these alterations had muted these concerns. However, some of these are now re-introduced with the latest amended proposals.

- 6.3 The three Highway Authorities support these proposals by confirming that they are required as a result of the increased traffic generated by the MIRA development which would necessarily travel on the A5, thus exacerbating existing road safety concerns at these two junctions – particularly at Woodford Lane. In this respect the full impact of the MIRA proposals west of the site on the A5 during the morning peak hours (0700 to 1000 hours) and in the evening peak period (1600 to 1900 hours) is expected to increase traffic numbers by 20% and 14% respectively. The predicted figures for Woodford Lane are 19% and 2%, with the Drayton Lane figures showing a decrease of 37% and 19% respectively. These figures assume that the proposed alterations to the two junctions are as set out in this report. They are considered to be material by the three Highway Authorities concerned and as a consequence, they require off-site mitigation at the Woodford Lane junction because of its poor safety record.
- 6.4 All of the Authorities agree too that the alterations proposed have to be taken together as a “package”, in order to materially improve safety. In other words, the Woodford Lane lights require the consequential alterations at Drayton Lane. It is said that once the lights are operational at Woodford Lane, traffic approaching Drayton Lane from the east will either be accelerating away from the lights or maintaining speed if not caught by the lights. Traffic approaching Drayton Lane from the west will either be maintaining its speed or slowing down on approach to the lights. This results in the gaps in the traffic for those turning right out of Drayton Lane particularly difficult to judge, given the proximity of the two junctions. When increased flows as a consequence of the MIRA development are added in of the size indicated in para 6.3, there will be fewer gaps and thus the likelihood of greater risk taking. Hence the package as a whole is needed, because of the proximity of the two junctions and the differing vehicle speeds approaching from both the east and the west along the A5, so as to control traffic flows and queuing through this stretch of the A5, with the expected increase in traffic consequential to the MIRA development. As a consequence, National Highways is saying that without the Drayton Lane restrictions, there would be an unacceptable impact on highway safety and thus that the development proposed should be refused planning permission, in line with para 116 of the NPPF.
- 6.5 It is agreed that these alterations may have impacts on the wider highway network because they introduce new “restrictions” and “controls” on existing travellers who may choose to divert to other routes. This is because of the perceived delays at the traffic lights at the Woodford Lane junction and the restricted turning movements at Drayton Lane. However, the applicant’s modelling concludes that queuing in the Lanes at the two junctions would not be materially worse at peak hours than at present. The queuing that results would however result in far safer traffic movements at the junctions. For instance, the movements at Woodford Lane would not be restricted – but they would be controlled and thus the risks associated with turning movements across the A5 carriageway would be materially lessened. They would still allow for all turning movements as now. Hence a consequential material increase in traffic through Mancetter would not be expected – as agreed too, by the Mancetter Parish Council. Movements at Drayton Lane would be restricted so as to prevent

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crossing the A5 in either direction. There would be some increased traffic movements through Fenny Drayton – although perhaps limited to movements associated with destinations in Drayton Lane itself, including both agricultural vehicles and some HGV's associated with the Storage Business here. On the other hand, traffic that would now use Drayton Lane travelling south down the A444 or Fenns Lane from the Stoke Golding direction to travel west on the A5, thus avoiding the Redgate roundabout, would be removed from the village, along with traffic that now travels north along Woodford Lane wanting to travel north up Drayton Lane, also wishing to avoid the Redgate roundabout. Overall, therefore it is considered that on balance the restrictions would lead to less traffic along Drayton Lane with displaced traffic using the A5 and the A444. This conclusion is agreed by the Leicestershire County Council as Highway Authority for this part of the network.

- 6.6 Those objecting have suggested that there is no highway reason to link the current proposed alterations to the MIRA proposals – there not being a significant accident record at the Drayton Lane junction, unlike the Woodford Lane junction, with no evidence to show that the proposals are a mitigation measure directly related to the MIRA proposals as is required by the NPPF. As indicated above, all three Highway Authorities consider that there will be a material increase in traffic movements on the A5 as a direct result of the MIRA proposals – indeed the use of the A5 is likely for the majority of the resulting new traffic movements. The Authorities recognise that the Woodford Lane junction has a significant accident record and thus the increased flows would exacerbate this road safety concern. The measures at this junction are thus justified so as to materially reduce that risk. The Drayton Lane alterations are directly consequential to the Woodford Lane proposals in order to control traffic flows through this whole section of the A5, such that the traffic lights are able to fulfil their function. It is considered that greater weight should be given to the responses from the three Highway Authorities here given their statutory status and the evidence on which their responses has been based – the modelling and the Road Safety Audit.
- 6.7 The limited response from local residents as recorded above, suggests support for the alterations here saying that there would likely be an overall reduction in traffic through Fenny Drayton.
- 6.8 The commentary above deals with traffic movements and displacement as a whole, and the potential impacts on the wider highway network. However, the objectors in Appendix F also conclude that no assessment has been undertaken of the impact on the very local network in Fenny Drayton itself, of displaced traffic that currently uses Drayton Lane to gain access to the business. It also identifies five “reasonable alternatives” for access arrangements onto the A5 which are said would not cause harm to existing businesses in Drayton Lane or to local residents. These matters also need to be addressed.
- 6.9 Leicestershire County Council has concluded that the changes to the two junctions would displace traffic onto the A5 and the A444, thus materially reducing traffic overall in Drayton Lane. However, as indicated by the objector,

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there will also be traffic, displaced by the restrictions, which currently visits the commercial premises referred to above that would now have to use Drayton Lane. Firstly, this would be traffic attending those premises which would normally be turning right into Drayton Lane from the A5. That traffic would have to use the proposed new roundabout and then onto the A444, thus travelling to the premises through Fenny Drayton. Secondly, traffic leaving the premises which would normally turn right out of Drayton Lane onto the A5 west, would also need to divert through the village onto the A444 and then through the Red Gate roundabout onto the A5. The objectors are saying that there would thus be more traffic travelling through the village and that this would include HGV's. It is agreed that there would be some displacement as described above, but significantly, this would not be of such a scale as to make-up for the overall reductions in traffic using Drayton Lane as indicated above – paragraph 6.3. The Highway Authorities are saying that overall, there would still be a reduction in traffic travelling through the village – particularly the loss of the peak-hour traffic currently using Drayton Lane as a “short-cut” to avoid to the Red Gate roundabout. Additionally, customers travelling to and from the premises would not all be doing so on a daily or regular basis, and this is not a case where the route through Fenny Drayton would be the only access to the premises. Thus, all of the current traffic visiting the premises will not now all be routed through the village. The objector's concern is understood, but it is not considered to carry substantial weight for these reasons.

- 6.10 It is now necessary to look at the five alternative suggestions that have been put forward by the objectors.
- 6.11 The first is to agree to the Woodford Lane lights but leave matters as they are at Drayton Lane because there is no equivalent road safety record here and there has been no highway justification to show that the Drayton Lane restrictions arise directly from the introduction of the lights. The Highway Authorities would not support this option on safety grounds. This is set out above in paragraphs 6.3 and 6.4. The introduction of lights at Woodford Lane would alter driver behaviour, traffic flows and speeds such that the Drayton Lane junction, if left as it is would become a safety issue that National Highways would consider as being unacceptable. In other words, it would transfer the current Woodford Lane safety issue to Drayton Lane. It is their combined view that the proposals now being considered need to be treated as a “whole” and that without both elements, objections would be maintained to the overall MIRA proposals.
- 6.12 The second is to introduce appropriately sequenced traffic lights at both junctions, citing the situation further west on the A5 where there are lights at the Birch Coppice and Core 42 junctions. There are concerns with this option because of the build-up of queues on the A5 as well as the two Lanes. There is very likely to be a consequential transfer of traffic from both Woodford Lane and Drayton Lane traffic through Mancetter and Fenny Drayton in order to avoid the two sets of lights. There are no equivalent transfer routes at Birch Coppice.



- 6.13 The third is to have lights at Drayton Lane and left-in and left-out restrictions at Woodford Lane. In other words, to "reverse" the current proposals. The issue here is that the displaced traffic from the Woodford Lane junction would be likely to materially increase travel through Mancetter drawing objections from the local community. It neither addresses the accidents that have occurred at Woodford Lane from left-turning traffic into the A5.
- 6.14 The fourth is to replicate the design of the present Red Gate roundabout here thus to recreate a roundabout incorporating the two existing junctions. This would still not address the current "rat-running" through Fenny Drayton at peak hours. There is also the matter of whether there would be sufficient land for a whole new-roundabout of this design within the Highway.
- 6.15 The final one is to construct a conventional roundabout at the end of Drayton Lane and have a left-in and left-out at Woodford Lane. The objectors say they could provide the land to accommodate this option. As above, this would still not reduce the "rat-running" through Fenny Drayton and the restrictions at Woodford Lane would displace traffic through Mancetter.
- 6.16 Notwithstanding the comments made above, this is not to say that the alternatives suggested above do not have highway or road safety merit. They have been suggested in "good faith" to try and benefit all parties. However, the proposals come about in response to a planning application and not from a highway improvement scheme promoted by a Highway Authority. Therefore, they have to be determined under planning terms. The key consideration is thus whether they can be justified as off-site highway mitigation as a direct consequence of the overall MIRA development proposal, such that they are proportionate in scale to those consequences. The three highway Authorities have said that they are. There may be other highway solutions to resolving road safety issues at these two junctions, but this is the one that is being proposed through a planning application and the one that therefore has to be determined on its own merits.
- 6.17 Drawing together all of these matters, the starting point is to say that all three Highway Authorities are supporting the overall package of highway alterations associated with the MIRA proposals. These include the present changes to the two A5 junctions. This support is based on an agreed modelling assessment of the traffic implications of the MIRA proposals on the A5 and A444 and also the agreed response to a Stage One Road Safety Audit for the two junctions. These show material increases of traffic on the A5 and at Woodford Lane. Given the agreed road safety issues at the Woodford Lane junction, there is an agreed need to deliver a safer junction here. The three Authorities too agree that this has to be accompanied by movement restrictions at Drayton Lane if the overall highway alterations are going to be safer and accommodate the extra traffic. Substantial weight is given to this position.

### **c) Other Highway Impacts**

- 6.18 There are on-going concerns about retention of all of the existing access arrangements at the existing Redgate roundabout into the commercial premises here. There has been no change to the proposals here since they were last considered by the Board in February – the ability to access all existing movements into and out of the premises are retained, albeit with some limited diversions. The arrangements are illustrated at Appendix D. As a consequence, there is no need to re-consider the recommendation in this respect. Recommended condition 5 below includes the Redgate alterations which enable these movements, and condition 25 as recommended, requires completion prior to any occupation of the MIRA site.

### **d) Para 200 of the NPPF**

- 6.19 Members are aware of the “agent of change” issue raised by this paragraph of the NPPF. It was not proposed for alteration in the current Government consultation on its review of the NPPF. The paragraph says that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses should not therefore have “unreasonable restrictions” placed on them as a result of new development permitted after they were established. In this case there are existing lawful agricultural businesses in Drayton Lane as well as a commercial storage business. The proposed movement restrictions at Drayton Lane would necessarily prohibit some movements at this junction that these businesses now undertake – those that entail the crossing of the A5. In particular, there would be no right hand exits from Drayton Lane travelling west along the A5 and right hand turns into Drayton Lane from the A5. Both would entail travelling further, so as to use the proposed new roundabout to the east at the Redgate Inn. The proposals would also prohibit north/south crossing movements out of Woodford Lane and into Drayton Lane. Representations have been submitted objecting to the proposals because of these lengthened journeys – the increase in travel costs, time delays and thus the impact on the viability of these businesses.
- 6.20 The representations are fully outlined in Appendices F, G and H. Here Members will see that the storage business is lawful and has permission to expand. It caters for both domestic and commercial clients with a potential expansion for up to 2400 customers. Household storage makes up around 66% of the space available. In respect of the business storage space, it is said that 60% of that is used by “local small businesses and start-ups” and that this is the only storage space that they have. The businesses using the premises are said to support some 340 FTE jobs. The Company’s planning permissions are not restricted through planning conditions controlling hours of operation - it has 24/7 access; there are no routeing agreements or are the number and type of vehicle controlled. The customer base is local – Tamworth, Nuneaton and Hinckley - and it is said that 90% are within ten miles of the store – see Section 3 of Appendix F. Customers mainly use the A5 and hence it is argued that unfettered access to the site is “imperative” given that there is a significant turnover of customers and

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that renewing and replacing them is a continual business concern. This is expanded in Section 5 of Appendix F.

- 6.21 These matters are acknowledged. Members should attach weight to them. It is important to look at this in the context of the NPPF policy guidance. This says that existing businesses should not have “unreasonable restrictions” placed on them as a consequence of new development. There will be movement restrictions here and that will impact on this particular business – its accessibility; its marketability and also increased costs arising from increased travel by customers. The issue is whether they would be “unreasonable”. There is no guidance on what might be unreasonable or not, and as such, each case needs to be assessed on its own merits and that is a matter of planning judgement.
- 6.22 On balance, it is considered that in this case, the restrictions would not be unreasonable for a number of reasons. Firstly, the diversion involved is between two and three miles from between the two junctions, down the A5 to the new roundabout, north along the A444 and then into the premises via Fenny Drayton – see Appendix D of Appendix F. Looking at the customer base provided by the objector, then for a customer based in the Tamworth and Atherstone areas travelling to the premises, there would be no additional distance as they would still be able to turn left from the A5 into Drayton Lane. However, leaving the premises would involve the extra distance, assuming they were travelling back to Tamworth or Atherstone. For customers coming from Woodford Lane, then there would be the need to divert on the arrival journey, but not on the return journey. For customers coming east along the A5 from the Nuneaton and Hinckley areas, some of the travel distances could well be shorter, or at least similar, using the A444 arriving at the site rather than the A5, and using either route on departure. Customers from the north would still use the routes as now. It is thus considered that the diversions would not affect all journeys to and from the premises and thus not affect the whole of the present customer base. Secondly, customers travelling to and from the premises would not be doing so on a frequent basis – e.g. daily – because one of the purposes of the business is storage for longer periods of time. Thirdly, future customers are very likely to adapt to the change once it is implemented. Fourthly, there is no evidence to suggest that the business itself has its own transport fleet that might be directly affected through increased travel costs. Fifthly, there is no evidence to suggest that there will be an increase in business running costs or overheads as a direct result of the restrictions. Sixthly, it is considered that there is a strong demand for storage space, evidenced by the permission to expand, and this will always be present, such that any loss of customer base is likely to recover. Overall, therefore it is agreed that there will be an impact, more particularly in the short term, but that it is not considered to be “unreasonable” for the reasons given and particularly in the medium to longer term.

- 6.23 Members are invited to come to a different conclusion and if so, they should evidence the reasons why that judgement has been reached.

**e) Conditions**

- 6.24 The recommendation below now includes a schedule of planning conditions including those recommended by the Highway Authorities.

**f) Section 106 Agreement**

- 6.25 Members will be aware that the content of Section 106 Agreements is the subject of statutory tests. These are that any obligation must be necessary to make the development acceptable in planning terms; they must be directly related to the development and finally they must be fairly and reasonably related in scale and kind. From these and from experience with other cases, Members will know that contributions and requests that might be suggested to rectify existing issues or matters that are outside of the control of the applicant, would not pass these tests.
- 6.26 The February Board report – at Appendix A – includes a paragraph at paragraph 4.62 in respect of a public transport contribution in order to secure improvements to local bus services to support the forecast demand arising from this development. This amounts to £1,355,474 spread over five years from the date of the first occupation for business purposes of the first building to be completed under the planning permission. That report found that this satisfied the tests and therefore it would be appropriate to include this in any Agreement. Nothing has changed in the period between then and now, to alter that conclusion.
- 6.27 The February report at paragraph 6.64 also took an initial view on the training element of any 106 Agreement, arguing that it too would comply with the relevant tests. Similarly, there has been no change in circumstances between then and now and as such the promotion of access to manufacturing skills and training from North Warwickshire residents to build on established apprenticeship schemes and appropriate links to courses at nearby Colleges and Schools.
- 6.28 There is also a request for a contribution towards the processing of Traffic Regulation Orders associated with the proposed highway alterations. As these are directly related to implement these alterations it would be “fair and reasonable” to include this in the 106. The applicant agrees. Members will be updated on the value of the contribution at the meeting.

**7. Conclusion**

71. It is important to put this report into context. It is not a report to determine whether the proposed alterations to these two junctions should be granted planning permission or not. Neither is it an assessment as to whether the proposals are the only highway solution to a road safety issue. They are part of a much wider package of off-site highway alterations proposed to mitigate increased traffic generation arising from the overall MIRA proposals. The Board has already resolved to grant planning permission for those proposals subject to

there being no objection from the three Highway Authorities. Revised off-site highway proposals for these two particular junctions have now been submitted as part of the overall highway package for off-site works and all three Authorities have confirmed formally that they have no objections. As such, the resolution could be taken forward with the grant of planning permission.

- 7.2 However, the previous report at Appendix A did refer to the “agent of change” matter, but that was not considered to be a material consideration of weight at that time, because no “movement restrictions” were being proposed and thus no traffic displacement was anticipated. This matter has now changed, such that the “agent of change” becomes a material planning consideration of significant weight because of the evidence submitted by the affected businesses.
- 7.3 As indicated above, it is not considered that the proposed highway changes would cause “unreasonable restrictions”, in the terms of paragraph 200 of the NPPF. However, in order to ensure full transparency, it is also necessary for the Board to consider the alternative – that is, the restrictions being treated as “unreasonable”. In this alternative, there is still a planning balance to be assessed. A judgement needs to be made as to whether the weight given to that “harm” would outweigh any planning benefits or other planning considerations that apply to the overall MIRA proposal. In this case, it is considered not for two reasons. Firstly, the MIRA proposal arises from a land allocation within an up-to-date adopted Local Plan. It is an allocation to meet a specific and primary industrial and employment requirement in that Plan of some substance, which has no alternative site. The benefits arising from the delivery of this allocation also extend well beyond the Borough. It is wholly in line with paragraphs 85 to 87 of the NPPF in this respect. Secondly, the impact of this proposal has the benefit of delivering an off-site highway improvement at the known accident “hot-spot” at Woodford Lane, such that road safety is materially improved. The three statutory Highway Authorities involved all confirm that these improvements necessarily require the consequential movement restrictions at Drayton Lane. On balance, it is considered that these two benefits outweigh any harm that would be arise as a consequence of the Drayton Lane highway proposals. In these circumstances the recommendation below is made.

### **Recommendation**

That planning permission be GRANTED subject to the conditions as set out below and to the completion of a Section 106 Agreement based on the matters included in this report.

### **Standard Conditions**

1. Details of the appearance, landscaping, layout and scale (hereinafter called the “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. If the development hereby permitted is to be constructed in more than one phase, details of the proposed phases of construction shall be submitted to the Local Planning Authority for approval prior to, or at the same time as the first application for approval of the reserved matters. The Phasing Plan shall include details of the separate and severable phases or sub phases of development. Development shall be carried out in accordance with the approved phasing details, or such other phasing details as shall subsequently be submitted to and approved in writing by the Local Planning Authority.

**REASON**

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

3. The first application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. All applications for approval of reserved matters shall be made to the Local Planning Authority not later than eight years from the date of this permission.

**REASON**

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

4. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

**REASON**

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

**Defining Conditions**

5. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans and documents:
  - a) The Site Location Plan – 21092/SGP/XX/00/DR/A/111001D
  - b) The Parameters Plan – 21092/SGP/XX/00/DR/A/111003 L

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- c) The Transport Assessment (17059/TA) (as updated by TAA(i), TAA(ii) and TAA (iii)) and Highway Plans – 17059/GA/01G; VIS/01A, GA/02E, VIS/02A, GA/03C, VIS/03, GA/04D, VIS/04, GA/05F, VIS/05, GA/06E, VIS/06, GA/07D, VIS/07, GA/08K, VIS/08C, GA/10C and VIS/10, GA/13B, VIS/13.
  - d) The Surface Water Drainage Strategy (ref:13833/WIE/ZZ/XX/DR/92003 and 92004, revision P05 dated 6/1/23).
  - e) The Archaeological Trial Trench Evaluation dated February 2023 undertaken by Headland Archaeology.

REASON

In order to define the extent and scope of the permission.

- 6. The development hereby permitted shall provide for no more than a maximum figure of 213,500 square metres of floorspace (GIA) for uses within Use Classes B2, B8 and E (g) (ii) of the Town and Country Planning (Use Classes) Order 2020 (as amended).

REASON

In order to define the scope and extent of the planning permission.

- 7. Any storage and distribution uses, within Use Class B8 of the Town and Country Planning (Use Classes) Order 2020 as amended, shall be uses that are ancillary or clearly secondary to the primary uses of the development hereby approved as defined under Condition 6 above.

REASON

In order to define the scope and extent of the planning permission.

- 8. The reserved matters shall be designed in general accordance with the parameters plan approved under condition 5 (b). In particular, the layout for Zones 20 and 30 as defined by that Plan and any unloading areas being located along the southern edge of each of these two Zones shall demonstrate that noise can be mitigated to 5dba below existing recorded background levels.

REASON

In order to define the implementation of the permission so as to reduce the risk of adverse noise impacts.

- 9. Any reserved matters application shall include a Noise Impact Assessment detailing the proposed measures to mitigate emissions of noise arising from the use and activity associated with any building and its curtilage within the application site. This Assessment shall particularly have regard to the potential noise impacts for neighbouring residential property as well for the village of Caldecote. This Assessment shall be carried out in accordance with BS4142:2014 plus A1:2019.

5b/16



REASON

In order to define the implementation of the permission so as to reduce the risk of adverse noise impacts.

10. All access arrangements into, through and out of the site together with all off-site highway alterations shall be carried out in accordance with the plans approved under Condition 5 (c).

REASON

In order to define the scope and extent of the planning permission.

**Pre-Commencement Conditions**

11. No built development shall take place until a Construction Environmental Management Plan (CEMP) has first been submitted to and approved in writing by the Local Planning Authority, in consultation with Leicestershire County Council, Warwickshire County Council and National Highways, for each phase of the development. The Plan shall provide for:
- a) A Construction Travel Management Plan (CTMP) including construction phasing,
  - b) The parking of vehicles for site operatives and visitors.
  - c) The routing for vehicles accessing the site associated with the construction of the development and signage to identify the route.
  - d) The manoeuvring of vehicles within the site.
  - e) Loading and unloading of plant and materials used in the construction of the development, including top-soil.
  - f) The location of the site compounds.
  - g) Storage of plant and materials.
  - h) The erection and maintenance of security hoarding fencing.
  - i) Wheel washing facilities.
  - j) Measures to control the emission of dust and dirt during construction.
  - k) Measures to control and mitigate disturbance from noise.
  - l) A scheme for the recycling/disposal of waste resulting from the construction works.
  - m) Any on-site lighting as required during construction.
  - n) Measures to protect existing trees and hedgerows proposed for retention.
  - o) Delivery, demolition and construction working hours.
  - p) The means by which the terms will be monitored, details of a contact person and the procedure for reporting and resolving complaints.

The approved CEMP shall be adhered to throughout the construction period of each phase.

REASON

In the interests of highway safety and the residential amenity of the local community.

5b/17



12. No development within any phase shall take place until full details of the finished floor levels, above ordnance datum, of the ground floor(s) of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

REASON

In the interests of reducing potential landscape and visual harm

13. No development within any phase shall take place until details of all external lighting relevant to that phase has been submitted to and approved in writing by the Local Planning Authority. The details shall be accompanied by an Impact Assessment in order to show that there are no adverse impacts arising from any proposed light source or from the glow of light arising from each phase. The Assessment shall also include an analysis of the cumulative impact of lighting arising from the whole site. In particular external lighting being installed on the southern-most elevations of the buildings to be erected in Zones 20 and 30 as defined by the Parameters Plan approved under Condition 2(b) above, shall be required to be justified for the purposes of health and safety and/or security only. The lighting shall be installed, operated and maintained at all times in accordance with the approved details.

REASON

In the interests of reducing the risk of adverse harm to the residential amenity of the local community.

14. No development within any phase of the development hereby approved shall take place until a Landscape and Ecological Management Plan ("LEMP") for that phase has first been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be in general accordance with the approved Parameters Plan approved under condition 5. The LEMP shall include:
- a) a description and evaluation of the features to be managed;
  - b) ecological trends and constraints on site that might influence management,
  - c) the aims, objectives and targets for the management,
  - d) descriptions of the management operations for achieving the aims and objectives,
  - e) prescriptions for management actions,
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period),
  - g) Details of the monitoring needed to measure the effectiveness of management,
  - h) Details of each element of the monitoring programme,
  - i) Details of the persons or organisations(s) responsible for implementation and monitoring,

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- j) Mechanisms of adaptive management to account for necessary changes in the work schedule to achieve the required aims, objectives and targets,
- k) Reporting procedures for each year 1, 2, 5, 10, 20 and 30 with bio-diversity net gain reconciliation calculated at each stage,
- l) Where necessary, the legal and funding mechanisms by which the long-term implementation of the LEMP will be secured by the developer, and the management body(ies) responsible for its delivery,
- m) How contingencies and/or remedial action will be identified, agreed and implemented in the event that monitoring under (k) above shows that the conservation aims and objectives set out in (c) above are not being met so that the development still delivers the full functioning bio-diversity objectives of the originally approved scheme.

The details in that Plan shall then be implemented on site and be adhered to at all times during the lifetime of the development.

#### REASON

In the interests of enhancing and protecting bio-diversity.

15. No development shall commence on site until a detailed surface water drainage scheme for the whole site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Evidence to show that the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm is limited to the Qbar greenfield run off rate of 4.32 l/s/ha for the site in line with the documents approved under condition 2 (d) above.
- b) A detailed assessment demonstrating the on-site water courses suitability as a receptor for surface water run-off from the development. This assessment shall include:
  - A condition survey of the watercourse and evidence of any remedial measures identified as necessary;
  - A review of flood risk impacts from the watercourse demonstrating consideration for downstream receptors off site in the context of the proposals,
  - Evidence demonstrating that all development and surface water infrastructure is outside the anticipated fluvial flood extent.
- c) Drawings/plans illustrating the proposed sustainable surface water drainage scheme. The documents approved under condition 2(d) above may be treated as a minimum and further source control SUDS should be considered during the detailed design stages as part of a "SUDS management train" approach to provide additional benefits and resilience within the design.
- d) Detailed drawings including cross sections, of proposed features such as infiltration structures, attenuation features and outfall structures. These should be feature-specific demonstrating that such surface water drainage systems are

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designed in accordance with the SUDS Manual CIRIA Report C753 and cross sections should demonstrate that all SUDS features will be accessible for maintenance whilst also providing an adequate easement from the on-site watercourse.

- e) Provision of detailed network level calculations demonstrating the performance of the proposed system to include:
- suitable representation of the proposed drainage scheme, details of design criteria used (including consideration of a surcharged outfall) with justification of such criteria,
  - simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events,
  - together with results demonstrating the performance of the drainage scheme including attenuation storage, potential flood volumes and network status for each return period,
  - and evidence to allow suitable cross- checking of calculations and the proposals.
- f) The provision of plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. This overland flow routing should:
- demonstrate how run-off will be directed through the development without exposing properties to flood risk;
  - consider property finished floor levels and thresholds in relating to exceedance flows, and
  - recognition that exceedance can occur due to a number of factors such that exceedance management should not rely on calculations demonstrating no flooding.

Only the scheme that has been approved in writing shall then be implemented on site.

#### REASON

To reduce the risk of increased flooding and to improve and protect water supply.

16. Prior to the commencement of development of any relevant phase agreed through Condition 2, a SuDS plan and drainage strategy shall be submitted and approved by the Local Planning Authority in consultation with the Highway Authority for the A5 Trunk Road junction improvements and subsequently implemented as approved. The SuDS is to be installed according to the approved SuDS plan and maintained for the lifetime of the development."

#### REASON

In the interests of highways safety.

5b/20

17. No development shall take place on site including any site clearance or preparation prior to construction, until a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work for each phase of the development, excluding that part of the site included in the evaluation approved under condition 2 (e) above, has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production and archive deposition detailed within the approved WSI shall be undertaken as required in accordance with a programme specified in the WSI. A written report detailing the results of this fieldwork shall also be submitted to the Local Planning Authority in accordance with the approved programme. The findings from the archaeological evaluative work shall inform each reserved matters submission.

REASON

In the interests of understanding the archaeological value of the site.

18. Where necessary, and as informed by the findings of the archaeological evaluative work undertaken in the WSI, no development within any phase of the development shall take place until an Archaeological Mitigation Scheme (AMS) if appropriate, has been submitted to and approved in writing by the Local Planning Authority. The AMS should detail the strategy to mitigate the archaeological impact of the proposed development either through further fieldwork (for which a further WSI may be required) and/or through the preservation on site of any archaeological deposits. The AMS shall inform each reserved matters submission.

REASON

In the interests of understanding the archaeological value of the site.

19. No development within any phase shall take place until the fieldwork relevant to that phase detailed in the WSI and AMS has been completed in accordance with the programme(s) specified therein. Any post-excavation analysis, publication of results and archive deposition shall be undertaken in accordance with the approved WSI and AMS.

REASON

In the interests understanding the potential archaeological value of the site.

20. No phase of the development hereby permitted shall commence until a scheme for the provision of adequate water supplies and fire hydrants necessary for fire fighting purposes relevant to each phase, has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented within the relevant phase.

REASON

5b/21

In the interests of public safety.

21. Notwithstanding the details submitted, no development in any phase shall commence until such time as a Green Travel Plan to promote sustainable transport modes of travel has been submitted to and approved in writing by the Local Planning Authority. Before the first use of each phase of the development, the Plan shall be implemented in accordance with the relevant approved details.

#### REASON

To reduce the dependency on car travel to and from the site, in the interests of sustainability and highway safety

#### Pre-Occupation Conditions

22. There shall be no occupation of any building hereby approved for business purposes within any phase of the development, until a Drainage Verification Report for the installed surface water drainage system based on the Drainage Strategy approved under condition 2 (d) and the system as approved under Condition 14 has been submitted to and approved in writing by the Local Planning Authority. It should include:
- a) Demonstration that any departures from the approved design are in keeping with the approved principles.
  - b) As built photographs and drawings
  - c) The results of any performance testing undertaken as part of the application process,
  - d) Copies of all statutory approvals such as Land Drainage Consent for Discharge,
  - e) Confirmation that the system is free from defects, damage and foreign objects.

The report should be prepared by a suitably qualified independent drainage engineer.

#### REASON

To ensure that the development is implemented as approved and thereby reducing the risk of flooding.

23. There shall be no occupation of any building hereby approved for business purposes within any phase of the development until a site-specific maintenance plan for the approved surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. It shall include:
- The name of the party responsible, including contact names, address, email address and phone numbers.
  - Plans showing the locations of features requiring maintenance and how these should be accessed,

5b/22

- Details of how each feature is to be maintained and managed throughout the lifetime of the development,
- Provide details of how site vegetation will be maintained for the lifetime of the development.

**REASON**

To ensure that the maintenance of sustainable drainage structures so as to reduce the risk of flooding.

24. No phase of the development hereby permitted shall be occupied for business purposes until the roads serving that phase, including footways, private drives, means of accessing plots, car parking and manoeuvring areas have been laid out and substantially constructed in accordance with details first submitted to and approved in writing by the Local Planning Authority. Areas for the parking and manoeuvring of vehicles shall be retained for these purposes at all times thereafter.

**REASON**

In the interests of highway safety.

25. Prior to the occupation of any built development hereby permitted, the scheme of works to improve highways access as shown in general accordance with drawing ref:

- 17059/GA/02 Rev E (Proposed A5 - A444 Link Road and Off-Site Mitigation)
- 17059/GA/08 Rev K (Proposed A5 - A444 Link Road and Off-Site Mitigation)
- 17059/GA/10 Rev C (A5 Watling Street / Higham Lane and Nuneaton Lane Mitigation)
- 17059/GA/13 Rev B (A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme)

(or revisions of these drawings as agreed with the planning authority) should be completed and open to traffic, unless otherwise agreed via a phasing plan (pursuant to Condition 2).

**REASON**

In the interests of highway safety.

**Other Conditions**

26. No site security fencing shall be erected on or within 1 metre of any public footpath (unless closed by legal Order).

**REASON**

5b/23

In the interests of maintaining unobstructed public access.

27. No works involving the disturbance of any surfacing of any public footpath or proposals to resurface any public footpath shall commence until details of such works are first submitted to and approved in writing by the Local Planning Authority. Only the approved works shall then be implemented on site.

REASON

In the interests of maintaining unobstructed public access.

28. No advertisement as defined by the Town and Country Planning (control of Advertisements) (England) Regulations 2007 shall be installed or displayed on any southern facing elevation of any building to be erected in any of the three Zones identified on the plan approved under Condition 2(b) above.

REASON

In the interests of the visual amenities of the area.

29. Any contamination that is found during the course of construction within any phase of the development hereby approved, that was not previously identified shall be reported immediately to the Local Planning Authority. Development within that phase shall be suspended where directly affected by the contamination and a risk assessment carried out and submitted to the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to the Local Planning Authority. Work shall then only resume or continue on the development in that phase, in accordance with the schemes that have been approved in writing by the Local Planning Authority.

REASON

In the interests of reducing the risk of future pollution.



**PLANNING AND DEVELOPMENT BOARD – SUPPLEMENTARY REPORT**

**6 JANUARY 2025**

**PAP/2022/0423**

**Land to the south of Watling Street, Caldecote, CV10 0TS**

**Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E (g)), storage (Class B8), new spine road, car parking, landscaping and enabling works for**

**ERI MTP Ltd**

**1. Introduction**

- 1.1 The determination of this application is to be dealt with at the Board's January meeting and the officer's report has already been included in the published agenda.
- 1.2 However, this Supplementary Report has been tabled at short notice following a formal request from one of the objectors to the proposed development, which is said to introduce new evidence not presently available in the published officer report. The Chairman has agreed to it being made available prior to the meeting.
- 1.3 Members are asked to refer to the main report when reading this Supplementary Report.

**2. Background**

- 2.1 The main report deals with an amendment to off-site highway mitigation measures at the Woodford Lane and Drayton Lane junctions onto the A5 as a consequence of the overall MIRA development proposals. All three Highway Authorities have no objection to these measures.
- 2.2 However, an objector who operates a lawful Self Storage business in Drayton Lane objected. This first matter was that he claimed that the measures at the Drayton Lane junction were not shown to be directly related to a likely highway impact arising of the development at MIRA and therefore that they were not needed. The second matter was that the proposals, if they went ahead, were of such significance to the travel patterns of his customers that the viability of his business would be affected by this "agent of change". It would lead to "unreasonable restrictions" being placed on his business.



- 2.3 The main report responded to these matters, finding that the Drayton Lane proposals were an essential element of the Woodford Lane proposals, such that they had to be dealt with together as a "package" and not as individual proposals. It also assessed whether the consequential changes to the travel patterns of the customers of the Storage Business would be unreasonable or not, finding that as a matter of planning judgement they would not.
- 2.4 The objector has reviewed the main report and submitted a rebuttal, in the form of a request for the determination to be deferred and has submitted additional information with that request.
- 2.5 Advice has been taken and this has led to this Supplementary Report and to its recommendation to defer.

### **3. The Request**

- 3.1 This is attached at Appendix A being a letter from the objector's solicitor. It raises two matters.
- 3.2 The first is to provide additional information on the impact of the change in travel patterns as a consequence on the additional travel times and thus increased costs caused by customers who would no longer be able to turn right into Drayton Lane from the A5 and those who would no longer be able to turn right out of that Lane onto the A5. This is attached at Appendix B, and it is agreed that it is new information.
- 3.3 The second expands on the highway justification for the Drayton Lane proposals. The main report refers to five options which are said would provide mitigation arising from the MIRA proposals and still retain all of the current turning movements at Drayton Lane so as not to lead to additional travel for customers. The letter refers to a "new" option, based on the having the two junctions signalised. However, because of the distances between the present two junctions, greater separation is proposed. This would be achieved by diverting the Drayton Lane junction further to the west across land owned by the objector. Appendix A outlines that National Highways officers have indicated that they "would be interested to see a drawing proposal for traffic signals" at both junctions. The letter makes the point that the applicant's Traffic Assessment of 2022 dealt with the two-signal scheme for each junction individually, but not as a combined scheme. It is agreed that this "option" is new information.

### **4. Observations**

- 4.1 The letter does introduce new information which the Board has not seen before. A recommendation of deferral is thus made below.
- 4.2 Members and officers will then be able to assess Appendix B, if this recommendation is agreed, such that a commentary can be provided for the Board when the matter returns to it.

- 4.3 As can be seen too, the objector's transport consultant will need some time to prepare a drawing of the location of the new junction and provide the modelling evidence to show that it can be safely implemented in combination with the signals at Woodford Lane. When this is submitted, the three Highway Authorities will need to be re-consulted along with the local Parish Councils. The applicant too will have to have the opportunity to respond to the content of Appendices A and B. As a consequence, it is unlikely that the matter will be dealt with at the Board's next meeting.

**Recommendation**

That in light of the receipt of new information as identified in this report, determination of the application be deferred until a later Board meeting.



North Warwickshire Borough Council  
Council House  
South Street  
Atherstone  
CV9 1DE

Date: 23 December 2024

Our ref: SJA/VL/EXT00001/00014

Page 1 of 2

By email only to:  
[jeffbrown@northwarks.gov.uk](mailto:jeffbrown@northwarks.gov.uk)

Dear Mr Brown

Site: MIRA Technology Park South Site  
Planning Application: PAP/2022/0423  
The Applicant: ERI MTP Ltd  
Our Client: Extra Room Self Storage & Drayton Grange Farm

We refer to our recent correspondence in relation to the Planning Application which is due to be heard at Planning Board on 6 January 2025.

Following receipt of National Highways' letter dated 19 December 2024 to Our Client's MP, Dr Luke Evans MP, Our Client spoke with Mr Russell Gray, a Spatial Planner at National Highways on 20 December. During their conversation, I am instructed that Mr Gray highlighted two important points:

**1. Customer Impact Assessment**

It was noted that whilst MIRA's proposal would result in a c.3.5km detour for storage customers, Extra Room Self Storage's presentation did not clearly indicate how many customers would be affected or the cumulative impact of this diversion. This information was considered to be important for assessing the impact of the proposal on Our Client's businesses.

**2. Two Signals with Increased Junction Separation**

Mr Gray said that he would be interested to see a drawing proposal for traffic signals at both the Woodford Lane junction and the Drayton Lane junction but with a greater separation between the two junctions. This greater separation can be achieved by redirecting Drayton Lane across land owned by Our Client.

Our Client has now prepared a further presentation for the Planning Board which deals with the first point above but additional time is required to address the second point. Our Client's highways consultant has advised that whilst MIRA's original 2022 Transport Assessment modelled the two-signal scheme for each junction individually, it did not assess them as a combined scheme. Developing a model and drawing for a two-signal scheme with increased junction separation, based on the traffic data provided by MIRA, would require approximately two weeks to complete.

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Page 2 of 2

Given the above and to allow sufficient time for the modelling and drawing to be produced following the Christmas break, we kindly request that the Planning Application is deferred to a later date. A deferral would also ensure that Board members have all the requisite information, including responses from the three Highways Authorities, to be in a position to fully consider the Planning Application before making their decision.

Please confirm safe receipt of this letter by email.

Yours sincerely



**Victoria Longmore**  
Partner and Head of Planning and Highways  
For and on behalf of Lidders Solicitors LLP







Our ref: 23257077  
Your ref: LE25426

Dr Luke Evans MP  
[luke.evans.mp@parliament.uk](mailto:luke.evans.mp@parliament.uk)

**Victoria Lazenby**  
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Birmingham  
B1 1RN

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19 December 2024

Dear Dr Luke Evans

### **Drayton Lane Traffic Layout**

Thank you for your email dated 6 December 2024, following my response dated 18 November (ref: 23224335), sent on behalf of your constituent, [REDACTED], regarding concerns of a revised traffic layout for the proposed MIRA development: PAP-2022-0423 on Drayton Lane.

I appreciate the additional comments [REDACTED] has provided and understand his concerns about the impact on his businesses.

I'd like to reassure [REDACTED] that we have carefully reviewed the impact of the proposed MIRA development on businesses and local communities. As a statutory consultee for the strategic road network (SRN), our role is to assess potential impacts in line with the National Planning Policy Framework, DfT Circular 01/2022, and other relevant government transport guidelines. Planning consultations are managed by the planning authority, and if a Traffic Regulation Order (TRO) is needed, for example to prevent right turns, a separate public consultation will take place.

We agree that Drayton Lane is not currently a major safety concern, however, Woodford Lane is and addressing its safety impact is necessary. All highway authorities, including ourselves, Warwickshire, and Leicestershire have independently and thoroughly reviewed the proposed mitigation measures, along with traffic signals at Drayton Lane and a right-turn ban. We have all deemed the proposal acceptable and appropriate and over the past two years, we have modelled and assessed various scenarios for banning right turns and signalling both junctions. Our assessment indicates that installing signals at Woodford Lane will not create gaps in traffic. In fact, it is likely to make it more difficult for drivers to judge gaps, as traffic will be accelerating or decelerating in response to the proposed signals.

I understand [REDACTED] question regarding why a left-in, left-out option at Woodford Lane, along with signalisation at Drayton Lane, cannot be implemented, especially since there are no existing businesses along Woodford Lane to be impacted. This option was reviewed and discounted by the highway authorities due to its unacceptable impacts on Woodford Lane. Implementing this option would displace more traffic towards Mancetter, leading to a significant reduction in capacity and a notable increase in queues and delays on the B4111 approach to Mancetter Island, which was deemed unacceptable. Additionally, it does not address the substantial accident record at the Woodford Lane junction, including several severe incidents involving vehicles turning left out of Woodford Lane.

While we understand the reference to successful signalisation at other locations, the circumstances at this location differ significantly due to factors, such as the distance between junctions, and the types of traffic movements involved. Our signals engineering team has thoroughly investigated this option and concluded that signalising both Woodford Lane and Drayton Lane would result in an unacceptable impact on the SRN. Therefore, we do not believe that signalisation at both junctions would be viable without compromising traffic flow and safety.

Finally, while an island may indeed be considered the optimal solution for managing traffic on this section of the network, the developer has met the planning requirements by proposing a scheme that effectively mitigates the impact of the development. This scheme has been independently reviewed and found acceptable by all three highway authorities. In addition, the developer is implementing further mitigation measures at several other junctions on the SRN ensuring a comprehensive and effective overall traffic management strategy.

I understand this may not be the outcome [REDACTED] was hoping for however, I trust the information I've provided has been useful. As mentioned in my last response, the final decision on the development's planning application lies with North Warwickshire Borough Council. Local businesses, including Peter's, will have the opportunity to submit their representations during the planning consultation process.

If [REDACTED] would like to discuss his concerns further, our Spatial Planner, Russell Gray, would be happy to speak with him directly to address them. Russell can be contacted by email at [russell.gray@nationalhighways.co.uk](mailto:russell.gray@nationalhighways.co.uk) or by telephone on 0300 470 3028. Alternatively, our correspondence address is National Highways, The Cube, 199 Wharfside Street, Birmingham, B1 1RN.

Yours sincerely

[REDACTED]

Victoria Lazenby  
Regional Director

# 1. Diversion Impact on Customers

The Applicant's proposal for the Drayton Lane junction with the A5 will cumulatively result in 1) very significant diversions for Extra Room Self Storage customers, and 2) unnecessary and substantial environmental harm

Data in Appendix A has been used to calculate the diversionary impact of the proposed junction change at Drayton Lane on customers and staff. There will be:

- A weekly diversion totalling **6,443km** (4,003 miles)
- An annual diversion totalling **335,042km** (208,185 miles)

These diversions amount to:

- **23,176 litres** of additional fuel\*
- **46,872Kg** of additional CO2 per annum\*
- **A disproportionate negative impact on local small and start up businesses reliant on the storage facility**

These figures do not include the financial and environmental cost from the displacement of thousands of existing general road users of Drayton Lane (including Fenny Drayton village residents) and vehicles accessing Drayton Grange Farm

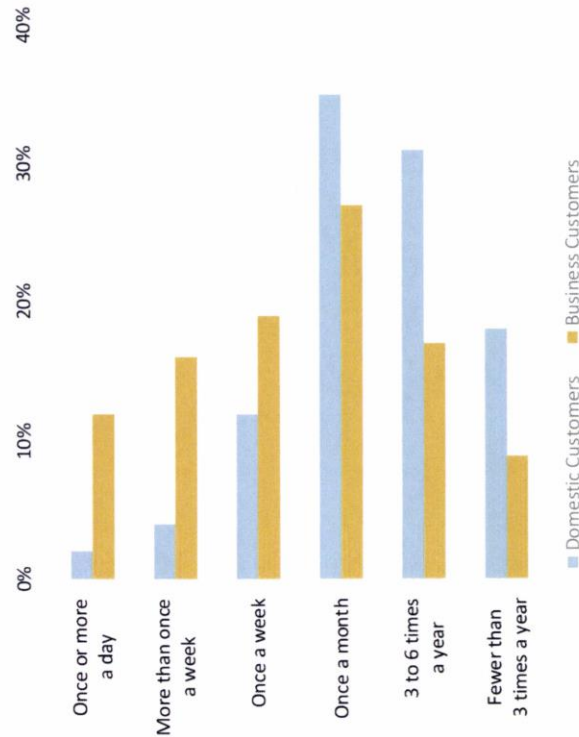
***The proposal will result in a diversion for customers and staff of in excess of 330,000km per year (208,000 miles)***

\* Source: OpenCO2.net



# Appendix A – Diversion Impact on Customers

How often people access their storage unit



Source: UK Self Storage Association Annual Industry Survey 2024  
Extra Room Self Storage is an accredited member of the UK Self Storage Association

## Impact on diverted storage customers

- Customers to Extra Room Self Storage will need to make a 3.5Km diversion each time they visit their storage unit if MIRA's proposal for a "left in and left out" at the Drayton Lane junction with the A5 is implemented
- Using the data opposite, the combined weekly trips for 2,000 Extra Room Self Storage customers, together with courier deliveries and staff movements total 1,841 one-way trips
- This equates to:
  - A weekly diversion of 6,443km for these 1,841 trips
  - An annual diversion of 335,042km
- The chart opposite highlights that business customers, who access their units more frequently than domestic customers, will be disproportionately affected
- Consequently, business customers most of which are local small and start up businesses, essential to the economic growth of the local economy, will face the most significant financial burden due to increased time and fuel costs



## ■ Financial impact of the Drayton Lane junction restriction on Extra Room Self Storage

# 1. Summary

---

## **The proposed Drayton Lane restriction is forecast to have devastating financial consequences for Extra Room Self Storage**

Extra Room Self Storage has built a financial model to test a number of scenarios and their financial impact on the business

Over the last 20 years, Extra Room Self Storage has taken on bank loans to fund its expansion and meet the growing local demand for storage

Business scenarios have been modelled to assess the company's ability to continue to meet its obligations to pay the interest and repayments on these bank loans

Current financial projections, show a successful, profitable business generating healthy cashflows, meeting all bank obligations with surplus funds available for re-investment in the self storage and farming operations (Appendix A)

However, with the junction restriction in place and the consequent reduction in the number of customers moving into storage each month:

- **Best case scenario:** the business will become loss making after 8 months, will not generate money for re-investment and will be unable to meet its bank loan obligations from cash flow (Appendix B)
- **Worst case scenario:** the business will become loss making after just 5 months, will not generate money for re-investment and will be unable to meet its bank loan obligations from cash flow (Appendix D)

## 2. Financial Model Assumptions

### Three business scenarios have been modelled

Around 100 customers vacate their storage unit each month.

To maintain occupancy at the storage facilities we must therefore attract 100 new customers each month

We have modelled 3 scenarios for the reduction in the number of people choosing to use Extra Room Self Storage due to the 3.5km diversion and the more complicated route to get to the stores:

- **Best case scenario:** 25% reduction in new customers (Appendix B)
- **Base case scenario:** 30% reduction in new customers (Appendix C)
- **Worst case scenario:** 35% reduction in new customers (Appendix D)

These estimates are informed by 20 years of operational experience and an observed 64% reduction in move ins when the Drayton Lane junction with the A5 was temporarily closed in 2014 and customers had to access the stores via Fenny Drayton village

The following pages show the impact on:

- **The number of customers in storage**
- **Revenue**
- **Net cash flow**

For comparison, the first 3 pages (Appendix A) show how we expect the business to perform if full access to the A5 at the Drayton Lane junction is maintained in both directions (i.e. *the status quo*)

## Appendix A

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### *Status Quo*

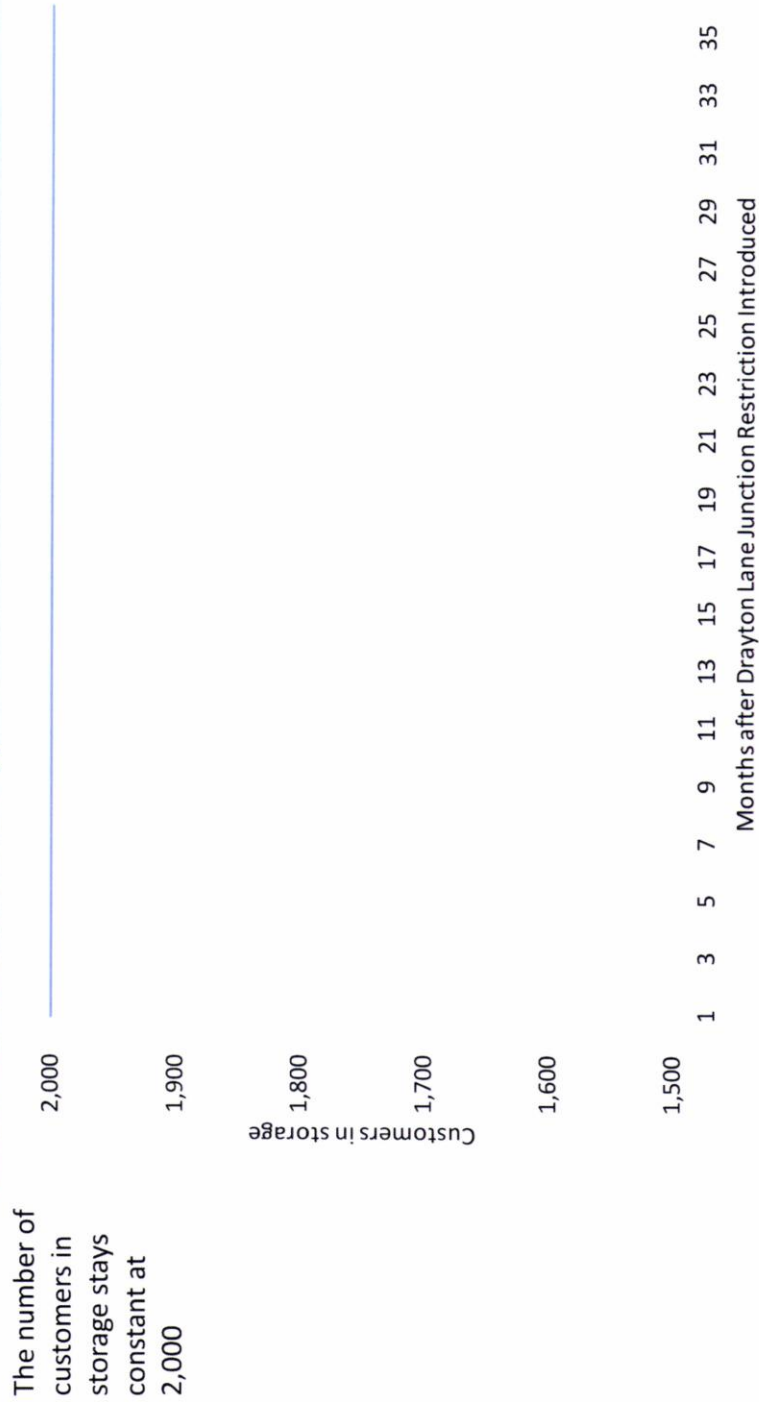
Full access to the A5 in both directions is maintained

0% reduction in new customers moving into storage

## A.1 Full Access to the A5 is Maintained

Maintain 100 new customers moving into storage each month

Customers in storage over time (#)



## A.2 Full Access to the A5 is Maintained

Maintain 100 new customers moving into storage each month

### Revenue over time (£)

Revenue stays constant at £150,000 per month

£160,000

£150,000

£140,000

£130,000

£120,000

£110,000

£100,000

Monthly Revenue (£)

1 3 5 7 9 11 13 15 17 19 21 23 25 27 29 31 33 35

Months after Drayton Lane Junction Restriction Introduced



## A.3 Full Access to the A5 is Maintained

Maintain 100 new customers moving into storage each month

Cash flow over time (£)

Cash flow grows over time.

All bank obligations are met and surplus cash flow can be used for re-investment in the self storage and farming businesses

£12,000

£10,000

£8,000

£6,000

£4,000

£2,000

£0

1 3 5 7 9 11 13 15 17 19 21 23 25 27 29 31 33 35

Months after Drayton Lane Junction Restriction Introduced

## Appendix B

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### Best Case Scenario

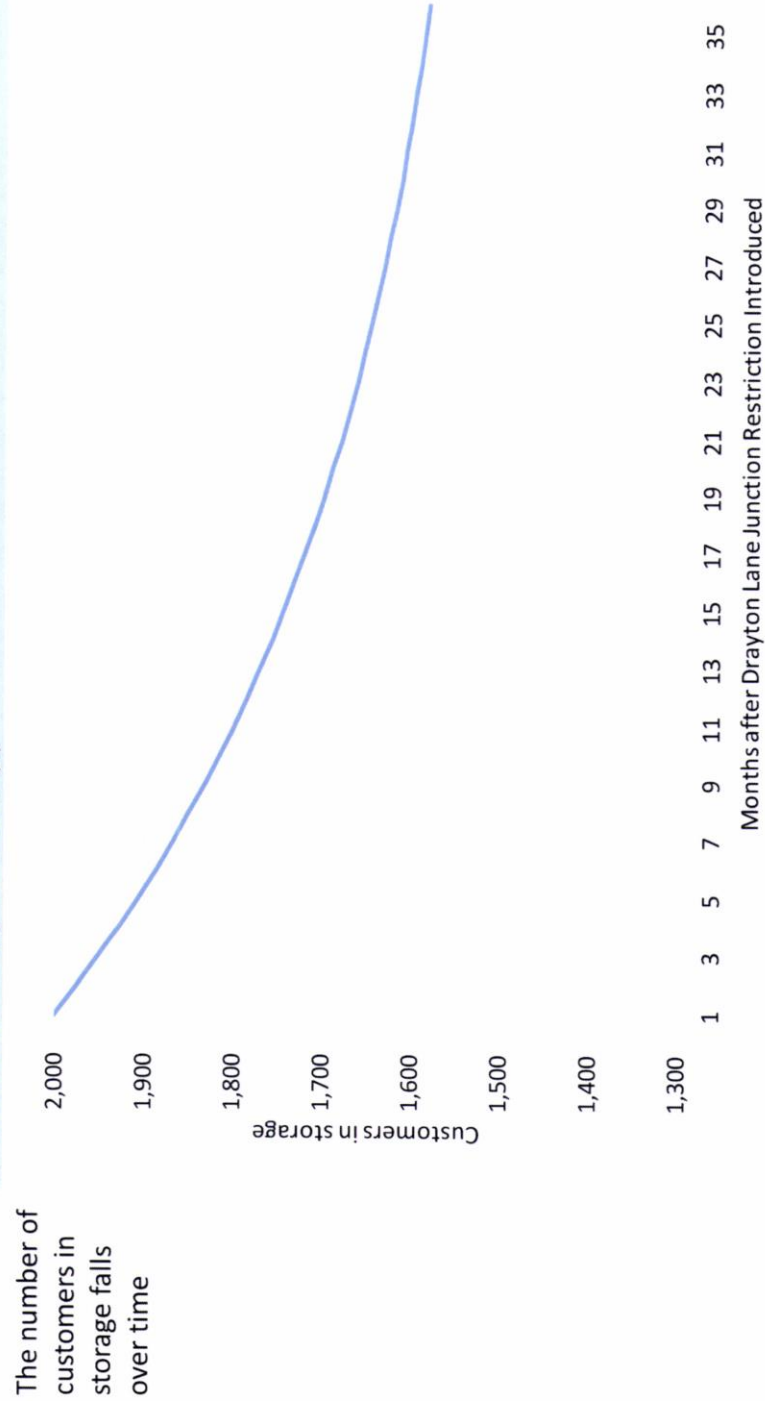
25% reduction in new customers moving into storage



## B.1 Best Case Scenario

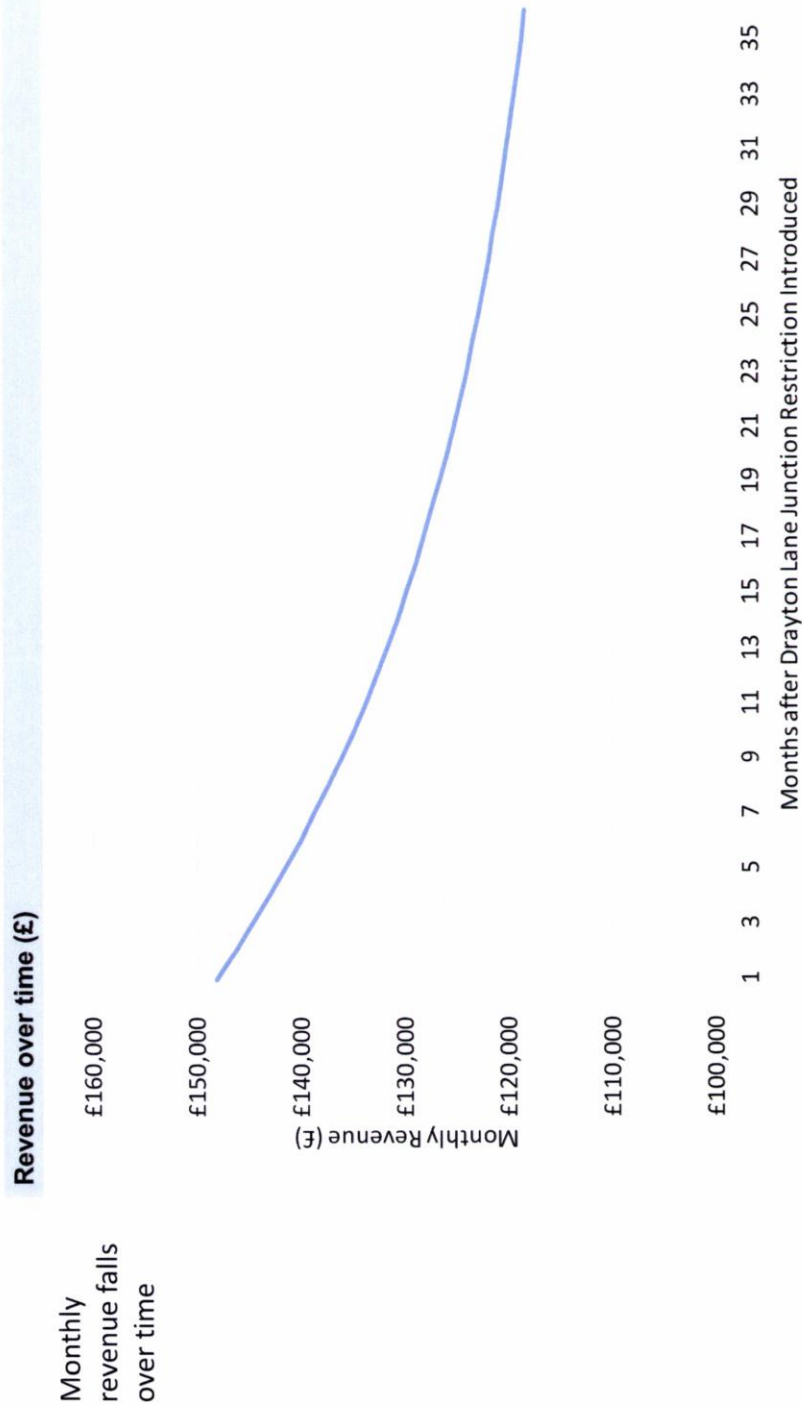
25% reduction in new customers moving into storage

Customers in storage over time (#)



## B.2 Best Case Scenario

25% reduction in new customers moving into storage



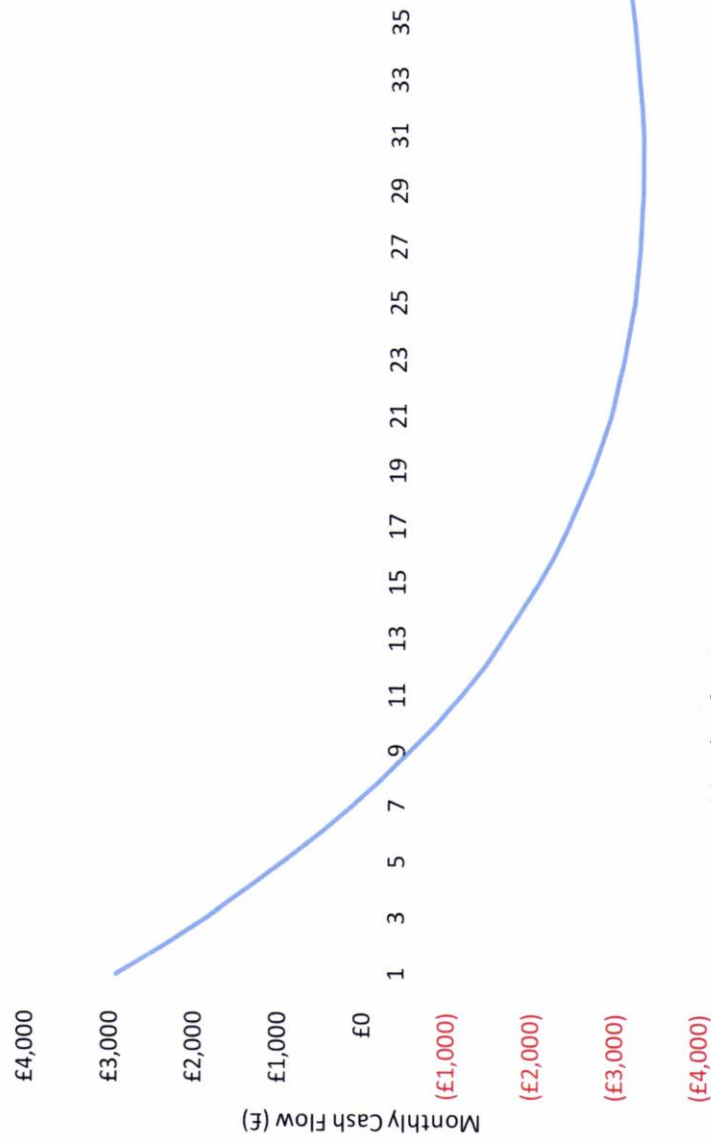
## B.3 Best Case Scenario

25% reduction in new customers moving into storage

Cash flow over time (£)

The business starts to lose money after 8 months.

After 8 months, no money is available for investment and the business is unable to meet its bank loan obligations from cash flow.



## Appendix C

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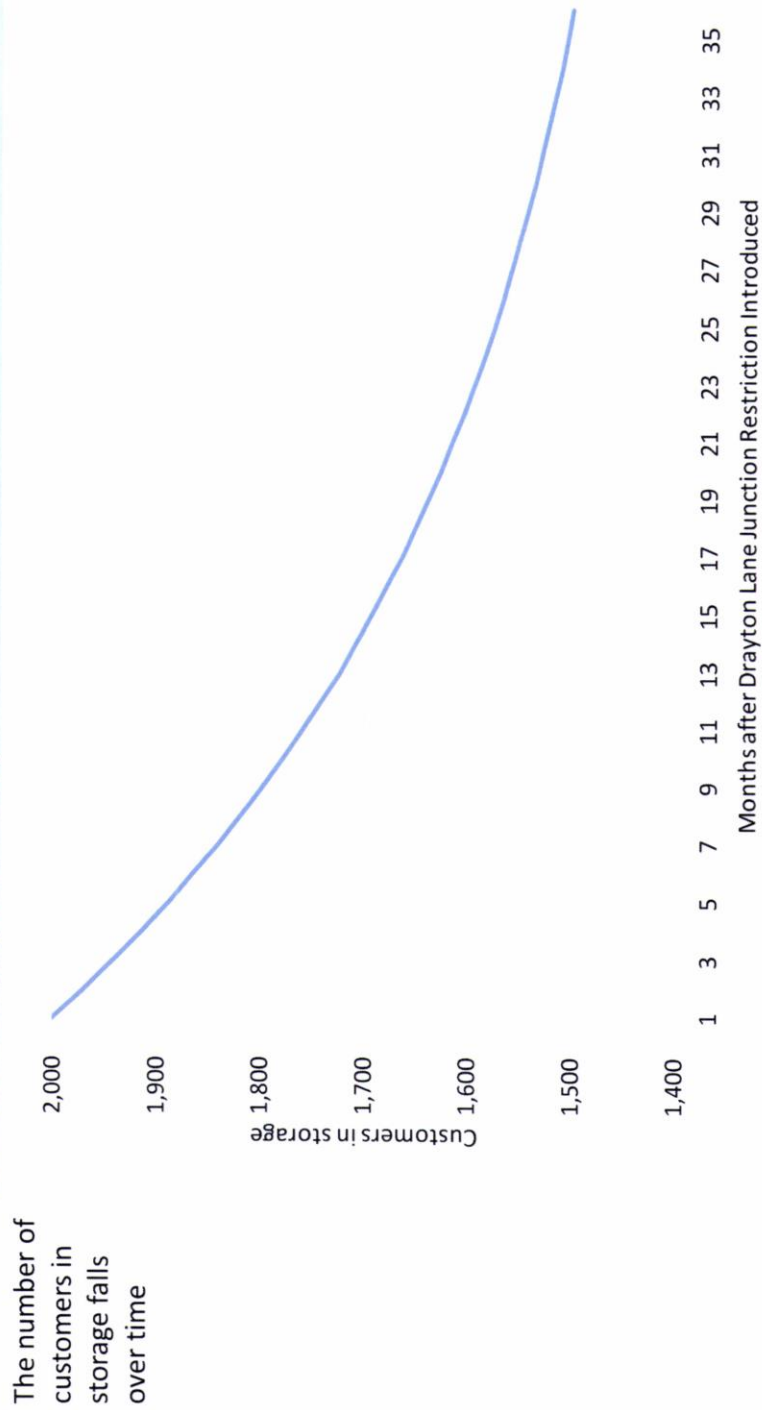
### Base Case Scenario

30% reduction in new customers moving into storage

## C.1 Base Case Scenario

30% reduction in new customers moving into storage

Customers in storage over time (#)



## C.2 Base Case Scenario

30% reduction in new customers moving into storage

Revenue over time (£)

Monthly  
revenue falls  
over time

£160,000

£150,000

£140,000

£130,000

£120,000

£110,000

£100,000

Monthly Revenue (£)

1 3 5 7 9 11 13 15 17 19 21 23 25 27 29 31 33 35

Months after Drayton Lane Junction Restriction Introduced

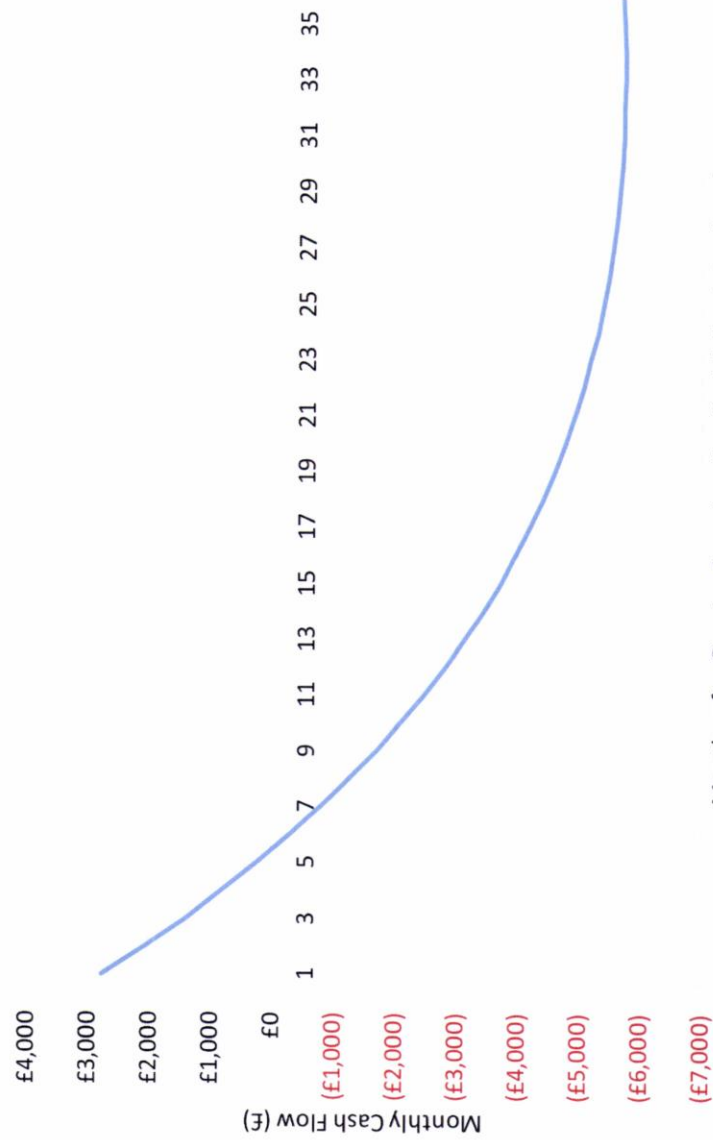
## C.3 Base Case Scenario

30% reduction in new customers moving into storage

Cash flow over time (£)

The business starts to lose money after 6 months.

After 6 months, no money is available for investment and the business is unable to meet its bank loan obligations from cash flow.



Months after Drayton Lane Junction Restriction Introduced

## Appendix D

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### Worst Case Scenario

35% reduction in new customers moving into storage

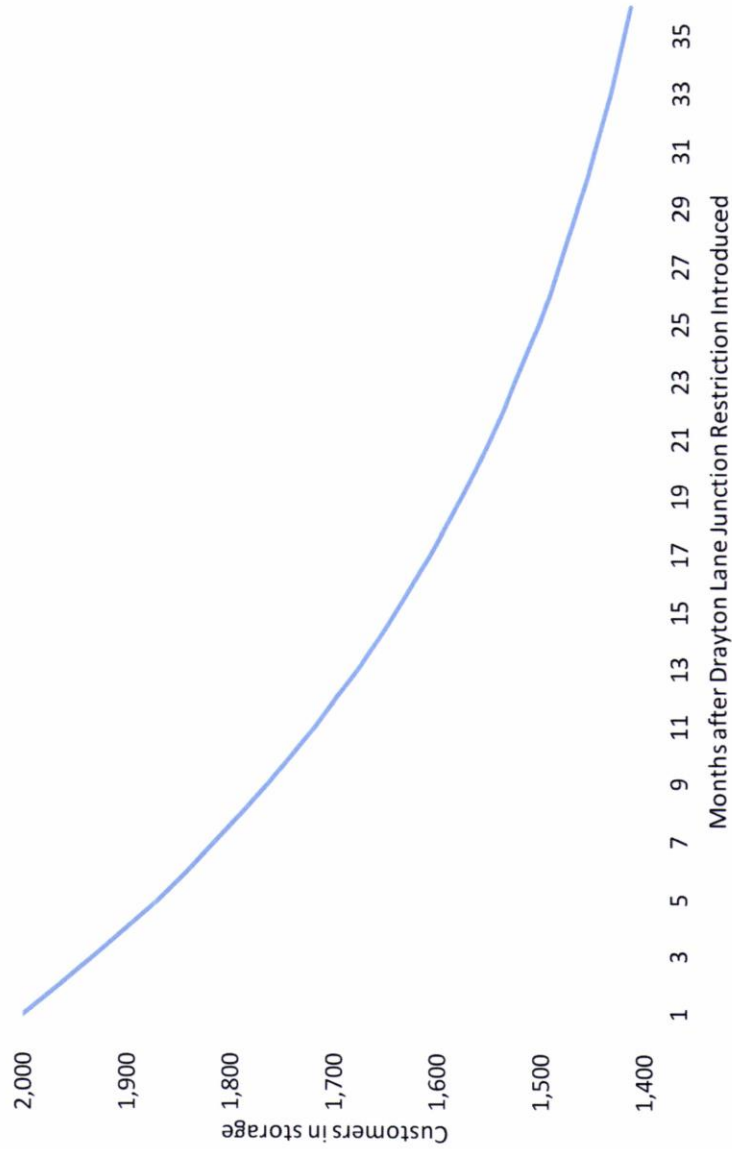


## D.1 Worst Case Scenario

35% reduction in new customers moving into storage

Customers in storage over time (#)

The number of customers in storage falls rapidly over time

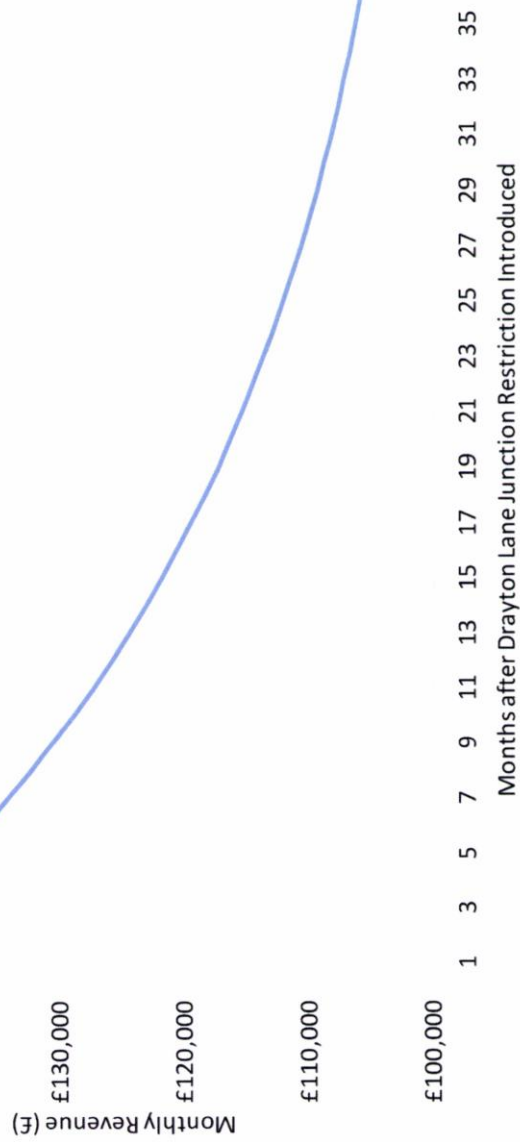


## D.2 Worst Case Scenario

35% reduction in new customers moving into storage

Revenue over time (£)

Monthly  
revenue falls  
rapidly over  
time

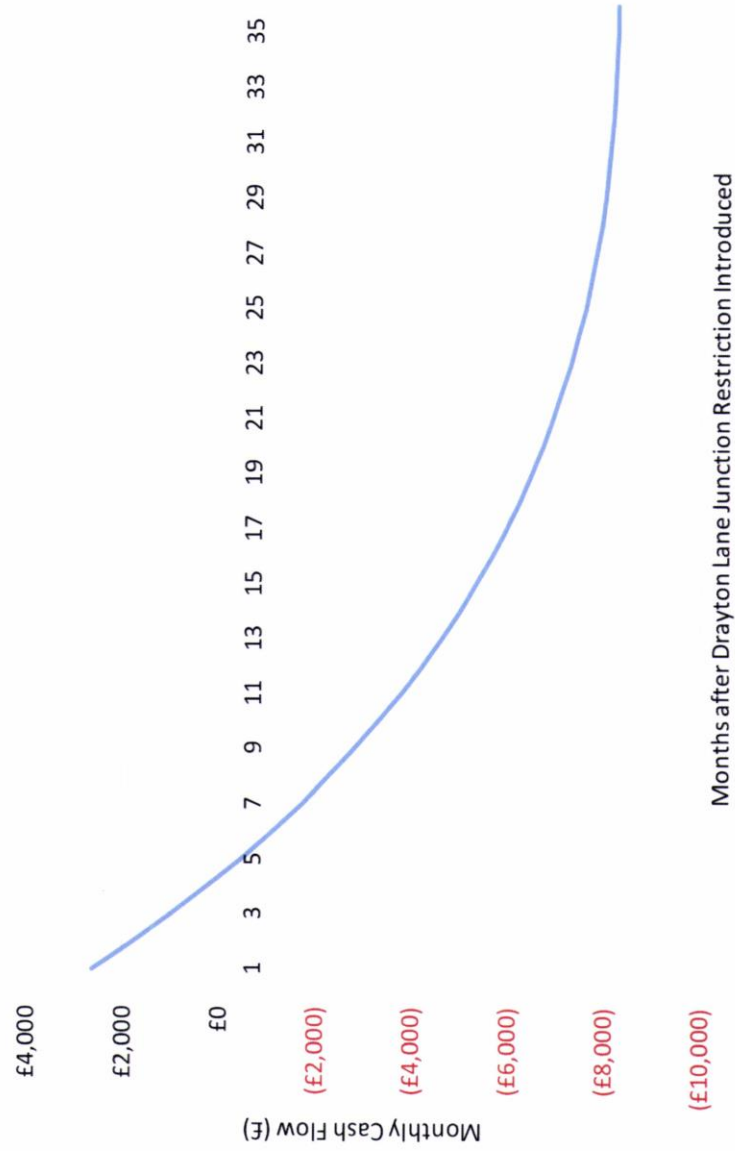


## D.3 Worst Case Scenario

35% reduction in new customers moving into storage

Cash flow over time (£)

The business starts to lose money after just 5 months. After 5 months, no money is available for investment and the business is unable to meet its bank loan obligations from cash flow.



## General Development Applications

(6/k) Application No: PAP/2022/0423

Land to the south of, Watling Street, Caldecote, CV10 0TS

Outline planning permission for Extension of MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class Eg); storage (Class B8); new spine road; car parking, landscaping and enabling works  
- All matters reserved for

### ERI MTP Limited

#### 1. Introduction

- 1.1 This application was referred to the January Board meeting, but on the receipt of a Supplementary Report, the Board deferred making a decision. The reason for this was that that report included new matters that had been submitted by an objector prior to the meeting, but which the Board had not previously seen. In order to give time for a considered response, a determination was deferred.
- 1.2 For the benefit of Members, the previously published report – without its Appendices for convenience – is attached at Appendix A and the Supplementary Report is at Appendix B. That contains the new matters referred to above.

Members are reminded that the Appendices to Appendix A, do still remain as an integral part of the overall Officer's Report.

- 1.3 Members will recall that the two new matters related to:

- i) The suggestion by the objector that an alternative highway measure to those presently proposed for the two junctions onto the A5 should be assessed and considered. This would involve the signalisation of both junctions, but with a greater separation distance between them – the Drayton Lane junction thus being re-located further to the west towards Atherstone. The objector says that he owns land that could accommodate this arrangement.
- ii) The objector is concerned that the highway arrangements currently under consideration would materially affect his business and would therefore lead to "unreasonable restrictions" being placed on his business operations, referring to the "agent of change" content in paragraph 200 of the NPPF. This is because in his view those arrangements would mean that many of his customers would have to travel further, and this would affect the viability of his business because existing customers might be lost, or new ones not added, as a consequence of increased travel costs. The published officer report included the background to his case at paragraph 6.20 of Appendix A, but this was then supplemented by further information as circulated in Appendix B.

6k/250

## **2. Further Updated Information**

- 2.1 The objector has now submitted details of his alternative. However, this is different to that which was expected under paragraph 1.3 (i) above.
- 2.2 That was for the prospect of two sets of traffic signals, but with the set at Drayton Lane being re-located in order to accommodate a greater separation distance from the lights at Woodford Lane. It is now being suggested that the Drayton Lane junction could be signalised WITHOUT relocation.
- 2.3 This is fully explained in his Technical Note at Appendix C.
- 2.4 The objector explains that the Highway Authorities modelled the proposals here as separate junctions, and that the outcome indicated that there would be a "queuing" issue. The objector therefore considers that the Highway Authorities "inappropriately discounted the opportunity" to model traffic lights at both junctions together. The objector's proposal includes double lanes, so as to address this matter – see Appendix D.

## **3. Present Position**

- 3.1 The details as now set out in Appendix C have been forwarded to the applicant and to the three Highway Authorities for any comments. It must be stressed that at present, the suggestion as set out in Appendix C, is not part of the applicant's proposals and that it has not been submitted by him as a further amendment. As a consequence, no formal re-consultation with the Highway Authorities has taken place.
- 3.2 However, with the suggestion being made by the objector that the Highway Authorities earlier consultation responses might be based on a "flawed" analysis, they have been asked for any comments.
- 3.3 These have not been received at the time of preparing this report and hence the Board will be updated at its meeting.

## **4. Observations**

### **a) Highway Matters**

- 4.1 Until the applicant confirms his position, it is not possible to advise Members further. No response has been received since the preparation of this report. A further Supplementary Report will thus need to follow. That too can bring Members up-to-date on any responses from the Highway Authorities.

**b) Paragraph 200 of the NPPF**

- 4.2 If the applicant further amends his proposals, then the three Highway Authorities will be formally re-consulted. If there are no highway objections and the applicant is satisfied with any associated planning conditions, then that will need to be put to the objector, to see if the objection is to be withdrawn. If that is the case, then the paragraph 200 issue would appear to carry no weight.
- 4.3 However, if the applicant makes no further formal amendments, the Board will have to assess the paragraph 200 issue.
- 4.4 Rather than giving advice to the Board at this time, in the absence of the Highway Authorities' comments, it is considered prudent to provide such advice within the anticipated Supplementary Report. Members however are asked to review the objector's case in Appendices A and B, as well as the initial officer advice in Appendix A.

**Recommendation**

That the current position as set out in this report be noted and that a further Supplementary Report be prepared for the Board's meeting on 3 February.

**SUPPLEMENTARY REPORT for Planning and Development Board – 3 Feb 2025****PAP/2022/0423****Land to the south of Watling Street, Caldecote, CV10 0TS**

**Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E (g)), storage (Class B8), new spine road, car parking, landscaping and enabling work for**

**ERI MTP Ltd****1. Introduction**

1.1 This application was referred to the January Board meeting, but on the receipt of a Supplementary Report, the Board deferred making a decision. The reason for this was that that report included new matters that had been submitted by an objector prior to the meeting, but which the Board had not previously seen. In order to give time for a considered response, a determination was deferred. One of these matters was a suggested alternative highway proposal for the Drayton Lane junction with the A5. This was described as being for a re-location of that junction together with installation of traffic lights.

1.2 The published report for the February Board meeting said that further details of this alternative had now been received from the objector. However, that differed from that anticipated – it now being for traffic lights at the existing Drayton Lane location, rather than for a new signalised junction at a different site. This was referred to the applicant and to the three Highway Authorities, but at the time of the publication of the Board's February agenda, no responses had been received. As a consequence, it was recommended that a further Supplementary Report be circulated before the February meeting.

1.3 This is that report.

1.4 For the benefit of Members, the January Report is at Appendix A - without its Appendices for convenience – and the January Supplementary Report is at Appendix B. The February published Board report is attached at Appendix C – again without its Appendices. Members are reminded that the Appendices to A, B and C do still remain as an integral part of the overall Officer's Report.

**2. The Objector's Suggested Highway Alternative**

2.1 The current alternative as reported in the February Board agenda is to signalise the existing Drayton Lane junction with the A5 and to include alterations to the road lane markings. Hence the suggested re-location of the junction is no longer being promoted by the objector. The background to the latest suggestion is outlined in the Technical Note at Appendix D. A plan illustrating this is at Appendix E.

### **3. Updated Responses**

3.1 The applicant was notified of this further suggested alternative. He has confirmed that he does not wish to amend or alter his current proposals for these two junctions – the traffic lights at Woodford Lane and the movement restrictions at Drayton Lane. The alternative in Appendices D and E have thus not been submitted by him to the Borough Council as a further amendment.

3.2 As a consequence, there has been no formal re-consultation with the three Highway Authorities. However, they were asked to review their earlier responses in light to the criticism set out in paras 1.3 to 1.5 of Appendix D, where the objector's transport consultant considered that those earlier responses might be "flawed". That invitation has resulted in the following initial response from National Highways:

"Having begun review of the DTA Technical Note, it is apparent that there are a number of deficiencies within the design and model assumptions, some of which appear to have been highlighted within the Milestone review of the TN. Therefore, revision of the design and model corrections within the TN would be required before the outputs could be validated by National Highways. Conclusions drawn from the current iteration of the drawings and model within the current TN are likely to be inaccurate".

(The Milestone review is that of the applicant).

### **4. Observations on the Alternative Highway Suggestion**

4.1 The alternative at Appendices D and E is not a further amendment submitted by the applicant to his last proposal as described in Section 2 of Appendix A. It has not therefore been referred to the three Highway Authorities through a formal re-consultation. The proposals set out in Appendix A thus remain as the scheme that is to be determined. It is the scheme too, that all of the Highway Authorities have not objected to. Members are advised therefore that there is not a substantive highway reason for refusal for the current proposals.

4.2 However, the objector is indicating that the National Highways assessment is "flawed" as indicated within Appendix D. The initial response from National Highways is as above, but a full substantive response is still awaited. If that follows the indications in the initial response above, then the objector will almost certainly wish to comment.

4.3 In these circumstances it is considered that in the interests to transparency, that the objector should have the opportunity to respond to the final comments of National Highways. In this case the matter would be brought back to the March Board.



**5. Observations on the NPPF Para 200 matter.**

**a) The Objector's position**

5.1 The matter here is that the objector is concerned that the highway arrangements currently under consideration would materially affect his business and would therefore lead to "unreasonable restrictions" being placed on his business operations, referring to the "agent of change" content in para 200 of the NPPF. The published officer report included the background to his case at para 6.20 of Appendix A, but this was then supplemented by further information as circulated in Appendix B. In summary his case is that:

- i) the restrictions would result in very significant diversions, and this is quantified in terms of mileage and cost to customers based on the customer profile of the business, and
- ii) the consequent reduction in customers would result in the overall business becoming loss-making in as few as five months based on the business's current financial position.

**b) The Applicant's Position**

5.3 The Applicant is aware of the content of Appendix B and has forwarded two letters at Appendices G and H.

**c) Further Correspondence**

5.4 The objector has reviewed the content of Appendices F and G and has submitted a further letter at Appendix H.

**5. Observations on the NPPF Para 200 matter.**

**a) The Objector's position**

5.1 The matter here is that the objector is concerned that the highway arrangements currently under consideration would materially affect his business and would therefore lead to "unreasonable restrictions" being placed on his business operations, referring to the "agent of change" content in para 200 of the NPPF. The published officer report included the background to his case at para 6.20 of Appendix A, but this was then supplemented by further information as circulated in Appendix B. In summary his case is that:

- i) the restrictions would result in very significant diversions, and this is quantified in terms of mileage and cost to customers based on the customer profile of the business, and
- ii) the consequent reduction in customers would result in the overall business becoming loss-making in as few as five months based on the business's current financial position.

**b) The Applicant's Position**

5.3 The Applicant is aware of the content of Appendix B and has forwarded two letters at Appendices G and H.

**c) Further Correspondence**

5.4 The objector has reviewed the content of Appendices F and G and has submitted a further letter at Appendix H.

## **6. Observations**

6.1 The Board is required to review the “agent of change” matter in light of all of the additional information now submitted. The previous report - para 6.22 of Appendix A – explained why the information then supplied would not be considered to give rise to unreasonable restrictions as a matter of planning judgment. Officers have reviewed that conclusion in light of the latest information.

6.2 The previous report acknowledged that there would be an impact on the business and that would be more immediate in the short term, but that it was not considered to be unreasonable and particularly in the medium to longer term – para 6.22 of Appendix A. There are some matters to do with the recent information submitted. Firstly, it is considered that it appears to treat all of the customers as a single “group”. However, not all customers will be affected by the restrictions - some will not, and others will have shorter distances to travel. As a consequence, there appears to be no differentiation between those customers that would be affected and those that would not. Secondly, it is understood that “business customers” may well visit the site more frequently than domestic customers, but the figures show that something in the order of 45% of business customers visit only once a month or more infrequently. Thirdly, the objections appear to be based on “distances” and not on time – some journeys may be longer but may be quicker in time. Fourthly, there is an assumption that if customers are lost, they would not be replaced. There is no allowance made for new customers – whether domestic or commercial - who would wish to use the storage facility. There will be local “growth” in this area – the MIRA developments themselves and the new residential developments planned in Atherstone and Nuneaton. Fifthly, there is reference to the experiences of Drayton Lane being closed in 2014, but this was a complete closure at Drayton Lane, and so is not representative of the present proposed partial closure. Finally, as indicated in the previous report, it is considered that the demand for storage space will remain and that this will still be the case, after the implementation of the proposed road alterations at Drayton Lane.

6.4 Members are also referred to Appendix G – being the applicant’s response to the objectors’ case as set out in Appendices A, B and D. This provides a more detailed analysis of the objector’s case. Of note here is the potential difficulty in using a national “metric” for looking at trips, as opposed to using more bespoke figures related to the actual operation. This suggests a discrepancy between the figures derived from the national metric, with the actual evidence submitted with the case put forward by the objector to the Hinckley and Bosworth BC at the time of his application to that Authority to expand his business.

6.5 Members will note that there are differences between the perceived impact on the objector’s business between the applicant and the operator. It is therefore a matter to assess where the balance lies. The NPPF refers to “unreasonable restrictions” and that is the “test” that Members should apply here. Based on all of the information received, the overall view is that officers would not change the guidance given to Members, such that the position has not changed from the conclusion of the previous report. In other words, it is acknowledged that there would be likely to be an impact in the short term, but that once the highway measures are implemented, customers will adjust accordingly.

6.6 That report also outlined the position if the Board did consider that the proposed Drayton Lane road changes would result in “unreasonable restrictions”. That indicated as a matter of planning judgement, that the outcome of the final planning balance lay with the grant of a planning permission. That has not changed with the receipt of the additional information.

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**Recommendation**

That the Board defers determination until the 3 March Board meeting in order to receive the final comments from National Highways and from the objector.

**FURTHER SUPPLEMENTARY REPORT for Planning and Development Board –  
3 Feb 2025**

**PAP/2022/0423**

**Land to the south of Watling Street, Caldecote, CV10 0TS**

**Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E (g)), storage (B8), new spine road, car parking, landscaping and enabling work for**

**ERI MTP Ltd**

**1. Introduction**

- 1.1 This report provides a further update on this planning application since publication of the main report on 24 January and a Supplementary Report published on 31 January.
- 1.2 That last report recommended that a determination be deferred until the March Board meeting in order to await the final comments from National Highways.
- 1.3 The Regional Director of National Highways has now responded. This is at **Appendix A**.

**2. Observations**

- 2.1 The response at Appendix A confirms that National Highways has “rigorously reviewed the information submitted by the applicant and are content with their proposals”. As such, within a planning context, this confirms that there would be no highway reason of refusal to be recommended for the applicant’s proposals.
- 2.2 The applicant has confirmed that he is not amending his proposal any further.
- 2.3 As a consequence, the objector’s alternative option for the Drayton Lane junction is not to be considered as part of the current application. As can be seen from **Appendix A** and from the first Supplementary Report, National Highways does have concerns about this option. However, as National Highways has confirmed its position on the applicant’s proposals, consideration of this option does not arise.
- 2.4 The recommendation to the Board is thus amended as below.
- 2.5 A copy of this further report has been forwarded to the objector.

**Recommendation**

That planning permission be granted subject to the conditions as already reported to the January 2025 Board and to completion of a Section 106 Agreement based on the matters included in the Officer Report to that same meeting.

## **General Development Applications**

**(6/e) Application No: PAP/2024/0446**

**64-66, Long Street, Dordon, B78 1SL**

**Proposed Change of Use: Conversion into 9 person 9 room HMO (House in Multiple Occupation) including 10 parking spaces, for**

**For Ms Jessica Kong and Ms Yasmin Kong**

### **1. Introduction**

1.1 This application is referred back to the Board following deferral from the April Board meeting. That was to allow for members of the Board to carry out a site visit which took place on Friday 23 May 2025.

1.2 A copy of the previous report is Appendix A and a note of the visit is at Appendix B.

### **2. Additional Information**

2.1 A new parking plan has been submitted showing nine spaces to be reserved – Appendix D.

2.2 Members will recall that its substantive concern here was with the car parking provision being proposed, its accessibility and significantly its maintenance and sustainability in the longer term – see Observations Section (d) in Appendix A. The applicant has responded to this by providing a very full and thorough Briefing Note. This is said to address the main concerns expressed by the Board. It is attached in full at Appendix C.

2.3 In particular, the Note includes the following evidence:

- i) From correspondence with local estate agents, the average car ownership of HMO residents in Dordon is 22%. That would mean that 3 or 4 spaces would be adequate here.
- ii) The managing agent for the rear car parking area says that there are 21 spaces here, 10 are leased to others, nine for this applicant and there are two unassigned spaces.
- iii) A lengthy parking survey has been undertaken which is said to demonstrate that there is sufficient capacity at a number of car parks in Dordon, including the car parking area at the rear of the Long Street properties – an average of some 13 spaces regularly being available here. The survey covers all days and at a variety of times – including peak hours.
- iv) The availability of space in this rear car park suggests that there is unlikely to be displacement of other users.
- v) These figures suggest that the nine spaces shown on Appendix D will be available and that their use will not displace existing users.
- vi) Any unauthorised occupation of any of the spaces here is a private matter to be followed through by the landowner.
- vii) WCC Highways has not objected.

- viii) No other HMO in Long Street has been subject to car parking requirements
- ix) The Note confirms that the spaces will be “clearly demarcated” and that the spaces are available under lease for 15 years.
- x) There would be little if no impact on Long Street

### **3. Observations**

3.1 This Note is a material planning consideration and it is considered that it should carry significant weight. It would in that regard support the officer recommendation made to the Board at its June meeting. It illustrates that spaces are available in this parking area sufficient to accommodate the anticipated car occupancy provision arising from the proposal. Moreover, if the Licence expires after fifteen years, the survey shows that spaces would still be likely to be available. Bearing in mind the fall-back positions outlined in the main report at Appendix A, Members are strongly advised that there is no sustainable refusal reason here unless there is robust, actual hard evidence to rebut the content of the applicant’s Note.

### **Recommendation**

As set out in Appendix A but that the plan number at Appendix D be substituted in Conditions 2 and 3.





# APPENDIX A

## **General Development Applications**

**(5/g) Application No: PAP/2024/0446**

**64-66, Long Street, Dordon, B78 1SL**

**Proposed Change of Use: Conversion into 9 person 9 room HMO (House in Multiple Occupation) including 10 parking spaces, for**

**Ms Jessica Kong - C/O Anjum Design Ltd**

### **Introduction**

This application is referred to the Board under the adopted Scheme of Delegation as local Members are concerned about the potential highway and parking impacts.

### **The Site**

The site proposal is located on the eastern side of Long Street a little way north of the junction with Watling Street within a row of terraced property and opposite a similar frontage. There are a number of commercial premises within close proximity of the site at Browns Lane.

A location plan can be seen in Appendix A.

### **The Proposal**

The proposal is for the conversion of an existing 5-bedroom care home (a C2 use) into a 9-bedroom House in Multiple Occupation (HMO) which would be a "Sui Generis" use. The nine bedrooms would be spread across two floors and include a kitchen area as well as a dining area. The proposal would provide ten parking spaces at various locations at the rear of the frontage properties to Long Street with one EV Charging Point, as well as cycle storage.

The proposed plans can be seen in Appendix B

### **Background**

The site previously had approval in 1985 for a change of use from a residential dwelling to a care home for four people with mental disabilities. Since then, the site has become a five-bed care home for the elderly. This application is now looking to convert this into an HMO from a care home.

### **Development Plan**

North Warwickshire Local Plan 2021 - LP1(Sustainable Development); LP2 (Settlement Hierarchy), LP29(Development Considerations), LP30(Built Form) and LP34(Parking)

Dordon Neighbourhood Plan 2024 - DNP9 (Mix of Housing Types and Tenures) and DNP13 (Car Parking along Long Street and New Street)

### **Other Relevant Material Considerations**

National Planning Policy Framework 2024 – (the NPPF)

Town and Country Planning (Use Classes) Order 1987 (as amended)

### **Consultations**

Environmental Health Officer - No objection, subject to conditions

Warwickshire County Council as Highway Authority - No objection subject to conditions

### **Representations**

Dordon Parish Council - No comments received.

Seven objections have been received from local residents referring to:

- Drainage
- Parking and highways concerns
- Anti-social behaviour / concern for who will occupying the HMO
- Issues with ongoing works
- Value of properties in the area decreasing
- Already multiple other HMO properties on this road, is another necessary.
- Noise
- Community character lost

### **Observations**

#### **a) Introduction**

The site is located within the Dordon settlement boundary as defined under Local Plan policy LP2 and as such the principle of supporting this proposal is supported, it being located within the built-up area in a sustainable location. The settlement also has a wide range of local services and facilities as well as public transport provision. Employment opportunities are also close-by at the commercial developments along the A5.

It is also important to provide the potential “fall back” positions in respect of this proposal bearing in mind the above conclusion. These carry substantial weight as material planning considerations. Firstly, substantial weight should be given to the fact that the provisions of the General Permitted Development Order enable the use of a dwelling as an HMO for up to six residents. Indeed, the use of the premises as a “dwelling house” under Use Class C3 could also lead to it being occupied by up to six unrelated residents, or as a single household of more than six persons.

Secondly, the previous planning history also carries substantial weight. The site has previously been a separate residential dwellinghouse which had five bedrooms and historically it was used as two residential properties. Its most recent lawful use is as a residential institution as a care home.

5g/121

The care home was used by four residents. However, they would have required a number of visiting staff and the number of residential occupiers overnight would have been greater. The premises could revert back to a dwelling house, or a small HMO without the need for a planning application as indicated above. Such uses would enable occupation by six unrelated people. It is thus considered that the main issue here is whether there would be any unacceptable adverse impacts arising from the increase to an HMO occupied by 9 persons, as opposed to the lawful use as a care home, or to either of the two fall-back positions. For these impacts to give rise to a possible refusal reason, Members should be satisfied that there is demonstrable evidence to show that the impacts would give rise to significant harm.

#### **b) Impact on surroundings area**

Concerns have been raised on the potential impacts these have on the surrounding area.

One of these relates to potential for anti-social behavior. Whilst the Local Planning Authority understand the concerns of the members of the public, a planning decision cannot be based on speculation. Anti-social behavior could arise from the lawful residential use of a property, or indeed from any of the surrounding neighboring properties. There is no evidence submitted by the objectors to evidence that this use would give rise to such behavior or indeed to a pattern of such behavior at other similar addresses in Dordon. Members are advised that this application should be determined on the proposed land use and not by who might occupy the premises.

The second point raised was the prospect of devaluation of the surrounding housing due to an HMO. Members are fully aware that the potential loss of value to a property is not a material planning consideration.

A further point raised was the character of the community would be lost. Whilst the officers understand the concern for the loss of community, it is once again an opinion that this is might be the case. The public consultation has highlighted the number of HMOs in the area. There are 6 licensed HMOs along Long Street and a further 3 in the Dordon Ward. However, there is no evidence either way that the potential occupants of the HMO would cause loss of community character, that there is a such a proliferation of them, or that it would contribute to the loss community character.

Finally, bearing in mind the lawful use of the site and the fall-back positions, there is no evidence to suggest that the proposal would lead to a material drainage concern.

#### **c) Residential Amenity**

Local Plan Policy LP29(6) says that developments should "avoid and address unacceptable impacts upon neighbouring amenities through overlooking and noise" amongst others. Overlooking and loss of privacy are not considered to be an issue here given that this a large property which could be fully occupied by a large or extended family, or as a care home. There is little material difference between this lawful use and that proposed.

There has been reference to noise. It is noticeable that there has been no direct evidence submitted from the Environmental Health Officer, the Police or other Agency to support a refusal on this basis. Environmental Health Officers were consulted regarding noise, but they provided no that noise from the proposed use would be any different than that emitted from any of the fall-back positions. Members too will be aware that noise can arise from the lawful use of any of the residential properties in this location. There is no justification here for a refusal based on unacceptable impacts to residential amenity.

#### **d) Highways and Parking**

Perhaps understandably, this is the main concern.

The Council has no parking standards for HMOs, however Local Plan Policy LP34 says that "greater emphasis will be placed on parking provision in areas not served by public transport". As indicated above, the proposal is in a relatively sustainable location with services, facilities and employment opportunities all within walking, cycling and public transport range. In this respect there are two bus routes within a 5-minute walk of the site. These bus routes are the number 65, Tamworth to Nuneaton via Polesworth, Dordon, Atherstone, Wood End and Hurley, the other is number 66, Tamworth to Birch Coppice Business Park, via Dordon, Polesworth, Stonydelph, Glascote and Bolehall.

The area however has a marked lack of off-street parking with multiple properties being Victorian terracing without any parking provision. Long Street is also narrow and there is a "pinch-point" when accessing it to or from Watling Street. Indeed, the need for off street parking is emphasised within the Dordon Neighbourhood Plan as Policy DNP13 states, "Development proposals in the locations identified on Map 12 will be required to demonstrate that residents' and visitors' parking requirements can be accommodated off street to facilitate traffic flow and accessibility for service and emergency vehicles. Proposals should ensure that off-street parking is integrated into the layout of the scheme or provided off-site. Map 12 can be seen in Appendix C.

The applicants, as part of the application have indicated that they can provide ten off-street parking spaces available at the rear of the property and others along Long Street. They say that these would be sufficient for the needs of the occupants. These spaces however are on land which is leased by the applicant – a 15-year lease. Officers are concerned about the longevity of this, If this lease was to be terminated, then the parking spaces would be lost and there would then be further pressure on on-street parking in the area. This is reflected in the representations received including from some residents who say that they already park in the spaces. The applicant has looked to mitigate the need for parking by supplying cycle storage at the site. This would indeed lessen the need for car usage at the property.

It is of substantial weight that the Warwickshire County Council Highways has provided no objection to the proposal subject to conditions indicating that the parking spaces should be provided in perpetuity. It is considered that this condition is necessary and that it is enforceable. Quite simply, if the parking area was not available, the Council could serve a Breach of Conditions Notice requiring cessation of the 9 person HMO. It is also of substantial weight that the fall-back positions can be implemented here with there being no changes to parking provision at all. Additionally, there are also other HMO properties on the street that do not provide off street parking for tenants.

5g/123

To conclude, bearing in mind all of these matters that officers consider that parking provision should be provided as part of the proposal, due to its position on Long Street and the relevant Development Plan policies. A planning condition would ensure that this is provided. Whilst it is acknowledged that a 15-year lease does not guarantee parking in perpetuity, the planning condition can say that the use as an HMO should cease, if the parking is not provided at any time. This approach is considered to be proportionate, in that it recognises that the principle of supporting the proposal, whilst taking into account the particular site characteristics of this case because and that there are not sufficient grounds to refuse the application in terms of highways and parking.

#### **e) Licensing**

The proposal is for a change of use from the existing use as a care home consisting of 5 bedrooms, to a 9-bedroom HMO. A license under the 2004 Housing Act will be required to operate the HMO. Licensing Officers have confirmed that there is no objection from their point of view. They consider that sufficiently sized private amenities and communal living space will be provided.

#### **Recommendation:**

That planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

#### **REASON**

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans, numbered;

PL01 Rev B received 22<sup>nd</sup> November 2024

PL03 Rev B received 3<sup>rd</sup> March 2025

Boiler information received 16<sup>th</sup> January 2025

Wooden and brick-built bike shed received 3<sup>rd</sup> March 2025.

Sustainability packs received on 16<sup>th</sup> January 2025

#### **REASON**

For avoidance of doubt and to define the permission.

3. The development shall not be occupied until the parking and manoeuvring areas have been laid out and marked up in accordance with the approved details, and in general accordance with drawing number PL01 Rev B, and such areas shall be permanently retained for the parking and manoeuvring of vehicles

REASON

In the interests of highway safety and to ensure sufficient off-street parking is provided to accord with North Warwickshire Local Plan and Dordon Neighbourhood Plan.

4. The development hereby permitted shall not be occupied until the secure, covered bicycle storage area and electric charging point has been provided in accordance with the approved details. The approved bicycle storage area and electric charging point shall be retained and made available for the lifetime of the development.

REASON

In the interests of sustainable travel.

5. Prior to occupation the sustainable travel packs received on the 16<sup>th</sup> January 2025 shall be made available to all occupants of the HMO.

REASON

In the interests of sustainable travel.

6. The development hereby permitted shall not be occupied by more than nine persons at any one time.

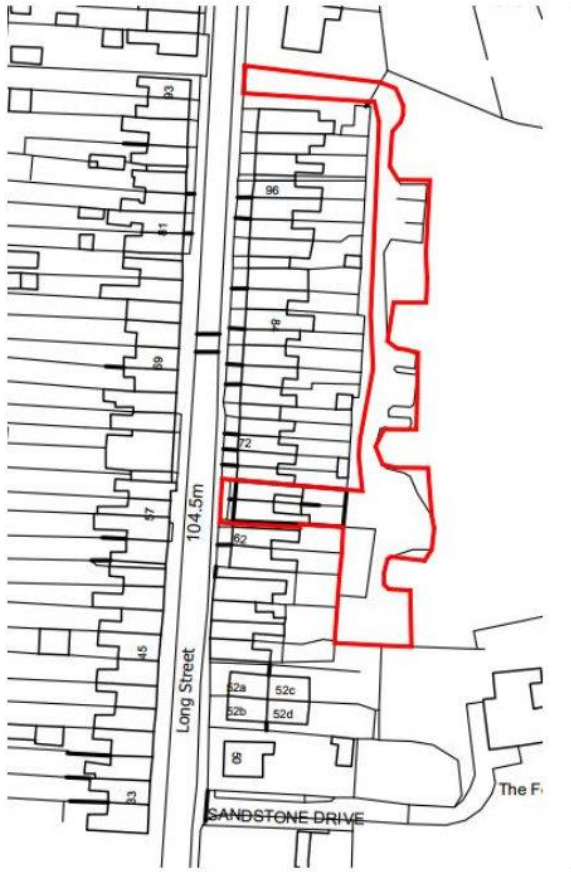
REASON

To define the permission and for avoidance of doubt.

7. The car parking provision as shown on the approved plan, shall remain available solely for use by residents of the property covered by this permission. Should any part of this provision no longer be available for this purpose, the approved use of the property as a larger House in Multiple Occupation (sui generis use) as hereby permitted, shall cease immediately and the use will revert back to its previous use as a residential institution (C2 use) (Use Classes Order).

REASON

In the interests of highway and road safety, so as to reduce the likelihood of on-street parking



**Appendix A**

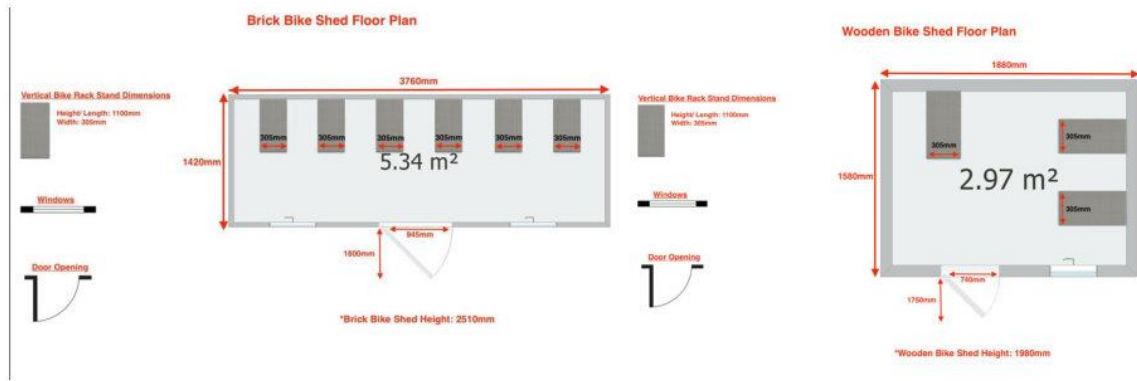
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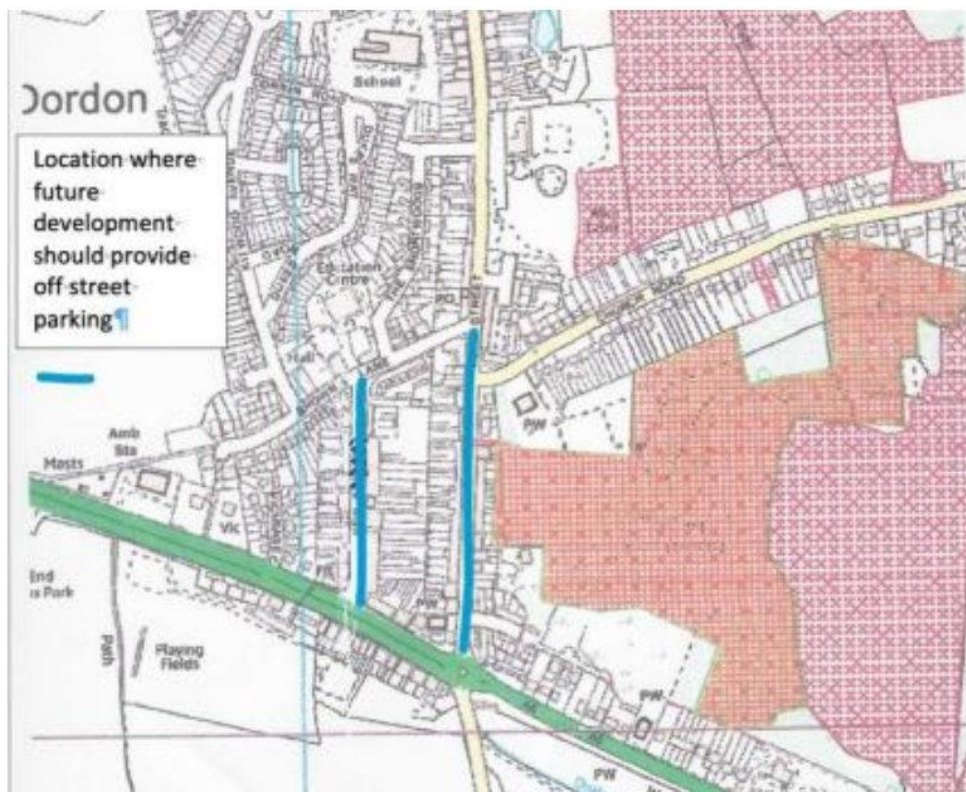


## Appendix B





### Appendix c



## **APPENDIX B**

**PAP/2024/0464**

**64/66 Long Street, Dordon**

**Site Visit - Friday 23 May 2025 at 1700**

Present: Cllr's Chapman, Dirveiks, Humphries, Ridley, Ririe, Simpson and Watson together with the applicant, A Collinson and J Brown

1. Members parked in the Long Street car park at walked down past the junction with Church Lane to the access track on the east side of Long Street.
2. Here they saw the nature of the road frontages on either side of the road, the on-street car parking and the passing traffic on Long Street.
3. Members then walked down the access track and along the rear service access to the frontage terraced properties.
4. They were shown the application plan which illustrated the "allotted" parking spaces for the proposal. These were identified on site, as was the nature of the surfacing, the levels and the intervening landscaping.
5. They also saw the number of occupied and unoccupied spaces.
6. The application properties themselves were identified
7. Members then returned to the Long Street car park completing the visit at around 1730.

**Application no. PAP/2024/0446 – 64-66 Long Street, Dordon, B78 1SL**

Proposed Change of Use: Conversion into 9 person 9 room HMO (House in Multiple Occupation) including 9 parking spaces.

*An updated plan of the 9 parking spaces is shown on Appendix J and are highlighted in red.*

This report has been prepared in response to the primary concerns related to parking issues raised by the North Warwickshire Council committee members and residents of Long Street during the Planning and Development Board on 7<sup>th</sup> April 2025. The common concerns raised were related to:-

1. The displacement of existing users/cars (who do not have a parking license or lease) from the rear car park, following the commencement of the applicant's 15 years lease with the landowner to lawfully have exclusive use of 9 dedicated parking spaces.
2. The rear car park is in a rough and unmade condition.
3. Ensuring that the leased spaces will not be used by other residents.
4. Increased traffic congestion at the "pinch point" of Long Street.

**Applicant's response:****1. The displacement of existing users/cars from the rear car park**

- Since the last board meeting, the applicant has undertaken a series of comprehensive parking surveys over the course of 45 days with video evidence (see Appendix A), which clearly demonstrates that sufficient parking capacity exists even during peak hours. The findings provide robust, evidence-based assurance that current parking demand can be accommodated without causing undue pressure on surrounding spaces.
- Additionally, the findings shown in Appendix A clearly demonstrate that sufficient parking is consistently available in the rear car park of the applicant's property. This suggests that unauthorised use, if occurring at all, is minimal and does not impact overall availability. The occupancy figures provided below indicate that ample parking remains available across all car park locations, so on the extreme rare cases that unauthorised users have to park elsewhere, the applicant has demonstrated that there is ample of parking space throughout lower to mid Long Street and on Long Street Car Park:

Spaces available based on 2 different averages across a period of 45 days					
	Long Street (Outside House)	Rear Car Park	Long St Car Park	Derek Avenue Car Park	Mid Long Street
<b>AVERAGE/ MEAN</b>	6.14	13.71	19.27	2.82	8.64
<b>MEDIAN</b>	5	13	20	2	9



- Having directly engaged with several reputable local estate agents that specialises in managing HMO's to understand the average car ownership amongst professional HMO tenants (see Appendix B), it is clearly evident that the average car ownership remains consistently low. The collected data shows that an average of 22.03% (average based on the percentage figure provided across the 5 estate agents) of professional HMO tenants in the local areas actually use a car, highlighting that there is minimal demand and reliance on parking expected from the applicant's target market which will be working professionals mainly on Birch Coppice business park (0.9 miles from property) that is easily accessible via walking, cycling or bus services.
- The emails from the 5 estate agents (see Appendix B) demonstrates that 3-4 parking spaces is sufficient for the development and as shown in the parking survey (see Appendix A), there are regularly 9-18 parking spaces available in the rear car-park during most peak hours. The applicant has proposed to lease 9 parking spaces in direct response to fulfilling this request from the North Warwickshire Planning Team, rather than out of necessity, as not all future tenants are anticipated to require parking. The applicant maintains that the demand for parking is likely to be minimal as per above point. However, due to the resistance and concerns displayed by committee members regarding the perceived "displacement" of unauthorised users currently occupying the rear car park, the number of leased spaces can be reduced accordingly.
- The applicant has consulted with Savills, the managing agent for the rear car park, who have confirmed that the site contains a total of 21 parking spaces. Of these, 10 are currently leased to Long Street residents, 9 are allocated to the applicant, and 2 remain unassigned (see Appendix C). The parking survey shown in Appendix A demonstrates that between 9 and 18 spaces are consistently available during peak hours on a daily basis. This clearly indicates that the car park has sufficient capacity to accommodate all authorised users, with no evidence of displacement from unauthorised parking.
- The rear car park spaces are privately owned, and the presence of existing unauthorised users (if any) or vehicles does not confer any legal entitlement to continued use. The applicant is not displacing residents from the use of rear car park, they are simply returning it to its rightful purpose. Should the landowner choose to implement parking enforcement in future, individuals who have not secured formal parking rights would be required to either vacate the area or enter into a lease agreement. This should not be viewed as the displacement of existing users, but rather as the legitimate enforcement of authorised use on privately owned land. This also ensures fair access for those who have entered into formal agreements.
- The use of Derek Avenue Car Park and Long Street Car Park serves no restrictions or permit systems in place designating these car parks as a residents-only or purpose built facility (see Appendix D). The public car park operates on a first-come first-served basis by nature, hence usage levels may fluctuate, but access remains

open and equal to all members of the public. This ensures fairness and reinforces their intended purpose as shared community resources. Therefore, no individual or group, including residents of Derek Avenue and Long Street, holds any form of exclusive entitlement to its use, should “displaced” users/cars wish to use these car parks. Additionally, as per parking survey (see Appendix A), there has been consistently a high number of free spaces at Long Street Car Park even during peak hours.

- The most recent *North Warwickshire Car Parking Standards* (see Appendix E), states that the requirement for residential properties is 2 parking spaces per dwelling (outside of Market Town Centres). On this basis, if the applicant’s property is treated as two terraced houses it would require a total of 4 parking spaces. In this interpretation, the applicant’s parking provision already exceeds the relevant local council standards.
- The most recent *North Warwickshire HMO Standards*, as well as the *Licensing and Management of Houses in Multiple Occupation and Other Houses (England) Regulations* (see Appendix E), do not define any specific parking standards for HMOs. As such, the proposed development is fully aligned with current regulatory HMO expectations and does not conflict with any established parking requirements.
- The applicant acknowledges local concerns regarding parking pressures and the potential displacement of users currently using the rear parking area. However, it is important to emphasize that such individuals are parking without the consent of the landowners. There is no policy for protection of informal or unauthorised parking arrangements on private land. The Planning Inspectorate’s has consistently found that such informal use does not amount to a material planning consideration, and displacement from private land is not in itself evidence of harm. Notably, the Highways Authority has raised no objection, and the development meets the parking requirements as set by local policy.
- There are currently six other HMOs on Long Street (see HMO register in Appendix E), none of which have had parking conditions imposed upon them due to their development under Permitted Development Rights (PDR). In contrast, the applicant has gone beyond standard requirements by implementing additional measures specifically designed to mitigate traffic impact i.e. 1:1 parking provision per one bedroom, which none other HMOs on Long Street have provided. Therefore, any objections on the grounds of traffic impact, despite the applicant’s demonstrable efforts to reduce traffic, would represent an unfair and unreasonable burden as HMO’s on the same street were granted HMO licenses without any parking conditions.

2. The rear car park is in a rough and unmade condition

- The land in question is legally accessible, will be clearly demarcated, and under the applicant's control via a 15 year lease agreement. Planning considerations should focus on:
  - The physical dimensions of the land, which fully comply with minimum bay size standards;
  - The provision of safe and practical access; and
  - The ability to formally demarcate bays through markings and signage.

The surface material does not alter the legal or functional stability of the site for parking purposes.

- The car park continues to be actively and regularly used by users for over 25+ years, clearly demonstrating that it remains functional and fit for purpose. Its ongoing utilisation affirms its value as a practical and effective parking facility, supporting its functional purpose without any previous issues.

3. Ensuring that the leased spaces will not be used by other residents

- The occupants will have a legal entitlement to use the parking spaces provided, as defined by the terms of their 15 years lease. It would therefore be unreasonable and inappropriate to penalise the applicant for any instances where other residents unlawfully choose to park on the leased spaces. Responsibility for such actions lies with the unauthorised users involved, not the applicant, who has made appropriate and lawful parking provisions as part of the proposed development.
- The previous property floor plan indicates that during its ownership by the previous owner Polesworth Group Home, the property contained six bedrooms (see Appendix F), which were used by carers and service users as well as visiting staff and family members. Therefore an additional three tenants will not significantly impact the surrounding area in terms of traffic and amenities.
- The rear car park was previously rented by Polesworth Group Homes, who operated without any designated signage or demarcated bays for their allocated spaces. Despite this arrangement, they reported no issues with parking availability or conflicts and there have been no issues of neighbours falling out, demonstrating that the existing parking setup has functioned effectively in practice and meets the needs of its users without requiring formalised measures (see Appendix G).
- However, to address the concern of conflicting use of leased spaces, the applicant will install clear signage and demarcation within the leased parking spaces to ensure they are visibly reserved for the exclusive use of tenants. This proactive measure will help manage parking effectively and reinforce the applicant's commitment to maintaining an orderly and compliant parking arrangement.



- Due to concerns raised around “displacement” of neighbours using the rear car park informally, to minimise disruption, the applicant will provide a 2 months written notice before their leased spaces will begin to operate, allowing sufficient time for such unauthorised users to make alternative arrangements. This provides a fair and constructive approach to maintain good neighbour relations.
- As evidenced in Appendix (H), the applicant has demonstrated a considerate approach to community relations by permitting neighbouring residents to use the parking spaces when they are not occupied by tenants, provided prior notice is given. This arrangement reflects a willingness to support local parking needs on a goodwill basis. Furthermore, correspondence from a neighbouring resident, included in Appendix (H), indicates that the applicant responds promptly to issues, including those raised outside of regular working hours. Together, these actions by the applicant illustrate a proactive and community-minded attitude, suggesting an informal yet genuine sense of duty of care and moral responsibility towards their neighbours and local community.
- The applicant moving forward is also willing to continuously provide neighbours with their leased spaces to demonstrate moral consideration, providing that there are no tenants using the space and prior notice has been provided from the neighbour to the applicant.
- More rigorous interventions can be considered if necessary, but bearing in mind due to the usage of the area, the applicant does not consider it necessary.

4. Increased traffic congestion at the “pinch point” of Long Street.

- While concerns regarding traffic congestion at the “pinch point” of Long Street are acknowledged, the applicant’s proposal directly mitigates this issue by securing dedicated off-street parking spaces. This proactive measure significantly alleviates pressure from on-street parking, which many terraced housing cannot offer and have no inherent parking provision. Unlike unmanaged and informal arrangements that contribute to congestion and uncertainty, the applicant is introducing a structured, lawful solution that enhances local parking measures. By formalising parking provision, the proposal delivers a clear benefit to the area, supporting better traffic flow in alignment with planning objectives.
- By providing tenants with an off-street parking solution, this directly supports the objectives of Policy DNP13 of the Dordon Neighbourhood Plan (see Appendix I), “to demonstrate that residents’ and visitors’ parking requirements can be accommodated off street to facilitate traffic flow and accessibility for service and emergency vehicles. Proposals should ensure that off-street parking is integrated into the layout of the scheme or provided off-site”.
- The entrance to the rear car park is located approximately 75 yards away from the beginning of the identified “pinch point” on Long Street. This physical separation

ensures that vehicle movements associated with the development, whether entering or exiting the rear car park, will not contribute to or exacerbate any localised congestion. The speculative concern that the development might impact traffic at this point is therefore unfounded. The proposed access arrangement is entirely removed from the area of concern and will operate independently, without imposing any additional burden on traffic flow.

- Furthermore, there is no parking permit scheme or time restrictions on Long Street, and the Highways Authority has raised no objections regarding road capacity or safety. If there were genuine concerns about this stretch of road being unable to accommodate vehicle movements, Highways would have raised them.

### **Conclusion**

This report has been prepared in direct response to the concerns raised by Council Members during the Planning and Development Board meeting on 7th April 2025. The applicant has undertaken a comprehensive and evidence-based assessment of the parking situation, including a 45-day survey with video documentation, consultation with local estate agents, getting in touch with the previous property owner and current management agent on the rear car park to ensure a transparent and robust response.

The evidence clearly demonstrates that there is sufficient parking capacity in the rear car park, even during peak hours. The proposed lease of nine dedicated spaces not only meets but exceeds the current parking standards as defined by North Warwickshire's planning policies and Dordon Parish Neighbourhood Plan. Importantly, these spaces are lawfully secured through a 15-year lease, ensuring clarity, control, and appropriate allocation.

Concerns about displacement relate only to individuals parking without permission or legal entitlement. The applicant is restoring the car park to its intended, authorised use in a considerate manner. This includes providing advance notice, expressing a willingness to cooperate with neighbours, and offering moral consideration to those who request to borrow a space. If no tenants are using the spaces, a neighbour may be granted temporary use, provided they give notice and obtain permission from the applicant. On the rarity of cases, if unauthorised users have to park elsewhere, there are ample parking spaces throughout lower-mid Long Street and on Long Street Car Park.

The rear car park remains legally accessible, in use, and fully capable of meeting the functional needs of the development. Signage and bay demarcation will further support its orderly use. The proposal also directly contributes to managing traffic flow, offering off-street parking in an area where most terraced properties lack such provision. The entrance is located away from the identified "pinch point" on Long Street, and the Highways Authority has raised no objections.

This application goes beyond the minimum policy requirements and demonstrates a proactive, community-minded approach, while ultimately enhancing the functionality and order of existing parking provisions. The applicant has taken steps to minimise impact, and aligned the proposal with the objectives of both local and neighbourhood planning policies. In doing so, the applicant provides a sustainable, compliant, and fair solution to local parking concerns, and respectfully requests the support of the Planning Board in approving the development.



## APPENDIX A

### Parking Survey:

Date of visit	Time of visit	Spaces Available				
		Long Street (Outside House)	Rear Car Park	Long St Car Park	Derek Avenue Car Park	Mid Long Street
Wednesday 9th April 2025	18:30		11			
Thursday 10th April 2025	19:04	2	14	19	0	11
Friday 11th April 2025	15:53	6	18	10	3	11
Saturday 12th April 2025	16:16	6	14	26	4	6
Sunday 13th April 2025	19:07	3	9	22	1	8
Monday 14th April 2025	18:15	2	12	23	0	5
Tuesday 15th April 2025	22:25	0	9	25	0	8
Wednesday 16th April 2025	17:50	3	15	20	3	10
Thursday 17th April 2025	18:15	5	12	23	1	11
Friday 18th April 2025	16:16	4	15	30	6	8
Saturday 19th April 2025	16:15	3	14	26	0	9
Sunday 20th April 2025	15:17	1	14	25	0	9
Monday 21st April 2025	22:20	2	10	22	0	7
Tuesday 22nd April 2025	23:05	1	10	21	0	6
Wednesday 23rd April 2025	22:25	2	9	21	0	5
Thursday 24th April 2025	18:20	7	13	22	1	11
Friday 25th April 2025	16:20	5	16	17	2	9
Saturday 26th April 2025	16:08	8	12	22	4	9
Sunday 27th April 2025	19:47	2	9	22	0	6
Monday 28th April 2025	18:11	7	11	18	7	11
Tuesday 29th April 2025	16:09	14	20	18	6	9
Wednesday 30th April 2025	22:41	0	13	20	0	8
Thursday 1st May 2025	10:06	16	18	3	7	10
Friday 2nd May 2025	9:33	9	16	12	6	9
Saturday 3rd May 2025	14:29	3	11	20	1	7
Sunday 4th May 2025	11:15	10	15	17	4	8
Monday 5th May 2025	19:02	2	12	16	1	7
Tuesday 6th May 2025	9:23	13	21	12	5	9
Wednesday 7th May 2025	8:45	15	19	14	5	10
Thursday 8th May 2025	18:01	5	15	16	1	11
Friday 9th May 2025	16:23	5	16	16	0	8
Saturday 10th May 2025	16:32	8	11	26	3	8
Sunday 11th May 2025	13:44	8	15	23	6	7
Monday 12th May 2025	16:37	13	13	13	3	11
Tuesday 13th May 2025	18:03	7	11	26	4	9
Wednesday 14th May 2025	14:50	19	21	12	8	11
Thursday 15th May 2025	19:20	5	11	25	2	7
Friday 16th May 2025	16:28	4	18	9	3	9
Saturday 17th May 2025	15:39	2	13	29	8	5
Sunday 18th May 2025	19:01	3	11	22	2	9
Monday 19th May 2025	14:20	14	15	16	5	7
Tuesday 20th May 2025	17:59	4	12	20	2	8
Wednesday 21st May 2025	18:03	5	13	19	2	10
Thursday 22nd May 2025	16:30	11	17	18	2	11
Friday 23rd May 2025	17:17	6	13	12	6	12
AVERAGE / MEAN		6.136363636	13.71111111	19.27272727	2.818181818	8.636363636
MEDIAN		5	13	20	2	9

All photos and video evidence of parking surveys stored in the below folder - please request for access:

[https://drive.google.com/drive/folders/1Q\\_kQIT4a2ChmdZIBHEADhu28jqLeuPhQ?usp=sharing](https://drive.google.com/drive/folders/1Q_kQIT4a2ChmdZIBHEADhu28jqLeuPhQ?usp=sharing)

## APPENDIX B

Average car ownership amongst professional HMO tenants = 22.03% (average based on the percentage figure provided across the 5 estate agents below)

### 1. Wilkins Estate Agents - expected car ownership is 0%

From: info@pakhoproperties.com <info@pakhoproperties.com>  
Sent: 15 April 2025 16:10  
To: [REDACTED]  
Subject: North Warwickshire HMOs

Hi [REDACTED]

Thanks for your time over the phone. As discussed, I am looking to obtain an understanding on number of tenants that usually drive or request for parking spaces when they rent your HMOs in the North Warwickshire area? It would be great if you can let me know what sort of percentage we would be looking at, specifically for professional lets.

Finally, can you also advise on your management fees for a HMO including the detailed services, as we would look to be using your services when our build is eventually complete.

Kind regards,

**Jessica Kong**  
Director

PAKMO PROPERTIES  
info@pakhoproperties.com  
07701075616

KW

To: info@pakhoproperties.com

Flagged

You replied on Wed 4/16/2025 11:52 AM

Hi,

I have spoken with the lettings team and when we have had HMOs previously none of them have required parking or expected it as they'll be professional rooms.

With regards the fully managed fees these are as follows-

Initial set up fee of £300+VAT.

These covers accompanied viewings, comprehensive referencing, tenancy documents including the agreement, inventory and deposit registration.

Thereafter a management fee of 10%+VAT per room.

If you wanted to meet any of the lettings team at the property then they would be more than happy too.

Kind regards,

Branch Manager



## 2. Bairstow Eves Lettings - expected car ownership 35%

From: info@pakhoproperties.com <info@pakhoproperties.com>  
Sent: 16 April 2025 14:52  
To: [REDACTED]  
Subject: HMO Enquiry - Bairstow Eves

Hi [REDACTED]

Thank you for taking the time to speak with me earlier this afternoon.

As discussed, I'm currently in the process of completing a 9-bed HMO in Dordon, with the aim of launching this summer, and I'm exploring options to outsource the property management.

We are presently navigating the planning permission stage, and one of the main challenges we're facing relates to parking provisions. Although we've secured a 15-year lease for nine parking spaces located behind the property, we are still encountering resistance. With that in mind, I'd be grateful if you could share some insight into tenant behavior regarding parking.

Specifically, since you currently manage some HMOs in the Tamworth area, are you able to provide an estimate of the percentage of tenants who typically drive or request parking spaces? I'm particularly interested in figures for professional tenants, as this data would be helpful in supporting our planning application. Can you also confirm the number of HMOs you manage in the Tamworth area please?

Lastly, could you also provide details of your HMO management fees, including a breakdown of the services offered? We are very much looking to engage a professional management company once the build is complete.

If you're able to get back to me by the end of today or tomorrow at the latest, that would be much appreciated.

Best regards,  
Lewis Tang  
07880 724506

[REDACTED]  
To: info@pakhoproperties.com

Good morning,

I hope you are well.

As discussed, I would advise that you would be looking at around 35% of tenants that would drive and require a parking space at the property.

We are a part of Countrywide which means we are a part of the biggest agent in the country.

We have a dedicated HMO team that manage our large portfolio of licenced properties.

As discussed, Our highest level of service is recommended to any client especially clients with a large portfolio like yourself.

For this service we charge 8% + vat of the monthly rent.

The set up fee will be £400.00+VAT per unit of the first month's rent.

The Landlord Regulation Checks is charged at £9.50+VAT per month.

In addition to all of the above the Full Management service includes the following

1. Landlord and tenant would be designated a dedicated Property Manager, 1 point of contact for all maintenance resolution and everyday property management.
2. We can arrange all legal certification and ensure compliance with all regulations.
3. Access to Landlord Zone, to access all your details and statements on-line 24 hours a day.
4. Access to our team of specialists for advice and support throughout the tenancy covering, tax, investments, renewals, deposit disputes, tenancy terminations, legal's and accounts.

If you need any further assistance, please let me know.

Kind regards,

[REDACTED]  
Assistant Lettings Manager  
A: 83-84 Bolebridge Street, Tamworth, Staffordshire, B79 7PD  
T: [REDACTED]  
E: [REDACTED]  
W: Bairstoweves.co.uk



### 3. Midland Lettings - expected car ownership **27.63%**

To: info@pakmoproperties.com, [REDACTED]  
Cc: [REDACTED]

Thu 4/17/2025 2:01 PM

Letter RE Parking Survey (17...  
141 KB

Start reply with: [Attach a file](#)

To Whom it May Concern,

Please find enclosed herewith, as requested Parking Survey Data for Midland Capital Limited

Should you require any further information or clarification, please don't hesitate to contact me at your earliest convenience, undersigned.

Kind Regards,

[REDACTED]  
Property Manager

Midland Lettings | Derby Lettings | Derby Student Homes

Email: [REDACTED]

Mobile: 07469 505242

[www.derbylettings.co.uk](http://www.derbylettings.co.uk)

[www.midlandlettings.co.uk](http://www.midlandlettings.co.uk)

[www.derbystudenthomes.com](http://www.derbystudenthomes.com)

Office: Unit 2, Burley House, Rowditch Place, Derby, Derbyshire, United Kingdom DE22 3LR



Company Registration number: 13034275



Email attachment:



**PRIVATE AND CONFIDENTIAL**  
Midland Capital Limited

Date: 17<sup>th</sup> April 2025

Our Ref. DR/JJG/17042025/01

By Email

## FAO: The Directors

To Whom it May Concern,

PARKING SURVEY FOR MIDLAND CAPITAL LIMITED

Further to your written request for confirmation regarding the proportion of tenants requiring parking facilities, please find the requested information below.

- Total Number of Tenants Across the Midland Capital Limited and Associated Portfolio: **152 tenants (including dual occupancy)**
- Total Number of Tenants with Vehicles (Approx.): **42**
- Approximate Percentage of Tenants Requiring Parking: **27.63%**  
(Calculated as 42 vehicles ÷ 152 tenants × 100)

Should you require any further information or clarification, please do not hesitate to contact me at your earliest convenience undersigned.

Yours Sincerely,

**Property Manager**

Mobile

Email:

Enc. Email Request for Parking Survey Info. dated 14<sup>th</sup> April 2025

CC:

Midland Lettings Ltd | Co. Regn. No. 13034275

Registered Office: Unit 2, Burley House, Rowditch Place, Derby. DE22 3LR

#### 4.Ease Home Lettings - expected car ownership **30%**

On 16 Apr 2025 at 00:40 +0100, info@pakmoproperties.com <info@pakmoproperties.com>, wrote:

Hi [REDACTED]

Thanks for your time over the phone earlier on today. As discussed, I am looking to obtain an understanding on number of tenants that usually drive or request for parking spaces when they rent your HMOs in the Midlands area? It would be great if you can let me know what sort of percentage we would be looking at, specifically for professional lets.

Kind regards,

**Yasmin Kong**  
Director

PAKMO PROPERTIES  
info@pakmoproperties.com  
07540972521

TC [REDACTED]  
To [REDACTED]: info@pakmoproperties.com

Wed 4/16/2025 11:50 AM

Hi Yasmin

Nice to have a chat with you earlier.

From our experience, the HMOs tenants that drives and needing a car parking space should be around 30%, which is 1/3rd of them roughly, due to the fact that the HMOs are mostly located in areas that are convenient with public transportation or even near their work place. As the tenants are mostly professionals needing the convenience and cost effectiveness from the accommodation

I hope this helps

Regards,  
[REDACTED]



**安居置業 EASE HOME**  
海外置業 | 商業置業 | 資產優化 | 投資收租

SALES | NEW HOMES | LETTINGS | COMMERCIAL

AWARD WINNING REAL ESTATE AGENT

UNITED KINGDOM PROPERTY AWARDS WINNER 2023-2024

ico. PRS Zoopla easohomeproperty

## 5. EPI Lettings - expected car ownership **15-20%**

On 17/04/2025 00:51 BST info@pakmoproperties.com <info@pakmoproperties.com> wrote

[REDACTED]

Thanks for your time over the phone earlier on today. As discussed, I am looking to obtain an understanding on number of tenants that usually drive or request for parking spaces when they rent your HMOs in the Midlands area? It would be great if you can let me know what sort of percentage we would be looking at, specifically for professional lets.

Kind regards,

**Yasmin Kong**  
Director

PAKMO PROPERTIES  
info@pakmoproperties.com  
07540972521

 [REDACTED]  
To: info@pakmoproperties.com

  
Sat 4/18/2025 11:50 AM

Hi Yasmin

Based on our experience managing HMOs across the Midlands region in recent years, we can confirm that car ownership among tenants in such properties has historically been low. On average, only 15-20% of HMO tenants owned or regularly used a vehicle during their tenancy. In many of the 6-7 bed HMO properties we managed, it is common to see 1-2 tenants with a registered vehicle.

This pattern aligns with the tenant demographic that HMOs in the area attract: primarily young professionals or individuals in temporary accommodation, who often rely on public transport, walking, or cycling due to proximity to local amenities and transport links.

We trust this information helps provide a realistic understanding of car usage in HMOs within the Midlands area.

Yours sincerely,

[REDACTED]

EPI Lettings Limited

T: [REDACTED]

M: [REDACTED]

W: [www.epilettings.com](http://www.epilettings.com)

## APPENDIX C

RE: Car-park on Long Street, Dordon



To: info@pakhmoproperties.com

Cc: [REDACTED] +1 other

Wed 5/21/2025 8:48 AM

Hi Yasmin,

I am under the impression that there are 2 vacant parking spaces, as the information we have on file implies the rest have licences in place or are in the progress of having the licence complete.

Due to the gap in management, we are unable to confirm this at this stage and so this is based on the information we have available on our files.

- Total parking spaces = 21
- To be let by yourselves = 9
- To be let by other neighbours = 10
- Spaces not currently on a licence = 2

Thanks,

[REDACTED]

[REDACTED]  
Rural Apprentice Surveyor  
Estate Management



Savills, Hall Court, Telford, TF3 4NF

Tel: [REDACTED]  
Mobile: [REDACTED]  
Email: [REDACTED]  
Website: [savills.co.uk](https://www.savills.co.uk)



## APPENDIX D

### Derek Avenue Car Park and Long Street Car Park signage



## **APPENDIX E**

North Warwickshire Council Car Parking Standards:

<https://www.northwarks.gov.uk/downloads/file/323/car-parking-standards-local-plan-2021>

North Warwickshire Standards for Houses in Multiple Occupation:

<https://www.northwarks.gov.uk/downloads/file/1109/hmo-space-and-amenity-standards-a-pril-2024>

Licensing and Management of Houses in Multiple Occupation and Other Houses (England)

Regulations: <https://www.legislation.gov.uk/uksi/2006/373/schedule/3>

North Warwickshire HMO register:

<https://www.northwarks.gov.uk/downloads/download/166/hmo-public-register>

## APPENDIX F





## **APPENDIX G**

**From:** info@pakhmoproperties.com <info@pakhmoproperties.com>  
**Sent:** 16 April 2025, 12:43  
**To:** [REDACTED]  
**Subject:** Re: 64-66 Long Street - Polesworth Group

Hi [REDACTED]

Thanks for your response.

Can you also advise whether you had any troubles with other residents parking in your rented spaces at the time? Also whether you had any signage or demarcation in the rear car park for the corresponding spaces that you had rented please?

Kind regards,

**Jessica Kong**  
Director

PAKMO PROPERTIES  
[info@pakhmoproperties.com](mailto:info@pakhmoproperties.com)  
07701075616

RE: 64-66 Long Street - Polesworth Group

CF

To: info@pakhmoproperties.com

☺ ↩ ↶ ↷ ...  
Wed 4/16/2025 9:07 PM

Hi Jessica

We never had any trouble.

We didn't physically ever have to demarcate, but if needed I believe we could have done as we had an agreement with the area marked on a map.

At one point we owned 64-66 and 68 and 70. We rented the space behind each of the properties. Therefore that may be why we had less of an issue with others using as we sold each property gradually.

Regards

[REDACTED]

[REDACTED]

**Head of Finance/Company Secretary**

**Polesworth Group Homes Ltd**

Tel: [REDACTED]

Mob: [REDACTED]

Email: [REDACTED]

Laurel End | Laurel Avenue | Polesworth | Nr Tamworth | Staffordshire | B78 1LT

## **APPENDIX H**



lucie clark [REDACTED]  
To: info@pakmoproperties.com

🗉 ↶ ↷ ➡ 📧 ...  
Fri 5/23/2025 9:50 AM

Hi my name is Lucie Clark and I live at 54 long street  
Back in December the owners of 64-66 long street they were so incredibly helpful and nothing was a problem, they responded to the issue quickly even though it was late evening.  
They are no trouble and have caused me no issues, and any encounters I have had have been nothing but pleasant,  
I have also asked if it is possible to use one of there car parking spaces behind the house and again no issue very helpful, and a space has been offered  
I am looking forward to see the continued development of the property and what this great team offer long street

Kind regards  
Lucie Clark

Sent from [Outlook for iOS](#)

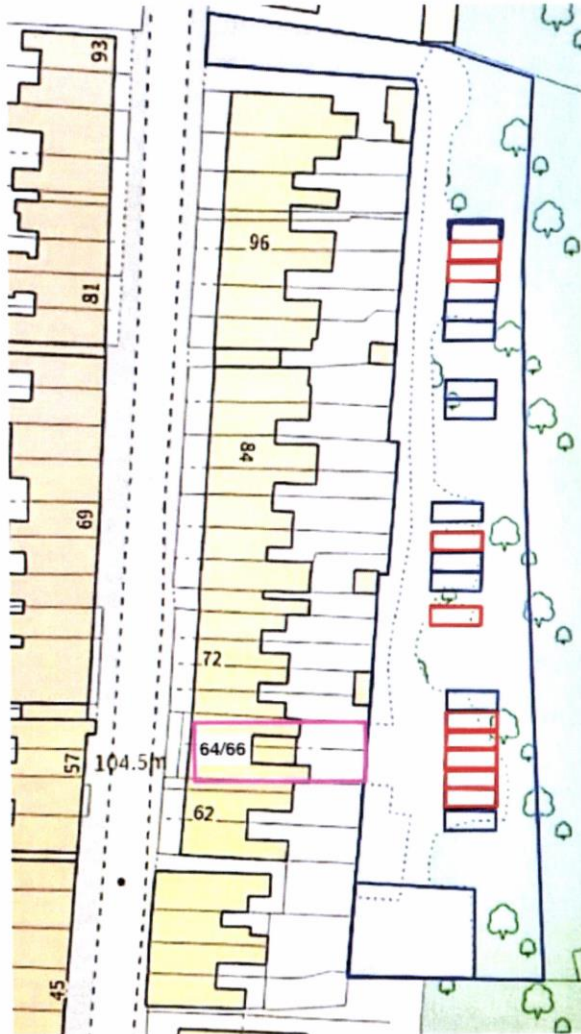
## **APPENDIX I**

Dordon Parish Neighbourhood Plan 2022-2033:

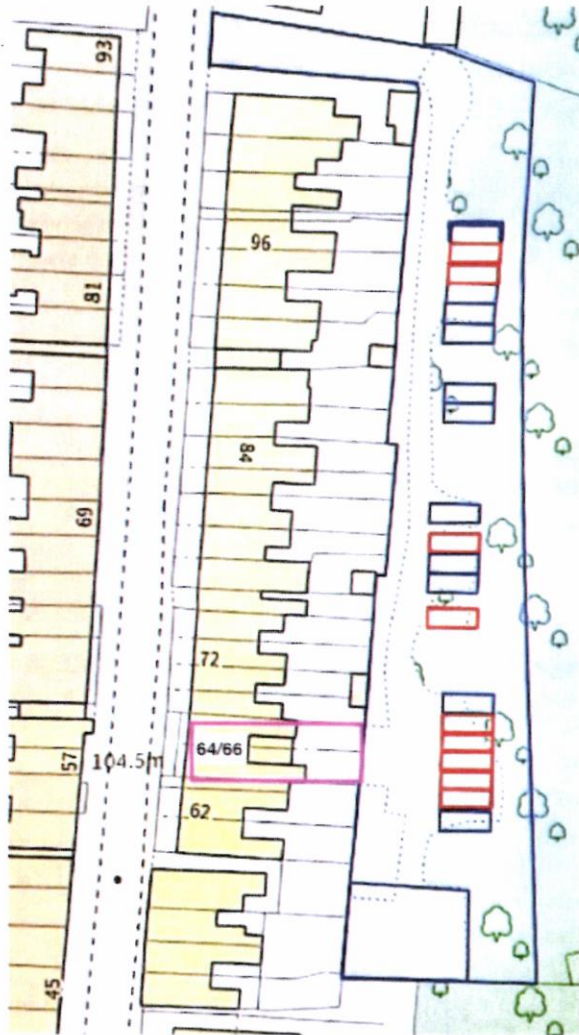
Policy DNP13 - page 55

[https://www.dordonparishcouncil.gov.uk/uploads/1/2/2/2/122269755/dordon\\_np\\_referendum\\_version\\_august\\_2023\\_ac.pdf](https://www.dordonparishcouncil.gov.uk/uploads/1/2/2/2/122269755/dordon_np_referendum_version_august_2023_ac.pdf)

APPENDIX J



APPENDIX J



## General Development Applications

(6/f) Application No: PAP/2024/0127

**Butchers Shop, Glenside, Ansley Lane, Arley, CV7 8FU**

**Installation of roller shutters and rooflights to two-storey building, construction of a ramp to delivery area, new doors and roof covering to existing animal pens, the provision of new animal pens and storage areas for refuse and hay/straw, new site office and external alterations., for**

**Dr A Ahmed - T&S Investment Group Ltd**

### 1. Introduction

- 1.1. This application was reported to the Planning and Development Board's meeting on 20 May 2025 with a recommendation of refusal on the following grounds:
  1. *It is considered that the building and engineering operations the subject of this application have directly resulted in increased activity at the site leading to significant and demonstrable harm to residential amenity and highway safety. This conflicts with Policies ANP1 and ANP8 of the Arley Neighbourhood Plan 2016 together with Policies LP1 and LP11 of the North Warwickshire Local Plan 2021.*
  2. *Insufficient information has been provided to demonstrate that the use of the building and engineering operations the subject of the application have resulted in safe and suitable access for all users; that their use would not give rise to an unacceptable impact on highway safety, or that their use would not lead to severe impacts on the local road network. Accordingly, the proposals conflict with Policies LP1, LP11 and LP29(6) of the North Warwickshire Local Plan 2021 and paragraphs 115 and 116 of the National Planning Policy Framework (2024).*
  3. *Insufficient information has been provided to satisfactorily demonstrate that the proposals have addressed and therefore avoided unacceptable impacts on the residential amenity of neighbouring occupiers by virtue of noise, odour and visual harm. Thus, the proposals fail to comply with policies LP11 and LP29(9) of the North Warwickshire Local Plan 2021 together with Policy ANP8 of the Arley Neighbourhood Plan 2016.*
- 1.2. The associated report can be found at Appendix A.
- 1.3. Shortly before the meeting (15 and 16 May), the applicant supplied amended drawings and additional supporting information. As there was insufficient time to review and re-consult on the amendments prior to the meeting, the decision was deferred to allow re-consultation to take place. Further documentation and amendments were received after the previous board meeting (23 May). All the documentation is provided at Appendix B.

## 2. Update

2.1. A series of amendments were received, as detailed below:

### Received on 15<sup>th</sup> and 16 May

- A Delivery and Service Management Plan and an associated delivery and management plan drawing (No.7)
- An amended Vehicle Tracking Layout Drawing (JDA/517/5/1 Rev B)
- An amended Access Arrangement Layout Plan (JDA/517/6/1 Rev A)
- An amended Visibility Splay Layout Plan (JDA/517/7/1 Rev A)
- An amended Proposed Floor Plans drawing (2023-188 Revision F)
- Site Equipment Specifications pertaining to the refrigerated container and ventilation extraction fan to the rear

### Received 23 May 2025

- An Odour and Condensation report for the slaughter hall
- Specifications for air conditioning units, louvres, panel filters, bag filters and carbon filters
- Specifications for underground tanks
- Specifications for 6000l vertical and bunded tanks
- Two ventilation drawings (2023-188) drawing no's 8 and 9.

## 3. Consultations

- 3.1. In preparation for this report, officers re-consulted both Warwickshire County Council (Highways) and North Warwickshire Borough Council's Environmental Health team on the amendments received on 15<sup>th</sup> and 16<sup>th</sup> May. Further re-consultation on the amendments received on 23<sup>rd</sup> May will take place, and any additional responses will be included in an updated report prior to the meeting.
- 3.2. Warwickshire County Council, as the local highway authority, continue to object. Their observations are set out in full below.

*The main thing is the RSA - Without that we would have to continue to object*

*Visibility:*

*Further clarity needed to determine whether achievable. Appears that they may go over 3<sup>rd</sup> party land.*

*Tracking:*

*The tracking does not take into account on-street parking, which occurs regularly opposite the site.*

*Access:*

*The layout of the accesses raises concerns. The 2 junctions would tie into each other which could create confusion, particularly as the give-way lines abruptly end rather than joining a kerb line that would separate the accesses.*

*The plans indicate that the western access would be marked no entry however this is not what is shown by the markings. If there is to be no entry, i.e. egress only the give-way line should extend across the whole junction.*

*In order to have the access as a no entry a TRO would be needed, which is subject to a separate process and cannot be relied upon due to public consultation etc.*

*General:*

*The parking still needs to be clarified, does it accord with NWBC standards?*

*Comparison between existing and proposed use is required to determine whether an intensified use is proposed. If there would be no significant intensification dropped kerb accesses could be acceptable.*

*According to the management plan refrigerated vans would reverse down the loading ramp, how would this occur? There does not appear to be enough room on-site to allow this.*

*A stage 1 Road Safety Audit is required given the significant changes proposed to the accesses.*

- 3.3. North Warwickshire Borough Council's Environmental Health team offered the following comments:

*I have reviewed the document titled "Site equipment specifications" which provides details of*

- Specification for refrigerator on site (ArcticStore – Chiller and freezer container hire).*
- Specification for Ventilation Extract to Rear of Site - 600mm Industrial Ventilation Metal Fan Axial Commercial Air Extractor Exhaust*

*Neither of these specifications include noise emission data so we are unable to assess the impact of noise on neighbouring properties.*



*The photograph of the refrigeration unit provided in the above document does not appear to depict the same unit as seen on the site in the photographs taken by Ryan Lee-Wilkes on 20 May 2025. The existing container unit on site appears to have a condenser unit mounted on its roof (see photo ref; 20250520\_092159165\_iOS.jpg) whereas the ArcticStore specification shows the condenser to be integrated into one end of the unit. It appears the refrigeration unit integrated into the existing on-site container has failed and has been replaced by the external roof top condenser.*

*There maybe other sound sources on site that have been newly introduced by the current operator that should also be considered in an impact assessment, e.g. fork-lift truck and possibly additional condenser units.*

*The remaining documents attached to the 20 May email are not relevant to this team.*

#### *Recommendations.*

*There is insufficient information to determine if there will be an adverse impacts due noise arising from the operation of the refrigerated container unit, the extraction fan or any other plant / equipment that has been introduced to the site by the current operator. It is recommended that consent is not granted.*

*The applicant should provide further details about the proposed external plant to be installed including the acoustic data, as either the sound power level (SWL dB) or the sound pressure level (SPL dB @ m) at a specified distance, for comparison with an assessment of the background sound level on / near the site. It would be preferable for the applicant to submit a full noise impact assessment carried out in accordance with the current version of BS4142:2014 "Methods for rating and assessing industrial and commercial sound" to include the new items of fixed plant and any other plant or machinery that has been introduced to the site by the current operators. The source sound data must relate specifically to the plant that is to be used / installed on site.*

*The applicant should provide a noise management plan to identify all relevant noise sources on the site (see BS4142 for a list of relevant commercial and industrial noise sources) and state how they will be managed to reduce to a minimum any potential adverse impacts resulting from noise from the site. The NMP should also include a process for recording and responding to complaints about noise from the premises.*

#### 4. Observations

- 4.1. Officers consider that the contents of this report should be noted at this time. A further, fuller report will be provided prior to the meeting after additional re-consultation has taken place, which will include a recommendation.
- 4.2. Notwithstanding the above, it appears that the previously identified reasons for refusal have not been addressed.

- 4.3. Warwickshire County Council continue to object, citing the absence of a Road Safety Audit and raising concerns with the tracking, access and visibility splay drawings, as well as the achievability of the arrangements detailed within the delivery and service management plan.

## General Development Applications

(5/i) Application No: PAP/2024/0127

**Butchers Shop, Glenside, Ansley Lane, Arley, CV7 8FU**

**Installation of roller shutters and rooflights to two-storey building, construction of a ramp to delivery area, new doors and roof covering to existing animal pens, the provision of new animal pens and storage areas for refuse and hay/straw, new site office and external alterations., for**

**Dr A Ahmed - T&S Investment Group Ltd**

### 1. Introduction

- 1.1. This application is reported to the Planning and Development Board at the discretion of the Head of Development Control.

### 2. The Site

- 2.1. The application site comprises land and buildings at 'Glenside', a premises situated on the northern side of Ansley Lane within the village of Old Arley. The site consists of a two-storey building located towards Ansley Lane. The ground floor was lastly in use as a butchers' shop, bakehouse and cutting rooms, with the first floor housing a residential flat. An abattoir is present alongside the rear boundary of the site, together with two animal pens. Two access points are present on Ansley Lane, either side of the two-storey building.
- 2.2. The Wagon Load of Lime Public House abuts the site to the east with residential properties present to the west, and to the south on the opposing side of Ansley Lane. Open land extends beyond the site to the north with Thistledown Farm located 100m to the north-west.
- 2.3. A location plan is at Appendix A.

### 3. Background

#### i) Planning History

- 3.1. The site has a long-standing, lawful use as an abattoir and butchers' shop with planning permissions for alterations/extensions to the premises granted in 1960, 1975 and 1979. There is anecdotal evidence which indicates that the site opened in 1913.
- 3.2. Two applications for the site were approved in November 1993, one for extensions to the abattoir (FAP/1993/1998) and the second to form a new access and to change the use of part of a room within the two-storey building into a shop

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(FAP/1993/2394). FAP/1993/1998 was subject to amendment, approved on 16th February 1994.

- 3.3. The abattoir extension permission contains eleven conditions, the bulk of which relate to access and parking arrangements.
- 3.4. In 1994, an application to expand the shop and utilise the remainder of the ground-floor in association with it (cutting rooms, bake house, office etc) was approved (FAP/1994/2535). The 1994 permission contains five conditions, with the accommodation's use restricted to B2 by condition:

(2) The accommodation hereby approved shall not be used for any purpose, including any other purpose in Class B2 of the Town and Country Planning (Use Classes) Order 1987, (as amended), other than for cutting rooms and bakehouse in association with the production of meat and meat products.  
**Reason:**  
In the interests of the amenities of the area.

- 3.5. Although not forming part of the application, it is evident that there has been a substantial increase in slaughtering activity within the site following a change of ownership in 2024. In 2009, some 6,512 animals were slaughtered, with throughput subsequently declining to a figure of just 155 in 2023. Between 2009 and 2023 a total of 54,729 animals were slaughtered, giving an annualised average of 3,649. When 2023 is discounted, the 14-year annual average is 3,898. Evidence from the FSA specifies that the former owners slaughtered on only one day a week.
- 3.6. In 2024 (from March onwards) 39,189 animals were slaughtered at the premises (a 974% increase on the 15-year average). Moreover, slaughtering activity increased, taking place four days a week from Sunday to Thursday, excluding Tuesdays, with the site operational between 0630 and 1800 hours Monday to Friday, and 0730 to 1800 hours on Sundays. There is also evidence of the site operating beyond these hours.
- 3.7. A lawful development certificate was secured in November 2023 for the use of the site as an abattoir (B2 use class).
- 3.8. The Food Safety Agency (FSA) granted a full approval for the new ownership to operate as a slaughterhouse in June 2024. This approval has recently been revoked (effective from 1<sup>st</sup> May 2025) on animal welfare grounds with slaughtering currently halted. It is understood that the owner benefits from a right of appeal to the First Tier Tribunal (FTT) up to 28 days after the date of revocation.
- 3.9. Although the approval has been revoked, there is still an outstanding application here which requires determination, hence it being brought before the Planning Board.

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## **ii) Other Matters**

- 3.10. Members will be aware that many regulatory regimes extend to the operation of business premises. It is not within the remit of this Council as a Local Planning Authority to replicate or to interfere with these separate legislative processes. It has to have regard to them in as far as they may affect planning considerations and thus to assess the planning merits or otherwise of a proposal. That assessment should not stray into the remit of these other regimes.
- 3.11. In this case, the actual operations and activity on the site are primarily regulated by the Food Standards Agency (FSA). Specifically, anyone carrying out slaughtering operations must hold a Certificate of Competence (CoC), issued by the FSA, which relates to food hygiene and animal welfare requirements.
- 3.12. Part 3 of the Environmental Protection Act 1990 (EPA 1990) places a duty on every Local Authority to inspect its area for statutory nuisances (such as odour and noise) and to take reasonable steps to investigate any complaints of statutory nuisance that it receives. The task of detecting statutory nuisances falls within the remit of the Borough Council's Environmental Health department.
- 3.13. Warwickshire County Council, as the local highway authority, has a legal responsibility under the Highways Act 1980 to maintain the public highway network in a condition that is safe for users, and are a statutory consultee within the planning system. The Police can too be involved if a highway is obstructed.
- 3.14. Severn Trent Water Ltd require a Trade Effluent consent for the discharge of anything other than domestic waste into a drain which connects to the public sewage system. Severn Trent refused a discharge consent at the premises last year.
- 3.15. As can be seen there are several other agencies that have an interest in this site and its operations. The Board is reminded of its planning remit when assessing the planning application before it.
- 3.16. Members are also reminded that whilst this application is for the retention of works, the fact that it is a retrospective application is NOT a reason for refusal. It should still be assessed afresh on the content of the works included in the application, and their planning merits or otherwise.

## **4. The Proposal**

- 4.1. Enforcement investigations in 2023 revealed that a series of building works had been carried out at the site which required planning permission - namely the installation of roller shutters to the front and side of the two-storey building, and engineering operations to form a 'sunken' delivery bay in front of the abattoir.

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- 4.2. Subsequently, an application for planning permission to retain the shutters and the delivery bay was submitted in March 2024. That application also seeks consent for various other building works.
- 4.3. The proposals have been revised since the application's submission – the latest layout can be found at Appendix B. The former layout is provided at Appendix C.
- 4.4. Roller shutters have been removed from the submitted plans, although they currently remain installed on-site. The proposals for new animal pens have also been removed.
- 4.5. The latest proposals are detailed below:
- Erection of a covered area for refuse storage and hay/straw
  - Underground blood tank
  - Underground sewage tank
  - Delivery bay
  - New rooflights
  - New doors and roof covering to existing animal pens
  - Erection of a new site office
  - Addition of a new double door (primary access point) and a secondary access point to the front of the abattoir
  - Additional hardstanding
  - Re-configured parking – two spaces fronting the two-storey building, two spaces to the left-hand side of the site 'exit' and two behind the gated entrance
  - Access alterations onto Ansley Lane
- 4.6. Unfortunately, there are still a number of inconsistencies between the drawings which have been submitted and what is present on the site. The site layout depicted on the tracking drawings does not reflect the layout depicted within the access details plan, both of which were submitted in January 2025. Moreover, no revised site plan was provided in January.
- 4.7. It is also apparent that the revised access alterations extend beyond the boundaries of the site, presumably into the public highway. No revised ownership certificate or site location plan has been submitted.
- 4.8. Furthermore, specifications and plans for the underground blood and sewage tanks and the proposed site office have not been submitted, despite requests from officers. Moreover, a refrigerated container has been added to the site, and a fan installed on the rear elevation of the abattoir, again for which no details have been supplied.
- 4.9. The situation is thus that the plans tabled for the Board only partly reflect what is on site – many subsequent additions beyond the initially submitted plans therefore remain uncovered by the submission.



## **5. Development Plan**

North Warwickshire Local Plan 2021 - LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP11 (Economic Regeneration), LP15 (Historic Environment), LP16 (Natural Environment), LP21 (Services and Facilities), LP27 (Walking and Cycling), LP29 (Development Considerations), LP30 (Built Form), LP31 (Frontages, Signage and External Installations), LP33 (Water Management), LP34 (Parking) and LP35 (Renewable Energy and Energy Efficiency)

Arley Neighbourhood Plan 2015 -2030 - ANP1 (Rural Character); ANP2 (Green Space Strategy), ANP3 (Maintain the balance between the natural and built environment), ANP4 (Encourage a strong and vibrant community), ANP5 (Ensure built development meets highest current standards), ANP7 (Community Assets and Facilities) and ANP8 (Increase employment opportunities)

## **6. Other Relevant Material Considerations**

National Planning Policy Framework 2024 – (the “NPPF”)  
Planning Practice Guidance – (the “PPG”)  
MHCLG National Design Guide  
North Warwickshire Air Quality SPD (2019)  
North Warwickshire Car Parking Standards (Local Plan 2021)  
North Warwickshire: A Guide for Shop Front Design SPD (September 2003)

## **7. Consultations**

Warwickshire County Council, as the Local Highway Authority, has repeatedly objected to the proposals. Its’ four consultation responses are all of objection. The initial response was that “the existing accesses are poor” and that an intensified use of the site would not be supported. Further concerns raised were as follows:

- Removal of the brick wall fronting Ansley Lane, leading to vehicles mounting kerbs to enter the site
- Concrete installed within the public highway

Subsequent comments raised issues with the tracking drawings provided (demonstrating that HGV’s are unable to effectively manoeuvre within the site), a requirement for a Road Safety Audit (RSA) which was not forthcoming, the routing of HGV’s through the village and the absence of visibility splay drawings.

The latest consultation response was received on 31st January 2025 (Appendix D). Key concerns raised within the January response are as follows:

- A refrigerated container inhibits manoeuvring and thus is not acceptable
- Proposed tactile paving is unaligned
- No Road Safety Audit (RSA) brief has been submitted for review
- A delivery and service management plan should be provided

Environmental Health Officer:

Environmental Health have received over 1100 complaints since the site opened, complaints relating to odour, noise and light pollution.

The Trade Effluent consent was not granted to site, therefore all wastewaters had to be removed from site by tanker, this added to the numbers of large vehicles accessing the site and also an increase in odour when the effluent was being transferred.

The business is now registered with Environmental Health as a meat wholesaler distributing carcasses. There is also another company distributing from the site, Amin & Sons Ltd registered with Oadby and Wigston Borough Council.

## **8. Representations**

424 representations have been made to date (figure includes multiple responses from the same property/individual). The concerns largely centre on intensified activity at the site, rather than the operational works. A summary is provided below:

### Environmental

- Drainage of blood into the street.
- Adverse implications for local water and sewage network due to intensification.
- Substantial increase in the throughput of animals – previous owners slaughtered 200 a week. Current occupiers are slaughtering in the region of 2000 a week.
- Increased noise, disturbance, air pollution, waste, and odour from the premises as a result of intensification.
- Waste is visible to members of the public with skips unsealed.
- Waste should be removed in a timely manner.
- Interference with enjoyment of private gardens due to odours/noise
- Operations are taking place 7 days a week with deliveries arriving before 6am. Working hours should be restricted.
- Negative impact on the operation of the adjacent pub and Hood Lane Farm Coffee Shop.

### Highway Safety

- Narrow road alignment and on-street parking render the road unsuitable for large vehicles entering the site.
- Large vehicles accessing the site causing congestion along Ansley Lane. Residents given assurances from the owner that vehicles would not exceed 7.5t.
- Size of vehicles should be restricted.
- Inadequate parking, loading, and turning facilities within the site.
- Use of frontage by vehicles increases accident risk.
- Safety concerns for pedestrians and cyclists, including those with limited mobility.

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#### Alterations to the two-storey building

- New roof tiles are not 'in-keeping'.
- Velux windows face properties along Ansley Lane.
- Roller shutters and new gates provide an industrial appearance.
- Overlooking from velux windows.

#### Other

- Development conflicts with Arley Neighbourhood Plan.
- New hardstanding in a poor condition.
- Operation does not support the local economy/community.
- Loss of visual amenity through removal of vegetation.
- Lowered property values.
- Concerns regarding animal welfare.
- Butchers shop has not re-opened.
- Two SEN schools in close proximity – concern regarding the safety of the pupils.
- Work commenced on site and was largely complete before the submission of the application.
- Bat roost within the main abattoir building.
- Implications for local water supply and drainage systems.

A petition has been received with 121 signatories - Appendix E.

Arley Parish Council has submitted an objection – Responses from August 2024 and February 2025 can be found at Appendix F.

Shustoke Parish Council - It has concerns regarding intensification and the routing of HGV's through its parish.

### **9. Observations**

#### **i) Introduction**

- 9.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004, and section 70(2) of the Town and Country Planning Act 1990, require planning applications to be determined in accordance with the aforementioned development plan policies, unless material considerations indicate otherwise. This therefore defines the remit of the Board in this case in light of the matters raised in Section 3 (ii).

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- 9.2. The site has a lawful use as a slaughterhouse. The current application is NOT an application for a material change of use to a different use. It is for retention of building and engineering operations in connection with this lawful use.
- 9.3. The substance of the plans received for these buildings has been to facilitate increased activity and operations at the site as well as to adapt the site to current operational requirements for its lawful use. This has, as a matter of fact and degree led to an intensification of that use.
- 9.4. The overall thrust of the representations received has been to evidence the substantial adverse impacts of such an increase in activity. It too has led to the objection from the Highway Authority. However, at the general level, the lawful use of the site has not changed – it still operates as slaughterhouse. This therefore puts the Board in an unusual position whereby there is no material change in the use of the site, but the impacts of the lawful use have materially altered.
- 9.5. Officers have taken advice on this matter because intensification of an existing, lawful use is a complex and uncertain area of planning law. Intensification of an existing use can constitute a material change of use, but only if the increased intensity has resulted in a change in the “definable character of the use” as detailed within *Hertfordshire County Council v Secretary of State for Communities and Local Government* [2012] EWCA 1473:

*‘What must be determined is whether the increase in the scale of the use has reached the point where it gives rise to such materially different planning circumstances that, as a matter of fact and degree, it has resulted in a such a change in the definable character of the use that it amounts to a material change of use’.*

- 9.6. It is clear from Section 3(i) above that the combination of the 1994 planning permission and the 2023 Certificate, that there is a lawful B2 General Industrial use here for an abattoir, and the production of meat and meat products. This is the use that was recently operational on site. Members are therefore advised that a refusal here based on “intensification” is not to be recommended as there is no material change of use and thus it is very unlikely to succeed in a subsequent appeal.
- 9.7. Notwithstanding the above, it is discernible from the evidential record since 2023 that the building works undertaken on site – those within the application and those that are not included – have directly led to substantial adverse planning and highway impacts which are demonstrably related to those works.
- 9.8. These in general terms are outlined in sections 7 and 8 above. As such a refusal can be considered, provided it addresses the adverse impacts arising from these buildings. This needs to be assessed against the Development Plan. Whilst the site is not presently operational, there is a live application here which still requires determination.

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## ii) **Assessment**

- 9.9. North Warwickshire Local Plan policy LP2 sets out a settlement hierarchy for the Borough, which seeks to distribute development across North Warwickshire at a rate commensurate with the level of services and facilities each settlement possesses. The site lies within the development boundary for Arley, a Category 3 settlement. Policy LP2 provides support, in principle, for new development within the development boundaries of category 3 settlements.
- 9.10. Arley Neighbourhood Plan policy ANP8 states that the development of rural businesses is supportable provided they “avoid large-scale development that is inappropriate in a rural area”. Local Plan policy LP11 too supports the expansion of established rural business in circumstances where it would have no significant and demonstrable harm, in particular on the character of the area, consistent with paragraph 88(a) of the NPPF (2024), which states that policies should enable sustainable growth and expansion of businesses in rural areas.
- 9.11. Distilling the above, it’s evident that, in principle, new development at the site would draw support under the development plan and the national framework. Nonetheless, as is apparent from the wording of planning policies LP11 and ANP8 together with Framework, any development or expansion must be sustainable and not lead to significant and demonstrable harms. This is not considered to be the case here.

### Highways Considerations

- 9.12. The NPPF states that development should only be refused on highway safety grounds if there would be an “unacceptable” impact on highway safety, or where there would be “severe” residual cumulative impacts on the road network (post-mitigation) - paragraph 116. Road network implications refer to the operational performance of the local highway network, separate from considerations on highway safety. Applying the Framework’s policy, unless the impact of a development on highway safety is unacceptable or the road network implications would be severe, planning permission should not be refused on such grounds. With regard to the development plan, policy LP29(6) states that development should provide safe and suitable access for all users, consistent with the wording found within paragraph 115(b) of the Framework.
- 9.13. Here, the physical setting of the site in highway terms and the rural character of the associated road network are material considerations of substantial weight. The applicant is seeking planning permission for a series of alterations to the site, including reconfiguring its internal vehicular layout, the formation of a sunken delivery bay, and alterations to the access points onto Ansley Lane (a classified road) through the construction of bell-mouth accesses and tactile paving. The frontage of the site has seen vegetation removed and replaced with hardstanding.

- 9.14. As recorded earlier, Warwickshire County Council has consistently maintained its opposition to the application, detailing that an intensified use here would not be supported. Significant weight is attached to this objection from a statutory consultee.
- 9.15. Officers consider the key highway issues to be as follows:
- The tracking drawings have failed to demonstrate that HGV traffic can access the site, manoeuvre within it, and egress in a forward gear. In the absence of evidence confirming this can be practically achieved, HGV's would be forced to reverse into the site (which has been documented), raising issues of congestion and potential harm to public safety. Moreover, the tracking drawings fail to account for the presence of despatch vehicles within the site, and the new refrigerated container. In short this means that the site is "too small" to accommodate and operate safely in highway terms with the level of activity brought about by the new building works.
  - No Road Safety Audit (RSA) has been supplied for the proposed bell-mouth accesses. The objective of RSA's is to provide an effective, independent review of the road safety implications of interventions for all road users. RSAs provide a localised review, and identify specific problem areas, risks and potential harms. The absence of such an appraisal is a significant omission.
  - Visibility splays have not been provided. The standard 'y' distance for 30mph roads is 43m. There is no evidence that this can be practically achieved. Whilst the application is not proposing new vehicular accesses, intensification of sub-standard accesses (increasing the risk of collision and possible obstructions on the highway) would be prejudicial to highway safety.
  - The 'in and out' arrangement proposed directs HGV traffic through Arley and local villages.
  - Conflicting parking arrangements are shown on the latest drawings (provided in January 2025)
- 9.16. Fundamentally, it has not been shown that the alterations within the site, the improvements to the access points onto Ansley Lane, and the parking arrangements would be acceptable from a highway safety perspective. Moreover, insufficient evidence has been provided to reach a fully informed conclusion about the severity of potential impacts on the local highway network.
- 9.17. In the absence of this detail, officers cannot conclude that there would be no unacceptable impacts on highway safety or that the impact on the road network would not be severe.



### Residential Amenity

- 9.18. Local Plan Policy LP29(9) states that development should avoid and address unacceptable impacts upon neighbouring amenities. LP29(2) makes clear that development should "take into account the needs of all users", with paragraph 135(f) of the NPPF adding that decisions should ensure developments provide "a high standard of amenity for existing and future users".
- 9.19. The residential setting of this site is a substantial material consideration here. Demonstrable unacceptable impacts have been evidenced over many months and during different seasons, and at different times of the day – NWBC's Environmental Health team have received over 1100 complaints to date.
- 9.20. These impacts invariably revolve around odour and also the visual and noise impacts of operations here as witnessed in the outdoor yards.
- 9.21. There have been specific issues with blood and foul water tanks, waste disposal operations, as well as the transfer of animals. As recorded by Environmental Health officers, the refusal of trade effluent consent has led to increased vehicle movements and odour during transfer of wastewater off-site. Moreover, the waste management measures set out within the applicant's letter of January 2025 are seen as ineffective and thus unacceptable.
- 9.22. In some instances, no technical details or specifications have been submitted for the plant and equipment installed – the blood tank and underground sewage tank in particular.
- 9.23. The Environmental Health Officers have been and are continuing to collate evidence to establish whether the odour impacts could amount to a statutory nuisance. Members will be aware as indicated above that any subsequent action would be taken under a separate regulatory regime.
- 9.24. However, odour still remains a material planning consideration and, as the Institute of Air Quality Management's Odour Guidance makes clear<sup>1</sup>, significant loss of amenity (and thus unacceptable impacts) often occur at lower levels of odour exposure than would constitute a statutory nuisance. In other words, the absence of a statutory nuisance is not equitable to acceptability in planning terms.
- 9.25. Officers consider that it is not necessary to itemise impacts arising from each building or piece of plant or equipment. These all collectively contribute to the site operations as a whole and, together, they have led to a greater throughput which in turn has led to unacceptable impacts.
- 9.26. It is as a consequence of all of these matters that the recommendation is one of refusal.

### Other Matters

- 9.27. The roller shutters, although now removed from the submitted plans, remain installed on-site. Whilst providing security, the shutters introduce an uncharacteristic, industrial appearance to the building, wholly at odds with the residential character of the area. The shutters also have a 'deadening' effect on the street scene when in operation and obscure architectural detailing such as the lintels and flat brick headers.
- 9.28. It is considered that shutters fail to reflect the materiality and general design of the host building and are unsuccessful in adding interest to the street scene, clearly conflicting with Local Plan policy LP31 and NWBC's Shop Front SPD.
- 9.29. The rooflights on the two-storey building are not considered to be objectionable from a visual amenity, residential amenity or local character perspective.
- 9.30. Concerns regarding lowered property values are not a material planning consideration.
- 9.31. The largely retrospective nature of the application has no bearing on its determination.
- 9.32. No evidence of bats has been presented and the application is not proposing alterations to the abattoir other than to its façade and a small new roof covering.

### **iii) The Expediency of Enforcement Action**

- 9.33. If the recommendation below is agreed then, as Members will be aware, the expediency of formal enforcement action should be reviewed. This is because the refusal covers building and engineering operations already undertaken on site. Other works remain as unauthorised developments on the site (such as the roller shutters, refrigerated container and extraction fan) but they are not included in the current application.
- 9.34. The fact that the site is presently closed as a consequence of the FSA action, does not preclude the Council from proceeding with its own planning enforcement action if it considers that it is expedient to do so. An appeal against the FSA's closure notice might be successful.
- 9.35. Members are advised that any enforcement action should not be targeted at the B2 use of the site, because that is lawful – see Section 3 (i) above. It would have to refer to the building and engineering operations.

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<sup>1</sup> IAQM guidance on the assessment of odour for Planning (Version 1.1 – July 2018)

- 9.36. Notwithstanding the comments above, as detailed by Environmental Health officers, the business has recently registered as a meat wholesaler, distributing carcasses, which is potentially a material change of use to storage and distribution (B8). The expediency of taking action against the use could be taken into consideration if this is shown.
- 9.37. A review on the expediency of formal enforcement action at the site will be subject to a supplementary report, made available prior to the meeting on 20<sup>th</sup> May.

**iv) Human Rights Act, Equality and Diversity**

- 9.38. The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.
- 9.39. Section 149(1) of Equality act, known as the Public Sector Equality Duty (PSED), requires local authorities to, in the exercise of their functions, have due regard to the need to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share protected characteristics and those who do not. The case officer has had due regard to the aims of the Equality Duty in the determination of this application.

**Recommendation**

That planning permission be **REFUSED** for the following reasons:

1. It is considered that the building and engineering operations the subject of this application have directly resulted in increased activity at the site leading to significant and demonstrable harm to residential amenity and highway safety. This conflicts with Policies ANP1 and ANP8 of the Arley Neighbourhood Plan 2016 together with Policies LP1 and LP11 of the North Warwickshire Local Plan 2021.
2. Insufficient information has been provided to demonstrate that the use of the building and engineering operations the subject of the application have resulted in safe and suitable access for all users; that their use would not give rise to an unacceptable impact on highway safety, or that their use would not lead to severe impacts on the local road network. Accordingly, the proposals conflict with Policies LP1, LP11 and LP29(6) of the North Warwickshire Local Plan

2021 and paragraphs 115 and 116 of the National Planning Policy Framework (2024).

3. Insufficient information has been provided to satisfactorily demonstrate that the proposals have addressed and therefore avoided unacceptable impacts on the residential amenity of neighbouring occupiers by virtue of noise, odour and visual harm. Thus, the proposals fail to comply with policies LP11 and LP29(9) of the North Warwickshire Local Plan 2021 together with Policy ANP8 of the Arley Neighbourhood Plan 2016.

## BACKGROUND PAPERS

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

Planning Application No: PAP/2024/0127

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	
2	Consultation Response	Warwickshire County Council Highways	
3	Consultation Response	Arley Parish Council	
4	Consultation Response	Shustoke Parish Council	
5	Representations	Third Parties	

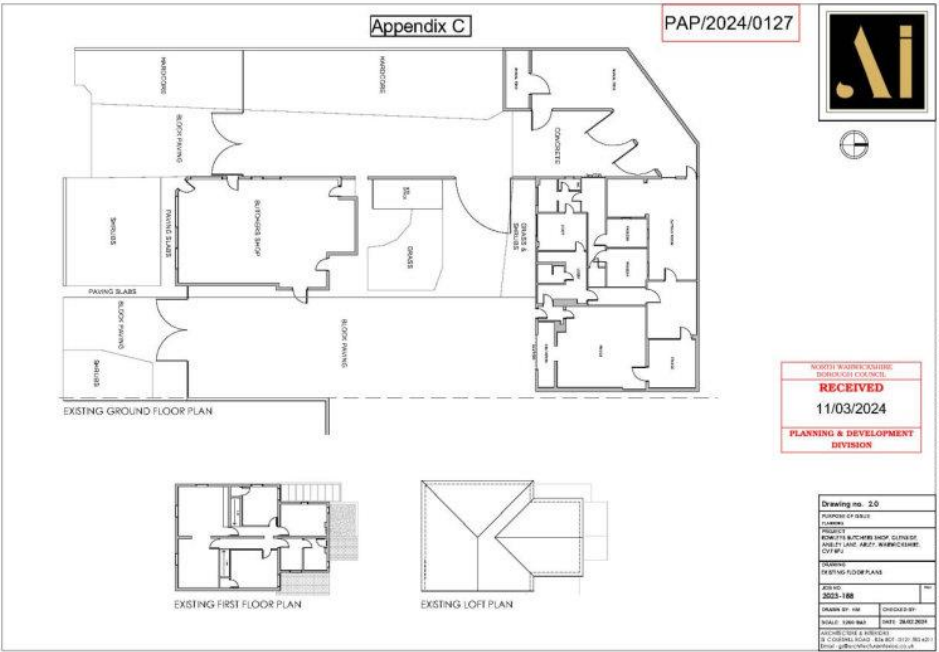
*Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.*

*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.*



[illegible]





Your ref: PAP/2024/0127  
My ref: 240127

## Appendix D



### Communities

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Tel: (01926) 412907  
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[www.warwickshire.gov.uk](http://www.warwickshire.gov.uk)

Mr J Brown BA Dip TP MRTPI  
Head of Development Control Service  
The Council House  
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**FAO: Andrew Horne**

31<sup>st</sup> January 2025

**PROPOSAL:** Installation of roller shutters and rooflights to two-storey building, construction of a ramp to delivery area, new doors and roof covering to existing animal pens, the provision of new animal pens and storage areas for refuse and hay/straw, new site office and external alterations.

**LOCATION:** Rowleys Butchers Shop, Glenside, Ansley Lane, Arley, Coventry.

Warwickshire County Council, hereby known as the 'Highway Authority', has undertaken a full assessment, of the planning application, at the request of North Warwickshire Borough Council in its capacity as the Local Planning Authority.

The Highway Authority has been made aware of additional plant that has been placed on-site. The extra plant etc hasn't been shown on the most recent plans or the development description so cannot really be assessed in detail. However, it is clear that the fridge container that is on-site currently would prevent the tracking shown on the plans, so the extra plant is not acceptable.

The tracking isn't the best as rather than tracking the changes to the layout the vehicle has been tracked on the old plan but with the amended accesses shown in green. Why has this been done like this rather than just tracking the new access layout which would make it much easier to review.

For the access plans the visibility splays need to be annotated. It is currently just labelled as vis splay with no measurement and the whole splay is not shown as the plan is cut off.

The amendments to the kerb lines would not be acceptable as shown due to the layout of the tactile paving. Tactiles should line up with each other, not be offset which they are currently.

*Working for  
Warwickshire*

The parking response is slightly confusing as that is not what is shown on the plan. The floor areas must be clarified and provide parking accordingly. Currently customer parking is proposed to the west which would not necessarily make sense as that would require customers to travel through the site which presumably the applicant would not want. And due to the proximity to the access there could be people that ignore the no entry to park up. - how would this be mitigated?

No RSA brief has been submitted for review.

The Highway Authority will require a delivery and servicing management plan to be provided. Given the level of objection and current issues it would be best if that is provided now rather than conditioned.

Based on the appraisal of the development proposals and the supporting information in the planning application the Highway Authority submits a response of **OBJECTION**.

Yours sincerely

*Chris Lancett*

Chris Lancett  
Planning & Environment

**\*\*FOR INFORMATION ONLY\*\***  
COUNCILLOR BELL – HARTSHILL & MANCETTER

## Appendix E

PAP/2024/0127

RE: Glenside Rowley's Butchers Ansley Lane Old Arley Coventry CV7 8FU

Dear Sirs

I most strongly object because, what was a small family run business is now being turned into an operation on an industrial scale.

Output is now 200-220 animals per day whereas previously its was 200 per week.

The fact that, 3 tier articulated livestock HGV's are arriving to unload at approximately 5am, and waking residents, this is not acceptable,

They are driving across the pavement to gain access.

This has caused traffic chaos on more than one occasion.

The size of the vehicles involved are not compatible or appropriate with village traffic, there is a clue in the name of the road, its Ansley Lane, not an industrial estate.

The scale of the previous business meant that animals arrived in stock trailers towed by land rover and pickup sized vehicles, which had no impact on the village at all,

Please also reference Arley Neighbourhood Plan 2015-2030 adopted December 2016.

I believe that there has been a breach planning law as metal shutters have been installed at the shop,

Grey roof tiles have been used on the roof instead of the existing rosemary which were removed when renovations took place,

velux roof windows fitted.

The removal of the front gardens and walls have now been concreted over, greater than 5 square meters.

Whilst looking at the design and access statement, I would like to draw your attention to:-

### Section 1.2

Increased space per animal in new covered animal pens. This is unnecessary if the throughput and animal numbers remained the same as the previous business.

### Section 1.4

With the renovations that have taken place and it being stated, a residential flat for up to four onsite workers above the shop,

does this now make it a HMO.

Section 1:5

The rooflights are not needed or compulsory in a storage area. They are in a bedroom or other habitable room,

All of the abattoir modifications are to enable increased throughput and volumes, taking the business onto an industrial scale.

Removing the front garden and wall, then concreting over, is purely to allow the HGV stock lorries access, but they still have to drive over the pavement because of their size.

Section 4.5

Hours of operation 7 days 7am-6pm.

This incorrect because HGV stock lorries are arriving as early as 5 am, the site has been observed still operating at 8 & 10pm.

Section 4.6

No local personnel employed, majority are transported in by mini bus and various cars, so it hasn't provided local employment.

The shop has not opened and how financially viable is shop that only sells lamb.

My final points are:

The horrendous smell of rotting flesh from the waste skips on site, 200+ animals a day soon fills a skip, and when they are only collected, infrequently, the nauseating stench in the surrounding neighbourhood is unbearable, inside and outside residents' homes.

With the volume of fluids that are being produced can the drainage system cope as the drains have already been excavated and remedial work performed, what measures are in place to prevent any environmental incident that could contaminate a water course, as blood spillage has been witnessed on the concreted area where the gardens once were.

So once again I say, I most strongly object to this application.

Yours faithfully

A large black rectangular box redacting the signature of the person who wrote the letter.

## Appendix F

Andrew Horne

---

**From:** [REDACTED]  
**Sent:** 01 February 2025 20:11  
**To:** Andrew Horne  
**Subject:** PAP/2024/0127

**Caution:** Warning external email

PAP/2024/0127 (14.01.25 documents statement)

Arley Parish Council-Planning Application Subcommittee

The advice we have taken states that this is a poor submission, which often contradicts itself, and often does not provide the required information, perhaps as a ploy to delay the planning process.

The application seeks to justify operating an industrial slaughterhouse on a site that has always been a local abattoir: this is a clear change of use. The location is in a residential area and is unsuitable for the volume of slaughter that is currently taking place, being too small for large vehicles to manoeuvre safely and too close to houses and bungalows to avoid nuisance from working unsocial hours, noise and smell.

Proposals to mitigate the nuisance are limited and unrealistic: where are the measures to eliminate the foul smell, for instance? The required 'forward, low gear' access proposal does not admit to the existence of the 7.5 ton HGV and 2 refrigerated vans that are always parked in the yard. Recently a refrigerated container was craned into parking spaces behind the gates and a car seems to have been abandoned on the forecourt.

The idea that a shop might be viable, selling only unstunned halal sheepmeat is laughable. Restrictions on operating hours are contradicted by exceptions that will be required. In a residential area why is the abattoir operating on a Sunday?

If a compromise results from this application, it is important that any restrictions that protect residents from nuisance are enshrined in planning conditions with legal force, to ensure that they are enforced, and that the business trades on the scale of a local abattoir again.

[REDACTED]  
Please acknowledge receipt of this statement.

[Sent from Yahoo Mail for iPad](#)



PAP/2024/0127  
Objection to Revision C-12/08/2024

The objection below is in addition to my previous objection document, dated 28<sup>th</sup> May 2024. My original objection is still valid and should also be considered in relation to the amended planning submission.

The numbers quoted for the previous use of the abattoir do not give any dates or say where the figures come from. Any resident of St Wilfred's Cottages will confirm the abattoir has not operated with volumes anywhere near those figures for at least 25 years. It has always been a local business operating unobtrusively behind the butcher's shop, without causing any nuisance to local residents. The historic Streetview images available on Google Maps show the previous owner's livestock delivery vehicles to be small 4x4 type vehicles with a trailer, not the large 26-tonne vehicles that now bring in livestock, sometimes twice daily. The provided numbers from the previous owner's abattoir operation need to be backed up with evidence.

The butcher's shop will never reopen. The company are supplying a small specialist part of the market for mutton: non-stunned Halal meat. There is absolutely no local demand for that product, the shop would never be viable. There is also no customer parking. The suggestion that an underground tank for waste would be provided is frankly implausible. The timescale and cost of getting planning agreement, finding and moving services below ground and commissioning and carrying out the work would provide an excuse for long term delay, enabling the business to carry on as they are. The disruption of actually carrying out the work by the exit would probably require the company to stop operating for a time. Any planning permission for this site should therefore be subject to implementation timescales, via a planning condition, to ensure compliance.

Revision C shows that the company realizes that it cannot continue operating on an industrial scale in a residential area. The new plans try to comply with the demands of environmental health and WCC Highways; they actually show that trying to scale up operations reveals the limitations of the site: it is just too small for an industrial operation and restrictions need to be imposed to make it a genuine local business again.

26.08.2014 John Birch

#### ADDITIONAL COMMENTS

Since the applicant purchased the site and began their slaughtering operations, their actions have shown that highway safety is not a priority or even a valid consideration.

The applicant and their third-party delivery drivers have shown a total disregard for pedestrians and other road users' safety. By obstructing footways when waiting to enter the site, reversing unsuitably large articulated vehicles into the site, and maneuvering their vehicles over the footway, they have put pedestrians and other highway users at significant risk. Plus, there is the damage they



have caused to the maintainable highway that the highway authority will need to repair at the taxpayers' expense.

Large articulated HGV vehicles, that are larger and longer than the 26-tonne and 10-metre-long vehicle that is shown on the Swept Path drawing, regularly access the site. These large articulated vehicles were never used to access the site under the previous ownership.

The applicant's document dated 26/07/2024 is contradictory and shows that it hasn't been proofread.

It states *"Large vehicles accessing the site causing congestion along Ansley Lane. Residents given assurances from the owner that vehicles would not exceed 7.5t. Size of vehicles should be restricted."* Whilst the drawing titled *"Articulated Vehicle Swept Path Analysis"* shows a **26 Tonne** Rigid Vehicle. In addition, the drawing title states *"Articulated"* when a rigid vehicle swept path is shown. The maximum weight, type and size of the largest vehicle that will actually access the site should be confirmed.

The maximum weight, type and size of vehicles accessing the site should be enforced by a Traffic Regulation Order to ensure compliance.

The maximum weight, type and size of vehicles accessing the site should also be a planning condition, again to ensure compliance.

The Swept Path Analysis drawing is messy, contains unnecessary information and is unclear. The proposed internal layout should be clearly shown so that the obstructions to the swept path can be thoroughly assessed.

The following issues with the Swept Path Analysis drawing have been observed.

1. The drawing title states *"Articulated"* when a rigid vehicle swept path is shown.
2. Only left-in and right-out manoeuvres have been shown.  
The right-in and left-out manoeuvres should be shown as this will likely occur if not prohibited by a Traffic Regulation Order or planning condition.
3. The left-in tracking overruns the kerb line and is a hazard to pedestrians.
4. Parked vehicles, on opposite side of Ansley Lane to abattoir, that obstruct vehicle manoeuvres not shown.
5. No access dimensions or radii shown.
6. The tracking shows that the vehicle body strikes the exit gate.
7. The tracking shows that any vehicles in the two staff parking spaces to the west of the exit gate would be struck by the large vehicle – the spaces are therefore unusable.
8. The hay storage area shown obstructs the vehicle tracking.
9. Buildings, gates, other obstructions, and access proposals not clearly shown, plus overwritten in places and hard to read.

The applicant's planning document dated 26/07/2024 states that all vehicles will be required to enter and exit the site in a forward gear, with one vehicle access being an entrance only and the other vehicle access being an exit only. However, it is unclear how vehicles will be prevented from using the two separate accesses incorrectly.

The one-way system should be enforced by a Traffic Regulation Order and the relevant signage to ensure compliance.

The one-way system and the Traffic Regulation Order requirement should also be a planning condition, again to ensure compliance.

A comprehensive section 278 highway works drawing should be provided to the Highway Authority so that they can fully assess the vehicle access proposals.

This should include the kerb types, pedestrian crossing details, achievable visibility splays, critical access dimensions and bellmouth radii, any necessary road markings and signage, along with measures to protect pedestrians from vehicles overrunning and obstructing the footway. The Highway Authority approved section 278 layout, including drawing number, should be specified as a planning condition and should be subject to a specified implementation timescale.

A Stage 1 Road Safety Audit should also be commissioned and submitted as part of the planning application as highway safety has repeatedly been raised in the various planning objections.

The visibility splay envelopes are not shown on the planning drawings.

Ansley Lane has a 30mph speed limit and the requisite 2.4 x 43 metre visibility splays may be unachievable due to the horizontal geometry of the road and various vertical obstructions.

Vehicles currently park on and manoeuvre over the shop frontage area, the applicant should provide details about how they will prevent vehicles using the proposed pedestrian crossing dropped kerbs to access this area. They should also show how they will prevent vehicle manoeuvres in this area, as stated in their planning document dated 26/07/2024.

The applicant's planning document dated 26/07/2024 states,

*"Safety concerns for pedestrians and cyclists, including those with limited mobility.*

*The proposed site access offers improved visibility and manoeuvrability and will provide better provision for pedestrians and those with limited mobility (tactile paving and lowered kerbs on the footways than currently enjoyed.)"*

This is a spurious comment, the current continuous footway layout with various vehicle access crossovers gives pedestrians on the footway priority over vehicles crossing the footway. The two bellmouth accesses will reverse the status quo, giving the impression that pedestrians are required to give way to vehicles at the tactile pedestrian crossings.

It should be noted that a significant number of vulnerable pedestrians regularly use this footway, including the visually impaired, mobility scooter users and SEN children walking to the Sports Centre, playing fields and wooded area for exercise and educational activities.

Therefore, guard railings should be provided at both vehicle accesses and along the site frontage to protect pedestrians from vehicles overrunning and obstructing the footway. This will ensure that pedestrians are protected from the various dangerous vehicle movements that have already been witnessed from vehicles entering and exiting the abattoir premises.

The number of parking spaces is totally inadequate for the number of vehicles witnessed accessing and parking within the site.

The swept path manoeuvres shown will be unachievable without vehicles from within the abattoir site parking on Ansley Lane, where there is limited parking available.

There are only four staff parking spaces and two of these conflict with the large vehicle swept path. No allowance has been made for the many refrigerated commercial delivery vehicles (less than 7.5t weight) that have been witnessed regularly parking in the entrances and yard areas, these parked vehicles mean that large vehicles will not be able to enter and exit the site in a forward gear as shown on the swept path drawing.

The operating hours of the abattoir should be conditioned.

Normal operating hours would usually be Monday to Friday 8:30-17:30 and 8:30-12:30 on Saturdays. It is unacceptable to operate outside of normal working hours in a residential area.

In addition, large vehicle deliveries should not be allowed during the busy school drop-off and pickup times.

It should be noted that the stated maximum number of nine vehicle movements a day does not correspond with the detailed breakdown of each type of vehicle. This information should be checked and corrected where necessary.

The applicant's planning document dated 26/07/2024 states that *"A waste management plan can be provided, if conditioned"*.

As the unpleasant odours from the stored waste products is a major concern to residents, a waste management plan should therefore be a planning condition.

All waste products should be kept in a sealed building or container at all times to prevent odours permeating into the surrounding residential areas.

No details have been provided for the proposed underground tanks that will be emptied weekly, the size of the tanks should be specified (size of tank footprint and tank volume).

The method of emptying, along with the size, maximum weight and type of vehicle should be specified.

Regarding the *"Implications for Local Water Supply and Drainage"* comments.

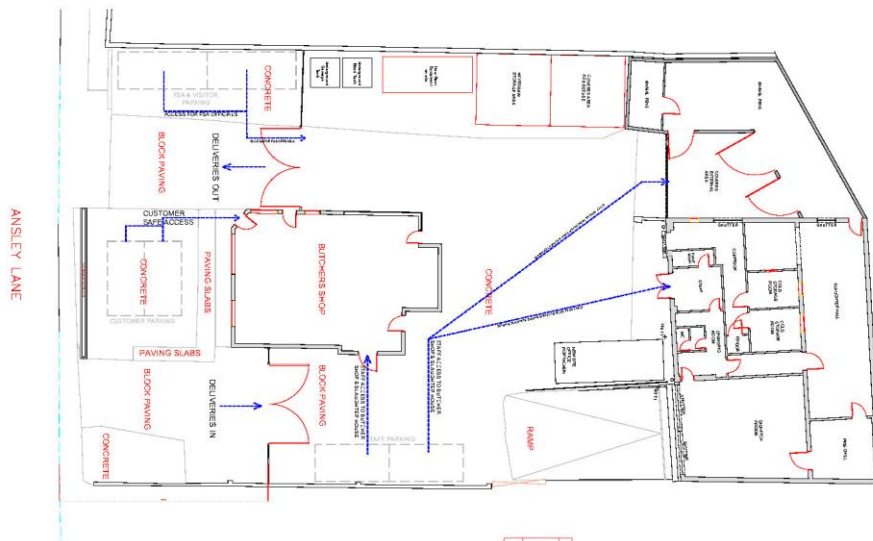
Many residents have reported a drop in water pressure at certain times of the day when the abattoir appears to be operating, Severn Trent Water should be consulted as part of the planning consultation to ascertain if the abattoir operations are having an adverse impact on the fresh water supply to residents.

Regarding the comment in the applicants document regarding a bat roost in the main abattoir building, the presence of bats should be checked by a competent ecologist and the appropriate action taken to protect them if present.

The applicant's planning document dated 26/07/2024 states that a meeting with members should be arranged. Due to the significant number of objections that have been received, surely the local residents should be able to attend any future meetings to voice their concerns in person.



## APPENDIX B



RECEIVED  
23/05/2025  
PLANNING & ENVIRONMENT  
DRAWING

Drawing no. 7	
PURPOSE OF ISSUE	
PLANNING	
PROJECT	
FORDLEY BUTCHERS SHOP, 18 ANSLEY LANE, ANSLEY, WAVERLEY, WILTSHIRE, WILTS	
DRAWING	
DELIVERY & MANAGEMENT PLAN	
JOB NO.	2023-189
DESIGNED BY	AC
CHECKED BY	23.05.2025
SCALE: 1:200 @A2	DATE: 14.05.2025
ARCHITECTURE & INTERIORS	
81 COLLEGE ROAD, 8th FLOOR, 2023-189	
0121 753 6211	
info@architectsinteriors.co.uk	



RECEIVED  
23/05/2025  
PLANNING & ENVIRONMENT  
DRAWING

Drawing no. 8	
PURPOSE OF ISSUE	
PLANNING	
PROJECT	
FORDLEY BUTCHERS SHOP, 18 ANSLEY LANE, ANSLEY, WAVERLEY, WILTSHIRE, WILTS	
DRAWING	
SITE EXITS & ENTRANCES	
JOB NO.	2023-189
DESIGNED BY	AC
CHECKED BY	23.05.2025
SCALE: 1:200 @A2	DATE: 14.05.2025
ARCHITECTURE & INTERIORS	
81 COLLEGE ROAD, 8th FLOOR, 2023-189	
0121 753 6211	
info@architectsinteriors.co.uk	



## ABYG45KRTA

Please visit our webstore for full product and technical documentation



Unit Type	Ceiling Suspended
Remote Controller	Option
Nominal Cooling Capacity {kW}	12.1
Nominal Heating Capacity {kW}	13.5
Height {mm}	235
Width {mm}	1700
Depth {mm}	705
Weight {kg}	38
Airflow Rate - Cooling - High {m <sup>3</sup> /h}	1900
Airflow Rate - Heating - High {m <sup>3</sup> /h}	1850
Sound Pressure Level - Cooling - High {dB(A)}	45
Sound Pressure Level - Cooling - Low {dB(A)}	39
Sound Pressure Level - Heating - High {dB(A)}	45
Sound Pressure Level - Heating - Low {dB(A)}	39
Sound Power Level - Cooling - High {dB(A)}	60
Sound Power Level - Heating - High {dB(A)}	60
Moisture Removal {l/h}	4.5
Refrigerant Type (Global Warming Potential)	R32 {675}
Liquid Pipe Size	3/8"
Gas Pipe Size	5/8"
Unit Power Supply	From Outdoor Unit



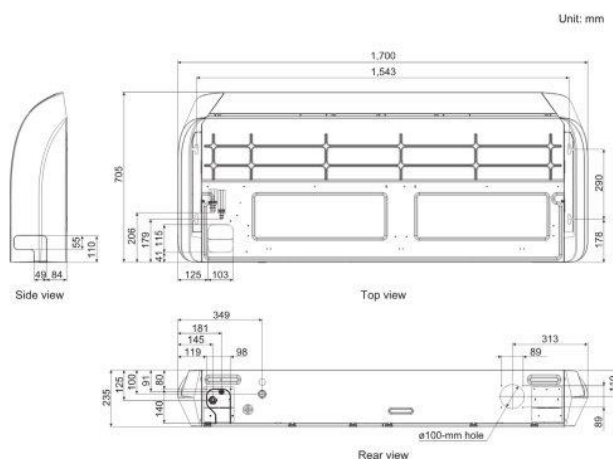
### Document Downloads

[Airflow - Fan Curve](#)  
[Controls & Accessories](#)  
[Dimensional Drawing](#)  
[Function Settings](#)  
[Inputs & Outputs](#)  
[Installation Manual](#)  
[Noise Curve](#)  
[Operation Manual](#)  
[Product Image](#)

[Spare Parts List All Pages](#)  
[Specifications](#)  
[Wiring Diagram](#)

### Related Items

[ADYG45KATA](#) 12.1kW Economy Outdoor Unit - R32 Single Phase  
[ADYG45KQTA](#) 12.1kW Economy Outdoor Unit - R32 Three Phase  
[ADYG45KBTB](#) 12.1kW Standard Outdoor Unit - R32 Single Phase  
[ADYG45KRTA](#) 12.1kW Standard Outdoor Unit - R32 Three Phase  
[UTYRNRYZ5](#) Touch Screen Remote Controller  
[UTYTFSXZ1](#) Wireless LAN interface  
[UTRDPB24T](#) Drain Pump Unit (for Ceiling type)  
[UTYRCRYZ1](#) Compact Simple Remote controller  
[UTYRHRV](#) Simple Remote Controller (without Master Control)  
[UTYRSPV](#) Simple Remote Controller (with Master Control)  
[UTYXCSX](#) External Input / Output PCB  
[UTZGXEA](#) External input output PCB box  
[UTYXWZKZG](#) External Connect Kit  
[UTYLBTYH](#) Infra-Red Receiver Kit - Ceiling Suspended  
[UTYTERX](#) External switch controller  
[UTYVTGX](#) Splits Network Converter (DC Powered)  
[UTYVTGXV](#) Splits Network Converter (AC Powered)



\*Specifications and design are subject to change without notice for further improvement.  
 \*Actual products' colors may be different from the colors shown in this printed material.

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Tel: +44 (0) 208 731 3450 Fax: +44 (0) 208 731 3451











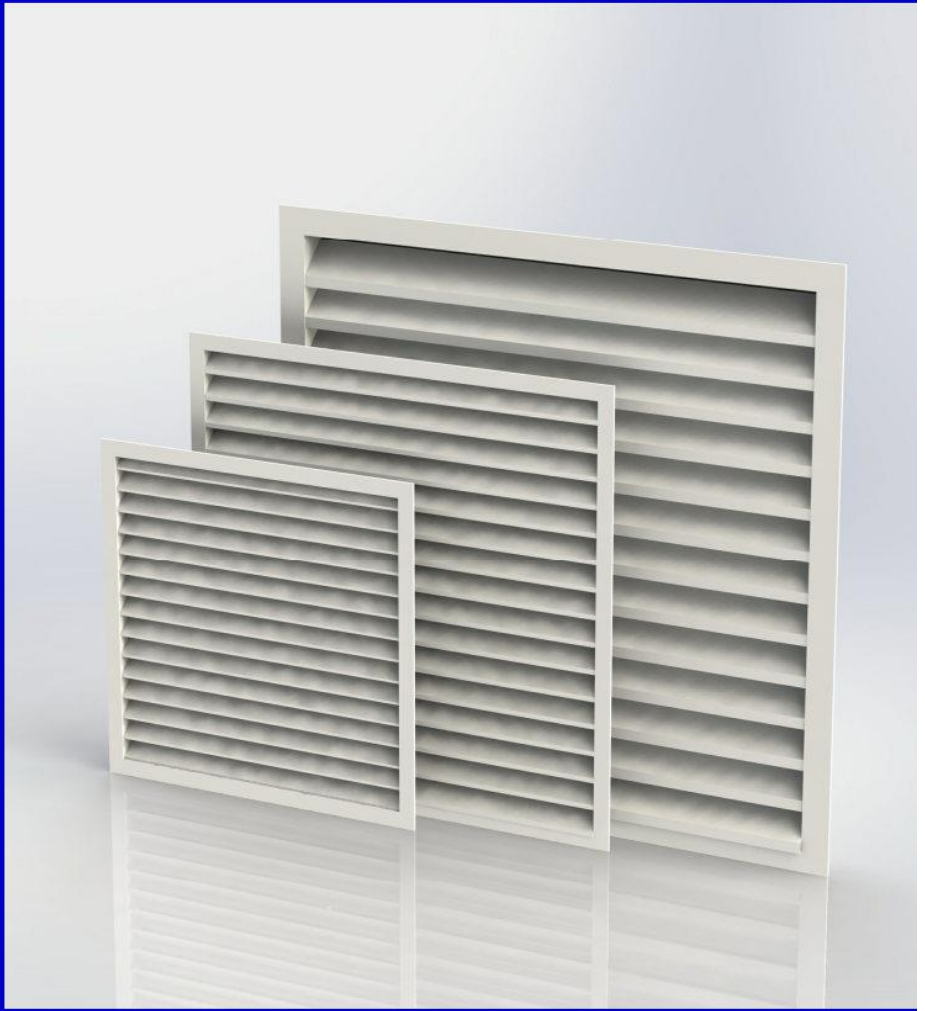
Incorporating



## Louvre systems

### Series WL Standard weather louvres

- Standard range of single bank louvres as used in countless installations worldwide
- Good resistance to water ingress, with low resistance to airflow
- Approximately 50% free area on all models
- Polyester powder coating to the full range of RAL and BS colours
- WL38's in popular square sizes held in stock for immediate despatch
- Now available with burglar/security bars



WL: February 2023

## Index

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- 3 - Product overview and features

### Testing and certification

- 4 - Product testing

### Technical information

- 5 - Technical drawings - Flanged and recessed frame louvres
- 6 - Technical drawings - Reversed and concealed frame louvres
- 7 - Stop gaps, frame types and large units
- 8 - Fixings

### Options

- 9 - Additional options
  - Face mounted drip cill
  - Rear mounted drip tray
- 10 - Further options
  - Weather louvre and volume control damper combination units
  - Security bars

### Further information

- 11-13 - Selection data
- 14 - Feature: New Series HPL80 ultra high performance weather louvre  
Class A2 rain rejection up to 4 m/s
- 16 - Finish details and ordering codes

## Quality assurance

HVC Supplies (Stourbridge) Ltd is an ISO 9001 certified company.



Assessed to ISO 9001  
Cert/Ref No. 1186

## Series WL

Series WL standard weather louvres are the standard weather louvre used in countless installations throughout the world.

Available in three formats to suit any size installation, all WL types have a single bank of blades with a 45° face for good levels of rain resistance in the majority of conditions. Minimal resistance to airflow is assured with an approximate free area of 50% on all series.

Break points for switching between series (WL50 and WL75 are advised only):

**WL38:** Up to 1m nominal size (either width or height)

**WL50:** Up to 2m<sup>2</sup>

**WL75:** Anything above 2m<sup>2</sup>



## Design features

<b>Material</b>	Extruded aluminium BZP steel screws or aluminium pop rivets
<b>Sizes</b>	Minimum heights (flanged units, nominal): <b>WL38:</b> 105mm <b>WL50:</b> 125mm <b>WL75:</b> 185mm
<b>Blade</b>	Various pitches (WL38 - 40mm, WL50 - 50mm, WL75 - 75mm) All with 45° face slope
<b>Core</b>	Fixed
<b>Frame</b>	Standard: Flanged Optional: Recessed and reversed
<b>Fixings</b>	Standard: None Optional: See page 8
<b>Finish</b>	Standard: Mill aluminium Optional: See page 14
<b>Mass/m<sup>2</sup> face area</b>	<b>WL38:</b> 12 kg <b>WL50:</b> 12 kg <b>WL75:</b> 15 kg
<b>Free area</b>	Approx. 50% (varies with size)

### Important note:

Free area is not a reliable guide to performance.

It is possible to have two louvres with identical geometric free areas but different airflow characteristics.

Wherever possible use a tested airflow coefficient, as stated on the following page or available in the test certificate WL75 louvres which is available on request.

## BSRIA Testing

WL75 standard weather louvres have been tested against:

**BS EN 13030:2001**

The testing was carried out in April 2013 by BSRIA in Bracknell, Berkshire, England.

Copies of the test reports are available on request.



## Performance

Louvres are subjected to simulated rainfall of 75mm per hour, with a wind speed of 13m/s (29mph).

Rain ingress is then measured at various draw speeds through the louvre, this is in addition to the constant 13m/s simulated wind speed.

WL75 louvres were tested with an optional rear mounted drip tray, this will have had negligible impact on airflow but a large impact on rain resistance.

Headline figures are shown here, a copy of the full test report is available on request.

**WL75 - DT:** (WL75 complete with rear mounted drip tray)

**Mean airflow coefficient:** 0.252 (Class 3)

**Rain rejection:** Class C up to approx. 1.4 m/s draw velocity  
Class D above approx. 1.4 m/s draw velocity

## Stocked sizes

The following sizes of Series WL38 standard weather louvres are held in stock, fitted with bird mesh and in mill aluminium finish available for immediate despatch.

150mm<sup>2</sup>  
200mm<sup>2</sup>  
250mm<sup>2</sup>  
300mm<sup>2</sup>  
350mm<sup>2</sup>  
400mm<sup>2</sup>  
450mm<sup>2</sup>  
500mm<sup>2</sup>  
550mm<sup>2</sup>  
600mm<sup>2</sup>  
700mm<sup>2</sup>  
800mm<sup>2</sup>  
900mm<sup>2</sup>  
1000mm<sup>2</sup>

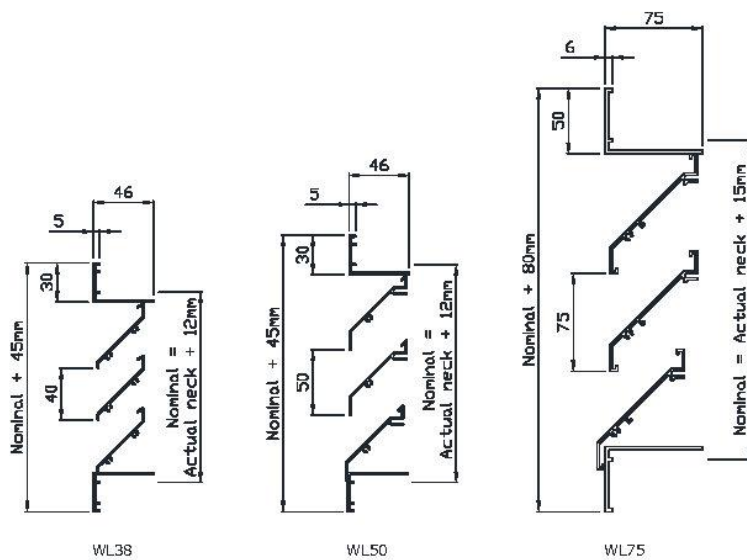
All sizes are nominal (hole size)

Units can be powder coated if a painted finish is required.

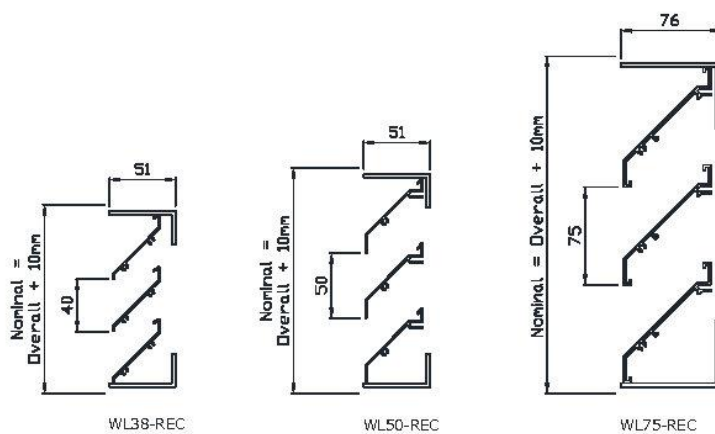
**Product codes:** WL38 - BM - Mill

## Technical drawings

### Flanged (standard)

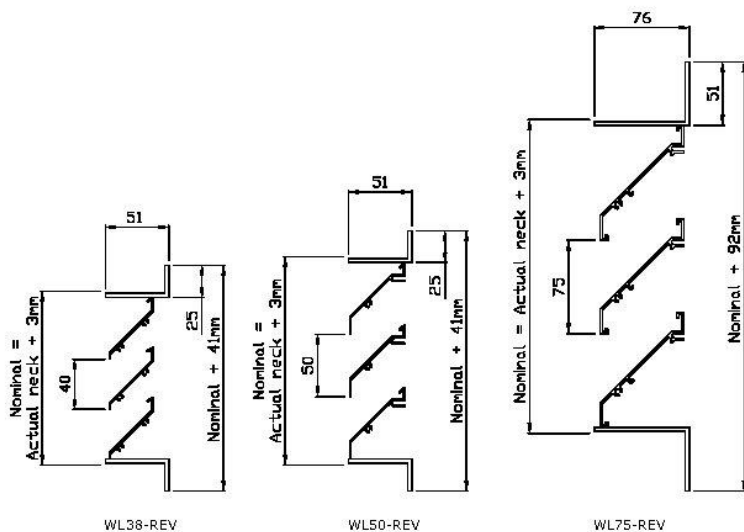


### Recessed frame - REC (optional)



## Technical drawings

### Reversed frame - REV (optional)





## Technical notes

### Stop gaps

Louvre blades are laid out starting with the bottom blade and then working upwards.

Should a whole number of blades not be possible to fit into the required height, the top-most blade will either be cut down, or a stop gap will be fitted.

The maximum heights of stop gaps, based on louvre series are:

**WL38:** 25mm

**WL50:** 40mm

**WL75:** 60mm

Stop gaps are visible only as flat aluminium sections, and are fitted prior to powder coating (if required).

## Frame types

The below table shows the standard and optional frames available for each louvre series, along with ordering codes and dimensions.

These are only standard frame types. If you have a special requirement not shown here, please contact us.

WL Series	Frame code	Description	Standard or optional	Nominal to overall size	Overall depth
<b>WL38 and WL50</b>	30FW	30mm flat	Standard	+ 45mm	46mm
	25F	25mm flat	Optional	+ 30mm	46mm
	50FS	50mm flat (shallow)	Optional	+ 80mm	50mm
	3" x 2" x 1/8"	3 inch (76.2mm) flat	Optional	+ 130mm	2 inches (50.8mm)
	4" x 2" x 1/8"	4 inch (101.6mm) flat	Optional	+ 180mm	2 inches (50.8mm)
<b>WL75</b>	50FD	50mm flat (deep)	Standard	+ 80mm	75mm
	3" x 3" x 1/8"	3 inch (76.2mm) flat	Optional	+ 130mm	3 inches (76.2mm)
	4" x 4" x 1/8"	4 inch (101.6mm) flat	Optional	+ 180mm	4 inches (101.6mm)

## Large units

Large louvres may need to be produced in sections. The number of sections can be stated in your ordering code, or will be decided by HVC and stated on your order acknowledgement.

### Side-by-side sections

Continuous appearance with concealed bolting points for joining adjacent sections. This will increase louvre depth by approximately 25mm.

Joining strips are supplied to ensure blade alignment with WL75's.

### Vertically stacked sections

Units will be manufactured in sections of equal height, to be stacked together upon installation.



WL75 in side-by-side sections showing concealed angle with bolting points.

## Fixings

### **None (Standard)**

Most weather louvres are supplied with no fixings.

In this instance we recommend drilling through either the louvre flange or the neck, and screwing directly into the supporting structure with an appropriate fixing.



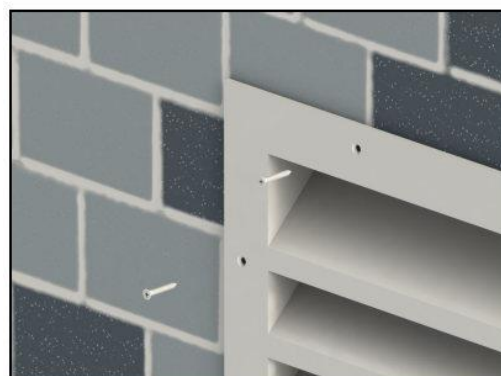
### **Pre-punched face fixing holes - Ordering code FH**

5.7mm countersunk fixing holes will be punched into the louvre frame before powder coating, allowing quick and easy fitting on site.

Number and layout of fixing holes will be appropriate to louvre size. Arrangements can be specified.

Supplied with pozidrive self tapping screws in the same finish as the louvre.

Only available with flanged and reversed flange louvres.



### **Glazing bar - Ordering code GZ (Required depth needed)**

An additional frame can be fixed to the louvre neck to create a glazing bar frame suitable for installation into uPVC channels in place of glass window panes.

Only available with flanged and reversed flange louvres.

**Please note** - Series GL50 glazing louvres are now available, designed from the ground up to suit glazing systems. Please refer to our website for more information.



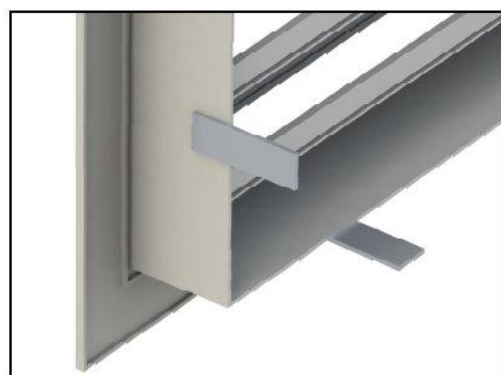
### **Rear mounted concealed fixing lugs - Ordering code RFL**

3mm thick, 25mm wide aluminium lugs, protruding 50mm from the back of the louvre neck can be factory fitted to your louvre.

Lugs are supplied undrilled to accept whatever fixing is required on site, and are either welded or double riveted to the louvre.

An appropriate amount of lugs will be fitted to suit the louvre size.

Only available with flanged and recessed louvres.



## Additional options

### Face mounted drip cill - Ordering code DC

By fitting an extended cill beneath the bottom blade, any water caught by the louvre is ejected away from the wall, instead of the bottom section of frame.

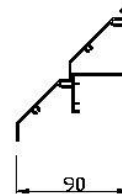
This can help prevent streak marks where water has run down a wall over time.

Not available with WL38.

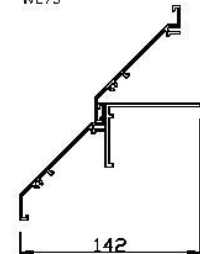
**Please note:** Recessed and reversed flange louvres will have a folded sheet metal drip cill with a profile appropriate to the selected blade type.



WL50



WL75



### Rear mounted drip tray - Ordering code DT

Drip trays can be fitted to any series weather louvre, however on WL75's they are required if Class C rain rejection performance is needed.

Drip trays act to catch any water which penetrates through the louvre.

Trays protrude 65mm past the rear of the frame.

**Please note:** If specified on a reversed flange weather louvre, the drip tray will protrude into the aperture.



## Further options

### Combination units

Combining two essential components in any ventilation system, combination units integrate a standard weather louvre with a volume control damper. A fully welded, black powder coated galvanised steel backbox joins the two components.

This ready made solution means installation time and costs are reduced and ordering is made simple as you only need supply us with one size; we do the rest.

Volume control dampers can be supplied with a plastic handle or locking quadrant for manual operation, or with a factory fitted electric or pneumatic actuator.

For more information on combination units please refer to the combination unit PDF available for download from our website.

**Suitable weather louvres:**  
Series WL50 and WL75

**Suitable volume control dampers:**  
Series LF uPVC VCD high performance plastic  
Series HVC-VCD aluminium



### Burglar bars - Ordering code BB

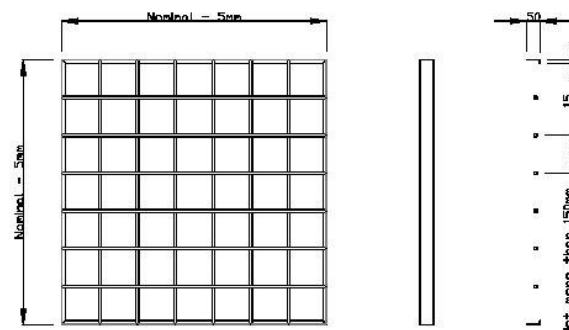
A wall mounted aluminium weather louvre can be a security risk, potentially providing an un-alarmed entry point to a building for any determined would be intruder.

Providing an extremely robust barrier to entry, burglar bars can be fitted to mitigate this risk.

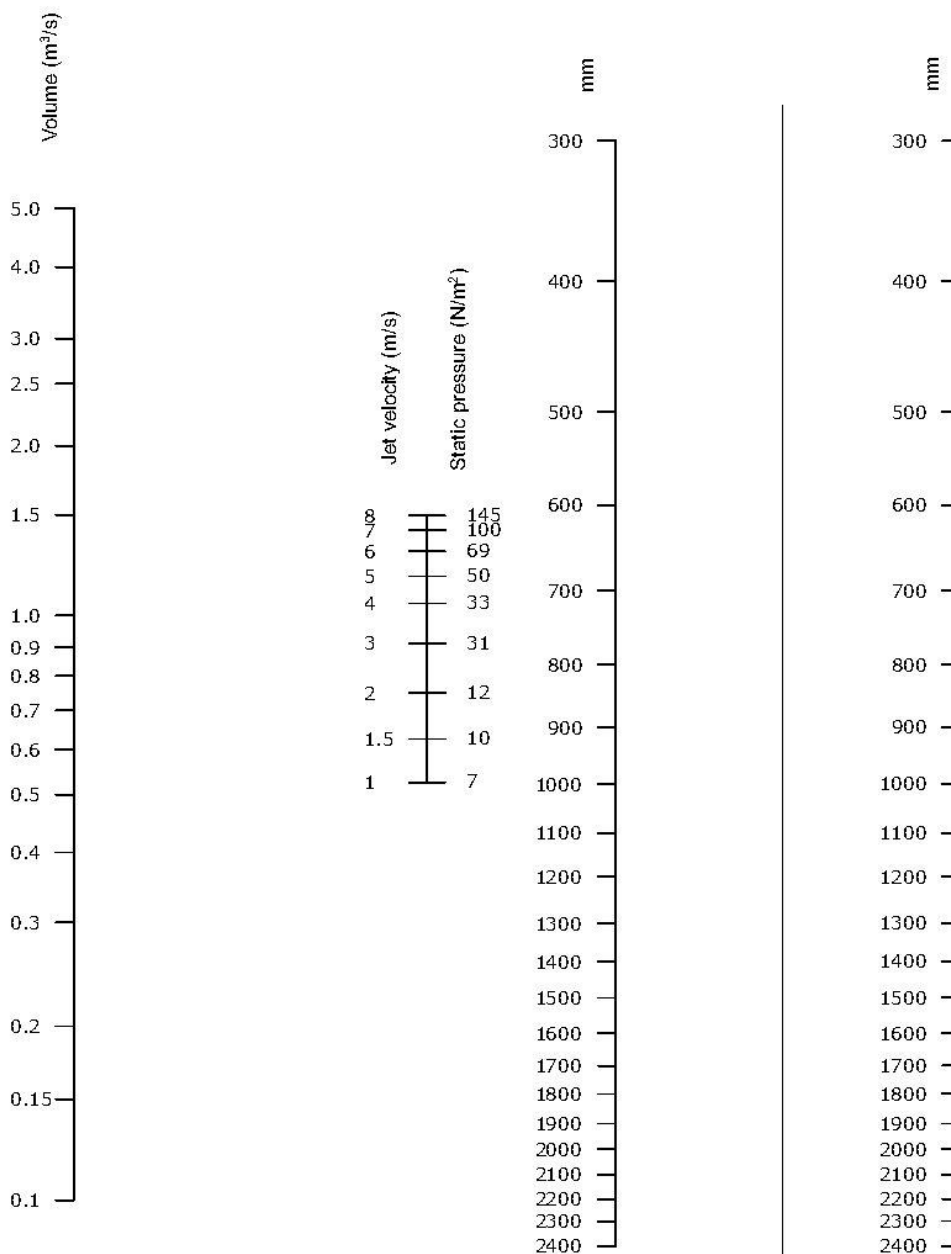
Designed to be fitted directly behind a louvre, burglar bars are constructed with a 1.2mm thick galvanised steel outer frame and a grid of 10mm fully welded steel bars, leaving spaces of not more than 150mm square.

Frames are supplied undrilled to accept whatever fixings are required on site.

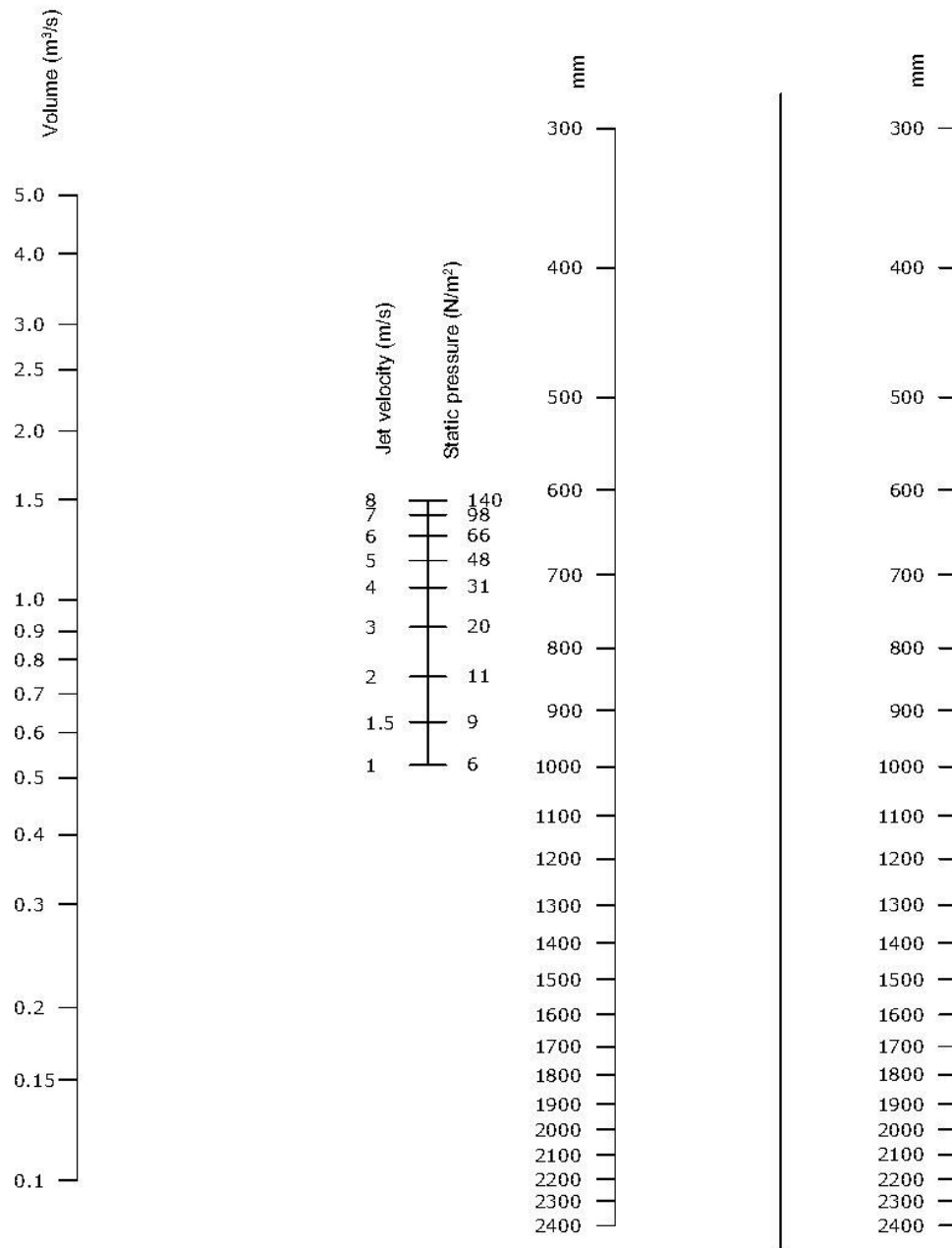
Supplied in a powder coated black finish as standard.



Selection data: WL38 and WL50



Selection data: WL75





## Feature: Series HPL80 ultra high performance weather louvres

Should high performance rain rejection be required for your application, the new HPL80 may be more suitable than a Series WL standard weather louvre.

The new HPL80 louvre is an extremely high performance weather louvre, intended for installations demanding unimpeded ventilation, without the risk of water ingress.

Through its use of the new 'Air-Bypass' blade design (UK patent application pending), never-before-seen levels of performance for a horizontally bladed weather louvre are achieved when tested against BS EN 13030:2001, the most widely used weather louvre test standard in Europe:

**HPL80 with insect mesh: Class A2 up to 4.0 m/s**

**HPL80 with bird mesh: Class A2 up to 2.5 m/s**

For more details on the HPL80, please search for the HPL80 on our website.





## Finish

Mill aluminium (standard)

Satin anodised (AA5) - Only with WL50-25F/30FW

Polyester powder coating to any RAL or BS colour



## Ordering codes

### Example

1 - 1000 x 1000 - WL50 - BM - FH - 30FW - DC - RAL9010 - 1S - BB

### Codes

1)	Quantity		
2)	Size (mm)	(Width x height)	
3)	Series	WL38 WL50 WL75	38mm pitch weather louvre 50mm pitch weather louvre 75mm pitch weather louvre
4)	Frame design	(nothing) REC REV	Flanged Recessed frame Reversed frame
5)	Debris screens	BM IM VM	Bird mesh (12.7mm x 12.7mm weave, galvanised steel) Insect mesh (1.6mm x 1.6mm weave, G304 stainless steel) Vermin mesh (6mm x 6mm weave, G304 stainless steel)
6)	Fixings	FH RFL GZ	Pre-punched face fixing holes Rear mounted fixing lugs Glazing bar. State depth required.
7)	Flanges	30FW 25F 50FS 3" x 2" x 1/8" 4" x 2" x 1/8"  50FD 3" x 3" x 1/8" 4" x 4" x 1/8"	WL38 and WL50: 30mm flat flange (standard) 25mm flat flange (optional) 50mm flat flange - shallow (optional) 3" (76.2mm) flat flange (optional) 4" (101.6mm) flat flange (optional)  WL75: 50mm flat flange - deep (standard) 3" (76.2mm) flat flange (optional) 4" (101.6mm) flat flange (optional)
8)	Additional options	DC DT	Face mounted drip cill (not available with WL38) Rear mounted drip tray (required for Class C performance with WL75)
9)	Finish	Mill SAA RAL... BS...	Mill aluminium (standard) Satin anodised - AA5 (only available with WL50-25F/30FW) Polyester powder coated to RAL... Polyester powder coated to BS...
10)	Sections	_S	Number of sections required. If left blank this will be confirmed on order acknowledgement
11)	Burglar/security bars	BB	Burglar bars required

**Important:** Size will be taken to be nominal (hole internal) unless stated otherwise.

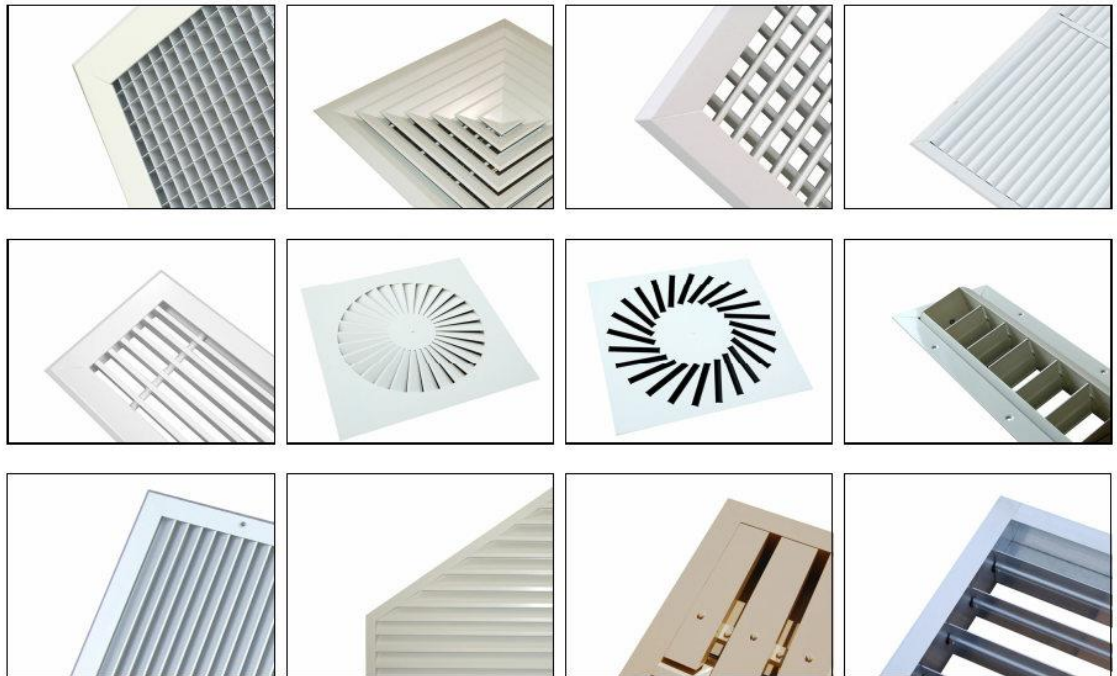
Leave code section blank if no option is required.

## HVC & NCA products

HVC offer the significant advantage of manufacturing both in duct and duct terminal equipment, making us a one stop shop for all your HVAC needs.

The products shown below are a selection, not an exhaustive list. Go to [www.h-v-c.com](http://www.h-v-c.com) for details on all HVC and NCA products.

### HVC: Grilles, Diffusers, Louvres and Volume Control Dampers



### NCA: Fire and Volume Control Dampers



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[www.h-v-c.com](http://www.h-v-c.com)

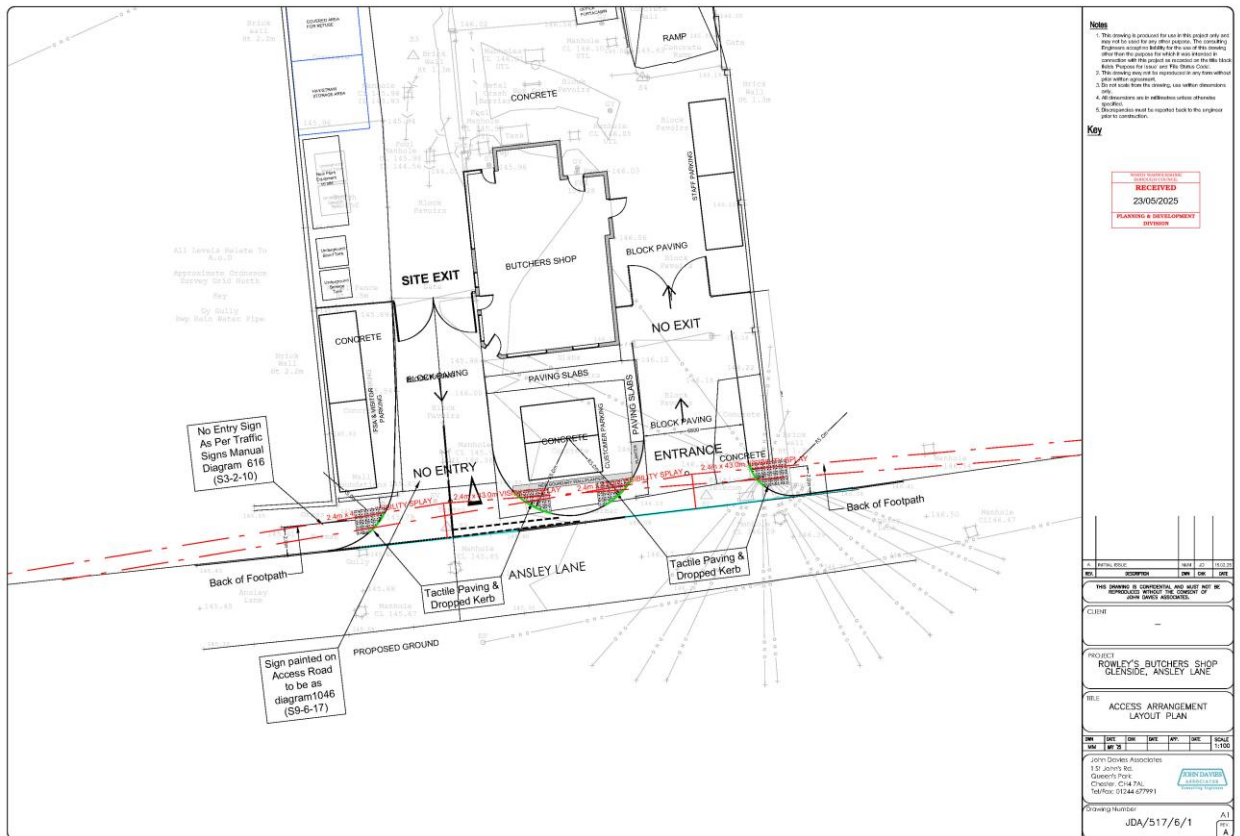
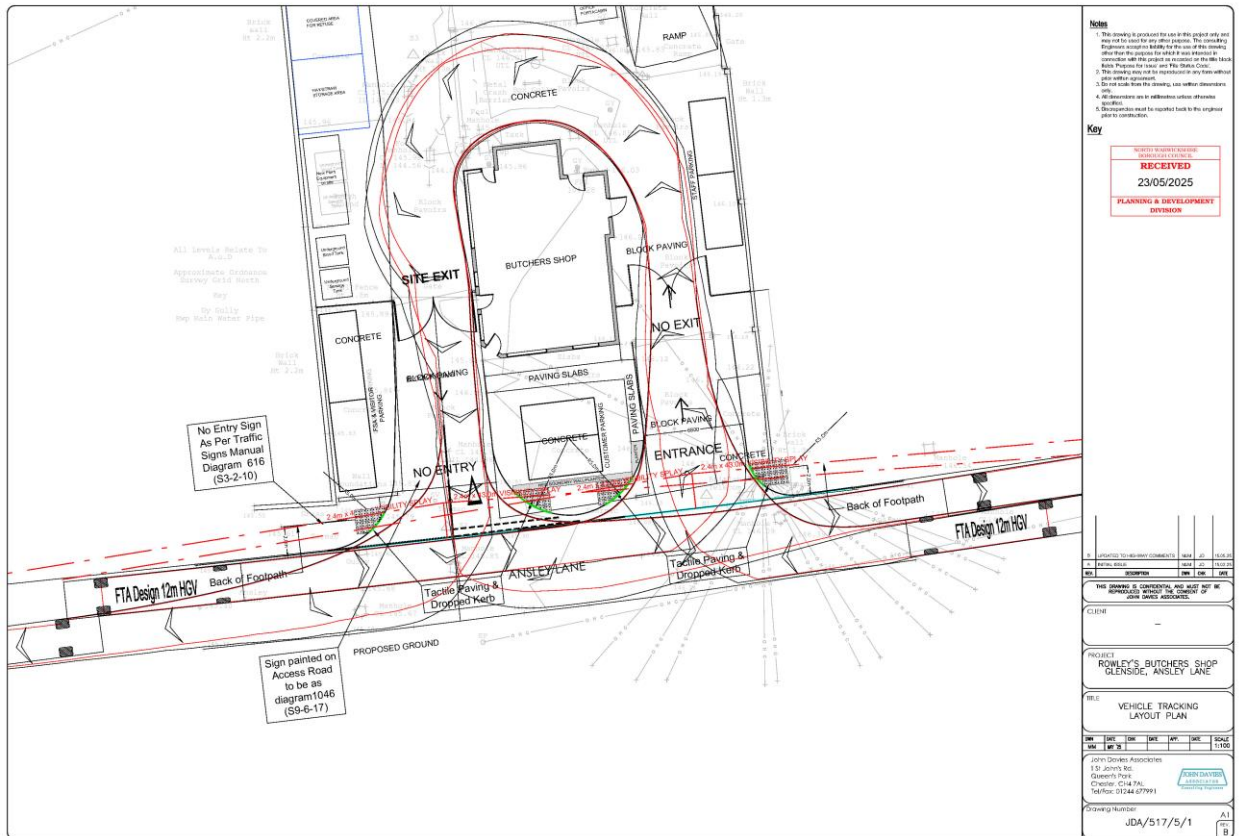


Assessed to ISO 9001  
Cert/Ref No. 1186

All details within this brochure are correct at time of publication. However HVC's policy is one of continual product development. The right is reserved to alter any details published in this brochure without any prior notice. Any changes will appear on [www.h-v-c.com](http://www.h-v-c.com) as soon as is practically possible.

All information in this brochure is designed to be used for informative purposes only. HVC will not be legally bound by anything contained within this publication, or any other information distributed.

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# LONGAR® Type 8 Activated Carbon Filters



## LONGAR® TYPE 8 FEATURES:

- High grade carbon / High carbon content / Low pressure loss
- Robust modular construction
- Carbon Unit or panel format / Standard and Custom sizes available
- CNC manufactured / Precision products every time

## APPLICATIONS

- Reduction of Cooking Odours
- Removal of Kerosene Exhaust Fumes
- General Odour Reduction
- Neutralisation of Ammonia and its Derivatives
- Removal of Formaldehyde
- Removal of Airborne Pollutants and Contaminants
- Removal of Acid Gases (please enquire as to specific contaminant)

## LONGAR® TYPE 8 ACTIVATED CARBON FILTERS

Activated carbon has for many years been used to remove airborne noxious fumes and gases. Its origins date back to the First World War, when gas masks were first filled with Activated carbon to remove chlorine gas. Today Longar produces a wide range of carbon filters to deal with a variety of air pollution scenarios.

There are many situations where carbon filtration is used to eliminate toxic or offensive odours, some of these are sewage works, hospitals, slaughterhouses, restaurant kitchens, airports, toilets, wash rooms, laboratories, and office blocks.

## PRE FILTRATION

Carbon filters are designed to remove fumes and odours, they are not suitable for removing dust and fine particles. If left unprotected, the life of the carbon product is severely reduced. To protect the filters use the correct pre filtration. If you are unsure please enquire for further information.

## LONGAR® TYPE 8 ACTIVATED CARBON PANELS

The Activated carbon panel are sealed into a galvanised steel frame; a scrim is then added to protect the carbon surface from dust contamination. Sealing the carbon panel stops any air by-pass; our panels are manufactured using CNC technology to ensure precision manufacture with exact tolerances.

Our panels are the strongest on the market place with a wide range of standard sizes available, custom sizes are also available on request.

## LONGAR® TYPE 8 ACTIVATED CARBON UNITS (ACU)

For a modular approach to fume removal the ACU is the ideal solution. The ACU unit is manufactured from a number of carbon panels held in place by a CNC made corrosion proof metal casing. The carbon panels inside the units are 25mm thick, sealed into the frames using polymer which eliminates the possibility of any air by-pass around the carbon.

## LONGAR® TYPE 8 CYLINDRICAL FILTER

These are constructed from perforated galvanised steel then formed into cylindrical cartridges containing high grade or impregnated carbon. The cylinders have a bayonette fit into the filter mounting plate.

All cylinders have a unique feature of having the option to replace any spent carbon and then refill with new replenished carbon.

For technical specifications, part numbers and ordering information, please see overleaf.

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# LONGAR® Type 8 Activated Carbon Filters

## FITTING INSTRUCTIONS

- Fit products in accordance with installation contractor's specifications.
- Observe direction of airflow.

## HANDLING

- Handle with care when unpacking.
- Store in dry and frost protected place.

## MAINTENANCE

- Carbon filters cannot be cleaned upon reaching the end of their service life. They must be replaced.
- All maintenance and replacement schedules will be set by the original equipment installer. Please refer to this for more information.
- When handling any components suitable PPE should be used – gloves, eye protection and access equipment.
- Carbon filters may be recycled.

## PACKAGING

All units are packaged in double wall boxes, stapled closed for protection whilst in transit against contamination.

## TECHNICAL SPECIFICATIONS

SIZE ORDERING GUIDE (TOLERANCES +/- 2mm)					
Part Number	Actual Size HxWxD	Nominal Size HxWxD	Weight	Airflow M <sup>3</sup> /SEC @0.12 Contact	Pressure Loss - Pascals
CARBONCUBE242424	597 x 597 x 597mm	609 x 609 x 609mm	60.00kgs	1.00	97
	23.50 x 23.50 x 23.50"	24 x 24 x 24"	132.00lbs		
CARBONCUBE242418	597 x 597 x 450mm	609 x 609 x 457mm	44.00kgs	0.75	97
	23.50 x 23.50 x 17.72"	24 x 24 x 18"	96.80lbs		
CARBONCUBE241824	597 x 450 x 597mm	609 x 457 x 609mm	46kgs	0.75	97
	23.50 x 17.72 x 23.50"	24 x 18 x 24"	101.20lbs		
CARBONCUBE182424	450 x 597 x 597mm	457 x 609 x 609mm	46kgs	0.75	97
	17.72 x 23.50 x 23.50"	18 x 24 x 24"	101.20lbs		
CARBONCUBE242416	597 x 597 x 395mm	609 x 609 x 406mm	40.00kgs	0.67	97
	23.50 x 23.50 x 15.55"	24 x 24 x 16"	88.00lbs		
CARBONCUBE242412	597 x 597 x 292mm	609 x 609 x 305mm	33.00kgs	0.50	97
	23.50 x 23.50 x 11.50"	24 x 24 x 12"	72.60lbs		
CARBONCUBE241224	597 x 297 x 597mm	609 x 304 x 609mm	32.00kgs	0.50	97
	23.50 x 11.69 x 23.50"	24 x 12 x 24"	70.40lbs		
CARBONCUBE24824	597 x 197 x 597mm	609 x 203 x 609mm	19.00kgs	0.33	97
	23.50 x 7.76 x 23.50"	24 x 8 x 24"	41.80lbs		
CARBONCUBE202018	495 x 495 x 445mm	508 x 508 x 457mm	36kgs	0.52	97
	19.49 x 19.49 x 17.52"	20 x 20 x 18"	79.20lbs		
CARBONCUBE181818	450 x 450 x 450mm	457 x 457 x 457mm	28.00kgs	0.42	97
	17.72 x 17.72 x 17.72"	18 x 18 x 18"	61.60lbs		
FINAL RECOMMENDED PRESSURE DROP: 450 PASCALS					

Pressure drop and airflow information available on request.



**LONGAR INDUSTRIES**

FILTERS AND FABRICATIONS FOR A CLEANER ENVIRONMENT

Longar Industries Limited, Unit 25, Glenmore Business Park, Colebrook Way Weyhill Road, Andover, Hampshire SP10 3GZ United Kingdom

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As part of our program for continuous improvement, Longar Ltd reserves the right to change specifications without notice. 15-01-2016.



# LONGAR® Type II Pleated Panel Filters



## LONGAR® TYPE II FEATURES:

- Moisture resistant cardboard frame.
- G4 efficiency to provide a good base level of filtration.
- Fully supported media bonded to expanded mesh grid.
- The filtering media is bonded to the case to eliminate air by-pass.
- Strong, robust construction.
- Extended surface area.
- High dust holding capacity.
- Dimensions of product are part marked into frame for positive ID.

## APPLICATIONS

- Hotels
- Offices
- Food production
- Air conditioning
- Hospitals
- Pre-filtration asbestos removal

## LONGAR® TYPE II PLEATED PANEL FILTER

Used in a variety of HEVAC applications where higher level air cleanliness is needed over the standard pre filters. Glass media is unacceptable in food and pharmaceutical industries and in some hospital areas. Especially useful where the installation requires a combination of high arrestance coupled with control over smaller particles. The high capacity version is selected when space is at a premium; filter sizes match the rated capacities of bag filters.

## CONSTRUCTION / MATERIAL SPECIFICATIONS

The LONGAR® Type II is manufactured with pleated synthetic media, and an expanded diamond grid with 97% open area. The casing is constructed from a heavy duty rigid water resistant card, with support members along the diagonals. The media is bonded to the support grid and the frame in order to avoid the possibility of air bypass. The case is designed for minimum resistance and maximum free area, the case is also crease formed to stop moisture ingress. The product can be manufactured in a variety of depths from 22mm to 97mm deep. Optional metal frame available as shown above.

22mm (1") Filters are 9 Pleats per 300mm (1ft)  
47mm (2") Filters are 9 Pleats per 300mm (1ft)  
97mm (4") Filters are 9 Pleats per 300mm (1ft)

## TYPE II HIGH CAPACITY PLEATED PANEL

We are able to manufacture the Type II with increased filter media over the standard product, for situations where an increase in air volume is required.

22mm (1") Filters are 12 Pleats per 300mm (1ft)  
47mm (2") Filters are 12 Pleats per 300mm (1ft)  
97mm (4") Filters are 12 Pleats per 300mm (1ft)

## TYPE II HIGH EFFICIENCY PLEATED PANEL

Where situations arise we manufacture the Type II with a higher grade of filter media, F6, F7, F8 are available.

## LONGAR® TYPE II IMPREGNATED CARBON PLEATED PANELS

For less demanding situations the use of impregnated media can be considered. They utilise non-woven synthetic media, which is then impregnated with activated carbon. They offer an alternative to our granular carbon systems however they cannot offer either the life span or dwell time that can be found with the rest of the range.

For technical specifications, part numbers and ordering information, please see overleaf.

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# LONGAR® Type II Pleated Panel Filters

## FITTING INSTRUCTIONS

- Fit products, observe direction of airflow indicator

## HANDLING

- Handle with care when unpacking.
- Store in dry and frost protected place.

## MAINTENANCE

- All maintenance and replacement schedules will be set by the original equipment installer. Please refer to this for more information.
- When handling any components suitable PPE should be used – gloves, eye protection and access equipment should be used where required.
- Filters should not be cleaned but replaced when required in accordance with maintenance schedule set by the installation contractor.

## PACKAGING

All units are packaged in double wall boxes, glued closed for protection whilst in transit against contamination.

## TECHNICAL SPECIFICATIONS

SIZE ORDERING GUIDE (TOLERANCES +/- 2mm)				
Part Number	Actual Size HxWxD	Nominal Size HxWxD	Weight	Available Efficiencies *
PPF24824822	248 x 248 x 22mm	254 x 254 x 25mm	0.07kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	9.76 x 9.76 x 0.87"	10 x 10 x 1"	0.15lbs	
PPF49624822	496 x 248 x 22mm	508 x 254 x 25mm	0.14kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 9.76 x 0.87"	20 x 10 x 1"	0.31lbs	
PPF29329322	293 x 293 x 22mm	304 x 304 x 25mm	0.09kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	11.54 x 11.54 x 0.87"	12 x 12 x 1"	0.21lbs	
PPF59429422	594 x 294 x 22mm	609 x 304 x 25mm	0.19kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.39 x 11.57 x 0.87"	24 x 12 x 1"	0.41lbs	
PPF37537522	375 x 375 x 22mm	381 x 381 x 25mm	0.15kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	14.76 x 14.76 x 0.87"	15 x 15 x 1"	0.34lbs	
PPF49637522	496 x 375 x 22mm	508 x 381 x 25mm	0.19kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 14.76 x 0.87"	20 x 15 x 1"	0.41lbs	
PPF49639622	496 x 396 x 22mm	508 x 406 x 25mm	0.20kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 15.59 x 0.87"	20 x 16 x 1"	0.43lbs	
PPF62039622	620 x 396 x 22mm	635 x 406 x 25mm	0.24kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	24.41 x 15.59 x 0.87"	25 x 16 x 1"	0.53lbs	
PPF44844822	448 x 448 x 22mm	457 x 457 x 25mm	0.19kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	17.64 x 17.64 x 0.87"	18 x 18 x 1"	0.42lbs	
PPF49649622	496 x 496 x 22mm	508 x 508 x 25mm	0.24kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 19.53 x 0.87"	20 x 20 x 1"	0.52lbs	
PPF59649622	596 x 496 x 22mm	609 x 508 x 25mm	0.27kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 19.53 x 0.87"	24 x 20 x 1"	0.60lbs	
PPF62049622	620 x 496 x 22mm	635 x 508 x 25mm	0.28kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	24.41 x 19.53 x 0.87"	25 x 20 x 1"	0.63lbs	
PPF59659622	596 x 596 x 22mm	609 x 609 x 25mm	0.31kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 23.46 x 0.87"	24 x 24 x 1"	0.68lbs	
PPF24824847	248 x 248 x 47mm	254 x 254 x 50mm	0.12kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	9.76 x 9.76 x 1.85"	10 x 10 x 2"	0.26lbs	

Pressure drop and airflow information available on request.



# LONGAR® Type II Pleated Panel Filters

## TECHNICAL SPECIFICATIONS

SIZE ORDERING GUIDE (TOLERANCES +/- 2mm)				
Part Number	Actual Size HxWxD	Nominal Size HxWxD	Weight	Available Efficiencies *
PPF49724347	497 x 243 x 47mm	508 x 254 x 50mm	0.21kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.57 x 9.57 x 1.85"	20 x 10 x 2"	0.45lbs	
PPF29329347	293 x 293 x 47mm	304 x 304 x 50mm	0.15kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	11.54 x 11.54 x 1.85"	12 x 12 x 2"	0.33lbs	
PPF59628947	596 x 289 x 47mm	609 x 304 x 50mm	0.28kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 11.38 x 1.85"	24 x 12 x 2"	0.61lbs	
PPF37237247	372 x 372 x 47mm	381 x 381 x 50mm	0.22kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	14.65 x 14.65 x 1.85"	15 x 15 x 2"	0.48lbs	
PPF39439447	394 x 394 x 47mm	406 x 406 x 50mm	0.25kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	15.51 x 15.51 x 1.85"	16 x 16 x 2"	0.54lbs	
PPF49637547	496 x 375 x 47mm	508 x 381 x 50mm	0.27kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 14.76 x 1.85"	20 x 15 x 2"	0.60lbs	
PPF49639647	496 x 396 x 47mm	508 x 406 x 50mm	0.29kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 15.59 x 1.85"	20 x 16 x 2"	0.63lbs	
PPF62039647	620 x 396 x 47mm	635 x 406 x 50mm	0.34kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	24.41 x 15.59 x 1.85"	25 x 16 x 2"	0.75lbs	
PPF44644647	446 x 446 x 47mm	457 x 457 x 50mm	0.28kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	17.56 x 17.56 x 1.85"	18 x 18 x 2"	0.61lbs	
PPF49649647	496 x 496 x 47mm	508 x 508 x 50mm	0.34kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 19.53 x 1.85"	20 x 20 x 2"	0.75lbs	
PPF59639647	596 x 396 x 47mm	609 x 406 x 50mm	0.33kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 15.59 x 1.85"	24 x 16 x 2"	0.73lbs	
PPF59649647	596 x 496 x 47mm	609 x 508 x 50mm	0.39kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 19.53 x 1.85"	24 x 20 x 2"	0.87lbs	
PPF62049647	620 x 496 x 47mm	635 x 508 x 50mm	0.39kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	24.41 x 19.53 x 1.85"	25 x 20 x 2"	0.87lbs	
PPF59659647	596 x 596 x 47mm	609 x 609 x 50mm	0.47kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 23.46 x 1.85"	24 x 24 x 2"	1.02lbs	
PPF24824897	248 x 248 x 97mm	254 x 254 x 102mm	0.22kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	9.76 x 9.76 x 3.82"	10 x 10 x 4"	0.49lbs	
PPF49624897	496 x 248 x 97mm	508 x 254 x 102mm	0.38kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 9.76 x 3.82"	20 x 10 x 4"	0.84lbs	
PPF29329397	293 x 293 x 97mm	304 x 304 x 102mm	0.28kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	11.54 x 11.54 x 3.82"	12 x 12 x 4"	0.61lbs	
PPF59728997	597 x 289 x 97mm	609 x 304 x 102mm	0.48kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.50 x 11.38 x 3.82"	24 x 12 x 4"	1.06lbs	

Pressure drop and airflow information available on request.

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# LONGAR® Type II Pleated Panel Filters

## TECHNICAL SPECIFICATIONS

SIZE ORDERING GUIDE (TOLERANCES +/- 2mm)				
Part Number	Actual Size HxWxD	Nominal Size HxWxD	Weight	Available Efficiencies *
PPF37537597	375 x 375 x 97mm	381 x 381 x 102mm	0.41kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	14.76 x 14.76 x 3.82"	15 x 15 x 4"	0.90lbs	
PPF39639697	396 x 396 x 97mm	406 x 406 x 102mm	0.44kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	15.59 x 15.59 x 3.82"	16 x 16 x 4"	0.97lbs	
PPF49637597	496 x 375 x 97mm	508 x 381 x 102mm	0.49kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 14.76 x 3.82"	20 x 15 x 4"	1.08lbs	
PPF49639697	496 x 396 x 97mm	508 x 406 x 102mm	0.52kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 15.59 x 3.82"	20 x 16 x 4"	1.15lbs	
PPF62039697	620 x 396 x 97mm	635 x 406 x 102mm	0.61kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	24.41 x 15.59 x 3.82"	25 x 16 x 4"	1.33lbs	
PPF44644697	446 x 446 x 97mm	457 x 457 x 102mm	0.52kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	17.56 x 17.56 x 3.82"	18 x 18 x 4"	1.14lbs	
PPF49649697	496 x 496 x 97mm	508 x 508 x 102mm	0.66kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	19.53 x 19.53 x 3.82"	20 x 20 x 4"	1.46lbs	
PPF59639697	596 x 396 x 97mm	609 x 406 x 102mm	0.59kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 15.59 x 3.82"	24 x 16 x 4"	1.29lbs	
PPF59649697	596 x 496 x 97mm	609 x 508 x 102mm	0.69kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 19.53 x 3.82"	24 x 20 x 4"	1.52lbs	
PPF62049697	620 x 496 x 97mm	635 x 508 x 102mm	0.71kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	24.41 x 19.53 x 3.82"	25 x 20 x 4"	1.56lbs	
PPF59659697	596 x 596 x 97mm	609 x 609 x 102mm	0.79kgs	G4, F6, F7, F8, High Capacity, Carbon Impregnated Pleated Panels
	23.46 x 23.46 x 3.82"	24 x 24 x 4"	1.74lbs	
FINAL RECOMMENDED PRESSURE LOSS: 250 PASCALS				

Pressure drop and airflow information available on request.

\*Efficiency required to be confirmed at a time of ordering.



**LONGAR INDUSTRIES**

FILTERS AND FABRICATIONS FOR A CLEANER ENVIRONMENT

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As part of our program for continuous improvement, Longar Ltd reserves the right to change specifications without notice. 15-01-2016.



# LONGAR® Type 14

## Medium & High Efficiency Bag Filters



### LONGAR® TYPE 14 FEATURES:

- Synthetic media, multi pocket construction.
- We use welding for a perfect airtight seal, coupled with high standard aesthetics.
- Available G4 to F9 Filter Class to EN779 – 2012.
- Strong CNC metal header construction, perfect square header frames.
- Standard & custom sizes available.
- Strong, robust construction.
- Stock sizes of product are laser part marked on standard sizes for identification.
- Custom header depth and stainless steel available on request.

### APPLICATIONS

- For fine dust filtration in heating ventilation, air conditioning devices and plants of all kinds
- Offices, hospitals, public buildings, retail outlets
- Pharmaceutical, mechanical and food industries

### LONGAR® TYPE 14 BAG FILTERS

The LONGAR® Type 14 Multi pocket bag filter is manufactured using technology found on high end products. When comparing our bag filter with other products, the Type 14 stands out with:

- Ultrasonic bonding around the entire pocket, this gives maximum strength under heavy dirt loading conditions.
- Filter media is available in G4, F5, F6, F7, F8, F9.
- Our pocket lines stop short of the header to produce an open entry shape of each individual pocket within the filter construction.
- Type 14 offers pockets that inflate and remain separated from adjacent pockets to maximise evenly distributed air flow throughout the whole filter construction resulting in increased efficiency, coupled with high dust holding capacity.

### CONSTRUCTION / MATERIAL SPECIFICATIONS

Synthetic pockets are manufactured using advanced technology in a fully automated assembly line enabling maximum performance. The filter pockets are constructed of high quality synthetic media and then welded closed to provide an air tight seal far superior to stitching. We hold the product in standard sizes ex stock in a number of efficiencies; we are also able to manufacture custom sizes in five working days.

### LONGAR® TYPE 14 IMPREGNATED CARBON BAG FILTERS

For less demanding situations the use of impregnated media can be considered. They utilise non-woven synthetic media, which is then impregnated with activated carbon. They offer an alternative to our granular carbon systems however they cannot offer either the life span or dwell time that can be found with the rest of the range.

### APPLICATIONS

- For separation of gaseous odorant and harmful substances in supply air and circulating air in air conditioning plants.
- Museums, libraries, airports, hospitals.
- Pharmaceutical industry, fine mechanics, cellulose and paper industry.
- Commercial catering light duty.

### FITTING INSTRUCTIONS

- Fit products, observe direction of airflow indicator.
- Fit filter with pockets vertically as photo above.

### HANDLING

- Handle with care when unpacking.
- Store in dry and frost protected place.

### MAINTENANCE

- All maintenance and replacement schedules will be set by the original equipment installer. Please refer to this for more information.
- When handling any components suitable PPE should be used – gloves, eye protection and access equipment should be used where required.
- Filters should not be cleaned but replaced when required in accordance with maintenance schedule set by the installation contractor.

### PACKAGING

All units are packaged in double wall boxes glued closed for protection whilst in transit against contamination.

For technical specifications, part numbers and ordering information, please see overleaf.

# LONGAR® Type I4

## Medium & High Efficiency Bag Filters

### TECHNICAL SPECIFICATIONS

- Tested to EN779:2012
- Fully recyclable
- Filter operational temperature up to 80°
- High dust holding capacity

SIZE ORDERING GUIDE (TOLERANCES +/- 2mm)						
Part Number	Height	Width	Depth	Header*	Available Efficiencies*	Available Pockets Options*
BAG592287300	592mm	287mm	300mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	3, 4
	23.31"	11.30"	11.81"	0.79" / 0.98"		
BAG592287380	592mm	287mm	380mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	3, 4
	23.31"	11.30"	14.96"	0.79" / 0.98"		
BAG592287496	592mm	287mm	496mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	3, 4
	23.31"	11.30"	19.53"	0.79" / 0.98"		
BAG592287550	592mm	287mm	550mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	3, 4
	23.31"	11.30"	21.65"	0.79" / 0.98"		
BAG592287596	592mm	287mm	596mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	3, 4
	23.31"	11.30"	23.46"	0.79" / 0.98"		
BAG592492300	592mm	492mm	300mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	5, 6, 8
	23.31"	19.37"	11.81"	0.79" / 0.98"		
BAG592492380	592mm	492mm	380mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	5, 6, 8
	23.31"	19.37"	14.96"	0.79" / 0.98"		
BAG592492496	592mm	492mm	496mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	5, 6, 8
	23.31"	19.37"	19.53"	0.79" / 0.98"		
BAG592492550	592mm	492mm	550mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	5, 6, 8
	23.31"	19.37"	21.65"	0.79" / 0.98"		
BAG592492596	592mm	492mm	596mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	5, 6, 8
	23.31"	19.37"	23.46"	0.79" / 0.98"		
BAG592592300	592mm	592mm	300mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	6, 8, 10
	23.31"	23.31"	11.81"	0.79" / 0.98"		
BAG592592380	592mm	592mm	380mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	6, 8, 10
	23.31"	23.31"	14.96"	0.79" / 0.98"		
BAG592592496	592mm	592mm	496mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	6, 8, 10
	23.31"	23.31"	19.53"	0.79" / 0.98"		
BAG592592550	592mm	592mm	550mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	6, 8, 10
	23.31"	23.31"	21.65"	0.79" / 0.98"		
BAG592592596	592mm	592mm	596mm	20mm / 25mm	G4, F5, F6, F7, F8, F9, (Carbon Impregnated)	6, 8, 10
	23.31"	23.31"	23.46"	0.79" / 0.98"		
FINAL RECOMMENDED PRESSURE LOSS: 400 PASCALS						

Pressure drop and airflow information available on request.

- \*Efficiency, header size and quantity of pockets required to be confirmed at a time of ordering.



**LONGAR INDUSTRIES**

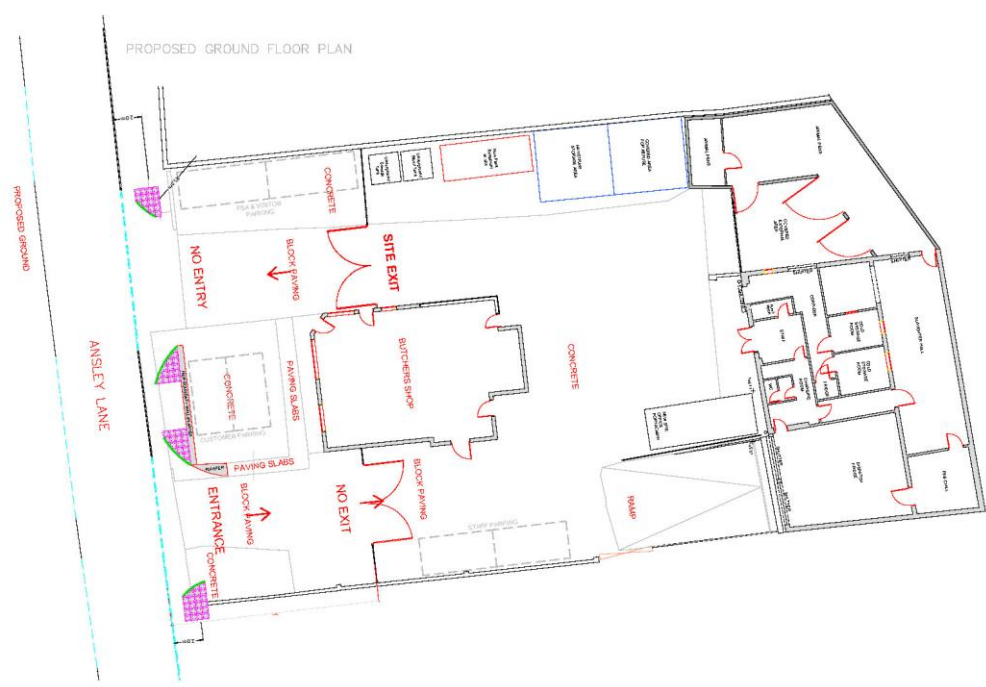
FILTERS AND FABRICATIONS FOR A CLEANER ENVIRONMENT

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As part of our program for continuous improvement, Longar Ltd reserves the right to change specifications without notice. 15-01-2016.

Drawing no. 4	
PURPOSE OF ISSUE PLANNING	
PROJECT KOWLEY BUTCHERS SHOP, GLENSIDE, ANGLEY LAKE, ARLEY, WARWICKSHIRE, CV7 8FL	
DRAWING PROPOSED FLOOR PLANS	
JOB NO. 2023-188	REV <b>F</b>
DRAWN BY: AS	CHECKED BY:
SCALE: 1:200 @A3	DATE: 16.05.2025
ARCHITECTURE & INTERIORS 8, COLESHILL ROAD, B36 8DT 0121 783 6211 info@architectsinteriors.co.uk	





# SAFESUB® TANKS FROM NIPLAST®



**There are occasions when a standard off-the-shelf underground tank will suffice but there are also many occasions when it is simply not sophisticated enough.**

NIPLAST®'s response to such occasions is our SAFESUB® range of underground tanks, developed to meet the more onerous challenges many of our customers face routinely.

SAFESUB® tanks are designed to accommodate the internal liquid loads of the contained liquids, together with the external soil and pedestrian loads and are perfect for spillage, interceptor and blind tank projects.

SAFESUB® tanks feature holding down arrangements and an installation procedure to withstand local water table floatation forces. Polypropylene and high density polyethylene materials of construction mean that SAFESUB® tanks can store a wide range of chemicals, effluents, waste streams, rainwater et cetera.



The SAFESUB® tank is available as a single tank only or is also available in our SAFEWALL® format featuring an integral bunding cavity.

Extended access manways complete with grip handles and lockable lids are a feature as are outlet connections complete with internal dip pipes for road tanker evacuation.

In line with NIPLAST®'s other leading products, SAFESUB® is designed to BSEN12573-3:2000 and crafted by welding technicians accredited to EN13067.

Bespoke SAFESUB® design can optimise available footprint or minimise excavation depths through our flexible manufacturing facilities.

- Blind, Spillage and Interceptor Applications
- Single type design or integral bund
- EN 13067 accredited welders
- Polypropylene or High-Density Polypropylene
- Road tanker evacuation options



To request a quote or discuss further with an expert email [info@niplast.com](mailto:info@niplast.com) or call **0161 477 6777**

**niplast**  
STORAGE TANKS



Response to comments made on the 15/05/2025

RE: PAP/2024/0127 – Glenside, Ansley Lane, Arley, CV7 8FU

Date: 16/05/2025

Specification for Refrigerator on Site  
ArcticStore – Chiller and Freezer Container Hire

REFRIGERATOR - 20ft ArcticStore	EXTERNAL DIMS	INTERNAL DIMS	Weight,Area, Capacity & Pallets
	20ft Length 8ft Width 8.6ft Height	17.6ft Length 7.5ft Width 7.6ft Height 7ft Door Height	6,106.8lb Tare weight 132.1ft² Floor area 1,001.2ft³ Capacity

CERTIFICATES





### Specification for Ventilation Extract to Rear on Site

#### 600mm Industrial Ventilation Metal Fan Axial Commercial Air Extractor Exhaust



#### PRODUCT DESCRIPTION

These high-performance commercial AC axial fans come in a variety of sizes to suit your every need. With a wide range of applications these fans can be used in a range of applications from ventilation, cooling, heat and refrigeration to workshops, restaurants, warehouse and more.

They are low noise, high-efficiency fans have a great compact structure and are simple to install with pre-drilled mounting holes making installation quick and simple, the single phase 220-240V AC motor should be connected by a qualified electrician to ensure a correct fitting.

Constructed from steel these fans have a black paint finish for a professional discreet look and come complete with front safety guard and mounting plate, they have been fully CE approved and tested to comply with all current EU regulations and have a full CCC safety certificate.

#### Features

- Material: Steel
- Direction: Clockwise, see on the motor
- Protection: IP54
- Insulation class: B / F
- Mounting position: Any
- Mode of operation: Continuous
- Ball bearing: Maintenance-free
- Motor protection: Thermal overload
- Amb. temp: -30C--+60C
- Product Conformity: UKCA and CE
- Warranty: 1 Year Parts Only. For more details click [Here](#) then scroll down to the Warranty policy

#### Typical Applications

- Commercial Kitchen Ventilation
- Agriculture
- Sports Halls
- Industrial Units and Warehousing
- Factories
- Schools
- Air Conditioning Units
- Cooling Towers & Stations
- Marine
- Airports
- Hotels

#### Technical Details:

Blade Size	Blades	Poles	Air Flow (m3/HR)	Speed (R.P.M.)	Voltage/Frequency	Power (W)
24" (600mm)	5	4	9500	1380	230V/50 Hz	800



Kitchen Canopies - All Stainless Steel Works  
Ductwork & Steel Fabrication - Mechanical Installations  
Air-conditioning - Electrical Services  
Project Management & Design



**Design and Specification  
For  
T & S Abattoir  
(Slaughter Hall)**

**Client:  
Architecture and Interior Design Ltd**

**Property:  
Glenside  
Ansley Lane  
Arley  
Coventry  
CV7 8FU**

Unit 6 Meadway Trading Estate, 429 The Meadway,  
Kitts Green, Birmingham B33 0DZ  
Email: [k.sharred@krssteelservices.com](mailto:k.sharred@krssteelservices.com)

## **Contents**

<b>1. Preface.....</b>	
<b>2. Odour Risk Assessment.....</b>	
<b>3. Drawing.....</b>	
<b>4. Design.....</b>	
<b>5. Proposal.....</b>	

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**Appendix A** – Longar Type 11 moisture resistant high efficiency panel filters

**Appendix B** – Longar Type 14 moisture resistant med/high efficiency bag filters

**Appendix C** – Longar Type 8 carbon filters.

**Appendix D** – Fujitsu Comfort Cooling System

**Appendix E** – HVC louvres

## 1. Preface

KRS have been commissioned to carry out an odour and condensation report for the slaughter hall on the above named project.

Within a slaughterhouse the main concerns are particulates which pose a significant air quality concerns and can impact on the environment.

Correct ventilation helps control temperature, humidity, and air quality, preventing issues like extreme temperatures, harmful humidity levels, and high ammonia concentrations, which can impact animal welfare and worker safety.

A typical slaughterhouse should aim for an average of 7.5 air changes per hour (ACH), with a range of 5-10 air changes.

Factors that influence the air change rate are:

- i. The specific ACH for a slaughterhouse will depend on factors like the size of the facility, the number of workers, and the types of processes that take place, which can impact particulate levels and the need for air purification.
- ii. Maintaining proper ventilation and airflow is essential in slaughterhouses helps prevent the spread of airborne bacteria and other contaminants, which can pose a risk to food safety and worker health.
- iii. In addition to ACH, air filtration systems are also important for removing contaminants and ensuring clean air quality.

Within our proposals we have therefore allowed for a multi-stage filtration system which is generally the most effective approach for removing particulates and odours.

This typically includes pre-filtration and possibly activated carbon filtration.

**Pre-filtration;** removes larger particulates, such as dust, debris, and blood, to protect subsequent filtration stages.

**Bag Filtration;** removes larger particles like dust and debris from the air and again help protect the active carbon filtration which in turn prolongs the active life of the filter.

**Carbon Active Filtration;** further reduces odours and potentially remove any residual pollutants that may not have been fully removed by previous stages.

Odour is best removed by the use of carbon, carbon is a porous material that adsorbs a wide range of organic compounds and odours, which if installed in accordance EMAQ+ guidelines, see section 2 following, will nullify any lingering odours

Proper airflow helps prevent the spread of contaminants and odours, contributing to the overall hygiene of the facility.

Good ventilation ensures a comfortable and safe working environment for personnel, reducing the risk of respiratory problems and other health issues.

Maintaining proper air quality and temperature is essential for food safety, preventing the growth of bacteria and other microorganisms.



## 2. Odour Control – Risk Assessment

The following 'Risk Assessment for Odour' has been derived from criteria outlined by DEFRA 2005, Guidance on the Control of Odour and Noise & EMAQ odour control guidance.

The assessment is carried out to accurately score the site according to DEFRA/EMAQ standards.

Odour control must be designed to prevent odour nuisance in a given situation.

The following score methodology is suggested as a means of determining odour control requirements using a simple risk assessment approach.

The odour control requirements considered below are consistent with the performance requirements listed in this report.

Odour Risk Assessment:

Criteria	Impact	Score	Details
Dispersion	Poor	20	Low level discharge
Proximity of Receptors	Close	10	Closest sensitive receptors less than 20 metres from Kitchen discharge
Size of Slaughter Hall	Medium	5	Between 30 – 100 cattle
Odour Type	Very High	10	Blood, offal waste, ammonia and other gases
<b>Total Score</b>		<b>45</b>	

Impact Risk:

Impact Risk	Odour Control Requirement	Significant Score
Low/Medium	Low Level Odour Control	Less than 20
High	High Level Odour Control	20 - 35
<b>Very High</b>	<b>Very High-Level Odour Control</b>	<b>More than 35</b>

In accordance with DEFRA/EMAQ "Odour arrestment plant performance" detailed above, odour control required can be considered as **Very high-level odour control item 1** as detailed following.

Low to medium level control may include:

1. Fine filtration or ESP followed by carbon filtration (carbon filters rated with a 0.1 second residence time).
2. Fine filtration followed by counteractant/neutralising system to achieve the same level of control as 1.

High level odour control may include:

1. Fine filtration and counteractant/neutralising system followed by carbon filtration (carbon filters rated with a 0.2-0.4 second residence time).
2. Fine filtration or ESP followed by UV ozone system to achieve the same level of control as 1.

Very high-level odour control may include:

1. Fine filtration followed by carbon filtration (carbon filters rated with a 0.4 –0.8 second residence time).
2. Fine filtration or ESP followed by carbon filtration and by counteractant/neutralising system to achieve the same level of control as 1.
3. Fine filtration or ESP followed by UV ozone system and Carbon Filters to achieve the same level of control as 1.
4. Fine filtration or ESP followed by wet scrubbing to achieve the same level of control as 1.

### **3. Drawings**

Please refer to the enclosed drawing for reference to the installation:

Architecture and Interior Design Job No 2023-188 Drawing 8 – Proposed Odour and Condensation Layout

### **4. Design**

The design basis for this project will be based on a ventilation rate of 10 air changes per hour for a room size of 13.3m long x 4.3m wide x 3m high.

Total duty calculated: 0.447m<sup>3</sup>/sec

Comfort cooling will be provided at 160w/m<sup>2</sup> as no specific cooling loads are available.

### **5. Odour and Condensation Control Proposal**

For the slaughter hall on these premises, we propose the following systems will be installed:

#### **General Extraction.**

Ventilation to achieve the required air volume of the system as noted above.

System to comprise of an inline extraction fan drawing air from the space and discharging same to atmosphere via an external wall louvre

A multi-stage filtration system will be incorporated to prevent particulates and odours entering the atmosphere.

Filtration to include:

Longar Type 11 moisture resistant high efficiency panel filters - for larger particulates, such as condensation drop lets dust, debris, and blood, to protect subsequent filtration stages.

Longar Type 14 moisture resistant bag filters – for remaining particles such as condensation water droplets, dust and debris from the air and again help protect the active carbon filtration which in turn prolongs the active life of the filter.

Longar Type 8 Carbon Active Filtrations – for total odour control, sized to achieve a dwell time of **0.4 seconds** in line with EMQA+ guidelines.

#### **Fresh Air Replacement.**

Natural ventilation will be provided by means of a filtered louvre intake with mesh finish to match the extraction duty of the system

Filtration will be:

Longar Type 11 moisture resistant high efficiency panel filters – to prevent dust and outdoor particle ingress into the building.

#### **Comfort Cooling.**

Temperature control of the space will be achieved using a Fujitsu under ceiling type comfort cooling system which will provide:

- i. Both heating and cooling to the space
- ii. Part **dehumidification** when the unit is in cooling mode.

Signed A. Marsh  
Designer

Date: 23-05-25

# T&S Abattoir Ltd.



## Delivery and Service Management Plan

Please refer to Drawing no. 7

All vehicles will enter the site via the entrance to the East of the butchers shop. This is to include livestock deliveries, refrigerated vehicles for product dispatch, and vehicles to take waste away from the site.

HGV's (livestock deliveries and waste carriage vehicles) will drive around the back of the shop, service the site and exit via the exit to the West of the butchers shop.

Refrigerated vans will reverse down the loading ramp of the abattoir, load and exit the site.

### Weekly Vehicle Flow

*Deliveries will be scheduled and by appointment only; vehicles greater than a rigid HGV 12m in length will not be accepted on site.*

#### A) Livestock deliveries in

- On average, 10 livestock deliveries (mix of Rigid HGV deliveries and car+trailer deliveries) per week. Deliveries will be scheduled between 0700AM-2000PM (not taking into account any breakdowns/ unforeseen traffic etc.)
- We will also co-ordinate so that multiple deliveries will not arrive on site at the same time.
- Deliveries will be evenly spaced out to avoid congestion, and to take into account limited lairage capacity. On average, 2 livestock deliveries per day.
- Animals will be offloaded from the HGV into covered pens as quickly as possible to minimize any noise.

#### B) ABP Waste deliveries out

- Skins collection at the end of production day – this is done using a light goods vehicle using a local contractor – 1 load per day, occasionally 2
- CAT3 waste – we use our own rigid HGV to transport waste (lidded Dolavs loaded with a forklift on site) to SARVAL (in Hartshill) at the end of production day – 1 load per day, occasionally 2. Vehicle and containers will be washed and disinfected at SARVAL before returning to site.
- CAT1 waste – bin collection 2-3 times per week using a bin tipper HGV

## T&S Abattoir Ltd.

- Effluent collection – using rigid HGV tanker, 1 load per week

### C) Product dispatch

- Using refrigerated light goods vehicles (3.5t)
- 4 vehicles per day on average, maximum 6 vehicles per day expected.
- Dispatch is done between 0600-1100AM, occasionally later if there are late orders (up to 1700PM)
- Deliveries throughout West Midlands and East Midlands (to local butcher's shops)

- 4.4. Moreover, NWBC's Environmental Health department comment that the refrigeration unit installed on site does not match the specifications submitted and conclude that insufficient information has been submitted to determine the noise

impacts arising from the container, extraction fan or any other plant/equipment installed on site. They recommend that permission is not granted.



## **Agenda Item No 7**

### **Planning and Development Board**

**9 June 2025**

#### **Report of the Head of Development Control**

#### **Appeal Update**

### **1 Summary**

1.1 This report updates Members on recent appeal decisions.

#### **Recommendation:**

**That the report be noted.**

### **2 Appeal Decisions**

#### **a) 2 George Street, Arley**

2.1 This appeal relates to the retention of a front garden fence. The Inspector found that it “harms the character and appearance of the area” – para 10 of the letter. However, he concluded that it provided “a more secure and private area for play” and that “the fence meets the best interests of a child” whose family resides here, where there is no other private garden area. This led to the final balance being that the best interests of the child outweighed the adverse impacts of the fence and the appeal was allowed.

... 2.2 The letter is at Appendix A.

#### **b) 10-12 Tamworth Road, Polesworth**

2.3 This appeal related to the erection of ten one-bedroomed apartments for the over 55's. Whilst the site is inside the Polesworth settlement boundary, the majority of the site is in Flood Zone 3, being close to the River Anker. The refusal was largely focussed on this issue with the Inspector agreeing that there was an unacceptable level of risk – paras 6 to 11 of the letter (Appendix B).

...

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

---

## Appeal Decision

Site visit made on 1 April 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 May 2025

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**Appeal Ref: APP/R3705/D/25/3359510**

**2 George Street, Arley, Warwickshire CV7 8HL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Natasha Russell against the decision of North Warwickshire Borough Council.
  - The application Ref is PAP/2024/0387.
  - The development is a 1.6 metre fence at the front of the property.
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### Decision

1. The appeal is allowed and planning permission is granted for a 1.6 metre fence at the front of the property at 2 George Street, Arley, Warwickshire CV7 8HL in accordance with the terms of application PAP/2024/0387 and subject to the following condition.
  1. The external surfaces of the fencing hereby permitted shall be finished with a paint / wood stain treatment, the details of which shall be submitted to and approved in writing by the Local Planning Authority within three months of the date of this permission; the approved paint / wood stain treatment shall be completed within two months of the approval of these details.

### Preliminary Matters

2. The Application Form confirms that the fence was completed in July 2024, and I was able to see this during my site visit. The application seeks to 'regularise' the fence that has been erected without planning permission.
3. In determining the appeal, I have used the description of development in the Council's Decision Notice because it more concisely and accurately describes the acts of development when compared to the description given in the Application Form.

### Main Issue

4. The main issue in this appeal is the effect of the fence on the character and appearance of the area.

### Reasons

5. The appeal site relates to a two-storey terraced house which occupies a prominent position close to the junction of George Street and Gun Hill. The area is largely characterised by similarly designed houses, open frontages and low boundary treatments. The prevailing street scene is one of visual openness and uniformity, contributing to the pleasant and cohesive character of the area.

6. The 1.6 metre high solid timber fence along the front boundary of the appeal site is a visually dominant and incongruous feature in this context. By virtue of its excessive height, solid form, prominent position and proximity to the highway, the fence appears dominating and intrusive when viewed from the public realm, eroding the openness of the frontage and interrupting the consistent pattern of low or open boundary treatments in the area.
7. The appellant has drawn my attention to a similar fence on the opposing corner of the appeal site. However, the Council's Officer Report indicates that there is no known planning application for the fencing at the property on the opposing corner. Furthermore, the fencing has the same visually enclosing and disruptive effect on the open fronted character of the dwellings in the area.
8. The appellant has also pointed to other similar fences and tall hedges in the area. However, I do not have the full details of these schemes and so cannot be certain that the circumstances of those cases or the policies that applied at the time of their consideration are the same as the appeal proposal. In any event, I have determined the appeal on its own merits.
9. While the side fences on the site are lower and therefore do not obstruct views from certain angles, the 1.6 metre fence at the front of the site is nevertheless visually imposing and discordant within the street scene. Additionally, the appellant's suggestion of painting the fence in a darker colour would not sufficiently mitigate its visual impact.
10. For the reasons given, the fence harms the character and appearance of the area. Consequently, there is conflict with Policies LP29 and LP30 of the North Warwickshire Local Plan (September 2021) (NWLP) insofar as they require development to respect and reflect the character and appearance of its setting. The fence also conflicts with Policy ANP5 of the Arley Neighbourhood Plan (December 2016) which seeks to promote high standards of design.

### **Planning Balance**

11. I have had due regard to Article 8(1) of the European Convention on Human Rights as enshrined in the Human Rights Act 1998, that everyone has the right to respect for his private and family life and their home. Where Article 8(1) rights are those of children, as in this case, they must also be seen in the context of Article 3(1) of the United Nations Convention on the Rights of the Child. Whilst not determinative in themselves, the child's best interests are a primary consideration, and no other consideration is intrinsically more important.
12. I have carefully considered the reasons why the appellant has erected the fence, which is primarily to enhance privacy and security, particularly for the appellant's young child while in the front garden. I acknowledge that if allowed, the planning permission would run with the land and so would be permanent. However, I note that the front garden is the only garden attached to the house and I have no basis to question that this situation would change. Without the fence, the front garden would be visible to passers-by, thus compromising the privacy and security of the child while in the front garden. Dismissing the appeal would hold the potential of reducing the desirability of the front garden as an area for the child to play, thus limiting opportunities for outdoor play given the lack of suitable alternative private outdoor amenity space. Thus, the best interests of a child weigh in favour of allowing the appeal.

13. The fence harms the character and appearance of the area, which is contrary to the development plan. However, by providing a more secure and private area for play, the fence meets the best interests of a child. In this instance, the best interests of the child outweigh the adverse impacts of the fence on the character and appearance of the area. I am satisfied that is a necessary and proportionate decision from the submitted evidence.

### **Condition**

14. I impose a condition relating to the painting/ wood stain treatment of the fencing in order to limit the harm to the character and appearance of the area.

### **Conclusion**

15. I conclude that the fence is contrary to the development plan but in this instance, material considerations indicate that a decision should be made other than in accordance with it. Accordingly, for the reasons given, the appeal is allowed.

*U P Han*

INSPECTOR

# Appeal Decision

Site visit made on 1 May 2025

**by Stuart Willis BA Hons MSc PGCE MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 21 May 2025**

**Appeal Ref: APP/R3705/W/24/3355712**

**10-12 Tamworth Road, Polesworth B78 1JH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Carlton McDonald against the decision of North Warwickshire Borough Council.
- The application Ref is PAP/2023/0515.
- The development proposed is the construction of apartments for over 55s accommodation. Ten 1-bedroom apartments.

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I have taken the description of development from the decision notice as the scheme was amended during the application, and it reflects the proposal determined by the Council.
3. While reference was made to amending the scheme as determined by the Council earlier, amended floor plans were not provided until after the appeal consultation took place, as part of the costs application correspondence. Parties, including consultees and members of the public did not have opportunity to comment on them. Moreover, the appeal process should not be used to evolve a scheme. Therefore, accepting the plans, or reverting to the original plans that were amended prior to the Council's decision would result in procedural unfairness. I have considered the plans that the Council made their decision on.

## Applications for costs

4. An application for costs was made by Mr Carlton McDonald against North Warwickshire Borough Council and a further application by North Warwickshire Borough Council against Mr Carlton McDonald. These applications are the subject of a separate Decision.

## Main Issues

5. The main issues of the appeal are:
  - Whether there are reasonably available sites appropriate for the proposed development in areas at lower risk of flooding and the effect of the proposal on flood risk,

- Whether the proposal would provide appropriate living conditions for future occupiers with regard to daylight and sunlight,
- The effect of the proposal on highway safety; and
- The effect of the proposal on biodiversity.

## Reasons

### *Flooding*

6. Whether or not the appeal site has flooded previously, in part or as a whole, it is located in fluvial Flood Zone 3b according to the Environment Agency's (EA) Flood Map for Planning Purposes and is considered functional floodplain. This is confirmed in the Flood Risk Assessment provided with the application. The proposal would introduce residential development at the site, including sleeping at ground floor level and is classified as more vulnerable development. Pluvial risks are Very Low to High according to the EA mapping.
7. The National Planning Policy Framework (Framework) and Planning Practice Guidance (PPG) require that a Sequential Test to be carried out to steer new development to areas with the lowest risk of flooding from any source in such instances. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered.
8. No details of any Sequential Test have been provided. Therefore, the evidence before me has failed to demonstrate that it is not possible to locate the proposed development in lower risk areas. The Sequential Test is intended to establish whether the principle of development is acceptable in terms of flood risk. As such, it would not be appropriate to impose conditions requiring the test to be carried out.
9. Even if mitigation could be put in place to ensure the development was safe for its lifetime, without increasing flood risk elsewhere and reduce flood risk overall, such as subterranean flood storage or existing defences, the Sequential Test must be passed first. In any event, no detailed flood modelling has been carried out or a detailed surface water management scheme provided for the proposal as determined by the Council. That the building footprints could be flood free from a surface water flooding event and risks from ground water are low, does not alter the policy requirements. Moreover, PPG indicates that more vulnerable development in Zone 3b should not be permitted.
10. Consequently, the proposal fails to demonstrate that there are no reasonably available sites appropriate for the proposed development in areas at lower risk of flooding or that the scheme would not increase flooding elsewhere. It would fail to accord with policy LP29 and LP33 of the North Warwickshire Local Plan (Local Plan) where they in part seek to manage effects of climate change and reduce risks from flooding.
11. It would also be contrary to the Framework where it states development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.



### *Living conditions*

12. There would be no external openings for any bedrooms of the proposed units. Occupants would have no access to daylight or sunlight from these rooms. This would lead to a bleak and oppressive experience for future occupiers. Given significant changes would be needed to the layout and potentially the external appearance of the buildings, it would not be appropriate to impose conditions requiring such changes.
13. Therefore, the proposal would not provide appropriate living conditions for future occupiers regarding daylight and sunlight. It would be contrary to Policy LP29 of the Local Plan where it states schemes should avoid unacceptable impacts with regard to light and take into account needs of users.

### *Highway safety*

14. As the existing bus stop is set back from the edge of the highway, it would not obstruct visibility for drivers and other roads users. Nevertheless, at the time of my site visit there were cars parked on the road near the site. While only a snapshot in time, there is no clear evidence that this was untypical and there were no parking restrictions in front of or immediately adjacent to the appeal site. Parked vehicles would severely limit visibility for road users of vehicles emerging from the site and vice versa. This would lead to a risk of collisions as there would not be sufficient time for drivers and users to adjust their speeds or stop.
15. The absence of swept path analysis means that it has not been shown that larger vehicles could enter and exit the site in forward gear. Were vehicles reversing on or off the road, this would lead to further limitations on visibility at the access and further increase the dangers above. Given the uncertainty over this and the implications were vehicles not able to turn in the site, imposing a condition for these details would not be appropriate.
16. The location of the bin store would mean that refuse vehicles would need to wait on the road during collection. There was a relatively frequent flow of traffic passing the site at the time of my visit. The potential presence of parked vehicles, the junction opposite and the number of units proposed mean that the refuse vehicle parking on the road would disrupt the flow of traffic and lead to further instances of highway safety concerns.
17. While there is a change in levels between the road and the site, there is no compelling evidence to indicate that achieving a suitable gradient is unlikely or improbable.
18. Nevertheless, the proposal would harm highway safety. It would conflict with Policy LP29 of the Local Plan where it states schemes should provide safe and suitable access to the site for all users.

### *Biodiversity*

19. The Preliminary Ecological Appraisal (PEA) referred to a buffer between the river and development to retain commuting corridors. On this basis further surveys for otter and water vole were not required. However, the proposal subsequently included subterranean flood storage. The implications of this on biodiversity has not been addressed in the PEA. The PEA also identified the need for further survey work in relation to bats. The nature and extent of any effects, what

mitigation or compensation may be required, where this would be and how it secured is not known.

20. It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted. It has not been shown that the proposal represents the exceptional circumstances where conditions could be used to require further surveys.
21. In addition, due to the lack of clarity on the effects of the proposal on biodiversity, there is insufficient information to demonstrate whether the proposal would result in net gain.
22. Consequently, the proposal would harm biodiversity. It would fail to accord with Policies LP16 and LP29 of the Local Plan where they seek to protect and enhance the natural environment.

### **Other Matters**

23. The appeal site is within the development boundary and would be a more efficient use of land for a windfall site in a location with reasonable access to services, facilities and public transport links. There would be economic and social benefits from the construction and occupation of the proposed units. However, given the scale of the scheme these benefits would each be minor, as they would be for energy efficiency.
24. Small sites can often be built out more quickly. The proposal would contribute to the supply and mix of housing in the area providing for the needs of groups with specific housing requirements with over 55s accommodation and potentially affordable housing. Even if such provision could be secured by condition, the scale of the scheme mean such benefits would be moderate. A lack of harm from other issues is a neutral factor.
25. It is not for this appeal to seek to amend national or local plan policy. Matters relating to the representation of the appellant and conduct of the various parties during the application and appeal do not alter my findings on the main issues.

### **Conclusion**

26. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
27. For the reasons given above the appeal should be dismissed.

*Stuart Willis*

INSPECTOR

## **Agenda Item No 8**

### **Planning and Development Board**

**9 June 2025**

**Report of the  
Chief Executive**

### **Exclusion of the Public and Press**

#### **Recommendation to the Board**

**To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

## **Agenda Item No 9**

### **Potential Legal Action – Report of the Head of Legal Services**

Paragraph 7 - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

## **Agenda Item No 10**

### **Exempt Extract of the minutes of the Planning and Development Board held on 20 May 2025**

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Paragraph 7 - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

In relation to the items listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is Amanda Tonks (719221).