

(3) Application No: PAP/2020/0167

Fillongley Mount, Green End Road, Fillongley, CV7 8DS

Variation of condition no:2 of planning permission ref: PAP/2019/0042 relating to additional window and addendum to Heritage Statement, in respect Listed Building Consent for conversion of garage into a dwelling, for

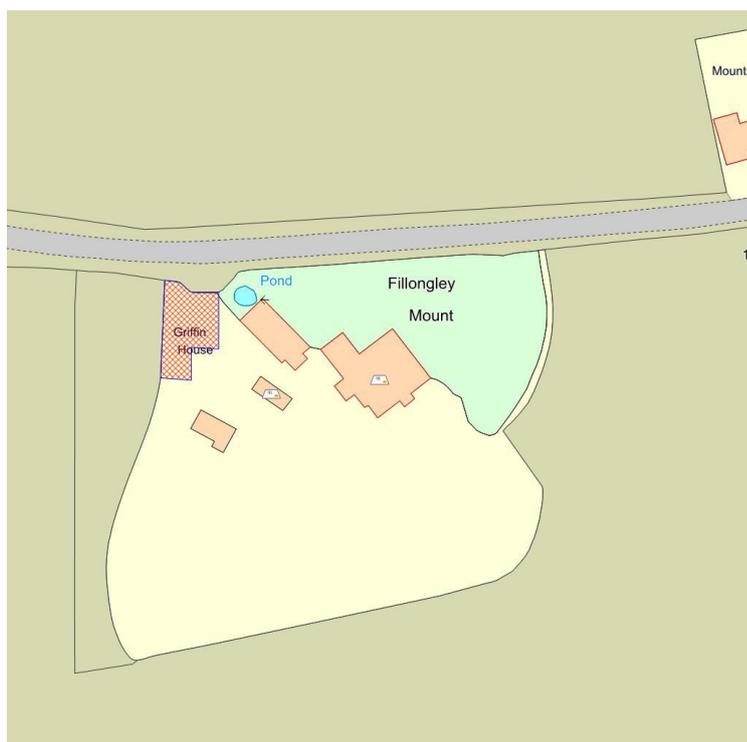
Mr Patrick Pugh

Introduction

The application is reported to Board as authorisation is required to proceed with enforcement action if the recommendation of refusal is agreed.

The Site

The site lies along Green End Road in Fillongley and lies within the Green Belt. It comprises the host listed dwelling and several historic outbuildings and a modern garage block. Access to the whole site is from a single vehicular access onto Green End Road Lane. The context of the site is shown below:



The Proposal

This is a retrospective application and is for the addition of a gable window on the previously approved conversion of the garage block to a dwelling. Hence the scheme seeks the variation of the plans condition of planning permission ref: PAP/2019/0042.

Background

The main host dwelling within the site is a Grade 2 listed building known as Fillongley Mount and within its curtilage are the former historic outbuildings which have undergone conversions over recent years. Within the curtilage is the former garage block which gained a permission back in 2008 and whilst the garage block is not a historic outbuilding, it was designed to compliment the historic outbuildings and so has a utilitarian appearance and is simple in plan form and elevations. It fits within the context of a rural setting. None of the outbuildings within the site are listed in their own right, though are all sited within the curtilage of the host listed building and so the setting of the buildings are all part of the historic character of the site.

Development Plan

The Core Strategy 2014 - NW10 (Development Considerations); NW12 (Quality of Development), NW13 (Natural Environment) and NW14(Historic Environment)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV16 (Listed Buildings)

Other Relevant Material Considerations

The National Planning Policy Framework 2019 (NPPF).

The North Warwickshire Local Plan Submission Version, March 2018 - LP15(Historic Environment); LP31 (Development Consideration) and LP32 (Built Form)

Representations

Fillongley Parish Council – It objects on the following grounds:

- The Council note that windows, doors and skylights are to be added to the side facing adjacent agricultural land and this might encourage the use of the adjacent land that has agricultural status as a garden, thereby bypassing a change of use application.
- The Council are strongly against retrospective applications.
- The fact that the applicant has gone ahead and inserted the window that was not in accordance with approved plans does not change the fact that the Council feel that this changes the nature of the building and also imposes on the privacy of surrounding properties.

A letter of objection has also been received referring to:

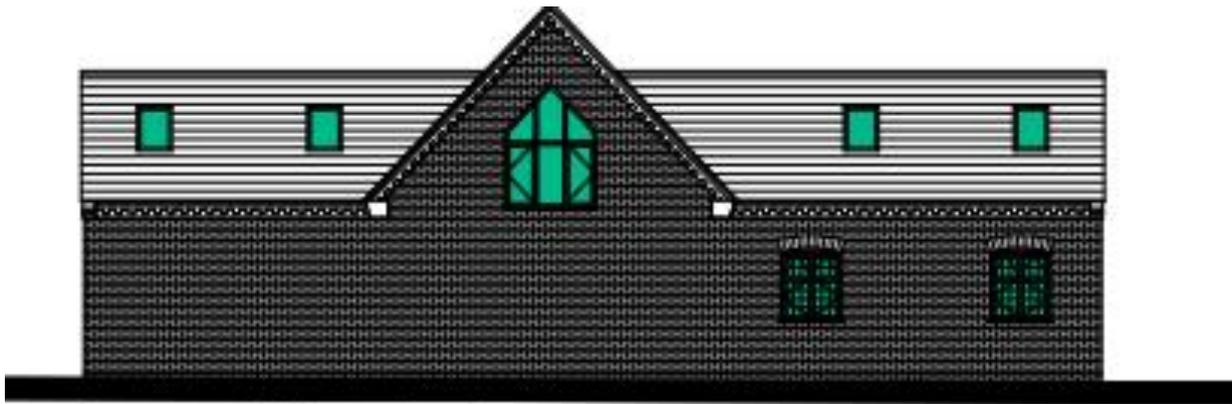
- The Applicant did not need a window in the west elevation at all. The downstairs rooms are all serviced by windows on the east elevation.
- The upstairs rooms were all provided with roof windows and these windows approved with strict compliance.
- Loss of privacy to the land on the west.

Observations

The site lies within the Green Belt and outside of any settlement boundary. The main issue here is the impact of the gable window on the setting of the listed building and on the visual amenities and rural character of the countryside hereabouts.

a) Design

The retrospective scheme is limited to the addition of the west gable window; the window in situ appears as the following arrangement illustrated below:



Proposed West elevation.



The gable window is a large addition to the previously blank gable and does have a disproportionate element compared with the size of existing apertures. The design of the window is also modern is not characteristic of the window design to the existing elevations nor complimentary to the historic apertures and window design to the elevations to the other curtilage outbuildings within the site and is therefore considered to be an incongruous feature.

The new gable window alters this appearance of the outbuilding considerably and does not sit well with the fenestration arrangement approved under the permission for the conversion of the garage to a residential dwelling. The proposal is not therefore considered to accord with saved policy ENV13 of the North Warwickshire Local Plan which seeks to ensure that new development “positively integrates into its surroundings”. This saved policy still carries weight as it accords with Policy NW10 of the Core Strategy.

b) Heritage Asset

The host dwelling within the curtilage of the site is Fillongley Mount and is listed at Grade 2. As such Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, places a duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses.

The significance of the Heritage Assets is its surviving architecture and scale which retains the dominance within the site. Whilst the former garage block is entirely detached and some distance away from the host listed dwelling, it is still regarded as being with the listed curtilage and hence has a ‘setting’ consideration. The setting of the host listed dwelling encompasses traditional historic rural buildings and retains its intrinsic rural character

It is considered that the gable window does not harm the immediate special architecture of the listed building, because it faces in the opposite direction and cannot be seen from the listed building. However in view of the wider context and the character of the existing architecture within the site then the proposal is an incompatible feature and can be viewed from the approach along Green End Road from the west and as such draws the eye to the incompatibility of the gable window before the listed building can be appreciated. Therefore, there is a clear digression from the traditional fenestration that characterises the architectural value of the site.

The NPPF requires at Paragraph 195 that “*Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply*”:

Paragraph 196 confirms that, “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*”

In terms of harm on the setting of the listed building then the proposal would be considered to amount to less than substantial harm on the Heritage Asset, though on the scale of harm would be assessed at the high end of less than substantial harm. This harm would be the size of the aperture and the incongruous modern design of the gable window, which dilutes the character of the built form within the curtilage of the site and therefore does not enhance the setting. The addition is therefore considered to be contrary to ENV16 of the saved North Warwickshire Local Plan, 2006 and NW14 of the Core Strategy.

c) Other matters

An area of land to the side of the conversion is not deemed to be the residential curtilage and is contested to be under separate ownership. For the avoidance of doubt this application does not seek to control the neighbouring use of the land and any material change in use of land would be assessed under a separate application.

d) Enforcement

Given the recommendation below, the Board if it agrees to this, it will also have to consider whether it is expedient or not to authorise enforcement action. This would require the removal of the gable window and the re-instatement of brick to the gable and making good the internal condition of the fabric.

There will clearly be a cost to the owner here but then the installation of the gable window was implemented at the owner's risk. That cost is not considered to be substantial and neither would it have other adverse consequences. The owner has the right of appeal against both a refusal and the issue of any subsequent Notice.

Recommendations

- (A) That the application be **REFUSED** for the following reason:
 - (i) The alterations to the approved outbuilding into a residential dwelling includes a gable window that is not in keeping with a building set in a rural context, particularly where the architectural form in the wider setting of the application building is traditional and historic. The design of the gable window is considered to be detrimental to the character of this historic setting and detrimental to the rural context of the surroundings and is of an appearance not normally associated with Green Belt conversions. The proposal is thus contrary to Policies ENV13 and ENV16 of the North Warwickshire Local Plan 2006 and to policies NW10, NW12 and NW14 of the North Warwickshire Core Strategy 2014.
- (B) That the Solicitor to the Council be authorised to issue an Enforcement Notice relating to building works not being undertaken in accordance with approved plans. The Notice would require the removal of the gable window, and the consequential reinstatement of the brick gable. A compliance period of 6 months is recommended.

INFORMATIVES

1. Notwithstanding this refusal, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking further information. However the planning issues at this site cannot be satisfactorily addressed. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the NPPF.

BACKGROUND PAPERS

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

Planning Application No: PAP/2020/0167

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	23.3.2020
2	Public	Representation	4.5.2020
3	Fillongley Parish Council	Representation	6.5.2020

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.

To see our privacy notice go to:

www.northwarks.gov.uk/privacy

(4) Application No: PAP/2020/0183

Honey Pot Cottage, 60 Coleshill Road, Curdworth, B76 9HA

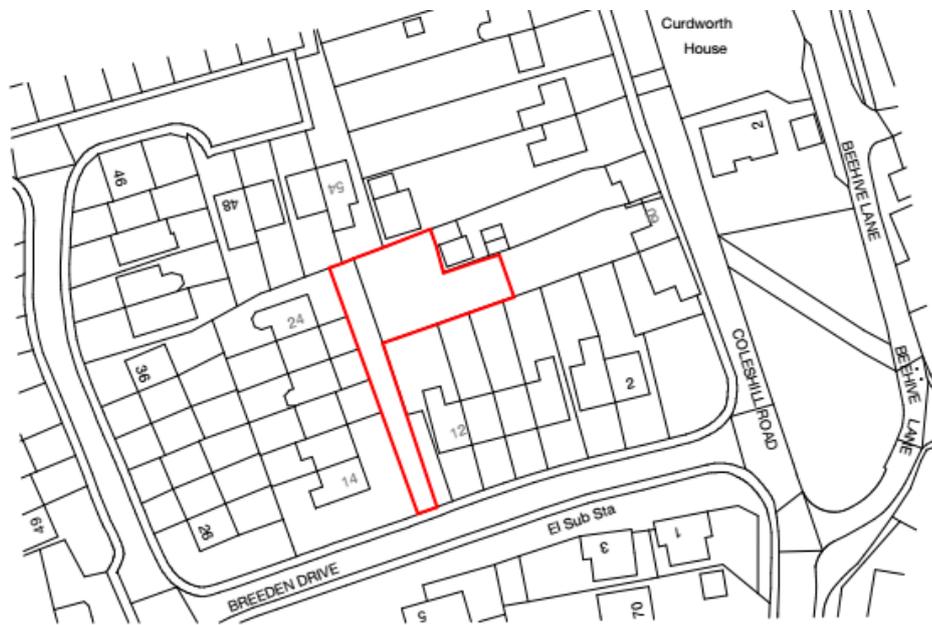
Erection of a two-storey detached house with associated parking and landscaping, for

Diana & Colin Woods & Beasley

Introduction

This application is reported to the Planning and Development Board at the request of local Members concerned about adverse impacts.

The Site



Site Location Plan

60 Coleshill Road comprises a C19th terraced dwelling house within an extensive, well screened, L-shaped plot that stretches to a private driveway serving 14-24 Breeden Drive. The rear section of the garden land was previously extensively covered with mature trees, however these have been felled to facilitate the proposed development.

The private drive to the rear of the site currently serves 14-24 Breeden Drive and provides vehicular access onto the wider highway network. There is currently no vehicular access into and out of the rear garden to 60 Coleshill Road.

The site is located within the Curdworth Development Boundary as identified in the 2006 North Warwickshire Local Plan and the 2014 North Warwickshire Core Strategy. The site is not close to any listed building nor does it fall within a designated Conservation Area.

Background

Planning permission was recently refused and dismissed at appeal for the construction of a dwelling-house on this same site. That decision is copied at Appendix A and the refused plans are at Appendices B and C.

The Proposal

Planning permission is sought for the construction of a three bedroom two-storey dwelling with an attached, single storey garage. The dwelling adopts a simple appearance with facing brick to lower levels, tile hanging to the first floor and a gabled ridgeline aligned to the private driveway, reflecting the orientation and appearance of adjacent dwellings within Breeden Drive. Architectural detail is restrained throughout with large, contemporary glazing introduced at the rear. Access to and from the dwelling will be afforded by the private driveway along Breeden Drive.



Site Plan



Street Scene

Development Plan

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

North Warwickshire Local Plan 2006 (Saved Policies) - ENV4 (Trees and Hedgerows); ENV12 (Urban Design); ENV13 (Building Design); ENV14 (Access Design); TPT1 (Transport Considerations in New Development); TPT3 (Access and Sustainable Travel and Transport) and TPT6 (Vehicle Parking)

Other Relevant Material Considerations

The North Warwickshire Local Plan Submission Version, March 2018 – LP2 (Settlement Hierarchy); LP31 (Development Considerations) and LP32 (Built Form)

National Planning Policy Framework 2019 - (the “NPPF”)

Technical Housing Standards - Nationally Described Space Standards (NDSS)

Appeal Decision – APP/R3705/W/19/3241399

Representations

Curdworth Parish Council objects, asserting that the proposal will have a “detrimental effect on the existing balance pertaining to access/egress for residents living opposite and is likely to create potential for conflict in respect of vehicle movements”.

At the time of preparing this report two objections have been received from local residents referring to the following matters. If others are received they will be referred to verbally at the meeting.

- The access road is not adequate
- There will be difficulties during construction
- It is not in keeping being back land development
- It is overdevelopment of the area and the massing doesn't match existing houses
- Loss of privacy and loss of light to residents in Breedon Drive
- There are already houses for sale in the village

Consultations

Warwickshire County Council as Highway Authority - No Objection. It neither objected to the appeal proposal referred to above.

Observations

a) Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are to be determined in accordance with the development plan, unless material considerations indicate otherwise.

The authorities' development plan entails the saved policies from the 2006 Local Plan as well as relevant policies from the 2014 Core Strategy and therefore these form the basis for the determination of planning applications submitted to North Warwickshire Borough Council. In March 2018 North Warwickshire Borough Council submitted a new local plan to the Secretary of State for examination – The North Warwickshire Local Plan, 2018. The Examinations have concluded but the Council is awaiting a final report from the appointed inspector. The policies are considered to hold limited weight.

Core Strategy policy NW2 defines Curdworth as a category 4 settlement whereby housing will be limited to sites inside the development boundary and to any identified within the strategy or subsequent neighbourhood plan. Policy NW5 seeks to provide 15 homes within Curdworth to 2029 on sites of no more than 10 units.

It is of substantial weight that the very recent appeal decision did not object to the principle of a new house here. Having regard to this and to recent approvals for small single unit schemes elsewhere within the village, the construction of small-scale residential development here is acceptable in principle. However, whilst there is policy support in principle for a new dwelling, account is expected to be taken of the desirability of maintaining an area's prevailing character and setting. This too was the subject of the Inspector's reasoning which led to the dismissal.

b) Design

Saved policy ENV12 of the 2006 Local Plan requires development proposals to harmonise with the immediate and wider setting while respecting natural features and policy NW12 of the 2014 Core Strategy seeks for development to positively improve a settlements character and appearance. Part one of saved policy ENV13 relates to the physical characteristics of built form, only permitting development where the *'scale, massing, height and appearance of a proposal positively integrates into its surroundings'*. Both policies are considered to be consistent with Section 12 of the NPPF, which seeks to secure well designed places which are sympathetic to local character and are thus they are not out-of-date.

Policy LP32 of the emerging Local Plan, while limited in overall weight, provides specific guidance for back land development;

"Back-land development should be subservient in height, scale and mass to the surrounding frontage buildings. Access arrangements should not cause adverse impacts to the character and appearance, safety or amenity of the existing frontage development".

60 Coleshill Road is positioned on the main arterial route into and out of Curdworth and predates much of the surrounding 20th century housing. Extensive post war housing

construction altered the pattern and layout and built form within the village with new estates, such as Breeden Drive, Oaklands and The Mount, significantly enlarging the settlement. Breeden Drive, a C20th residential estate, is contiguous with the appeal site to the north, west and south and consists of semi-detached and terraced dwellings within tight, rectilinear plots.

The key factor in the recent appeal decision was the Inspector's view that, "the individually designed proposed dwelling would be a discordant addition to the street scene that would be out of keeping with its surrounds" and that as such it would not accord with policies ENV12, ENV13 and NW12 – see para 11 of Appendix A.

The re-submitted scheme seeks to address this factor by presenting a dwelling that is not "discordant" nor "individually designed", as it reflects the form, scale and material detailing present on adjacent properties. The dwelling would have a much closer visual and physical association to Breeden Drive, than Coleshill Road and thus the change in design is considered to overcome the Inspector's concern.

The dwelling preserves the cohesive local character through material choice, roof form and the introduction of a ridgeline aligned to the private driveway. It is considered that local character is preserved with the siting of the dwelling reflecting the cul-de-sac pattern within Breeden Drive. Moreover, scale, form and materials used are appropriate. The access arrangement is not considered to give rise to neighbouring amenity and highway safety concerns and is covered in more detail in the sections below. A landscaping scheme will be secured through a planning condition.

The development also accords to saved policies ENV12 and ENV13, Core Strategy policy NW12 and Emerging Local Plan policy LP32.

c) Amenity

Policy NW10 (9) of the 2014 Core Strategy requires all development proposals to avoid and address unacceptable neighbouring amenity impacts. Paragraph 127(f) of the NPPF states that planning decisions should ensure that a high standard of amenity is provided for existing and future users. 54 and 52 Breeden Drive to the north of the application site, 24 and 22 Breeden Drive to the west and 12, 10 and 8 Breeden Drive to the south are considered most likely to be affected by the scheme.

52 and 54 Breeden Drive are sited 22 metres and 20 metres respectively from the north elevation of the proposed dwelling with 12 metres retained from the side elevation of the garage to the rear extension to 54 Breeden Drive. These distances are considered to be suitable and ensure that the passage of light is retained and the impact by reason of overshadowing minimised. No first floor windows are present on the proposed dwelling's north facing elevation, preserving privacy.

24 and 22 Breeden Drive are sited to the west of the dwelling, across the private driveway. It is of significant weight that the recent appeal decision concluded that the separation distance of 17/17.5 metres was acceptable. Here the distances are 16.5 metres and 17.5 metres between ground floor elevations of the new dwelling and 22 and 24 Breeden Drive respectively, rising to 18 metres and 18.5 metres to the first floor front facing bedroom window. Given the distances and the limited number of rooms involved here, privacy for both neighbouring occupiers and occupiers of the new build, are not considered to be materially reduced.

17/17.5metres is retained between the south (side) elevation of the new dwelling and 12, 10 and 8 Breeden Drive. Again the side elevation of the proposed house contains no windows at first floor level. These distances are suitable and the combination of boundary treatments and intervening tree coverage mitigates the visual impact of the new development.

Turning to the amenity of the new property itself, sufficient external amenity space is provided for a dwelling of this size with a sizeable garden remaining for occupiers of 60 Coleshill Road. Furthermore, the internal space provided exceeds the requirements of the nationally described space standards - (the "NDSS").

d) Highway Safety

With regards to highways implications, Policy TPT1 states that development is only permissible in situations where there is sufficient capacity within the highway network to accommodate the traffic generated and would not be hazardous to traffic safety and visibility. This policy approach is considered to be consistent with paragraph 109 of the NPPF which only seeks for development to be refused on highways grounds where there would be an unacceptable impact on highway safety, or the cumulative impacts would be severe.

The cumulative impact of the use of the site for as a residential dwelling is not considered to be unacceptable in view of the low trip generation and the drives' existing usage in connection with properties along Breeden Drive. It is material that the Highways Authority has raised no objection to the development and again it is of significant weight that the Inspector in the recent appeal did not raise this as an issue.

Policy TPT6 of the 2006 Local Plan, and LP36 of the Emerging Local Plan, both require two parking spaces to be provided for a dwelling of this size. The submitted layout demonstrates that at least two spaces could be accommodated within the confines of the site. The development thus provides suitable off-road parking and is not considered to pose an unacceptable impact to safety on the public highway.

e) Conditions

The recommendation below includes the use of pre-commencement condition(s) (this is a condition imposed on a grant of planning which must be complied with before any building or operation comprised in the development is begun or use is begun). The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 provide that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition. In this instance the applicant has given such written permission.

Recommendation

That planning permission be granted subject to the following conditions:

Defining Conditions

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

REASON

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

2. The development hereby approved shall not be carried out otherwise than in accordance with the submitted plans numbered 117-01, 117-10B, 117-20 and 117-21, all received by the Local Planning Authority on the 30th March 2020.

REASON

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

Pre-Commencement Conditions

3. No development shall commence until details and/or samples of the facing materials, as well as ground surfacing materials, to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed using the approved facing and surfacing materials.

REASON

In the interests of the visual appearance of the building and the surrounding area.

4. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) storage of plant and materials used in constructing the development;
- iii) delivery, demolition and construction working hours;
- iv) measures to control the emission of dust during construction;
- v) site lighting details; and
- vi) details of the contact for any local concerns with the construction activities on the site.

REASON

In the interests of protecting the amenity of the area and to ensure safe and suitable access for all users, in the interests of highway safety.

5. No development shall commence until a drainage plan for the disposal of surface water and foul sewage should be submitted to and approved by the Local Planning

Authority. The scheme shall be carried out in conformity with the approved details prior to the first occupation of the dwelling.

REASON

In the interests minimising the likelihood of flooding incidents and damage to the environment, property or life.

Pre-Occupation Conditions

6. Prior to the first occupation of the dwelling hereby approved a bin storage facility capable of holding a minimum of 3 x 240 litre wheeled bins shall be provided within the curtilage of the dwelling. The storage facility shall remain permanently available for that purpose at all times thereafter.

REASON

To enable effective storage and disposal of household waste and in the interests of the amenity of the area.

7. Prior to the occupation of the approved dwelling a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All hard landscaping shall be carried out in accordance with the approved details prior to occupation of the dwellings, whilst all planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding seasons following the first occupation of the dwelling or the completion of the development, whichever is the sooner; and any plants which within a period of five years (ten years in the case of trees) from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and thereafter retained for at least the same period, unless the Local Planning Authority gives written consent to any variation.

REASON

In the interests of the amenity of the area.

8. Prior to the first occupation of the dwelling hereby approved, a scheme for the provision of an electric vehicle charging bays shall be submitted to and approved by the Local Planning Authority. Prior to occupation of the dwelling an electric charging point shall be installed in accordance with the approved details.

REASON

In the interests of facilitating sustainable travel and reducing air pollution.

9. The dwelling shall not be occupied until the parking and manoeuvring areas have been laid out in accordance with the approved details and such areas shall be permanently retained for the parking and manoeuvring of vehicles.

REASON

In the interests of highway safety

Other Conditions

10. The development shall proceed in accordance with the recommendations set out within the paragraphs 4.6 and 5.1.1 of the BS5837 Survey, ref. 19173/A2_AIA_Rev.A, dated March 2020.

REASON

In the interests of safeguarding existing habitat and visual amenities of the area.

11. No development whatsoever within Class A or E of Part 1, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), shall commence on site without details first having been submitted to and approved by the Local Planning Authority, in writing.

REASON

In the interests of the amenity of the property's occupiers having regard to the size of the plot.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any statutory instrument amending, revoking and/or replacing that Order, there shall be no additional windows or door openings in all elevations and roof plains shall be made, other than as shown on the plans hereby approved, nor shall any approved windows or doors be altered or modified in any manner without the prior grant of planning permission pursuant to an application made to the Local Planning Authority in that regard.

REASON

To maintain control in the interest of the character and amenity of the area, having regard to the setting and size of the development, the proximity to existing features on or adjacent to the site, and the effect upon neighbouring properties and/or the street scene.

13. Any gas boilers provided must meet a dry NO_x emission concentration rate of <40mg/kWh. The specification of the gas boiler(s) shall be submitted to and approved in writing by the Local Planning Authority before they are fitted and the approved specification shall be implemented prior to the first occupation of the development.

REASON

To achieve sustainable development by reducing emissions in line with Local and National Policy and as set out in the adopted 2019 Air Quality Planning Guidance.

Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
- 2 Wildlife and Countryside Act 1981 - Birds. Please note that works to trees must be undertaken outside of the nesting season as required by the Wildlife and Countryside Act 1981. All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions. It is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment. You are advised that the official UK nesting season is February until August.
- 3 The felling of trees should be undertaken by a competent tree surgeon in accordance with BS3998-2010 Tree work- Recommendations.
- 4 The proposed works may require building regulations consent in addition to planning permission. Building Control services in North Warwickshire are delivered in partnership with Nuneaton and Bedworth Borough Council. For further information please see https://www.nuneatonandbedworth.gov.uk/info/20025/planning_and_building_control and https://www.planningportal.co.uk/info/200187/your_responsibilities/38/building_regulations ; guidance is also available in the publication 'Building work, replacements and repairs to your home' available free to download from <https://www.gov.uk/government/publications/building-work-replacements-and-repairs-to-your-home>
- 5 Before carrying out any work, you are advised to contact Cadent Gas about the potential proximity of the works to gas infrastructure. It is a developer's responsibility to contact Cadent Gas prior to works commencing. Applicants and developers can contact Cadent at plantprotection@cadentgas.com prior to carrying out work, or call 0800 688 588
- 6 The applicant's attention is drawn to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £116. Although the Local Planning Authority will endeavour to discharge all conditions within 21 days of

receipt of your written request, legislation allows a period of 8 weeks, and therefore this timescale should be borne in kind when programming development.

- 7 Prior to the occupation of the approved dwelling(s), please contact our Street Name & Numbering officer to discuss the allocation of a new address on 01827 719277/719477 or via email to SNN@northwarks.gov.uk. For further information visit the following details on our website https://www.northwarks.gov.uk/info/20030/street_naming_and_numbering/1235/street_naming_and_numbering_information
- 8 Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow – so far as is reasonably practicable – from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.
- 9 Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
- 10 Prior to commencement of development, the applicant is required enter into an agreement with the Highway Authority under Section 59 of the Highways Act 1980. Prior to works taking place on site and following completion of the development, a joint survey shall be undertaken with the County's Locality Officer to agree the condition of the public highway. Should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed with the Locality Officer.
- 11 In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through quickly determining the application. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

Planning Application No: PAP/2020/0183

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	16/04/2020
2	WCC Highways	Consultation Response	10/06/2020
3	Curdworth Parish Council	Representation	18/06/2020
4	Local Resident	Objection	23/7/2020
5	Local Resident	Objection	24/7/2020

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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.



Appeal Decision

Site visit made on 21 January 2020

by **J Williamson BSc (Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7th February 2020

Appeal Ref: APP/R3705/W/19/3241399

Honey Pot Cottage, 60 Coleshill Road, Curdworth B76 9HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Shane Davies, MADE Architecture, against the decision of North Warwickshire Borough Council.
 - The application Ref PAP/2019/0278, dated 13 May 2019, was refused by notice dated 16 October 2019.
 - The development proposed is erection of one new dormer bungalow.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Revised plans were submitted during the application, mainly reducing the size of the proposal and removing some glazing elements. I have made my decision based on the amended plans.
3. I understand that the Emerging Local Plan (ELP) has not yet been found sound. In addition, I have not been provided with any details regarding whether, and to what extent, there are unresolved objections to any policies. Consequently, I am not able to attach significant weight to the policies in the ELP.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the area, with regard to its siting, layout, size, mass and design detail, and
 - the effect of the proposed development on the living conditions of existing occupiers of neighbouring properties Nos 22 and 24 Breeden Drive, and future occupiers of the proposed dwelling, with particular regard to overlooking/privacy.

Reasons

Character and appearance

5. Breeden Drive, the street from which the proposed dwelling would be accessed from, is one of a cluster of cul-de-sacs sited both sides of Coleshill Road which collectively form an expanse of residential development. Most of the properties

<https://www.gov.uk/planning-inspectorate>

are detached dwellings, though there are examples of semi-detached and short rows of terraced dwellings in the area.

6. Breeden Drive comprises mainly short rows of terraced properties with a few semi-detached and detached dwellings. All the properties are two-storeys high designed with a simple form, ie box shaped with dual-pitched roofs and gable ends. Many have a shallow canopy/porch extension along their front elevation. Most are set back from the road behind a front garden/parking area with gardens to the rear.
7. A single-vehicle-width tarmac driveway extends off Breeden drive providing vehicle access to Nos 14-24. The rear garden of the host property, No 60 Coleshill Road, currently has a pedestrian access from this driveway. The proposal includes using this route to access the dwelling. The proposed residential plot would be created by severing the rear half of the rear garden of the host property, No 60. In terms of its siting, I consider the creation of a residential plot in the proposed location to be in keeping with the cul-de-sac pattern of development of Breeden Drive and other surrounding residential development, whilst simultaneously not eroding the pattern of development of properties on Coleshill Road located between Breeden Drive and Church Lane.
8. The proposed dwelling would be detached. It would be around twice the width of each of the properties in the terrace it would be opposite. The form of the dwelling would be more complex than the simple form of neighbouring properties. Thus, the footprint would comprise of 3 oblong shapes attached to each other. There would be a central section, set back from the driveway towards the centre of the plot and a section attached to one end of this, at right-angles to it, extending towards, and close to, the access driveway. Another section would be attached to, and extend off, the rear elevation. As a result, the dwelling would have 3 main roofs, with 3 roof lines of slightly varying heights, running in different directions, ie the central one running north-south and the other 2 running east-west.
9. Including the gable ends of the various sections of the proposal, there would be 6 gables of varying sizes with varying roof pitches. In general, the roof and gable pitches would be much steeper than those of neighbouring properties. At 1.5 storeys high, the proposed dwelling would have lower ridge heights than neighbouring properties and substantially lower eaves heights.
10. I acknowledge that the design of the dwelling, in isolation, is of high quality, sustainable and inclusive. I also acknowledge that the designs of the immediate neighbouring properties are without architectural merit. However, except for the neighbouring properties being altered and extended in the future, the location provides little in the way of opportunities for future development. As such, the proposed dwelling is unlikely to serve as an example that will raise the standards of design in the area. Consequently, not only would it appear out of place from the outset, but it would continue to do so in the future.
11. Bearing in mind the factors outlined above, I consider the individually designed proposed dwelling would be a discordant addition to the street scene that would be out of keeping with its surrounds. As such, I conclude that the proposal as designed and laid out within the plot would be harmful to the street scene and therefore the character and appearance of the area. Consequently, the proposal would not accord with saved policies ENV12 and ENV13.1 of North Warwickshire Local Plan (2006) (NWLP), or Policy NW12 of the North

Warwickshire Local Plan Core Strategy (2014) (NWLPCS). These policies require, among other things, developments to harmonise and integrate with their immediate setting and wider surroundings taking account of scale, mass, height and appearance; proposals should also demonstrate a high quality of sustainable design that positively improves the character and appearance of the area.

Living conditions

12. The proposed dwelling would have one habitable room window on the ground-floor and one on the first-floor of its front elevation. Both would serve bedrooms. These would directly face other habitable room windows on the front elevation of No 22 Breeden Drive and would be to the side of habitable room windows on the front elevation of No 24. As regards the window on the ground-floor of the proposal, the parking area would be sited directly in front of this window. Consequently, it is likely that when the property is occupied a car would be parked on the site restricting views out of and into the bedroom on the ground-floor.
13. Due to the existence of front porches on Nos 22 and 24 I consider there would be very limited loss of privacy to these properties to any rooms at ground-floor level and that any overlooking from these properties to the proposed dwelling would be severely restricted. In respect of habitable room windows at first-floor level, although I was not able to confirm this on site, my observations lead me to conclude that it is likely that Nos 22 and 24 have bedroom windows at first-floor level on their front elevations.
14. The plans show 17 m between the proposed windows of concern and the footprint of No 22. The Council's statement refers to the distance being 17-17.5 m. Hence, the parties agree that the separation distance would be somewhere between 17 to 17.5 m. Bearing in mind the small number of windows involved and the nature of rooms served, along with the constraints of the site, which result in it being unlikely for the appellant to increase the separation distance further, I consider that the proposed development would not harm the privacy levels of existing occupiers of Nos 22 and 24 or those of future occupiers of the proposed dwelling as a result of overlooking.
15. Bearing in mind the above, with regards to overlooking/privacy, I conclude that the proposed development would not harm the living conditions of existing occupiers of Nos 22 and 24 and that satisfactory living conditions would be provided for future occupiers of the proposed dwelling. As such, the proposal would accord with Policy NW10(9) of the NWLPCS and paragraph 127(f) of the National Planning Policy Framework. These policies and guidance require, among other things, developments to avoid unacceptable impacts on neighbouring properties due to overlooking and to create places with a high standard of amenity for existing and future occupiers.

Other Matters

16. The appellant has outlined various factors in support of the proposal. Thus, the site is previously developed land and the proposal would make efficient use of land. The figures in the Council's Housing Land Supply include 120 dwellings from windfall sites. The proposed site would constitute a windfall site and therefore it would contribute to this requirement. The proposal would provide economic benefits during construction and post development. The site is not in

a Conservation Area and there are no Listed Buildings within its vicinity and the site is locationally accessible.

17. Although these factors weigh in favour of the proposal they do not, either individually or collectively, outweigh the harm to the character and appearance of the area I have identified.
18. The appellant has drawn my attention to various other developments in the area. However, I do not have the full details of these and therefore cannot be sure that either of them is directly comparable to the proposal.

Conclusion

19. Notwithstanding my conclusion in respect of living conditions, for the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR

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REV B | 15.08.2019 Layout adjustment
 REV A | 09.08.2019 Layout adjustment

PLANNING

800 Craghill Road, Sutton Coldfield,
 B76 8HA

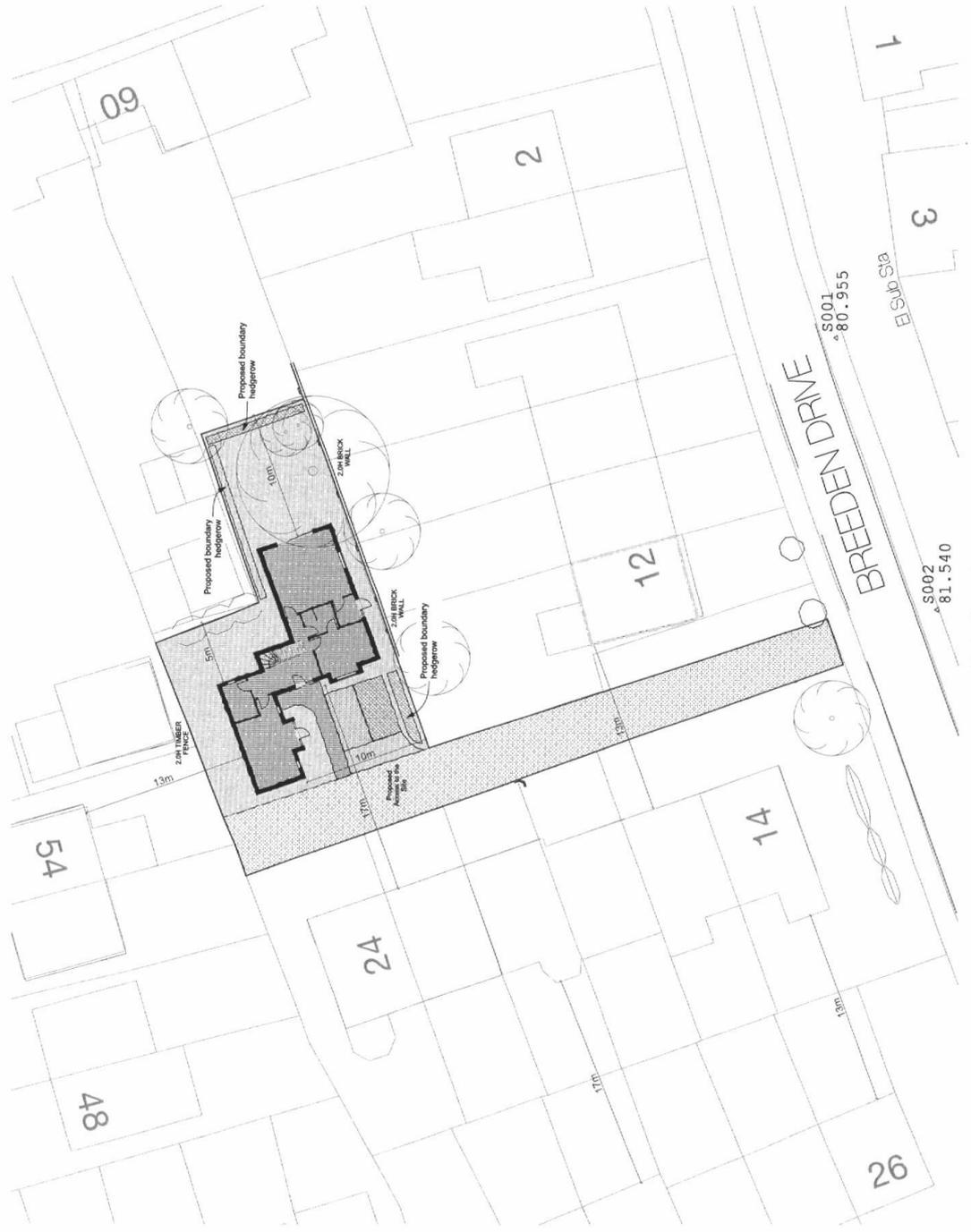
Proposed Site Plan

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18298/051(B)



RIBA #
 Chartered Practice



Site Plan Proposed
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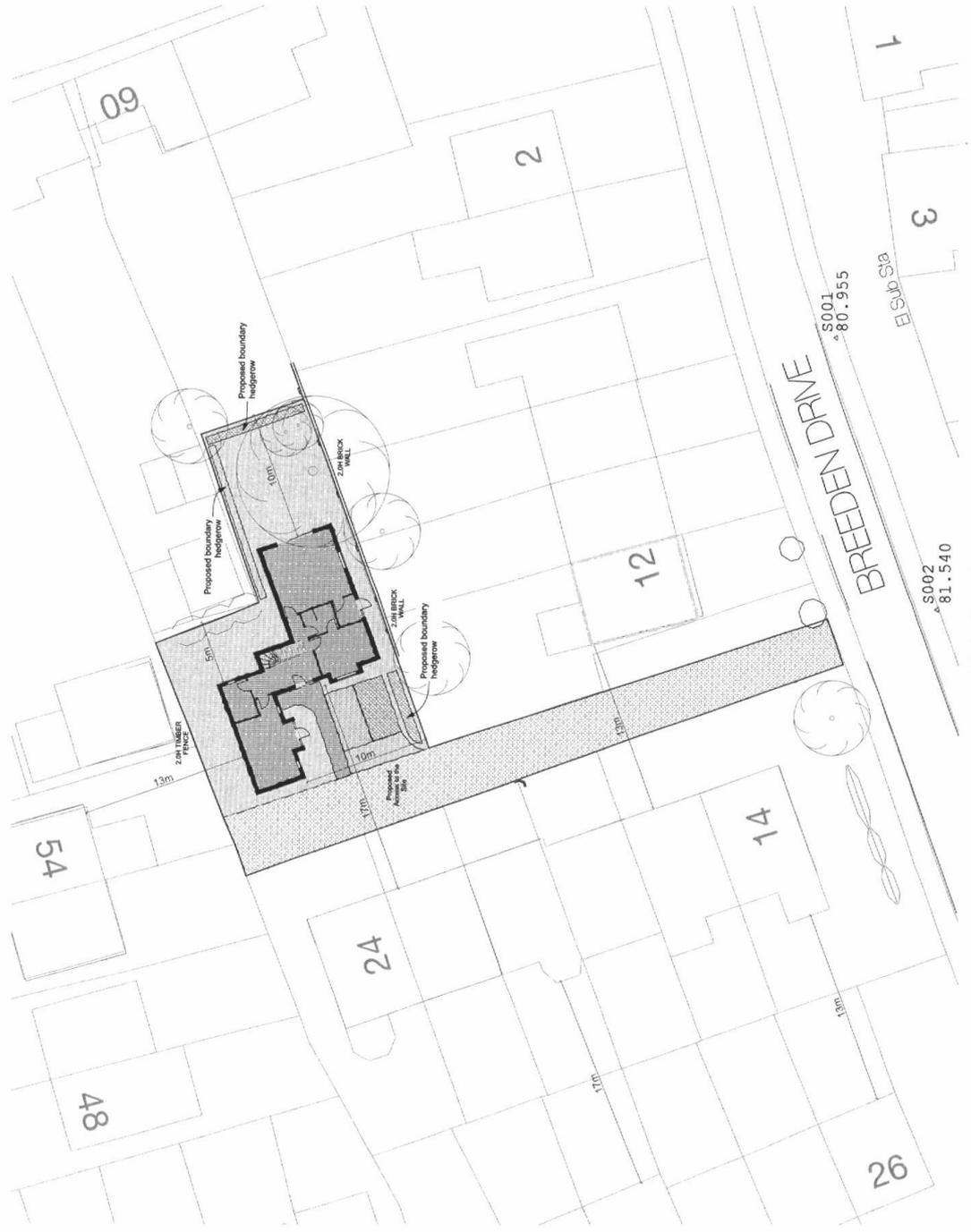
Proposed Site Plan

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 1:200
 106.08.2019

18298/051(B)



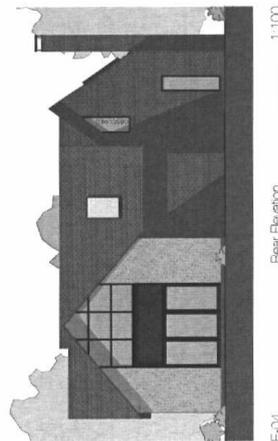
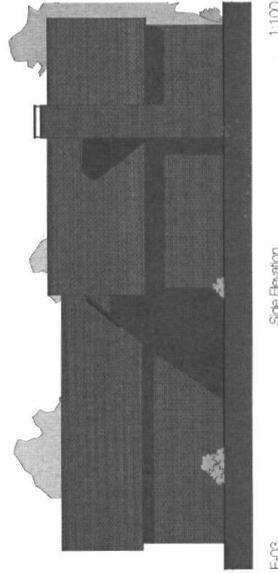
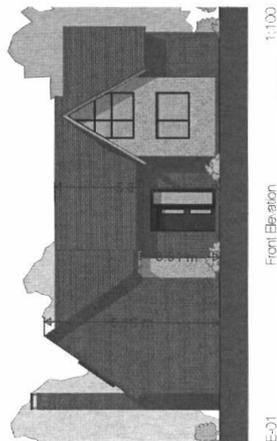
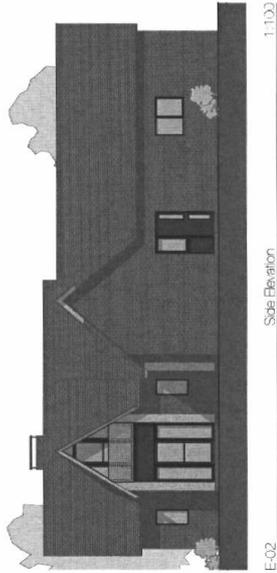
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 Chartered Practice



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 NOTE:
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 REFERENCE
 15/06/2019
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REVISIONS
 REV A | 15.08.2019 | Layout adjustment

PROJECT NAME
PLANNING
 PROJECT ADDRESS
**60 Colehill Road, Sutton Coldfield,
 B76 8HA**

PROPOSED ELEVATIONS

DATE
 SD | A2 | 1:100 | 06.08.2019

PROJECT NUMBER AND REVISION
182298/053(A)

MADE

42 Cheshire Court
 Station Road
 B91 3BT
RIBA #
 Chartered Practitioner

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(5) Application No: PAP/2020/0204

**Mulberry Cottage, Farthing Lane, Curdworth, Sutton Coldfield, B76 9HE
Single storey rear extension, for**

Mr James Holmes

Introduction

This application is referred to the Planning and Development Board as the initial construction of the house had been the subject of the Board's consideration and at the request of a local Member concerned about the potential impact of the proposal on neighbouring residential amenity.

The Site

The application site is a newly constructed two storey, detached property within a residential area surrounded by other residential property.

The general location is shown at Appendix A

The Proposal

The proposal is for the removal of the existing small rear porch, and erection of a new single storey dining room extension in its place.

The existing and proposed plans are attached at Appendices B and C

Background

The house was approved in 2015 and has now been completed.

Representations

Three neighbouring occupiers have raised the following objections:

- The development seems "unnecessary" given the size of the house and other outbuildings for which planning permission was not obtained.
- There is not sufficient drainage as since the house was built a rear garden has been flooded.
- There is a cherry tree close by – there is no tree report to assess the impact either on the tree or the proposed extension.
- A TPO'd ash at the front needs to be protected during construction
- There are bats in the area yet no ecology report is submitted
- There will be insufficient garden land left
- The house is not in keeping
- The extension will be close to boundaries
- A flat roof would make it less prominent
- It would be over-bearing

One objector has provided photographs – these are at Appendix D.

Development Plan

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

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

Other Relevant Material Considerations

The National Planning Policy Framework 2019 - (the “NPPF”).

Supplementary Planning Guidance - A Guide to the Design of Householder Developments - September 2003.

Observations

The site is within the development boundary, so that there is a presumption in favour of approval. The proposed rear extension is approximately 5.3 metres wide and projects about 3.5 metres from the rear wall of the house. This replaces a previous porch that is approximately 3.3 metres by 1.5 metres. The height of the proposed extension is similar to that of the existing porch at 3.6 metres. These are illustrated at Appendices B and C. The proposed extension would fall under permitted development, however, permitted development under Classes A, B or C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 was removed under the planning approval for the house.

On the matter of the existing outbuildings then the approval referred to above did not remove Class E rights and as such there is no restriction on development, provided that it does not result in more than 50 per cent of the site being developed. The present outbuildings are all lawful.

The proposal is for a single storey rear extension that replaces an existing porch which would have been permitted development had Class A not been removed to control further development. In respect of looking at impacts then the proposed extension is at least 18.8 metres from the nearest neighbour and is at an angle. This is considered to be sufficient separation, particularly given the views seen in the photographs below provided by the neighbour. The existing porch is barely visible but gives an idea of the impact of the proposed extension. There is a 2 metre high boundary fence.



It is considered that the photographs show that there will be limited impacts on neighbouring amenity. Indeed the proposed extension is not that visible even from the vantage point of the neighbours first floor bedroom.

The proposed materials and design are in keeping with the host dwelling and this is considered appropriate.

There is a tree at the front of the house that is protected by a tree preservation order. No works are proposed close to this tree. However, it is acknowledged that this tree and others are close to the site access and boundary to the site. Therefore, the developer should ensure that adequate protection of canopies, trunks and root plates is adequately made prior to commencement and for the duration of the works, to prevent damage by foot or mechanical traffic and the storage of materials. Any permission here can include reference to this.

The actual proposal would not affect any potential bat activity in the area

The site is not within a flood risk area, the suitability of soakaways to accommodate the additional surface water drainage is to be determined by Building Control. If suitable soakaway drainage is not practical it may be necessary to consider a mains drainage connection.

The proposal is fully in accordance with Development Plan Policies, the NPPF and the supplementary planning guidance for the design of householder developments 2003. It is considered that there is no impact on neighbours more than would be reasonably acceptable, and the design and materials are in keeping with the character of the host dwelling. Therefore, it is recommended that the proposal be supported subject to conditions.

Recommendation

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

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

REASON

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

2. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 1.3, received by the Local Planning Authority on 08 April 2020, and the plan numbered 1.1A, received by the Local Planning Authority on 23 April 2020.

REASON

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

3. The new works shall be carried out with smooth white or cream render, and Ivanhoe handmade facing brickwork and Redland Heathland Plain Clay Tile in Wealden Red roofing tiles, or similar materials, that closely match the colour shape, size, bond and texture of those materials used in the construction of the main dwellinghouse.

REASON

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

4. No development within Classes A, B or C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall take place.

REASON

In the interests of the amenities of the area.

Notes

1. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
3. The developer is reminded that the Control of Pollution Act 1974 restricts the carrying out of construction activities that are likely to cause nuisance or disturbance to others to be limited to the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, with no working of this type permitted on Sundays or Bank Holidays. The Control of Pollution Act 1974 is enforced by Environmental Health.
4. The applicant is advised that there are trees within the site that are subject to tree protection orders, therefore the canopy, trunk and root plates of the trees shall be protected from vehicle movements and storage of materials as well as construction and foot traffic in accordance with British Standard BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'.

5. Surface water drainage from the proposed extension must not result in an increase in localised flooding, therefore the gutters and downpipes from the extension must be connected with a soakaway of suitable capacity for the development on this site or to appropriate mains drainage.
6. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through providing opportunity to respond to objections. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

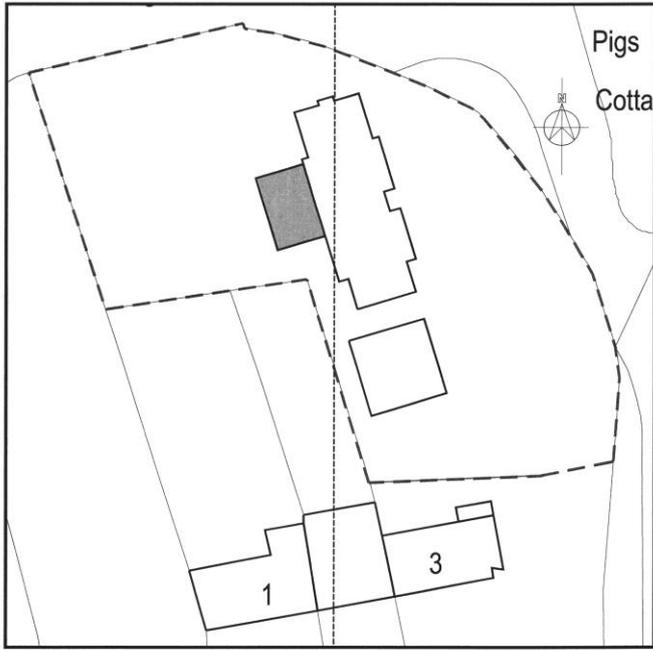
Planning Application No: PAP/2020/0204

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement	08/04/2020 23/04/2020
2	Neighbour	Representation	11/05/2020
3	Neighbour	Representation	05/05/2020
4	Neighbour	Representation	21/04/2020

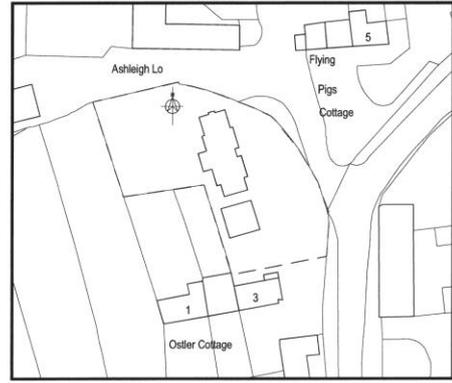
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

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

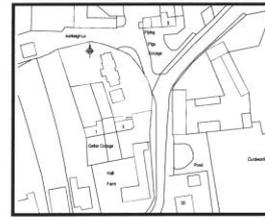
APPENDIX A.



Proposed site plan - 1:200



block plan - 1:500



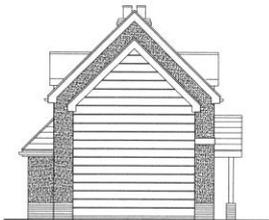
location plan - 1:1250



PLANNING & DEVELOPMENT DIVISION
A

APPENDIX B

PAP/2020/0204



Existing Side Elevation

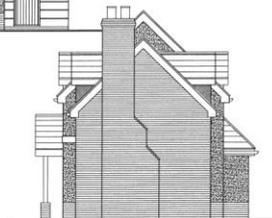


Existing Rear Elevation

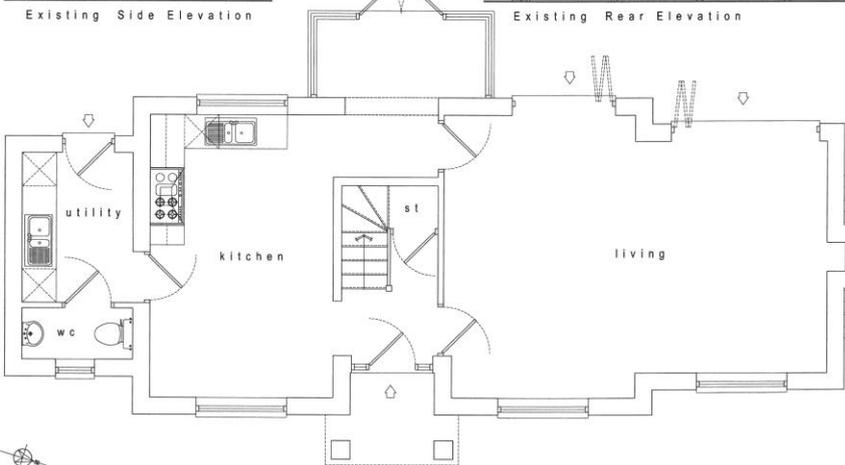
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Existing Side Elevation



Existing Ground Floor Plan



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07/04/2020
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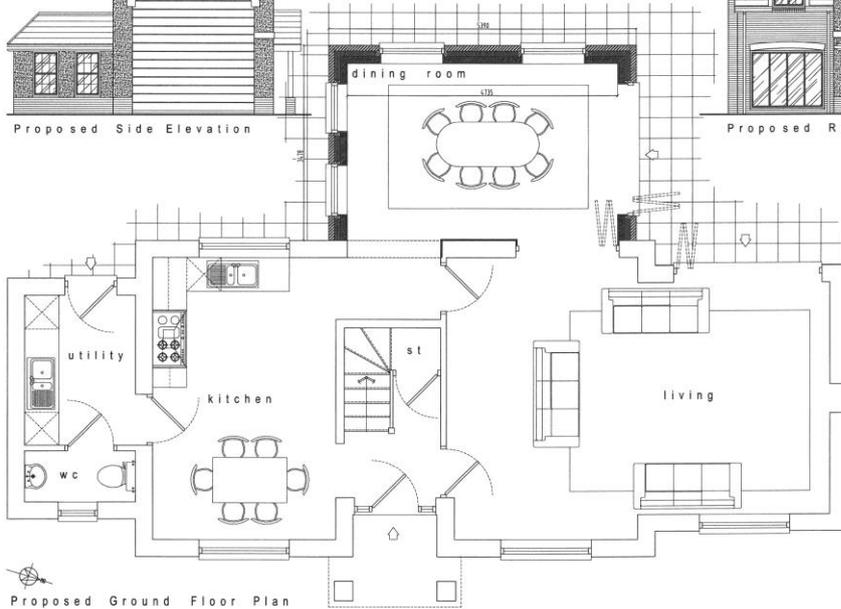
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Proposed Side Elevation



Proposed Rear Elevation



Proposed Ground Floor Plan



Proposed Side Elevation

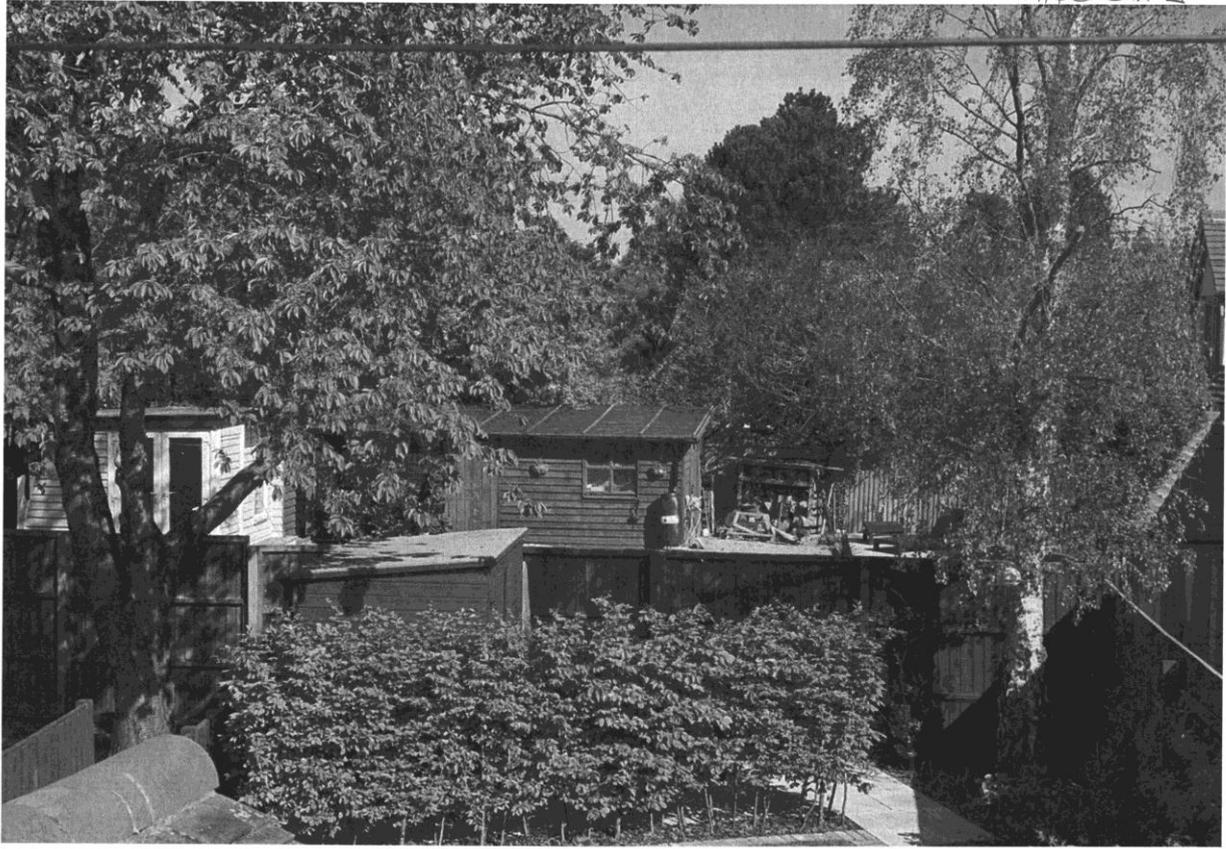


HG Design limited
111 East Green Lane
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Email: info@hgdesign.co.uk
www: www.hgdesign.co.uk

Mr & Mrs J Holmes
111 East Green Lane
Leamington Spa
CV32 9PL

Scale:
Proposed Ground Floor Plan & Elevations
1:500 1/2000 A3
05/04/2020
HG20-01-1.3
PLANNING





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(6) Application No: PAP/2020/0215

42 Austrey Road, Warton, B79 0HW

**Replacing existing building with a 2 bedroom dwelling, for
Mr R Virk**

Introduction

This application is referred to the Board by a local Member who is concerned about the potential impact of the proposal on the highway.

The Site

The application site is currently a single storey detached property that abuts the footpath on the northern side of Austrey Road about 40 metres south of its junction with Curlew Close. The footpath narrows from less than two metres in depth at its southern end to less than a metre at its northern end.

A location plan is attached at Appendix A with photographs of the building at Appendices B and C.

The Proposal

It is proposed to demolish this building and erect a new two bedroom one and a half storey house on its footprint. Immediately to the north would be space for two parking spaces. Its front entrance would be on that side elevation and there would be two frontage dormers.

Plans are attached at Appendices D and E.

Background

The building was originally one of the earliest Methodist Society buildings in the Tamworth area but more latterly it has been used as a commercial garage for car repairs. The inside of the building shows this use.

Representations

Eight letters of support have been received from local residents who consider that the proposal would provide an improvement to the immediate run-down appearance of the site in the middle of the village. A dwelling here is considered to be better than running the garage business.

Consultations

Warwickshire County Council as Highway Authority – It objects as it has concerns over the proposed parking arrangement considering that it could cause obstruction in the highway footpath and possibly the actual carriageway as well as create a safety issue because of the lack of visibility.

Warwickshire County Ecologist – Appropriate bat mitigation measures should be introduced into the construction.

Development Plan

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

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

Other Material Planning Considerations

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

The Submitted Local Plan for North Warwickshire 2018 – LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP31 (Development Considerations) and LP32 (Built Form)

Observations

There is no objection to this proposal in principle given its location within Warton’s development boundary. It is a sustainable location. There are however a number of detailed matters which need consideration.

The first is to establish the lawful use of the site as this will provide a “fall-back” position against which to compare likely impacts between the proposed use and that lawful use. The last use was as a commercial car repair garage and equipment and storage for such a use are clearly visible within the building. The north side elevation has also been altered to provide a double door entrance. This use is understood to have commenced in the 1960’s and continued through to the 1980’s. From a planning perspective the matter is whether that use has been abandoned as the building has not been used as such for many years. There is no record of a permission having been granted for the car repair use but given the length of time it was in use it is highly likely that it would have become an “established” use. There are several “tests” for abandonment in planning terms. The fact that the building is still intact; sound in structure and is capable of reuse as a garage without very little intervention, suggests that on the balance of probability, the use has not been abandoned in a planning sense. This is a conclusion that should carry significant weight in this case.

The building is a non-designated heritage asset because of its origins as reported above. The NPPF requires that the significance of non-designated heritage assets should be taken into account in the determination of planning applications and that a balanced view will need to be taken in regard to the scale of any harm or loss and the significance of the asset. The significance of the asset here is that it is a surviving building reflecting a now lost historic and community use as a small place of worship, significant within the non-conformist movement within the setting of the village. It also retains some interesting architectural features – brick detailing and an arched window. Clearly the proposal requires the loss of this asset and thus harm will be caused. In assessing the level of

harm, then the former use has been lost – now surviving only as a limited historical memory - and there has been inappropriate intervention in the past to its external and internal appearance thus diluting its visual significance so that it is no longer recognised as a former place of worship. Its appearance in the street scene presently is of very little value and would probably be perceived as a garage or workshop by a visitor. Moreover whilst still sound, further repair, maintenance and refurbishment will be required in the near future. As a consequence, the level of harm here is considered to be less than substantial. There will be some community public benefit as a consequence of the proposal – a new house would be created; if the correct design is agreed which retains some of the associated architectural features then there would be some legibility to the past, the historic feature of a building at the back of the pavement would be retained on the same footprint and there would be some environmental gain in the overall street-scene, particularly if the use is re-introduced. As such it is considered on balance that the benefits do outweigh the harm caused in this instance.

Following on from this then the design and appearance of the proposal are going to be important. The present design retains the detailed decorative eaves band and its brick dentil course. The north end elevation retains the small gable arched window which is currently “blind” and replicates a second on the other end gable together with a larger version on the north gable. Additionally, the stone cills and lintols are to be retained on the new front windows. Clay tiles and lead cheeks to the dormers are also proposed. As such it is considered that the design is appropriate and reflects the past architectural significance of the existing building.

A bat survey has been undertaken and that found no evidence of bat roosts within the building. Nevertheless, mitigation measures should be introduced by way of a planning condition.

The neighbouring house to the north-east is well set back and that to the south is again set away. There are however no windows proposed in the elevation facing this property. The building to the rear is a residential annex but this has no openings facing the proposed dwelling and is at a higher level. In these circumstances there is limited harm to neighbouring residential amenity. It is however acknowledged that the residential amenity for the occupiers of a new property here would not be ideal, but then traditional terraced properties and rural cottages do also abut footpaths.

The main issue here however is the response from the Highway Authority. It carries weight and clearly its substance is a direct result of the physical arrangements on the site. Two parking spaces could be available, but it is agreed that this would not be an ideal arrangement particularly if one car was oversized. Moreover, visibility is impaired by the presence of the front corner of the building and pedestrian safety is already compromised at this location. If this was a new site and not one being redeveloped, the Highway Authority’s position would lead to a recommendation of refusal. However, this site has a lawful use and that is a “fall-back” position of significant weight. When in use for car repairs, there were cars parked here on the pavement as well as on the open area to the north. If that use was reintroduced, then this would inevitably be replicated. The issue is thus one of comparing a limited residential use to a small commercial car repair workshop. It is considered that there is in fact probably not a clear distinction between the two.

In making a final assessment therefore the position is that the proposal is acceptable in principle; causing less than substantial heritage harm, limited harm to residential amenity but moderate highway harm. On the other side of the balance is the removal of a commercial use from a residential area; an overall significant improvement to the visual and environmental quality of the street scene and the retention of some of the heritage significance of the site. It is considered that the balance here rests with supporting the proposal. This is given added weight because of the local support for the proposal.

Recommendation

That planning permission be granted subject to the following conditions:

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

REASON

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

2. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 20027/1010C, received by the Local Planning Authority on 01 June 2020, received by the Local Planning Authority on 17 April 2020.

REASON

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

3. The new works shall be carried out in accordance with the following details:
 - a) Re-use of the existing bricks, blended with Birtley Olde English facing brickwork (or similar approved) to closely match the colour of the existing bricks.
 - b) A brick bond to match the existing (specifically not a stretcher bond) and a medium tone to the mortar mix in colour and joints to match (need not be a lime mortar mix).
 - c) Wet verges and the egg and dart details to the existing eaves and rise and fall brackets for the black rainwater goods shall be used
 - d) The windows shall be flush fitting timber casements in timber with 6mm double glazed units
 - e) The windows over foot-ways shall be inward opening.
 - f) The door shall be in a vertical oak finish.
 - g) The dormer cheeks and flashings shall be zinc or leaded, with reclaimed small plain clay roofing tiles to the main roof and the dormers.

REASON

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

4. No development whatsoever within Classes A, B, C, D and E of Part 1 and Class A of Part 2, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), shall commence on site without details first having been submitted to and approved by the Local Planning Authority, in writing.

REASON

In the interests of the amenities of the area.

5. No additional windows or door openings in any elevation and roof plane shall be made, other than as shown on the plans hereby approved, nor shall any approved windows or doors be altered or modified in any manner.

REASON

To protect the privacy of the occupiers of adjoining properties.

6. No development shall commence on site until a satisfactory photographic record of the building has first been obtained in accordance with a brief to be first agreed in writing by the Borough Planning Authority. The record so obtained shall be submitted to, and approved by the Local Planning Authority prior to development commencing, and shall comprise of photographs being recorded using 35mm black and white film with negatives.

REASON

To ensure that the historic interest in the fabric of the existing structure is adequately recorded prior to any work commencing on the site. The photographs must be recorded in a manner that will enable the record to be deposited with the County Record Office in a stable format.

7. The site has previously been used as a commercial car repair garage, therefore there is a risk of ground contamination. No works other than demolition shall take place until a preliminary assessment for contaminated land has been undertaken. If the assessment identifies potential contamination a further detailed investigation shall be carried out and details of remediation measures shall be provided where necessary. All works shall be carried out by a competent person and agreed in writing by the Local Planning Authority prior to commencement of development.

REASON

In the interest of the health of the final occupants of the dwelling.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON

In the interest of the health of the occupants of the dwelling.

9. Where remediation works have been carried out in pursuance with the preceding conditions, a post remediation verification report shall be submitted in writing to and approved by the Local Planning Authority before the development is first occupied.

REASON

In the interest of the health of the occupants of the dwelling.

10. There shall be two vehicle off-street parking spaces provided prior to occupation. Each must be at least 3 metres long and 4.8 metres wide. The car parking surface shall be Grasscrete or a similar material.

REASON

11. To ensure that the parking provision enables sufficient access to the vehicle and does not reduce the width of the public highway and to maximise the available amenity space and the visual amenity of the site.

The building hereby approved shall not be occupied until details of bat mitigation measures have first been agreed in writing by the Local Planning Authority and then installed again to the written approval of the Authority.

REASON

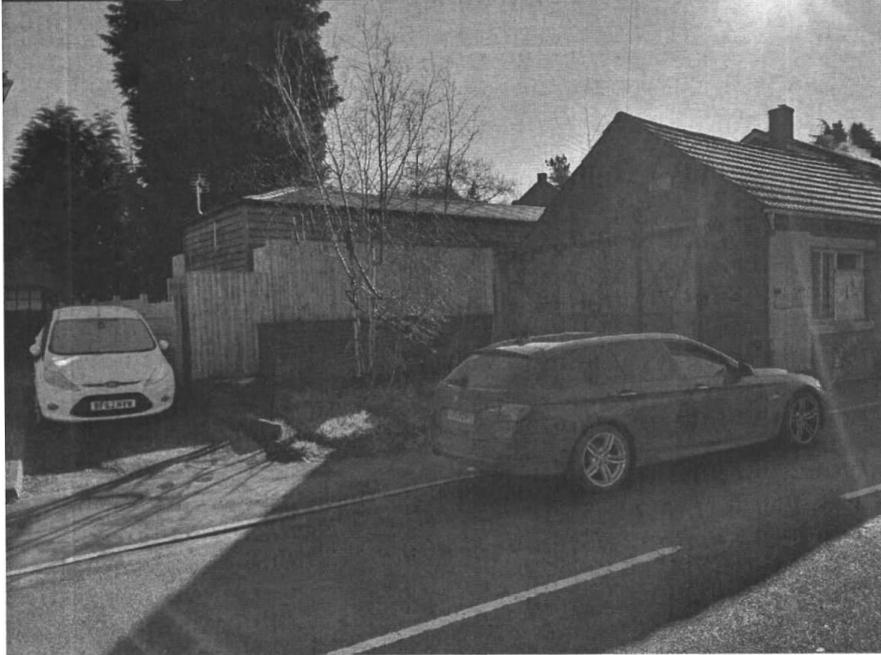
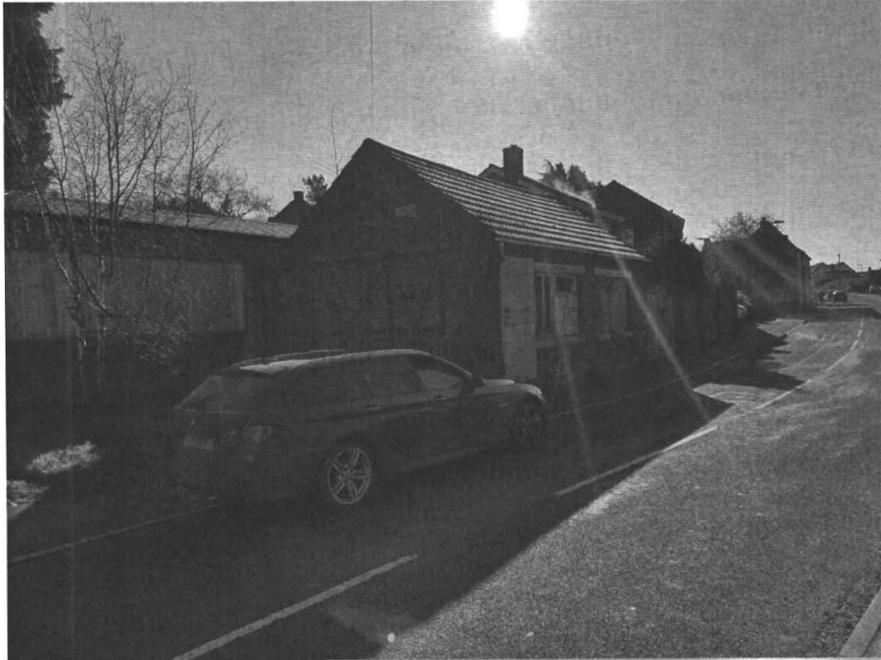
In the interests of securing bio-diversity enhancement

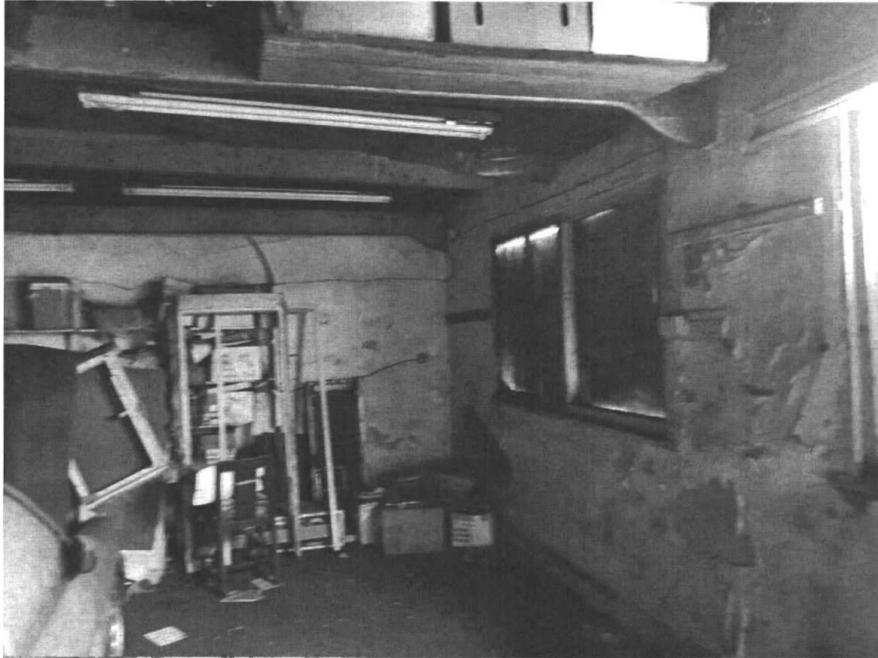
Notes

- 1 The submitted plans indicate that the proposed works come very close to or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>

3. The developer is reminded that the Control of Pollution Act 1974 restricts the carrying out of construction activities that are likely to cause nuisance or disturbance to others to be limited to the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, with no working of this type permitted on Sundays or Bank Holidays. The Control of Pollution Act 1974 is enforced by Environmental Health.
4. Although there are known to be pipstrelle and long eared bats in the vicinity. A stage 1 bat survey has been undertaken and has established that no bats are present in this building. You are advised that bats are deemed to be European Protected species. Should bats be found during the carrying out of the approved works, you should stop work immediately and seek further advice from the Ecology Section of Museum Field Services, The Butts, Warwick, CV34 4SS (Contact Ecological Services on 01926 418060).
5. Any gas boilers provided must meet a dry NOx emission concentration rate of <40mg/kWh. The specification of the gas boiler(s) shall be submitted to and approved in writing by the Local Planning Authority before they are fitted and the approved specification shall be implemented prior to the first occupation of the development.
6. It is advisable that Electric Vehicle charging points are provided for each off-street parking space.
7. Prior to the occupation of the approved dwelling(s), please contact our Street Name & Numbering officer to discuss the allocation of a new address on 01827 719277/719477 or via email to SNN@northwarks.gov.uk. For further information visit the following details on our website https://www.northwarks.gov.uk/info/20030/street_naming_and_numbering/1235/street_naming_and_numbering_information
8. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions, seeking to resolve planning objections and issues and suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.







From: [paul.adler](#)
To: [Andrew Collinson](#)
Cc: [planappconsult](#); [Christina Fortune](#)
Subject: Re: PAP/2020/0215 - 42 Austrey Road, Warton - Proposed 3 bedroom dwelling
Date: 28 April 2020 08:50:55

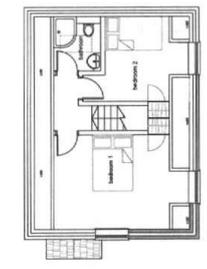
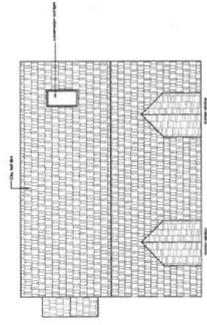
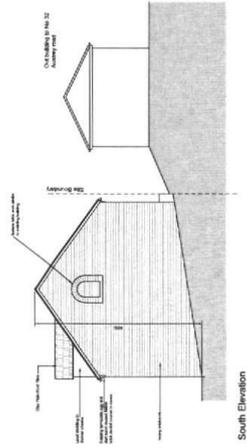
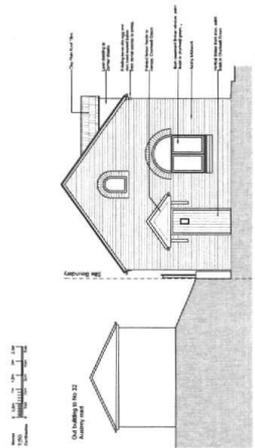
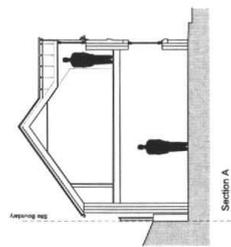
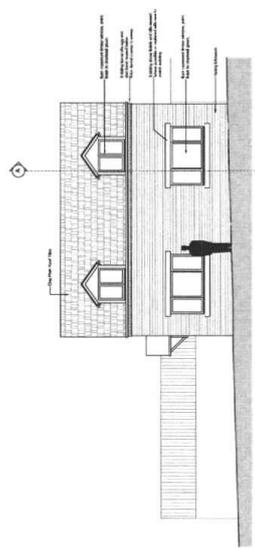




Materials Key



Dark Grey Portland Cement Concrete
Light Grey Portland Cement Concrete



FOR PLANNING

APPLYING FOR: []

PROPOSED PLANS AND ELEVATIONS

APPLYING OFFICE: []

PROJECT NO: []

DATE: []

SCALE: []

APPLYING OFFICE: []

PROJECT NO: []

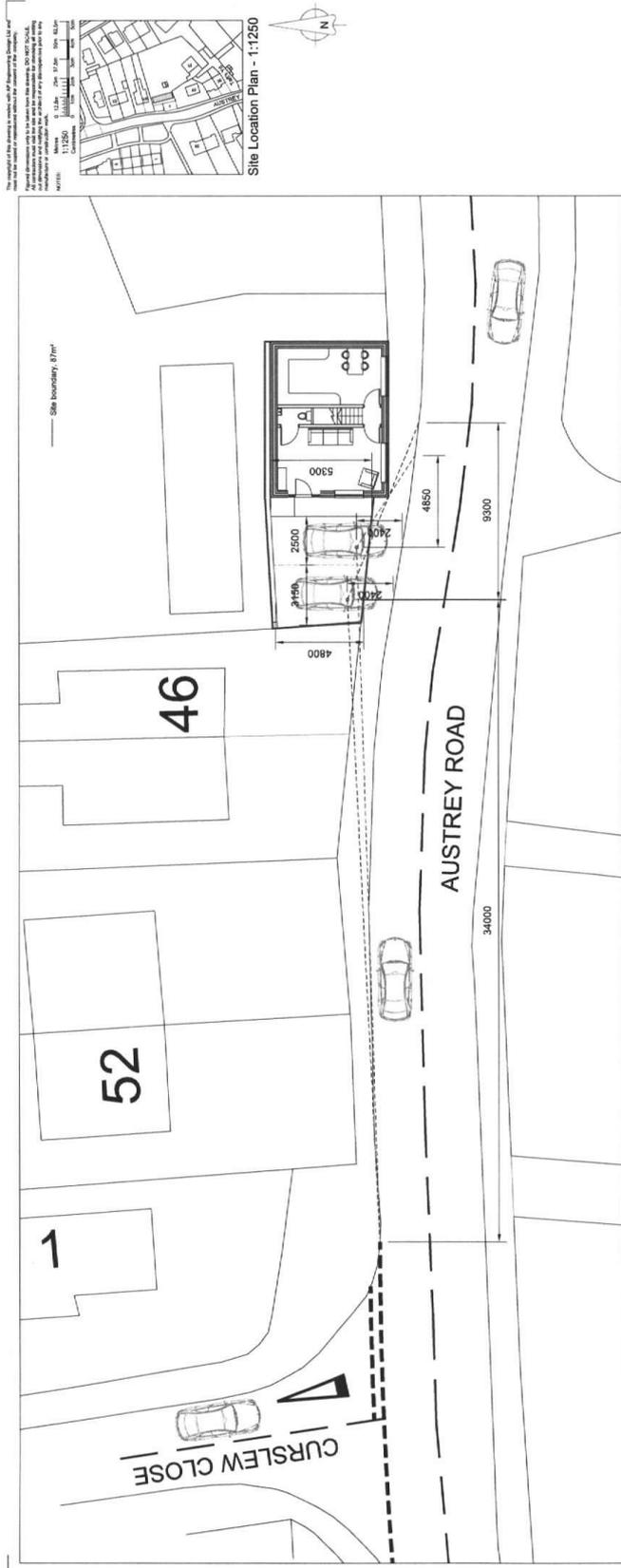
DATE: []

SCALE: []

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07/08/2020
PLANNING & DEVELOPMENT
DIVISION



Appendix E



Site Plan 1:100

FOR PLANNING

Client: RSV
 Project: 42 Austrey Road, Wotton
 Drawing No: SITE PLAN

Drawn	Checked	Date
PT	AT	July 2020
20027	0162	Pr

RECEIVED
 09/07/2020
 PLANNING & DEVELOPMENT
 DIVISION



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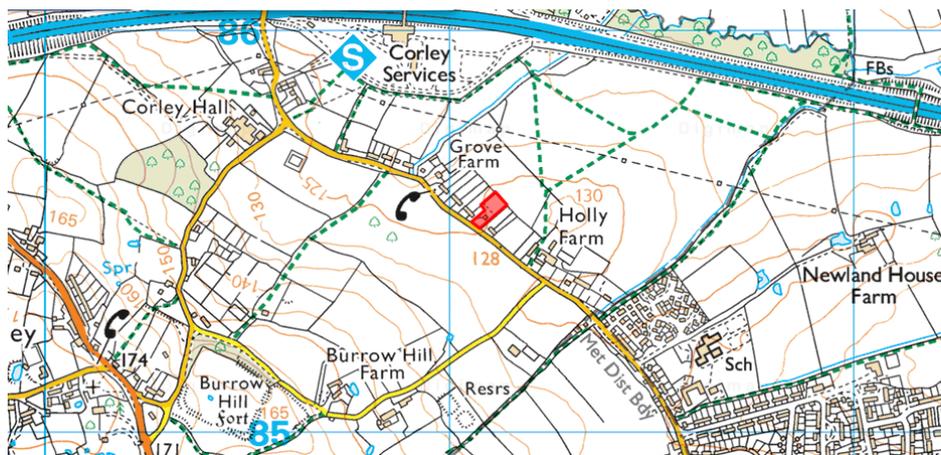
(7) Application No: PAP/2020/0236
Land between Holmfield and Oakdene, Bennetts Road, North, Corley
Erection of bungalow and double garage
Introduction

This application is reported to the Planning and Development Board at the request of a local member who considers that the weights given to planning matters should be reviewed.

The Site



Application Site – Holmfield is outlined in blue with the proposed development site edged in red



Visualisation of application site in its wider spatial context

The application site comprises a 0.3ha L-shaped parcel of vacant land, situated immediately adjacent to Holmfield within a ribbon of 35 houses along the north side of Bennetts Road North between the Stain's Farm and Holly Farm complexes. The

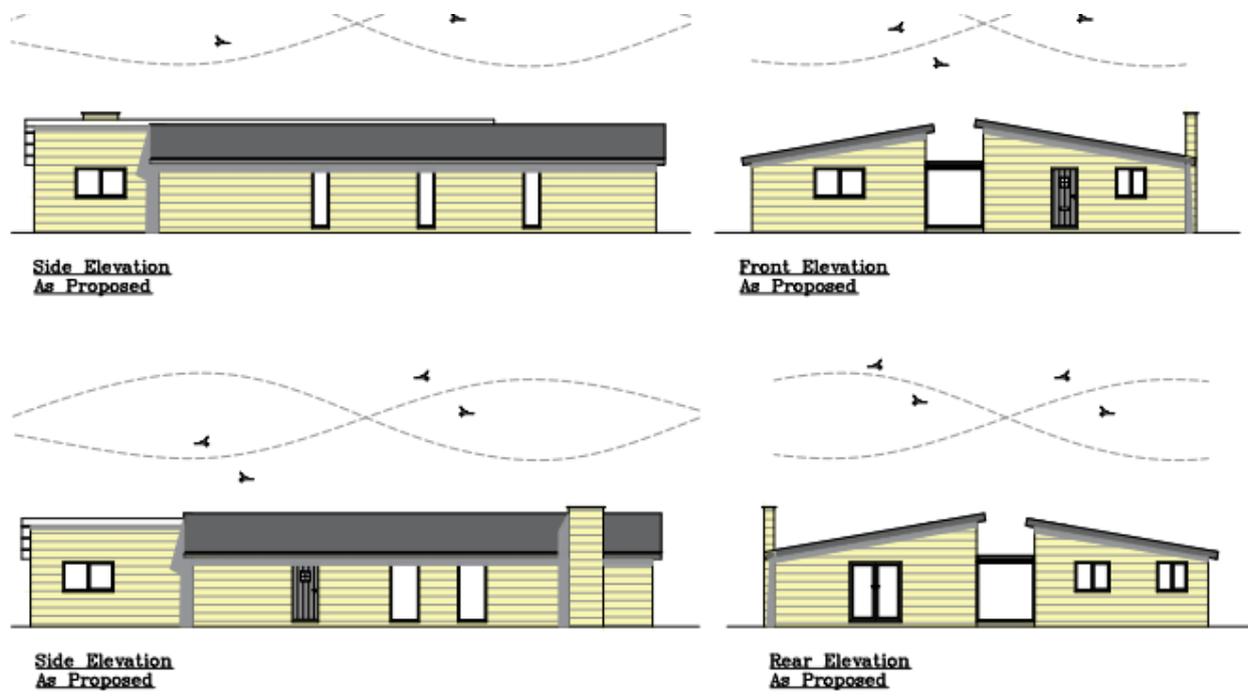
surroundings are largely rural in character, appearance and function with the M6 located 500 metres to the north and Corley village 1km to the south-west.

Background

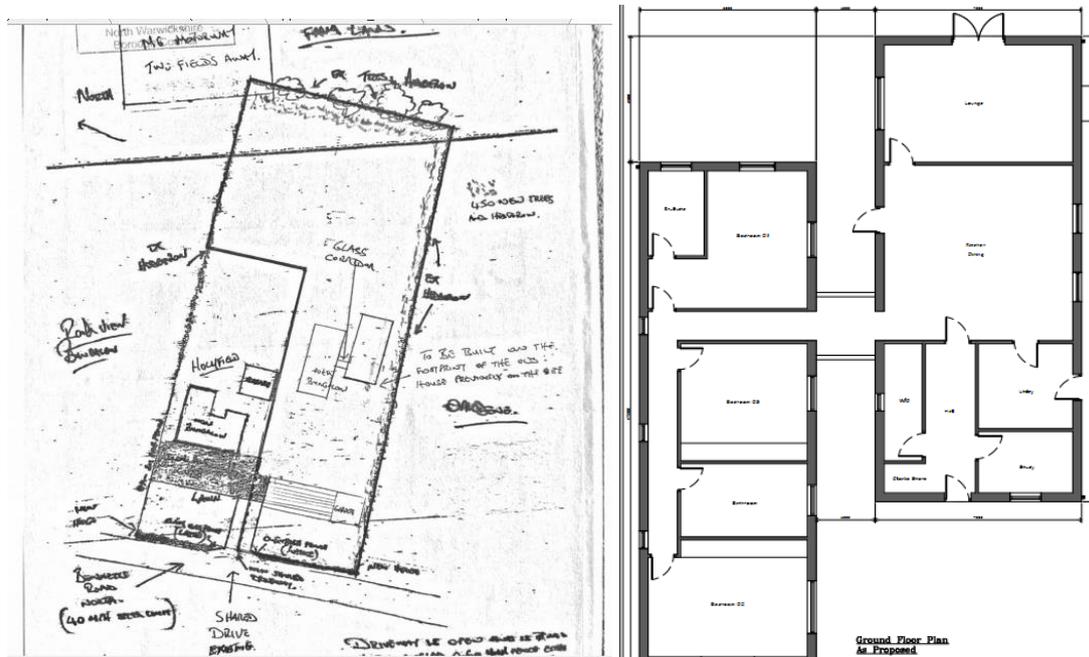
- Planning permission was previously refused for the demolition of Holmfield and the erection of a two replacement detached dwellings with a subsequent appeal dismissed.
- Planning permission was however granted for a single replacement bungalow in 2019 (PAP/2018/0645). This is now almost complete.
- Historical mapping indicates that a further dwelling was present on the application site, known as the Orchards. However, it appears to have been demolished over 30 years ago and there is no visible evidence of built form on the site.

The Proposal

Planning permission is sought for the construction of a detached single storey dwelling and double garage. The open-fronted two-bay garage would be sited 8 metres from Bennetts Road North with the new dwelling positioned some 20 metres further into the plot. The dwelling is composed of two rectangular sections with asymmetrical roofs linked by a glazed corridor. Facing materials consist of stonework, a zinc steam clad roof and uPVC AL windows and doors. Approximately 450 trees and hedgerows are to be planted at the rear of the site.



Proposed elevations



Proposed site plan and floor plan

Representations

Corley Parish Council – No objection

Two letters of support have been received referring to the proposal preventing any anti-social behaviour on the site

Consultation

Warwickshire County Council as Highway Authority – No objection

Development Plan

North Warwickshire Core Strategy (October 2014) - NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW3 (Green Belt), NW4 (Housing Development), NW5 (Split of Housing Numbers), NW10 (Development Considerations), NW11 (Renewable Energy and Energy Efficiency), NW12 (Quality of Development) and NW15 (Natural Environment)

North Warwickshire Local Plan 2006 (Saved Policies) - ENV4 (Trees and hedgerows); ENV12 (Urban Design), ENV13 (Building Design) and ENV14 (Access Design)

Other Relevant Material Considerations

The North Warwickshire Local Plan Submission Version, March 2018

National Planning Policy Framework 2019 - (the “NPPF”)

National Planning Practice Guidance – (the “NPPG”)

The North Warwickshire Five Year Housing Land Supply as at 31 March 2019

Observations

a) The Green Belt

The site is in the Green Belt. The NPPF states that the construction of new buildings here is not appropriate development and thus by definition is harmful to the Green Belt. This carries substantial weight and thus the presumption here is one of refusal. However, the NPPF does identify a number of exceptions to this and there are two that might apply in this case. Each needs to be assessed.

The first is when the construction consists of “limited infill in a village”. In this case it is considered that the proposal might well constitute “infill” because of the site’s position vis-à-vis the ribbon of development to the west. However, the “gap” here is large and visually noticeable; there is a continuous line of development to the west, but not to the east with other sizeable gaps. There is thus some doubt that the proposal would accord with the “test” of “limited infill” development. Similarly, there is considerable doubt as to whether this line of residential development would constitute a “village”. It is just a group of houses with no facilities, community services or even a focal centre. There is thus no defined settlement. The recent appeal decision at Holmfield – referred to above – strongly affirms this conclusion with the Inspector concluding that the site and the neighbouring ribbon of housing comprises neither a settlement nor an infill settlement.

The second exception is where the construction consists of the “partial or complete redevelopment of previously developed land (‘PDL’)”. There are conditions attached to this exception, but it is first necessary to assess whether the proposal passes the definition of PDL in the NPPF. The applicant contends that the site comprises previously developed land as a residential property known as “The Orchards” was previously present on the site. This was demolished in the 1980’s. The NPPF has a definition for PDL and this excludes “land that was previously developed but where the remains of the permanent structure or fixed structure have blended into the landscape”. Based on the facts on the ground and drawing on the physical condition of the site, there is no visual evidence of built form with any remnants of the demolished dwelling having blended into the landscape. Consequently, the site would not be PDL and thus satisfy this exception. If, however a different view is taken that the site is PDL, then the exception is caveated by the conditions as referred to above. The first of these is the need to ensure that the proposed development has no greater impact on openness than the existing development. The proposal here would not preserve openness. The gap here as said before is large and deep and this would be lost. There is no definition of openness in the NPPF but in planning terms it is generally meant to mean the absence of development. There is a spatial element to this and here a substantial open gap would be lost, intensifying the amount of built development in the area. There is also a visual element as the gap here would be lost and the open views through it would also be removed. Additionally, new residential development would attract all of the recognised residential attributes and characteristics – human and vehicle activity; outbuildings, garden walls and gates, parked cars and an engineered access. None of this preserves openness. Finally, the change in character here would be permanent – thus not satisfying a key attribute of

the Green Belt – its permanence. The second condition is that the development should not conflict with the five purposes of including land within the Green Belt. Here there would be no safeguarding of the countryside from encroachment. As a consequence, this assessment shows that the proposal would not satisfy the second exception in the NPPF.

The proposal is inappropriate development in the Green Belt and thus substantial Green Belt harm is caused. The Board should now establish if other harms are caused.

b) Other Harms

i) Highway Safety

Development Plan policy states that development is only supportable in situations whereby there is sufficient capacity within the highway network to accommodate the traffic generated and that it would not be hazardous to traffic safety and visibility. This policy approach is considered to be broadly consistent with the NPPF which only seeks for development to be refused on highways grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

The Highway Authority has raised no objection to the development, subject to the inclusion of conditions requiring the provision of a highway/footway crossing prior to development as well as further submissions pertaining to access, surfacing and parking details and visibility splays. It is not considered that the development would have an adverse impact on the local highway network nor would the access itself, subject to adherence with the proposed conditions, generate unsafe access and egress. Parking provision also accords to the requirements of planning policy.

ii) Design

Development plan policies require development proposals to harmonise with the immediate and wider setting while respecting natural features as well as to positively improve the environmental quality of an area.

To the northwest of Holmfield are 15 properties, mostly inter-war semi-detached dwellings with hipped or gabled roofs, sited within narrow, long curtilages, with a further two properties present to the southeast. The immediate neighbouring property is a small pyramidal roofed bungalow with the replacement dwelling at Holmfield a large, brick facing dormer bungalow. The dwelling adopts an unorthodox appearance with its stone brick facing material, zinc clad roofing and asymmetrical mono-pitched roof form. Whilst not sympathetic to the adjacent dwellings in terms of form and overall appearance, appropriate design innovation is supported by the NPPF.

The site does not fall within a conservation area in which design is strictly controlled nor do the surroundings present overriding architectural quality, or wholly cohesive designs, which would warrant the provision of a largely pastiche building here. This, when combined with the minimalist massing, low profile and recessed siting of the dwelling, ensures that the character and appearance of the locality would not be harmed through the design of the proposed dwelling.

iii) Amenity

Policy NW10 (9) of the 2014 Core Strategy requires all development proposals to avoid and address *unacceptable* neighbouring amenity impacts. Paragraph 127(f) of the NPPF states that planning decisions should ensure that a high standard of amenity is provided for existing and future users.

No harm is considered to be caused in this respect. The low profile of the dwelling and the separation to adjacent properties ensures that light and sunlight losses, as well as overshadowing, would be minimal. Additionally, the use of the site as a private residential dwelling is not considered to lead to undue neighbouring disturbance and it is material that no objections have been received.

iv) Sustainability

In respect of contributing to the facilitation of sustainable development, the overarching aim of the planning system (paragraph 7 of the NPPF), the development is not considered to be wholly unsustainable. However, the only main services within a reasonable walking distance (c.800m) are a post office and fish bar along Bennetts Road North adjacent its junction with Howat Road. Most journeys for 'day-to-day' living would be made via private car which is contrary to sustainable travel objectives of the NPPF; nevertheless a bus stop is present along Howat Road (offering regular services to Nuneaton) 0.5 miles from the site.

Limited social and economic gains would arise from local spending, the provision of housing and employment generated through construction. Given that just one unit is proposed and construction is a temporary operation, these benefits attract limited weight. Environmental benefits may be achieved through additional planting; though this is diluted by the emissions generated through private vehicle movements. Overall the development performs largely neutrally from a sustainability perspective.

v) Other Harms – conclusion

As a consequence of these matters it is not considered that there are other harms arising here to add to the harm side of the planning balance.

c) The Applicant's Case

The applicant's case is firstly that the site retains an open frontage with the built form set well back. However the site is wholly open at present and whilst an open frontage is welcomed, considered holistically, the development will actually reduce openness as the whole site would become a new residential curtilage with a new garage, access and parking areas wholly visible from the road thus permanently changing the visual character of the frontage.

The second matter is his view that the proposal has an 'outstanding' design; the additional tree planting and hedging to the north of the plot and the removal of anti-social behaviour. In respect of design, whilst unusual, the development form is not on its own 'outstanding' and necessarily of good design. There will be some biodiversity gain but this is not on its own of substantial and only limited weight can be given to any alleged reduction of anti-social behaviour. These matters together carry only limited weight.

As a consequence, the applicant's case as a whole is considered to only carry limited weight.

d) The Final Planning Balance

Members will be aware that having found that the proposal causes substantial Green Belt harm, the Board has to assess whether the matters put forward by the applicant are of such weight as to "clearly" outweigh the harm caused and thus amount to very special circumstances necessary to support the application.

It is considered that they do not for the following three reasons

Firstly, the harm caused is substantial whereas the applicant's case is only of limited weight

Secondly, the Council has a five year housing land supply as evidenced in a very recent appeal decision. There is thus no overriding need to boost that supply through just one house

Thirdly, the greater public interest here rests with the national and local planning policy objectives or retaining the permanence of the Green Belt.

Consequently, planning permission should be refused.

Recommendation

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

1. The application site is located within the Green Belt and the construction of a detached residential property is considered to represent an inappropriate form of development. The dwelling would, by its very nature, introduce built form onto a previously open part of the site, reducing openness from both a spatial and visual perspective. Moreover, as consequence of new residential development in this location, built form would encroach into the open countryside, conflicting with one of the five aims of including land within the Green Belt. The development would lead to substantial Green Belt harm. The matters raised by the applicant are not of sufficient weight to clearly outweigh this level of harm Accordingly the proposals are contrary to saved policy NW3 of the 2014 North Warwickshire Core Strategy and Section 13 of the National Planning Policy Framework 2019.

Notes

1. Notwithstanding this refusal, the Local Planning Authority has worked with the applicant in a positive and proactive manner through early identification and explanation of the reasons for refusal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

Planning Application No: PAP/2020/0236

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	20/05/2020
2	WCC Highways	Consultation Response	10/06/2020
3	Corley Parish Council	Representation	19/06/2020
4	Resident	Representation	29/05/2020
5	Resident	Representation	04/06/2020

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

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

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(8) Application No: PAP/2020/0245

Land to the Rear of 50, New Street, Dordon,

Erection of dormer bungalow (re-submission PAP/2019/0462), for Mr O Carvalho

Introduction

The application is reported to the Planning and Development Board at the request of a local member who considers that the weight attached to the applicant's case should be reconsidered.

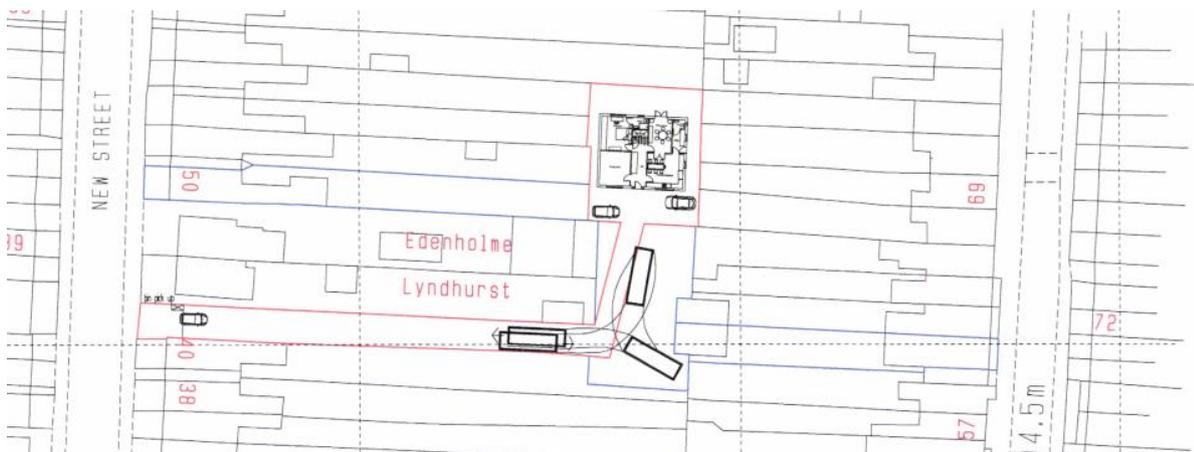
The Site and Development Proposal

Planning permission is sought for the erection of dormer bungalow on a 260sq/m rectangular parcel of land to the rear of 50-56 New Street, Dordon. The application is a re-submission of a previously withdrawn application, reference PAP/2019/0462.

The property adopts a simple dormer bungalow form with a gabled roof and two front facing dormer windows aligned to the driveway. The dwelling would be 11.5 metres wide, 9.7 metres long with a maximum ridge height of 6.85 metres. Parking and manoeuvring space is laid out to the front of the dwelling with a limited amenity space provided at the rear.

Vehicular and pedestrian access to New Street is to be provided via an existing private driveway which runs between 40 New Street and Lyndhurst, providing access to the rear of properties along Long Street and the application site.

The applicants currently benefit from a right of access along the driveway, a drive which currently serves four properties. Vehicle parking is evident to the rear of the dwellings along Long Street.



Proposed Site Plan



Proposed elevations and floor plans

Development Plan

North Warwickshire Core Strategy (October 2014) - NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW4 (Housing Development), NW5 (Split of Housing Numbers), NW10 (Development Considerations), NW11 (Renewable Energy and Energy Efficiency), NW12 (Quality of Development) and NW15 (Natural Environment)

North Warwickshire Local Plan 2006 (Saved Policies) - ENV4 (Trees and hedgerows); ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), TPT1 (Transport Considerations in New Development), TPT3 (Access and Sustainable Travel and Transport) and TPT6 (Vehicle Parking)

Other Relevant Material Considerations

The North Warwickshire Local Plan Submission Version, March 2018 - LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP31 (Development Considerations) and LP32 (Built Form)

National Planning Policy Framework 2019 - (the "NPPF")

Consultations

Warwickshire County Council (Highways) – It objects because there is limited visibility at the access onto New Street because of front garden walls and on-street car parking, thus creating a safety issue for drivers as well as for pedestrians. Additionally access for delivery and emergency vehicles can not be achieved.

NWBC (Waste Management) – Refuse wagons will not enter into a private driveway to collect waste and therefore a bin presentation point should be provided where the drive meets New Street.

Representations

No representations have been received

Observations

a) Introduction

This application will be determined in accordance with the aforementioned development plan policies, unless material considerations indicate otherwise, pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990. North Warwickshire Borough Council has recently published its Annual Five Year Housing Supply Report.

The position set out in that report shows a supply of 6.39 years. Furthermore, recent appeal decisions, namely at Wood End (ref. 3234056), confirm that Core Strategy policy NW2 which sets out a broad growth distribution strategy is not out of date when considered as a whole, despite its development boundaries being considered so.

b) Principle of development

The site falls within the development boundary for Dordon with Polesworth and these are identified as a category 1 settlement within policy. This states that inside of category 1 settlements, development for housing will be permitted. Consequently, in principle residential development within the defined development boundary can be considered acceptable.

c) Design

Saved policy ENV12 of the 2006 Local Plan requires development proposals to harmonise with the immediate and wider setting while respecting natural features and policy NW12 of the 2014 Core Strategy seeks for development to positively improve a settlements character and appearance. Part one of saved policy ENV13 relates to the physical characteristics of built form, only permitting development where the *'scale, massing, height and appearance of the proposal positively integrates into its surroundings'*.

The application proposes a new dwelling to the rear of two rows of early 20thC terraced properties along New Street and Long Street which are cohesive in form, layout and appearance. This distinctive well-defined and clearly identifiable pattern of development is a positive element of local character and appearance.

The proposal's siting and unsympathetic juxtaposition to the surroundings plots would undermine and dilute the clearly identifiable urban grain, failing to harmonise with the immediate and wider setting and appearing visually incongruous to the detriment of local character. The development also appears 'shoehorned' into the site, evident by the high dwelling to plot ratio and the limited extent of the rear garden which is just 3.75m deep and covers an area of 55m². It is axiomatic that the development would also fail to secure positive improvements to the settlement's character and appearance by reason of derogating from the established pattern of development

The supporting statement refers to approved development to the rear of the Co-op (PAP/2017/0659) in New Street and to the rear of 80 New Street (FAP/1999/5819) as providing comparable context and precedent for the development of this site.

The site at land to the rear of the Co-op is of a sufficient scale to replicate the layout and form of dwellings along New Street, creating a sympathetic, linear run of short terracing and a single semi-detached pair, thus preserving local character. In respect of the dwelling on land to the rear of 80 New Street, this application was permitted in 2000, under a different policy regime. Officers do not consider this development to respect the prevailing urban grain and argue that, despite its approval and subsequent construction, the dwelling's poor design should not be perpetuated.

Considered holistically, the proposals are contrary to saved 2006 Local Plan policy ENV12 and 2014 Core Strategy Policy NW12.

d) Highway Safety

Saved Policy TPT1 states that development is only permissible in situations whereby there is sufficient capacity within the highway network to accommodate the traffic generated and that the proposals would not be hazardous to traffic safety and visibility. Saved policy TPT3 stipulates that development will not be permitted "unless its siting, layout and design makes provision for safe and convenient pedestrian and vehicular access and circulation".

The above policy approach is considered to be consistent with the NPPF which confers that developments should provide safe and suitable access for all users (para 108b); give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas (para 110a) and allow for the efficient delivery of goods, and access by service and emergency vehicles (para 110d).

Paragraph 109 of the NPPF indicates that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts of the scheme are severe.

Vehicular and pedestrian access to New Street is to be provided via the existing private driveway which runs between 40 New Street and Lyndhurst, presently providing access to the rear of properties along Long Street and the application site. A right of access is afforded to the applicants, however this relates solely to the parcel of land and not the property along New Street. In total, four properties utilise the driveway with vehicle parking evident to the rear of the dwellings along Long Street.

The County Council's objection carries substantial weight. Whilst it is acknowledged that the applicants benefit from a right of access along the private driveway, the driveway is not the desired route for service, delivery or emergency vehicles, all of which are likely to park along New Street to provide service for 50 New Street. Occupants of the new dwelling and visitors to the property will in all likelihood utilise the private driveway as a means of access into and egress from the site. Consequently intensification will occur within the sub-standard driveway.

The drive itself is long (c.55m), uneven, not lit and not wide enough for a shared space to enable cars to pass (3.7m). Given these characteristics, the driveway would not provide for safe, priority pedestrian access and egress, particularly to those with disabilities/reduced movement capability and would likely lead to increased conflict between pedestrians and motorists. Furthermore the driveway cannot be widened, re-profiled or re-surfaced without the involvement of third parties.

A plan indicating a swept path for service vehicles has been provided, but it is not clear that larger vehicles will be able to enter in to the site, manoeuvre and egress from the site in a forward gear within the land owned by the applicant, nor has it been demonstrated that movements can take place whilst other vehicles are parked to the rear of the other plots along New Street and Long Street. Residents will also be required to manoeuvre bins 75 metres from the dwelling to a proposed presentation point adjacent to New Street, well in excess of the suggested 30m limit as set out within approved document H of the Building Regulations. Furthermore the presentation point when in use could inhibit the movement of vehicles.

Visibility onto New Street from the access is just 3.8 metres, set against a requirement of 33 metres. Visibility cannot be improved without changes to the frontages of both houses either side of the access, Lyndhurst and 40 New Street, which are not within the control of the applicant. A passing bay is provided towards the rear of the driveway but this outside of the application site and within the rear garden of 40 New Street.

Considered together, it is not considered that the proposals provide for safe, secure access for all users and the cumulative impacts of the development on highway safety would be unacceptable, conflicting with saved 2006 Local Plan policies TPT1 and TPT3, Core Strategy Policy NW10 (6) and paragraphs 108(b), 110(a) and 110(d) of the National Planning Policy Framework 2019.

e) Amenity

Policy NW10 (9) of the Core Strategy requires all development proposals to avoid and address *unacceptable* neighbouring amenity impacts (emphasis added). Paragraph 127(f) of the NPPF states that planning decisions should ensure that a high standard of amenity is provided for existing and future users.

No adverse impact on neighbouring properties is considered to arise given the low profile and window positioning on the new dwelling and it is material that no objections have been received. As for the occupiers of the new dwelling, the rear amenity space for the new plot is restricted with an average depth of just 3.75m and a total area of c.55m², palpably smaller than the surrounding properties. Nonetheless, this would provide suitable level amenity for new occupiers.

Recommendation

That planning permission be refused for the following reasons:

- 1) The application proposes a new dwelling to the rear of two existing rows of properties within the settlement of Dordon which, in this particular location, has a strong, cohesive linear form. The new development by virtue of its siting would undermine these distinctive, positive elements of local character and appearance. The development also appears cramped and contrived within a spatially constrained site. As a consequence, the proposals would be contrary to saved 2006 Local Plan policy ENV12 and 2014 Core Strategy Policy NW12, the former requiring development proposals to harmonise with the immediate and wider setting and the latter seeking for positive improvements to a settlements character, appearance and environmental quality.
- 2) Considered as a whole, it is not considered that the proposals provide for safe, secure access for all users and the cumulative impacts of the development on highway safety would be unacceptable, conflicting with saved 2006 Local Plan policies TPT1 and TPT3; Core Strategy Policy NW10 (6) and paragraphs 108(b), 110(a) and 110(d) of the National Planning Policy Framework 2019.

Notes

1. Notwithstanding this refusal, the Local Planning Authority has worked with the applicant in a positive and proactive manner through early identification of the key areas of concern, some of which were principle issues which could not be resolved through the submission of revised plans. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

Planning Application No: PAP/2020/0245

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	13/5/2020
2	WCC Highways	Consultation Response 1– Objection	08/06/2020
3	WCC Highways	Consultation Response 2 – Objection	01/07/2020
4	NWBC Waste Management	Consultation Response 1– Comments	21/05/2020
5	Applicant	Amended Ownership Certificate	30/07/2020

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

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

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(9) Application No: PAP/2020/0348 & PAP/2020/0349

1 & 2 Nightingale Cottages, Tamworth Road, Nether Whitacre, B46 2PL

Erection of oak framed garden room extensions to rear elevations, for

Mr & Mrs Lloyd and Howard

Introduction

The applications for planning permission and listed building consent are reported to Board at the request of the Chairman of the Planning and Development Board in view of the heritage implications.

The Site

The site is located in the dispersed settlement of Nether Whitacre and is accessed off Tamworth Road being approximately 130 metres east of the junction with Ridley Lane. It is located within the Green Belt and is a wholly rural context. The cottages are Heritage Assets Listed as Grade 2 Buildings and are important in the rural setting. The context of the site in its immediate surroundings is illustrated at Appendix A.

The Proposal

These are for the erection of joint oak framed single storey garden room extensions to the rear elevations of both 1 and 2 Nightingale Cottages. The extensions would comprise a flat roof glazed arrangement with central lantern to No. 2 Nightingale Cottages and an 'L' shaped pitched and flat roofed glazed extension to No. 1 Nightingale Cottages, each with oak framed sections and separated by a purpose built party wall. The design of the garden rooms can be viewed at Appendix B.

Background

There has been a small number of applications for the site in the past. No. 2 has previously benefitted from permission for an outbuilding which comprises the garage block and a room within the roof void. No 1 has also benefitted from permission for a garden room extension in 2008 although the garden room extension was not implemented at the time. In 2007 consent was permitted for the replacement of windows.

More recently planning permission and listed building consent under planning applications ref: PAP/2019/0493 and PAP/2019/0494 were refused for extensions of a similar design.

The cottages are significant due to their architectural style, being timber framed cottages that are characteristic of the rural vernacular in North Warwickshire. Many timber framed buildings survive in the Arden landscape today.

By way of understanding the architectural significance of the building, then the Historic England list entry highlights the significance of the cottages at Appendix C.

Development Plan

The Core Strategy 2014 – NW3 (Green Belt); NW10 (development Considerations), NW12 (Quality of Development) and NW14 (Historic Environment)

Saved Policies of the North Warwickshire Local Plan 2006 - ENV11(Neighbour Amenities); ENV13 (Building Design) and ENV16 (Listed Buildings)

Other Relevant Material Considerations

The Planning (Listed Buildings and Conservation Areas) Act 1990

The National Planning Policy Framework 2019 – (the “NPPF”)

The North Warwickshire Local Plan Submission Version, March 2018 - LP3 (Green Belt); LP15 (Historic Environment), LP31(Development Considerations) and LP32(Built Form).

Representations

None received

Observations

The main consideration is whether the design of the proposal causes harm to the character and special architecture of the Grade 2 listed cottages and the whether there any other harms arise associated with design, green belt and amenity.

a) Design

It has been established under the previous application that the principle of an extension to the two cottages is not disputed. It is possible to extend listed buildings. However, it is the design and the proportions of the extensions which have been in question on the previous applications and this remains the key matter under the present submissions.

The proposed extensions would be constructed of oak sourced from a renewable forest and so the method and principle of construction is a sustainable one. In terms of the design, then a contemporary design is a logical approach in that it offers a visual juxtaposition to that of the original architecture and does not replicate the significant features of the cottage. In many respects contemporary extensions to listed buildings can be appropriate additions depending on the context, size and proportions of the extension. The applicant has provided a Heritage Statement that accompanies the applications and this illustrates examples of similar extensions approved by other Planning Authorities. However, because of the individual heritage significance of each unique listed building, all applications have to be considered on their own merits.

The existing cottages (once a single house) are traditional in form and in architecture and are wholly characteristic of the local vernacular. The design of the extensions are therefore contemporary additions which can be viewed in the context of the host cottages by the illustrations at Appendix B.

The style of the extensions is essentially a hybrid of a modern conservatory in form supported by an exposed oak frame with oversized components. It is considered that there are a number of elements which are not sympathetic to the appearance of the host cottages These are:

- The heavy proportions of the extensions with the heavy eaves design. These are at odds with the proportions of the timber frame of the host cottages. As such the proposed extensions have a far too dominant form on the rear elevation of the cottages.
- The span of the extensions form an elongated massing across the entire rear elevation of the pair of cottages and without any break in the building line (except for the party wall). The extensions substantially dilute the character of the rear elevation. The simplicity of the existing appearance of the rear elevation would be concealed and thus it would be difficult to “read” the cottages as a pair from the perspective of the proposed rear elevation.
- The introduction of a party wall has a degree of permanency and offers a “clumsy” approach to overcoming an issue between the cottages As such the junctions of the extension with the cottage and the party wall do not compliment the host buildings’ historic features.

The design, though contemporary, is considered to be more suited to buildings of later periods rather than that of 17th century timber framed cottages. As indicated above a contemporary approach will not fit all types of historic buildings and can only be assessed in the context of those which may have limited architectural features.

Based on the assessment above, then the architectural design of the host cottages are of high significance with regards to the timber frame. It is the form of the extensions that considerably dilutes the appearance of cottage from the perspective of its rear elevation. The visual appreciation of the cottages is reduced and is not an organic form of extension given the limited proportions of the existing cottages.

Consideration also needs to be given to the re-location of rainwater goods and service pipes, as to whether the relocation of these elements should harm any fabric on the host cottages. There is also the matter in reducing the ground level to the exterior patio area in order that the garden room extensions are at the same level as the host cottage.

It is considered that from a design perspective the proposal, even with regards to the justification provided in the Heritage Statement could not be supported and thus the proposal is not in accordance with saved policy ENV16 or policy NW14 of the Core Strategy.

b) Heritage Asset

Nos. 1 and 2 Nightingale Cottages are listed at Grade 2. As such Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, places a duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses.

bi) Assessment of significance

The significance of the Heritage Asset is the surviving architecture namely the timber framed building, brick infill panels and chimney stack, along with the surviving form, which is legible as once being a single building being a “Hall” which has evolved over the centuries resulting in the present building on the site today. It was likely to have been in use as a high-status residence associated with the management of the landscape. The setting retains its intrinsic rural character typical of the Arden landscape and the rolling countryside of North Warwickshire.

It is considered that the form and siting of the garden room extensions would be harmful to the special architectural and historic interest of the building and does not offer an enhancement.

bii) Setting

The proposal harms the immediate setting in terms of the visual appreciation that would be diluted when viewing the rear elevation of the cottages in the context of the architectural form of the host dwellings.

It does not however harm the wider setting, because views of the extensions are limited and are not visible from any public vantage points.

biii) Assessment of harm

The NPPF at Paragraph 195 requires that, *“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply”*:

Paragraph 196 confirms that, *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

In terms of harm on the listed building then the proposal would be considered to amount to less than substantial harm on the Heritage Asset, although that harm would be assessed as being at the high end of “less than substantial harm”. The harm would be that the size of the proposal in terms of its elongated appearance, significantly diluting the architectural significance of the rear elevation of the listed cottages and harm caused by the “massing” on the rear elevation resulting in a very awkward juxtaposition. The harms identified must also be outweighed by the public benefits of the proposal if it is to be supported.

biv) Balancing public benefit

In this case the benefits generated by the proposal would be wholly “private” in that the occupants wish to enlarge their own living space. This is not considered to provide any public benefit and would not even outweigh the less than substantial harm caused on the architectural significance of the Heritage Asset.

bv) Final Heritage Balance

The proposal is not considered to enhance the listed building or its immediate setting based on the assessment made above and therefore the proposals are considered to be contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Section 16 of the NPPF, to saved policy ENV16 and policy NW14 of the Core Strategy.

In terms of any other planning considerations then the following are also relevant:

c) Green Belt

The site is in the Green Belt and thus as the proposals involve building operations, the development would be inappropriate by definition in the NPPF, thus carrying the presumption of refusal. There are however exceptions to this and the relevant one here is to establish if the building operations proposed are “disproportionate” to the original buildings. It is considered not, as the proposals are single storey. They have a greater impact on increased footprint but not on volume. The previous refusals were neither based on Green Belt harm. As such it is considered that there is accordance with NW3 of the Core Strategy.

d) Neighbour Amenities

The listed building comprising these two cottages is sited some distance away from neighbouring properties and only the front elevation and side elevations of these cottages can be viewed from the public realm. The extensions would not be wholly visible and do not therefore impact upon the privacy or amenity of any neighbouring occupiers. It is acknowledged that a design for the garden rooms to each cottage would have regard to a party wall separation and therefore no loss of privacy nor light would occur between the neighbouring occupiers. Overall, the proposal is not considered to result in a loss of amenity, privacy or loss of light that would result in unacceptable loss of amenity and privacy in the area. The proposal is not therefore contrary to policy NW10.

e) Drainage

The finished floor level will likely be reduced, as the patio area has been made up slightly on higher ground to compensate the slight difference in floor level within each cottage compared with that of the patio. Surface water drainage will therefore be assessed under any submission for compliance with Building Regulations and soakaways will likely be provided should ground conditions allow. It is likely that the proposal will be at odds with the route of existing rainwater goods.

Conclusion

It is considered that the proposal should be refused given that it would not comply with saved policies ENV13 or ENV16 of the North Warwickshire Local Plan 2006 and policies NW12 and NW14 of the Core Strategy. It offers a visually harmful juxtaposition with regards to the siting on the rear elevation of the listed cottages.

Recommendations

- a) That application PAP/2020/0348 be **REFUSED** for the following reason:
1. The proposal for extensions on the pair of listed cottages are not considered to be of a sympathetic form in that the linear design of the proposal obscures the rear elevations to both cottages and provides an incongruous addition and an awkward juxtaposition and does not compliment or enhance the buildings historic features. There are no material considerations that would outweigh a policy refusal on the grounds of design or heritage considerations and any benefits generated by the proposal are not considered to outweigh the harm on the significance of the designated heritage asset and thus is contrary to saved policies ENV13 and ENV16 of the North Warwickshire Local Plan, 2006 and the design and heritage requirements outlined in policies NW12 and NW14 of the Core Strategy and Section 16 of the National Planning Policy Framework and to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

INFORMATIVES

1. Notwithstanding this refusal, the Local Planning Authority has worked with the agent in a positive and proactive manner through having addressed design issues in past applications and through quickly determining the application. The planning issues have not been satisfactorily addressed by the resubmission. As such it is considered that the Council has implemented the requirement set out in paragraphs 36 of the National Planning Policy Framework.
- b) That the application for the Listed Building Consent PAP/2020/0349 also be **REFUSED** for the following reason:

1. The proposal for extensions on the pair of listed cottages are not considered to be of a sympathetic form in that the linear design of the proposal obscures the rear elevations to both cottages and provides an incongruous addition and an awkward juxtaposition and does not compliment or enhance the buildings historic features. There are no material considerations that would outweigh a policy refusal on the grounds of design or heritage considerations and any benefits generated by the proposal are not considered to outweigh the harm on the significance of the designated heritage asset and thus is contrary to saved policies ENV13 and ENV16 of the North Warwickshire Local Plan, 2006 and the design and heritage requirements outlined in policies NW12 and NW14 of the Core Strategy and Section 16 of the National Planning Policy Framework and to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

INFORMATIVES

1. Notwithstanding this refusal, the Local Planning Authority has worked with the agent in a positive and proactive manner through having addressed design issues in past applications and through quickly determining the application. The planning issues have not been satisfactorily addressed by the resubmission. As such it is considered that the Council has implemented the requirement set out in paragraphs 36 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

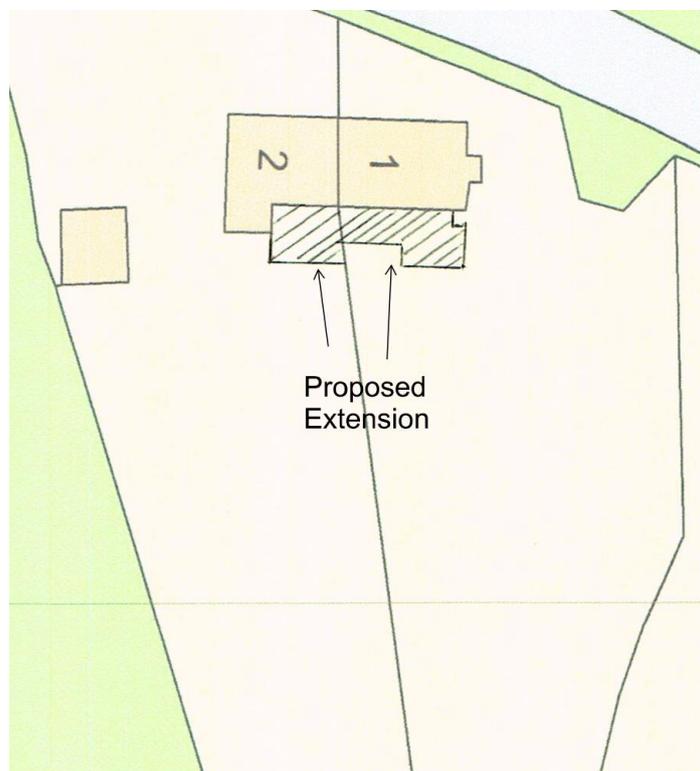
Planning Application No: PAP/2020/0348 and PAP/2020/0349

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	06.07.2020

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

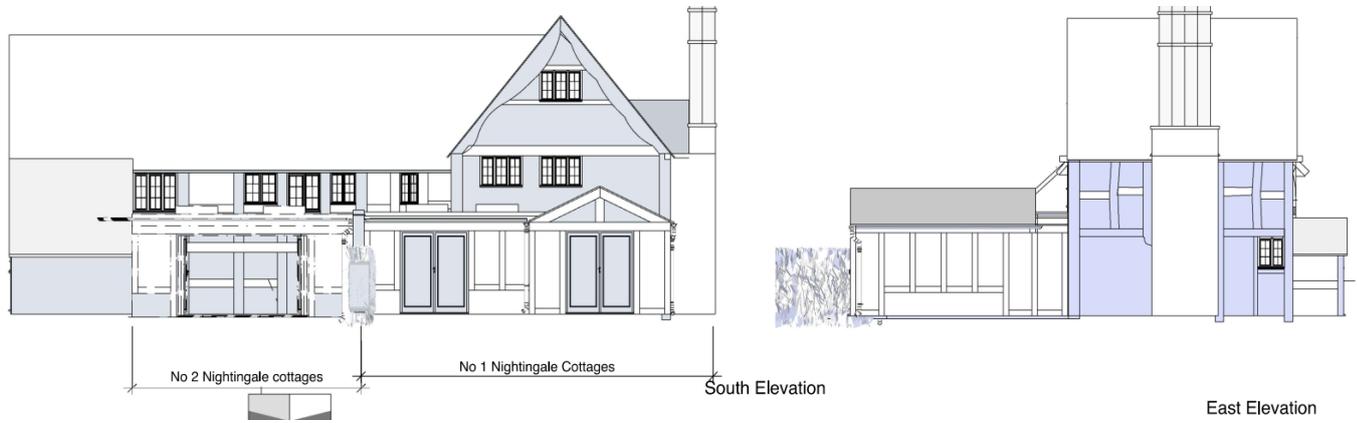
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APPENDIX A

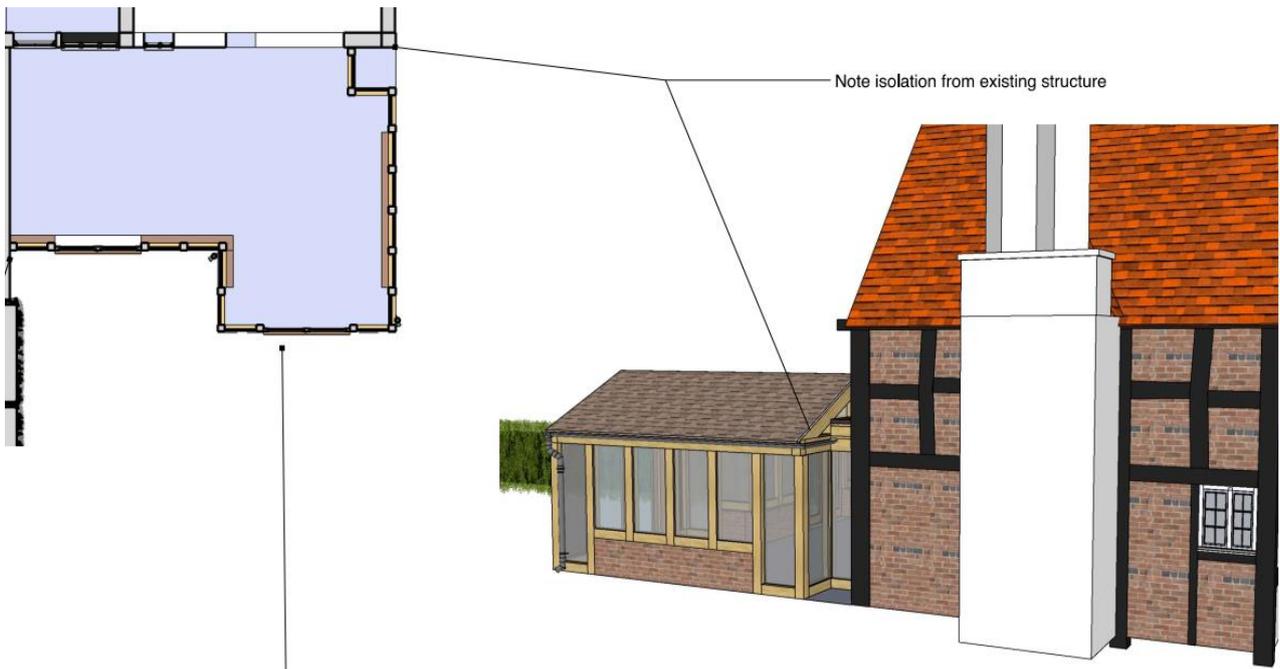


APPENDIX B

Design for No. 1 Nightingale Cottages – elevations:



Ground floor plan and schematics:



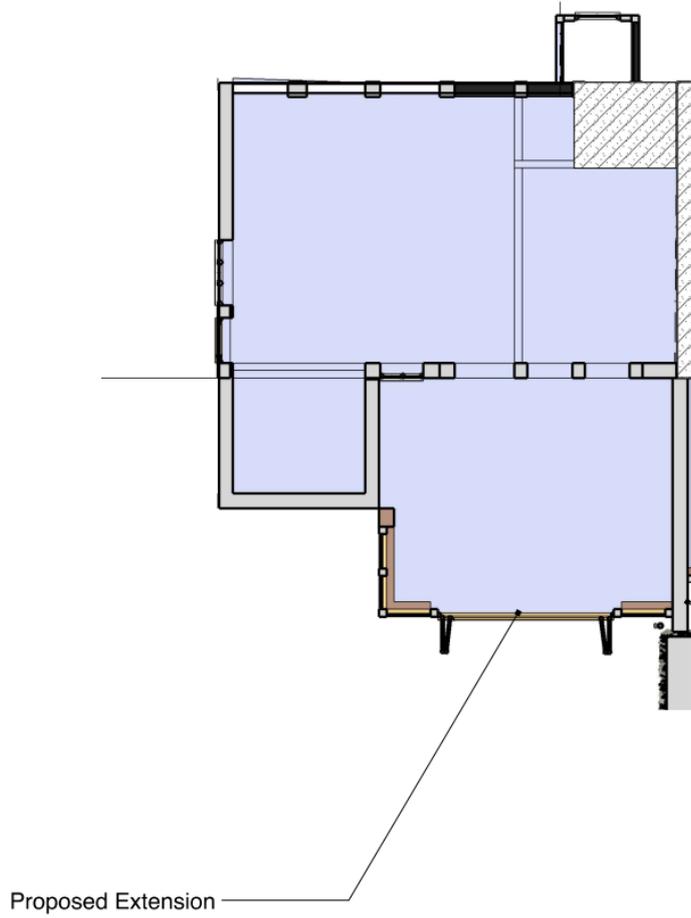
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06/07/2020
PLANNING & DEVELOPMENT
DIVISION



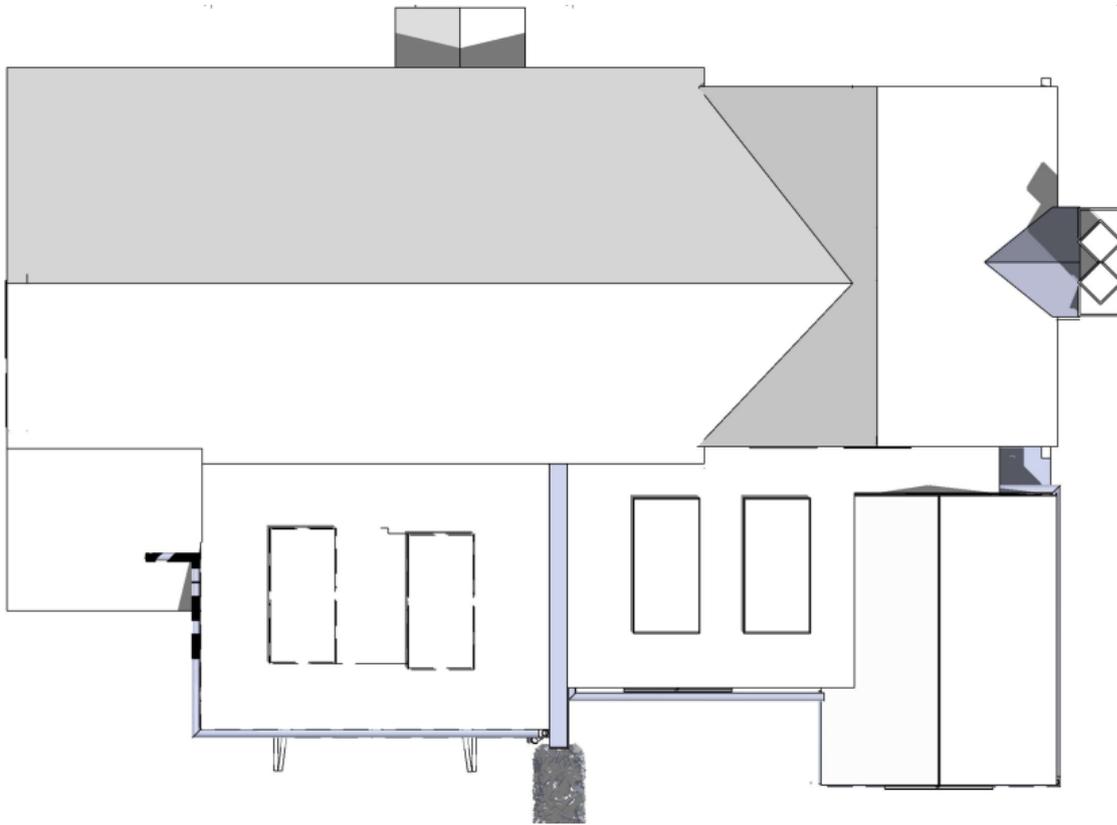
Design for No. 2 Nightingale Cottages – Elevations:



No. 2 Nightingale Cottages – Ground floor plan and schematics



No.1 and No.2 Nightingale Cottages – Roof Plan:



Roof Plan

Existing elevations to the cottages:



Rear of No. 1 Nightingale Cottages (as existing)



Rear of No. 2 Nightingale Cottages – as existing

APPENDIX C

NETHER WHITACRE TAMWORTH ROAD SP29SW (South side) 5/105 Nightingale Cottages 27/02/87 - II House, now divided into 2 dwellings. Probably early C17 with later C17 extensions including a porch dated T.H. 1663. Timber-framed with brick infill panels; plain-tile roof; brick integral end stack to hall range and sandstone lateral external stack to cross-wing with 2 lozenge shaped brick shafts. Hall range aligned east-west facing north with cross-wing to the east, it's end walls flush with the side walls of the hall range. The latter was extended to the west in the later C17. 2-storey main range with gabled cross-wing to the left of 2 storeys and attic. 5-window front: mainly late C19/early C20 casements, irregularly spaced. The early C17 part of the house to the left has 4 tiers of square panels up to eaves level, and the cross-wing has double collar roof truss with V-struts above the upper collar and vertical struts below both, and a cambered tie beam. The later C17 extension to the right also has 4 tiers of panels but these are larger and wider. There are 2 types of braces; those to the cross-wing are curved whereas the others occupy the corners of the panels like brackets. Gabled porch to left of centre with V-struts in the gable. Exposed queen strut roof truss in the right hand gable with one pair of purlins and a ridge piece.

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Agenda Item No 4

Planning and Development Board

19 August 2020

Report of the Chief Executive

Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2019 – March 2020

1 Summary

- 1.1 This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April 2019 to March 2020.

Recommendation to the Board

That Members consider the performance achieved and highlight any areas for further investigation.

2 Consultation

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

3 Background

- 3.1 This report shows the year end position with the achievement of the Corporate Plan and Performance Indicator targets for 2019/20. This is the fourth report showing the progress achieved so far during this year.

4 Progress achieved during 2019/20

- ... 4.1 Attached at Appendices A and B are reports outlining the progress achieved for all the Corporate Plan targets and the agreed local performance indicators during April 2019 to March 2020 for the Planning and Development Board.
- 4.2 Members will recall the use of a traffic light indicator for the monitoring of the performance achieved.

Red – target not being achieved (shown as a red triangle)

Green – target achieved (shown as a green star)

5 Performance Indicators

- 5.1 The year end returns are subject to review by Internal Audit and therefore maybe subject to changes. Any amendments to the returns will be reported to a future meeting of the board.

6 Overall Performance

- 6.1 The Corporate Plan performance report shows that 89% of the Corporate Plan targets and 67% of the performance indicator targets have been achieved. One target for processing other applications has not been achieved due to a combination delays in receiving consultation responses and the seeking of extensions in time. A target to prepare a report to the board was also delayed due to the restrictions from the coronavirus pandemic. The report shows the individual targets that have been classified as red or green. Individual comments from the relevant division have been included where appropriate. The table below shows the following status in terms of the traffic light indicator status:

Corporate Plan

Status	Number	Percentage
Green	8	89%
Red	1	11%
Total	9	100%

Performance Indicators

Status	Number	Percentage
Green	2	67%
Red	1	33%
Total	3	100%

7 Summary

- 7.1 Members may wish to identify any areas that require further consideration where targets are not currently being achieved.

8 Report Implications

8.1 Safer Communities Implications

- 8.1.1 Major applications are considered by the Police Architectural Liaison Officer who is looking to ensure that Secure by Design principles are applied for new developments.

8.2 Legal Data Protection and Human Rights Implications

8.2.1 The national indicators were specified by the Secretary of State for Communities and Local Government. They were replaced by a single list of data returns to Central Government from April 2011.

8.3 Environment and Sustainability Implications

8.3.1 Improvements in the performance and quality of services will contribute to improving the quality of life within the community. The actions to improve apprenticeships, training and employment opportunities and transport links for local residents is contributing towards the raising aspirations, educational attainment and skills priority of the North Warwickshire Sustainable Community Strategy 2009 – 2026.

8.4 Risk Management Implications

8.4.1 Effective performance monitoring will enable the Council to minimise associated risks with the failure to achieve targets and deliver services at the required performance level.

8.5 Equality Implications

8.5.1 The action to improve employment opportunities for local residents is contributing to equality objectives and is a positive impact in terms of the protected characteristics for age through the young people employment programme.

8.6 Links to Council's Priorities

8.6.1 There are a number of targets and performance indicators included relating to supporting employment and business, protecting countryside and heritage, and promoting sustainable and vibrant communities.

The Contact Officer for this report is Robert Beggs (719238).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date

Planning and Development 19/20									
	Action	Priority	Reporting Officer	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Status	Direction
28	Manage development and to deliver its associated infrastructure, in line with the priorities on the Council's Corporate Plan and in the Sustainable Community Strategy	Protecting our Countryside & Heritage	Jeff Brown	A report will be brought to Board February 2020	A report will be brought to Board February 2020	A report will be brought to Board February 2020	Report delayed due to the coronavirus restrictions and Planning & Development Board not meeting	Red	↓
29	To regularly report on Growth pressures on the Borough, the protection of the Green Belt as far as possible and how to sustain the rurality of the Borough	Protecting our Countryside & Heritage	Jeff Brown	The Planning Board has seen the pressures as a consequence of planning applications referred to it. There have been no significant developments allowed in the Green Belt	The Planning Board has seen the pressures as a consequence of planning applications referred to it. There have been no significant developments allowed in the Green Belt	The Planning Board has seen the pressures as a consequence of planning applications referred to it. There have been no significant developments allowed in the Green Belt	The Planning Board has seen the pressures as a consequence of planning applications referred to it. There have been no significant developments allowed in the Green Belt	Green	↔
30	Use the Design Champions to ensure the best achievable designs are implemented and developed so as to reflect setting and local character	Protecting our Countryside & Heritage	Jeff Brown	The Design Champions have been involved in several cases this quarter - notably at Wood End and in Mancetter	The Design Champions have been involved in several cases this quarter - notably at Wood End and in Mancetter	The Design Champions have been involved in several cases - notably at Wood End and in Mancetter	The Design Champions have been involved in several cases - notably at Wood End and in Mancetter	Green	↔
31	To seek to secure the protection of the best of the Borough's built and rural heritage	Protecting our Countryside & Heritage	Jeff Brown	The most significant matter in this regard was confirmation by the Board of an Article Four Direction for the former Mancetter Primary School.	The most significant matter in this regard was confirmation by the Board of an Article Four Direction for the former Mancetter Primary School. Consideration of the Britannia Mills site will be significant in this respect and will be reported on the same agenda.	The most significant matter in this regard was confirmation by the Board of an Article Four Direction for the former Mancetter Primary School. Consideration of the Britannia Mills site will be significant in this respect and will be reported on the same agenda.	The most significant matter in this regard was confirmation by the Board of an Article Four Direction for the former Mancetter Primary School. Consideration of the Britannia Mills site will be significant in this respect and will be reported on the same agenda.	Green	↔
32	(a) Better understand the employment and skills deficits in the Borough, particularly in respect of the changing nature of the logistics sector, so as to work with the County Council and other partners to provide and promote apprenticeships and training opportunities for North Warwickshire residents and to increase their accessibility to employment centres; and	Supporting Employment & Business	Steve Maxey	Work in this continues through the Community Partnership	Work in this continues through the Community Partnership. Funding has now been secured via the ESIF programme for a sub regional study and a tender for the study will be out to tender shortly	Work in this continues through the Community Partnership. Funding has now been secured via the ESIF programme for a sub regional study and a tender for the study will be out to tender shortly	There have been early discussions on the Local Plan Strategic sites where these issues have been raised as early as possible in the process	Green	↔
	(b) Administer funding provided by the developers and through other funding sources to maximise opportunities for employment of local people in light of the evidence to be provided under (a) above	Supporting Employment & Business	Steve Maxey	Work on project to use the s.106 funding continue through the Community Partnership	Work on project to use the s.106 funding continue through the Community Partnership	Work on project to use the s.106 funding continue through the Community Partnership	External funding of £10k has been secured through the County Council's DMP Delivery Fund to deliver the "Stop A While" project, which will seek to develop the visitor potential of the canals in the market towns of Atherstone and Polesworth. This work will be undertaken in conjunction with the two Town Partnerships and has the support of the Canal and River Trust	Green	↔
33	To work with the County Council, Town and Parish Councils and other partners to maximise section 106 contributions for infrastructure to support business such as broadband provision, the use of renewable energy, enhancement of sustainable transport initiatives and enterprise hubs	Supporting Employment & Business	Steve Maxey	Officers meet regularly to ensure that s.106 contributions are maximised in planning applications	Officers meet regularly to ensure that s.106 contributions are maximised in planning applications	Officers meet regularly to ensure that s.106 contributions are maximised in planning applications	Officers meet regularly to ensure that s.106 contributions are maximised in planning applications	Green	↔
34	To monitor progress of the North Warwickshire Transport Strategy so as to improve strategic roads such as the A5, the A446 and the B5000, to enhance transport links including cycle ways, footpath and public transport to local employment and review HGV parking	Supporting Employment & Business	Jeff Brown	There have been early discussions on the Local Plan Strategic sites where these issues have been raised as early as possible in the process	There have been early discussions on the Local Plan Strategic sites where these issues have been raised as early as possible in the process	There have been early discussions on the Local Plan Strategic sites where these issues have been raised as early as possible in the process	There have been early discussions on the Local Plan Strategic sites where these issues have been raised as early as possible in the process	Green	↔
35	To continue to work with North Warwickshire Heritage Forum to protect, promote and develop the heritage and tourism of North Warwickshire in accordance with the priorities of the Destination Management Plan	Protecting our Countryside & Heritage	Jeff Brown	The Board has agreed a procedure for "local " listing of non-designated heritage assets.	The Board has agreed a procedure for "local " listing of non-designated heritage assets.	External funding of £10k has been secured through the County Council's DMP Delivery Fund to deliver the "Stop A While" project, which will seek to develop the visitor potential of the canals in the market towns of Atherstone and Polesworth. This work will be undertaken in conjunction with the two Town Partnerships and has the support of the Canal and River Trust	External funding of £10k has been secured through the County Council's DMP Delivery Fund to deliver the "Stop A While" project, which will seek to develop the visitor potential of the canals in the market towns of Atherstone and Polesworth. This work will be undertaken in conjunction with the two Town Partnerships and has the support of the Canal and River Trust	Green	↔

NWPI Planning Board 19/20

Ref	Description	Section	Priority	Year End Target 2019/20	Outturn 2018/19	April - Mar Performance	Traffic Light	Direction of Travel	Comments
@NW:NI157a	Processing of planning applications in 13 weeks for major application types	Development Control	Countryside and Heritage	60%	88.00%	84.00%	Green	↑	Continuing good practice of seeking pre-applications. Engagement and agreeing extensions of time when appropriate in order to enable a permission rather than a refusal
@NW:NI157b	Processing of planning applications in 8 weeks for minor application types	Development Control	Countryside and Heritage	80%	89.00%	80.00%	Green	↑	
@NW:NI157c	Processing of planning applications in 8 weeks for other application types	Development Control	Countryside and Heritage	90%	85.00%	76.00%	Red	↓	Mainly due to delays in consultation responses from other agencies and requesting amendments from applicants which leads to additional time and reconsultation