

## PLANNING APPLICATIONS COMMITTEE

### ADDENDUM 19<sup>th</sup> November 2024

#### Item

1. ADD: No.50a Bulkington Road to the 'Neighbours Notified' section.

ADD: No.55 Hatters Court to the 'Neighbours Notified' section.

AMEND Section 4 (Impact on Highway Safety) FROM:

5. How the development delivers sustainable transport options in a safe way that link to the wider transport network.

TO:

3. How the development delivers sustainable transport options in a safe way that link to the wider transport network.

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3. How the development delivers sustainable transport options in a safe way that link to the wider transport network.

ADD - Final comments from WCC Highway Authority

It is stated that it is not believed that there should be a strict application of the parking standards based on the location of the site, however based on the last TN they provided the parking requirements in the new supplementary note are contradictory as they showed (by survey evidence) that in fact the current parking requirement is 1 space per 3 people. The fact that the site is in a sustainable location therefore is shown to be irrelevant as the existing members rely on private cars, more so that assumed by the parking standards.

The additional public parking statement states: 'Anyone who lives in the town and is familiar with these car parks will know that there are ample spaces available (i.e. well above the 53 figure) on a Sunday morning. This has been confirmed by a member of the congregation who has visited the car parks to verify this on multiple occasions'

This is not considered to be an acceptable justification as the evidence provided was not acceptable or robust so cannot be relied upon. Furthermore, the statement: 'The Council and WCC has not presented any evidence to the contrary and has no basis upon which to disagree with this.'

Is not accepted. It is not for the Council to present evidence, it is for the applicant to justify and provide evidence of why the proposals are acceptable.

The amendments to the parking layout in terms of removal of parent and child spaces are acceptable in principle, however, the creation of the additional parking spaces is not sufficient to overcome our concerns.

It is not considered that the additional information contained within the supplementary planning statement contains sufficient information to overcome our objection. It is still considered that the lack of parking could result in people parking in unsafe locations such as within vis splays, across accesses, on junctions etc. Whilst there are double yellows etc in the area because of the relatively short time people would be parked they may believe that they would be safe from enforcement and park in these places. Development should not result in an enforcement liability that would end up costing the council money.

ADD to objections - 1 additional letter of objection has been received from Bedworth Civic Hall. Comments relate to oversaturation of similar facilities which are already available within Bedworth town centre. No other new points of objection have been received.

2. Relevant Planning History - For the removal of doubt the legal agreement for 039614 has not yet been confirmed and so this application is currently undetermined

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**3.** AMEND Page 14 to read:

Item 3 reference number to be 040257 not 040527

AMEND RECOMMENDATION

Recommendation is to give delegated authority to the Strategic Director for

Place and Economy and planning officers to complete discussions and negotiations for the Bulkington Visitor Centre (BVC) section 106 requested contributions.

AND

The period of consultation expires on 11th December 2024. Subject to no new issues being raised at the end of this period, the Assistant Director - Planning be given delegated authority to grant planning permission subject to a legal agreement and the conditions printed.

Consultation Responses:

ADD

No objection:

WCC Archaeology

Comment from:

NBBC Refuse, WCC Infrastructure, WCC Rights of Way, NBBC Sports, NBBC Parks, George Eliot NHS Trust, Severn Trent Water, Warwickshire Police

REMOVE:

No objection from:

Highways England (was not consulted on the application)

No response from:

Severn Trent Water

Neighbour Notified:

ADD:

22 and 24 Mill Lane

Our Lady of the Sacred Heart and the associated Church Hall

Flat 3 and 14, Arden Lodge

ADD to 5. Impact on Highway Safety

A stage 1 road safety audit (RSA) was also submitted after consultation and discussions between the relevant parties involved in this application. The stage 1 RSA identified 3 problems:

- Gateway features obstructing visibility splays
- Pedestrian crossing points
- Visitor parking at plot 17

It was also raised that a 20mph speed limit would not be acceptable here due to the short length of the proposed highway. A designer's response was then provided and has been agreed with the audit team and was submitted to the highway's authority. The changes to address the issues are as follows:

- The gateway features will be omitted/moved away from visibility splays.
- Pedestrian crossing points will be added and,
- The visitor parking space will be omitted/relocated.

Layout is a reserved matter and will be assessed within a later application and it has been agreed that these changes will be part of later reserved

matters applications and as part of the technical S278 agreement. Also, it has been agreed, but not conditioned, so this cannot be enforced, that as part of the reserved matters application a design can be achieved that achieve a safe site with a 20mph speed limit without formally providing a speed limit. Therefore, with all the This application is therefore acceptable and the highways authority formally state they have no objection to the application subject to conditions and contributions.

The highways authority has considered that the issues and impacts raised by the proposal can be overcome by the use of planning conditions. The following planning conditions have been suggested to be put on the decision notice, should the application be determined as approval.

1. The development shall not be occupied until the proposed access and off-site highway works, including speed cushions, have been laid out in general accordance with approved plans 23087-SK240822.1 & 23087-SK20240709.1 and have been constructed in accordance with the Highway Authority's specifications.
2. The development shall not be occupied until the vehicular accesses to Nos. 34, 37 & 39 Trent Road have been relocated in general accordance with plan 23087-SK20240709.1 and visibility splays have been provided to these accesses in accordance with this plan. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6m metres above the level of the public highway carriageway.
3. No development shall commence including any site clearance, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to through the construction period. The approved plan shall provide for:
  - i. The routing and parking of vehicles of HGVs, site operatives and visitors;
  - ii. Hours of work;
  - iii. Loading and unloading of plant/materials.
  - iv. Storage of plant and materials used in constructing the development.
  - v. The erection and maintenance of security hoarding.
  - vi. Wheel washing facilities to prevent mud and debris being passed onto the highway.
  - vii. A scheme for recycling/disposing of waste resulting from construction works.
  - viii. Emergency contact details that can be used by the Local Planning Authority, Warwickshire County Council and public during the construction period.

Paragraph 56 of the NPPF (2023), states that planning conditions should be kept to a minimum and only imposed where necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. It is felt that conditions 2 and 3 meet all of these tests and will be added to decision notice as provided. Condition 1's wording will have to change but the reasoning and content will stay the same. However, the condition cannot be enforced with the wording '... constructed in accordance with the Highway Authority's specification' and so this will be removed and then the condition will be added to the decision notice, should

the application be approved.

AMEND:

Paragraph 9 to 'The survey undertaken at the site between May and September 2024 confirmed the absence of reptiles and so no mitigation methods are proposed.

AMEND:

Paragraph 12 to a./b./c. and not g./h./i.

ADD:

Paragraph 12:

George Eliot Hospital Trust requested £33571, however this was deemed as not CIL compliant and is felt not to meet the tests set out in the NPPF and so will not be added to the S106 legal agreement.

ADD to Contributions Request

Bulkington Village Centre (BVC) requests £13,211.70. This is still under discussion and negotiation, as represented in the new recommendation.

Conditions:

REMOVE condition 15 as it is the same as condition 5

AMEND condition 13 to read

13. The development hereby permitted shall not commence above slab level until details of all external light fittings and external light columns have been submitted to and approved by the Local Planning Authority. The scheme shall outline how the lighting scheme prevents lightspill affecting ecological habitats as evidenced by a suitably qualified and experienced ecologist and on lighting contour diagrams that include 5, 1, 0.5 and 0.3 lux contours. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted on the northern and southern sections of the site and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting should be used to avoid the blue-white wavelengths;
- Lighting should be directed away from vegetated areas;
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.

ADD conditions 24 and 25:

24. The development shall not be occupied until the proposed access and

off-site highway works, including speed cushions, have been laid out in general accordance with approved plans 23087-SK240822.1 & 23087-SK20240709.1.

25. The development shall not be occupied until the vehicular accesses to Nos. 34, 37 & 39 Trent Road have been relocated in general accordance with plan 23087-SK20240709.1 and visibility splays have been provided to these accesses in accordance with this plan. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6m metres above the level of the public highway carriageway.

4. ADD: Flats 1-8, 90-92 King Edward Road and 47-62 Clarkson Close (all) to 'Neighbours notified' section.

AMEND: 'Neighbour responses' FROM:

- 7. Impact on highway safety
- 8. The application is retrospective and still operating
- 9. Does not fit in with the street scene and the surrounding area
- 10.Noise nuisances
- 11.Property Damage
- 12.Excessive lighting
- 13.Erection of CCTV and poles

TO:

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AMEND Condition 2 to read

| Plan Description                                    | Plan Reference | Date Received |
|---|----------------|---------------|
| Location and Block Plan                             | 23 34 05       | 04/03/2024    |
| Block Plan with pictures of container and buildings | 23 34 06A      | 16/09/2024    |
| Proposed Boundary Treatments                        | 23 34 08 B     | 30/08/2024    |
| Proposed Elevations of Buildings and Containers     | 23 34 11       | 12/11/2024    |

5. One further letter of objection received (from an address that has previously

objected). Concerns relating to privacy impact. Height and size increase allow direct overlooking into previously screened private amenity spaces. Distances between habitable room windows are below standards in the Sustainable Design and Construction SPD 2020 (27 metres)

**Proposal Description:**

Removal of 'Partial white colour render finish to dwelling' from application. The extensions would now feature brickwork to match the existing only.

**Neighbour Representations:**

One further letter of objection received (from an address that has previously objected). Concerns relating to privacy impact. Height and size increase allow direct overlooking into previously screened private amenity spaces. Distances between habitable room windows are below standards in the Sustainable Design and Construction SPD 2020 (27 metres)