



Enquiries to:
Democratic Services

Telephone Committee Services: 024 7637 6220

Direct Email:
committee@nuneatonandbedworth.gov.uk
planning@nuneatonandbedworth.gov.uk

Date: 6th November 2025

Our Ref: MM

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in the Council Chamber, Town Hall, Nuneaton on **Tuesday 18th November 2025 at 6.00p.m.**

Public Consultation on planning applications will commence at 6.00pm (see Agenda Item No. 6 for clarification).

Yours faithfully,

TOM SHARDLOW

Chief Executive

To: All Members of the Planning
Applications Committee

Councillors B. Hancox (Chair),
L. Cvetkovic (Vice-Chair), E. Amaechi,
S. Dhillon, P. Hickling, M. Kondakor,
S. Markham, W. Markham, J. Sheppard,
R. Smith and K. Wilson.

AGENDA

PART I - PUBLIC BUSINESS

1. **EVACUATION PROCEDURE**

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

2. **APOLOGIES** - To receive apologies for absence from the meeting.

3. **MINUTES** - To confirm the minutes of the meeting held on 21st October 2025, attached (**Page 5**).

4. **DECLARATIONS OF INTEREST**

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made so that interests that are declared regularly by members can be viewed in a schedule on the Council website ([Councillor Schedule of Declarations of Interests for Meetings](#)). Any interest noted in the schedule on the website will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and

nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

5. DECLARATIONS OF CONTACT

Members are reminded that contacts about any Planning Applications on this agenda must be declared before the application is considered.

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control, attached (**Page 7**).

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The Chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or Officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the Chair. The Chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the Chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK – the report of the Head of Development Control.
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

21st October 2025

A meeting of the Planning Applications Committee was held in the Town Hall, Nuneaton on Tuesday, 21st October 2025.

Present

Councillor B. Hancox (Chair) – agenda items PLA 17 and 18
L. Cvetkovic (Vice-Chair) – agenda items PLA 19 and 20

Councillors: E. Amaechi, S. Dhillon, P. Hickling, M. Kondakor, S. Markham, W. Markham, J. Sheppard, R. Smith and J. Gutteridge (substitute for K. Wilson).

Apologies: Councillor K. Wilson.

PLA17 Minutes

RESOLVED that the minutes of the meeting held on the 23rd September 2025 be approved, and signed by the Chair.

PLA18 Declarations of Interest

Councillor B. Hancox declared that he is an Advisor to the British Gurkha Veterans Association. As such he confirmed he would not take any further part in this meeting as a Councillor, but would speak as a public speaker in relation to application 040724 (on the discretion of the Chair).

RESOLVED that the declarations of interests are as set out in the Schedule that can be found on the Council's website - ([Councillor Schedule of Declarations of Interests for Meetings](#)), with the addition of the interest declared by Councillor Hancox.

Following the Declaration of Interest from Councillor B. Hancox, Councillor L. Cvetkovic, as Vice-Chair for the Planning Applications Committee, took the role of Chair for the remainder of the meeting. Councillor B. Hancox took no part in the discussion or voting in relation to application 040724.

PLA19 Declarations of Contact

Councillors Gutteridge and Smith declared they had contact with the applicant approximately four years ago in their roles as Portfolio Holders. In relation to application 040724 they confirmed that they had not discussed this application with anyone outside of the Committee.

IN PUBLIC SESSION

PLA20 Planning Applications

(Note: Names of the members of the public who submitted statements or spoke are recorded in the Schedule).

RESOLVED that decisions made on applications for planning permission are as shown in the attached schedule, for the reasons and with the conditions set out in the report and addendum, unless stated otherwise.

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA20 OF THE
PLANNING APPLICATIONS COMMITTEE ON 21ST OCTOBER 2025

040724 - Riversley Park, Coton Road, Nuneaton, Warwickshire, CV11 5TY

Applicant – Mr Chitra Rana

Public Speaker: Councillor B. Hancox (Supporter)

DECISION that planning permission be granted, subject to the conditions as printed in the agenda.

Planning Applications Committee
18th November 2025

Applications for Planning Permission
Agenda Item Index

Planning Applications

Item No.	Reference	Ward	Address	Page No.
1.	040675	SM	Manor Park Community School, Beaumont Road, Nuneaton	8
2.	041222	WE	267 Weddington Road, Nuneaton	39

For Noting

Item No.	Reference	Ward	Address	Page No.
3.	040963	CC	152 Marlborough Road, Nuneaton	46

Wards:					
AR	Arbury	EA	Eastboro	SL	Slough
AT	Attleborough	EX	Exhall	SM	St Marys
BE	Bede	GC	Galley Common	SN	St Nicolas
BU	Bulkington	HE	Heath	SE	Stockingford East
CH	Camp Hill	MI	Milby	SW	Stockingford West
CC	Chilvers Coton	PO	Poplar	WE	Weddington
				WH	Whitestone

PLANNING APPLICATIONS

Item No. 1

REFERENCE No. 040675

Site Address: Manor Park Community School, Beaumont Road, Nuneaton, Warwickshire, CV11 5HJ

Description of Development: Construction of 46 dwellings and 8 flats (approval of reserved matters relating to appearance, landscaping, layout and scale following outline approval 035587 and amended by 039525 and 040934)

Applicant: Mr Alex Udale

Ward: SM

RECOMMENDATION:

Planning Committee is recommended to grant planning permission, subject to the conditions printed.

INTRODUCTION:

Construction of 46 dwellings and 8 flats (approval of reserved matters relating to appearance, landscaping, layout and scale following outline approval 035587 and amended by 039525 and 040934) at Manor Park Community School Discovery Academy Beaumont Road Nuneaton Warwickshire CV11 5HJ.

The site is a former secondary school. Discovery Academy, which is adjacent to the site, is still occupied and run as a school for children with learning difficulties. The site adjoins Beaumont Road and Vernon's Lane and there is a vehicular access off both Beaumont Road and Vernon's Lane. To the south there are hedges and trees which are substantial. The remaining school buildings of Discovery Academy are two-storey with single storey wings off it. To the northern part of the site there are flat roof buildings which are single and two-storey. To the east are the dwellings on Earls Road, and further residential dwellings on Countess Road and Beaumont Road to the southeast and southwest the site.

An application for outline consent including access was approved in November 2022 for the erection of up to 46 houses, 12 flats and an extra care facility for up to 65 units. This application was subsequently amended by application reference 039525, which sought amendments to a number of conditions from the outline consent including amendments to provide a phased development between residential dwellings and the extra care facility. A further amendment under application 040934 has also been received and approved for amendments to two conditions relating to the access plans for the site which was subsequently approved.

This reserved matters application is for the first phase of the development for residential development and proposes 46 dwellings to be made up of a mix of two-storey detached, semi-detached and terraced properties as well as 8 flats which are to be two-storey in nature.

BACKGROUND:

The outline application (and its subsequent amendments) considered the matter of access. This application therefore considers the following matters which were reserved:

1. Layout
2. Scale
3. Appearance
4. Landscaping

This application is being reported to Committee as it was requested at the time of the outline consent that any future reserved matters applications should be determined by Planning Applications Committee. This has more recently been agreed by the Chair of Planning Applications Committee.

RELEVANT PLANNING HISTORY:

- 040934: Application for variation of conditions 4 and 27 following grant of planning permission 035587 (Varied by 039525). Approved 10/10/2025
- 039525: Application for variation of conditions 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 20 following grant of planning permission. (035587). Approved 10/05/2024
- 035587: Erection of up to 46 houses, 12 flats and one two and three storey extra care facility of up to 65 units including the demolition of existing buildings (outline including access): Approved 30/11/2022
- 036454: Creation of Tree Preservation Order for 23 trees to be known as T1-T23 of TPO 1/19: TPO Confirmed 09/12/2019
- 034821: Erection of up to 63 houses, 14 Apartments and one two storey extra care apartment block of up to 60 units including demolition of existing buildings (outline including access): Withdrawn 26/09/2017.
- 033289: Extension, alteration and refurbishment of existing school building. New access, parking and associated hard and soft landscaping works. (Consultation from Warwickshire County Council): No objections 08/04/2015.
- 031074: Temporary change of use of vacant school to provide accommodation for a Security by occupation service (Consultation from Warwickshire County Council): No objections 28/09/2011

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - o DS1 – Presumption in favour of sustainable development
 - o DS2 – Settlement hierarchy and roles
 - o DS3 – Development principles
 - o DS8 – Monitoring of housing delivery
 - o BE3 – Sustainable design and construction
 - o BE4 – Valuing and conserving our historic environment
 - o H1 – Range and mix of housing
 - o H2 – Affordable housing
 - o NE1 – Green infrastructure
 - o NE3 – Biodiversity and geodiversity
 - o NE4 – Managing flood risk and water quality
 - o Supplementary Planning Guidance / Supplementary Planning Documents.

The Council is at a very advanced stage with its Borough Plan Review. Following receipt of the Inspector's Report on 8 October 2025, the Borough Plan Review is scheduled to go to Full Council on 10th December 2025 with a recommendation for adoption. The overall conclusion and recommendation of the Inspector's Report finds that subject to the main modifications recommended will make the Borough Plan sound and capable of adoption. The Inspector's Report also concludes that the duty to co-operate has been met and that with the recommended main modifications satisfies the legal requirements referred to in Section 20(5)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) and is sound.

The Inspector's Report further concludes that if the Borough Plan Review is adopted promptly (with the recommended main modifications) the Borough Plan establishes a five-year supply of deliverable housing sites. Accordingly, in this circumstance the Inspector's Report recommends that the Council will be able to confirm that a five-year housing land supply has been demonstrated in a recently adopted plan in accordance with paragraph 75 and footnote 40 of the NPPF (September 2023 version).

Currently, significant weight can be applied to the policies within the Borough Plan Review given its advanced stage and, subject to adoption, the Borough Plan Review will supersede the policies in the Borough Plan (2019). The relevant Borough Plan Review policies are listed below.

- Policies of the Borough Plan Review 2021-2039:
 - o DS1 – Delivering sustainable development
 - o DS2 – Settlement hierarchy and roles
 - o DS3 – Overall development needs
 - o DS8 – Review
 - o BE3 – Sustainable design and construction
 - o BE4 – Valuing and conserving our historic environment
 - o H1 – Range and mix of housing
 - o H2 – Affordable housing provision
 - o NE1 – Green and blue infrastructure
 - o NE3 – Ecology, biodiversity, geodiversity and Local Nature Recovery
 - o NE4 – Managing flood risk and water quality
- Affordable Housing SPD 2020.
- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF Dec 2024)
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Environmental Health, NBBC Housing Team, NBBC Open Space Officer, NBBC Policy, NBBC Waste & Refuse team, Severn Trent, Warwickshire Police, Warwickshire Fire Safety, Warwickshire Water Officer, WCC Archaeology, WCC Ecology, WCC FRM, WCC Highways, WCC Infrastructure, WCC Paths, Historic England

CONSULTATION RESPONSES:

No objection subject to conditions from:
WCC Highways

No objection from:

NBBC Environmental Health, NBBC Housing, WCC Ecology, WCC FRM

Comment from:

Warwickshire Fire Safety, Historic England, NBBC Policy, Warwickshire Police, Warwickshire Water Officer, WCC Archaeology, WCC Paths

No response from:

Severn Trent Water, NBBC Refuse, NBBC Open Space Officer, WCC Infrastructure

NEIGHBOURS NOTIFIED:

2a-84 (evens inc.), 67-89 (odds inc.) Beaumont Road. 15, 16 and 17 Priory Court Countess Road. Flats 1-6 2, 4-22 (evens inc.) Countess Road. 90, 107-145 (odds inc.), Cedar House 109a, 128, Flats 1-5 139, 144, 161, 163, 167 Earls Road. 133 Manor Court Road. 1, 2 Olton Place. 101-111 (odds inc.) Vernon's Lane.

Neighbouring properties were sent letters notifying them of the proposed development on 12th March 2025 and 21st July 2025. A site notice was erected on street furniture on 13th March 2025 and the application was advertised in The Nuneaton News on 12th March 2025.

NEIGHBOUR RESPONSES:

There have been 6 objections from 6 addresses and 3 objections with no addresses provided. The comments are summarised below:

1. Concerns raised in relation to start and completion dates of work and proposed working hours
2. Parking for construction vehicles and how this will be managed to avoid disruption to residents
3. Plans to manage dust, debris and waste
4. Concerns whether residents will receive notification of any particularly noisy or disruptive works
5. Queries in relation to the ownership of the completed properties and who will be housed on this site.
6. Queries on how the completed properties are to be managed and maintained after completion
7. There are too many plans on the website for this application and the previously approved applications which is confusing for residents
8. Loss of trees and wildlife
9. The development will lead to reduced access for vehicles, increased traffic
10. Crime and anti-social behaviour
11. The care facility should not be part of a housing estate as it is inaccessible and out of place in the context of the area
12. Impact on the history of the area/ conservation area
13. Excavation works are causing issues with soil, dirt, dust and debris with no compensation to residents
14. Overlooking to gardens and windows of existing residential properties
15. Impact on mature trees

APPRAISAL:

The key issues to assess in the determination of this application are:

1. The Principle of Residential Development
2. Affordable Housing and Housing Mix
3. Impact on Residential Amenity
4. Impact on Visual Amenity & Layout
5. Impact on Heritage, Archaeology and Conservation Area
6. Highway Safety
7. Flooding & Drainage
8. Ecology, Biodiversity, Landscaping & Trees
9. Waste and Refuse

1. The Principle of Residential Development

The NPPF establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key areas which are; economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 11). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) and Policy DS1 of the Borough Plan Review, which should be seen as a golden thread running through both plan making and decision taking. Policy DS1 of the Borough Plan Review also requires developments to contribute towards the creation and maintenance of sustainable places, mitigate and adapt to the adverse effects of climate change and reducing carbon emissions. To achieve this, it states that development should:

- Re-use previously developed land and re-use buildings as a sustainable option, where applicable.
- Be of high quality, relative to its use and locality.
- Use natural resources prudently.
- Be supported by infrastructure provision.
- Encourage car-free neighbourhoods and sustainable modes of travel.
- Maximise opportunities to enhance and expand the natural and built environment, in line with policies in this plan.

Policy DS2 of the Borough Plan and Policy DS2 of the Borough Plan Review refer to the settlement hierarchy and state that most development will be directed to Nuneaton as the primary town in the Borough. The development site is located within Nuneaton, which has the “primary role for employment, housing, town centre, leisure and service provision”. This reserved matters application focuses on the provision of dwellings (use class C3) and therefore, the proposal accords with Policy DS2.

Policy DS3 of the Borough Plan states that all new development is to be sustainable and high quality and should be fully supported by infrastructure provision, environmental mitigation and enhancement. Policy DS3 of the Borough Plan and Policy DS2 of the Borough Plan Review both state that new development within the settlement boundaries will be acceptable subject to there being a positive impact on amenity, the surrounding environment, and local infrastructure. The proposal is within the defined settlement boundary and the impact to infrastructure and environmental mitigation was considered acceptable at outline stage

The application site was part of the Discovery Academy School and is therefore a brownfield site. Paragraph 124 of the NPPF (Dec 2024) states that Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land*.

* (Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.)

Paragraph 125 goes on to state (in part) that Planning policies and decisions should:

- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)

Although this site does not fall within the examples as per d) of paragraph 125, it would bring forward residential development which would help towards the Council's 5 year housing land supply target. The latest published five year housing land position for Nuneaton and Bedworth Borough Council is contained within addendum to the Five Year Housing Land Supply Position Statement (January 2025) and is 4.9 years. However, upon adoption of the Borough Plan Review, which is anticipated on 10th December 2025, the Council will be able to demonstrate a Five Year Housing Land Supply of 7.49 years in accordance with an up-to-date plan.

It is therefore considered that the NPPF encourages local plans to approach and give substantial weight towards the use of brownfield land to accommodate housing and other uses. For proposals on suitable brownfield land within settlements, the NPPF now provides that such proposals *should be approved unless substantial harm would be caused*, which establishes a strong presumption in favour of development on such sites. This report will set out how the scheme would not create substantial harm in terms of matters such as residential amenity or visual amenity and is supported by adequate infrastructure such as drainage and access/ roads.

The Borough Plan Review (BPR) now holds significant weight. The relevant policies within the BPR relevant for the principle of residential development align with those of the current Borough Plan (2019).

Policy DS3 of the Borough Plan Review outlines the overall development needs of the Borough throughout the plan period. This states that by 2039, a minimum of 9810 homes will be planned and provided for within Nuneaton and Bedworth Borough. In order to achieve this, Policy DS4 sets out a number of strategic and non-strategic housing development sites. The Borough Plan Review allocates the site for residential development under site NSRA2. The Policy states that NSRA2: Former Manor Park Community School is allocated for approximately 123 dwellings (including extra care units). Up to 58 dwellings and up to 65 extra care units were approved under the outline Planning Permission.

The Policy also states that:

- Opportunity exists to create a new positive frontage to Vernons Lane, retain views from the north of the site towards Mount Judd, retain established trees and boundary hedges wherever possible, ensure development is sensitive to its location adjacent to the conservation area, that development reflects the characteristics of the surrounding townscape and that built development sits outside the small area of flood zone located in the south of the site.
- Development should seek to avoid any loss of trees covered under the Tree Preservation Order on the site (reference TPO 1.19).
- The site has been identified as having archaeological potential and any planning application will need to have regard to this and may need to be accompanied by archaeological reports.

These points shall be considered in the relevant sections of this report.

The site was not previously allocated for development under the Borough Plan, however the principle of residential development was considered acceptable at outline stage under the Borough Plan.

On balance, the principle of residential development on this site has been established by the outline planning permission (and the associated amendments). It is considered the specifics of this reserved matters submission complies with the parameters allowed by the outline permission and the phasing plan as per the previously approved Section 73 amendment to the conditions, as demonstrated by the amended site plan. This application has not considered any details in relation to the care home facility which is to be determined separately (known as Phase 2 as per the phasing plan).

2. Affordable Housing and Housing Mix

Policy H2 of the Borough Plan 2019 and H2 of the Borough Plan Review both require 25% of all new developments to be affordable on sites of 15 dwellings or more. The submitted planning statement sets out that the scheme will provide the required proportion of affordable housing.

With regard to tenure split, Policy H2 of the Borough Plan 2019 and H2 of the Borough Plan Review state that the tenure split and affordable housing mix sought will be based upon evidence provided by the council's Housing Register and the Strategic Housing Market Assessment (SHMA), which will be regularly updated. However, the Council's Affordable Housing SPD (2020) states that the Council will seek a tenure split of 74% social/affordable rent to 26% intermediate housing mix.

In terms of general market housing, Policy H1 of the Borough Plan 2019 and Policy H1 of the Borough Plan Review both state that development is required to provide a mix of housing types, sizes and tenures based on the need and demand identified in the most up to date Strategic Housing Market Assessment (SHMA), as well as the characteristics of the surrounding area. This reserved matters application indicates that 46 dwellings and 8 flats are to be provided on-site.

The Council published a Housing and Economic Development Needs Assessment (HEDNA) report in 2022 which provides the most up-to-date housing market

information. The following table summarises the requirements stated in the HEDNA report for Nuneaton and Bedworth (2022):

	Social/Affordable Rented Housing (%)	Affordable Home Ownership (%)	Market Housing (%)
1-bedroom	25	20	10
2-bedroom	35	40	35
3-bedroom	30	30	45
4-bedroom	10	10	10

In relation to this application for a total of 46 dwellings and 8 flats the following mix is proposed:

	Social/Affordable Rented Housing (%)	Affordable Home Ownership (%)	Market Housing (%)
1-bedroom	100	0	0
2-bedroom	0	0	48
3-bedroom	0	0	43
4-bedroom	0	0	9

Affordable Housing

The proposal would provide a total of 8 affordable rented dwellings. Typically, the Affordable Housing SPD requires a 74/26% split, however, the Section 106 from the original outline application (035587) stated that the affordable housing mix shall be 7 affordable rented dwellings. The proposal would provide 1 extra affordable unit in this case, which is above and beyond that required by the legal agreement. Therefore, although this application would not be in accordance with the SPD, it would be in accordance with the S106.

NBBC Housing have reviewed the proposal and have no objections to the proposal which would provide only 1-bed dwellings. They have confirmed that the proposal would provide 8 much needed 1-bedroom dwellings. The lack of a mix would not be in accordance with the HEDNA, however, on this occasion, it is considered to be acceptable given the local need.

The affordable housing SPD suggests that for a development of this size the following would apply:

Total development size (no. of units)	Affordable unit requirements (no. of units)	Maximum cluster size (no. of units)	Approx. number of clusters
31-60	8-15	4	2-3

NBBC Housing Team have reviewed the proposal in terms of the layout of clusters of affordable dwellings and initial objections were received, as the scheme proposed only 1 cluster, however these have been revised through amended plans. The proposal would result in a total of 2 clusters within the site with a maximum no. of units per cluster of 4 in the form of 2 blocks of 1-bed flats. Following this revision, NBBC Housing Team had no objections to the layout.

The proposal would have an under-supply of 1-bed *market* dwellings (as none are proposed) and a slight over supply of 3-bed dwellings. When taking into account the site context and the scale of the development, and the overall contribution to both affordable and market housing supply, the proposed mix is considered acceptable and broadly consistent with the objectives of Policy H1 of the Borough Plan and Borough Plan Review and the latest HEDNA evidence.

The Borough Plan Review (BPR) now holds significant weight. The relevant policies within the BPR relevant for the assessment of housing mix and affordable housing align with those of the current Borough Plan (2019).

On balance, the application is considered to be acceptable in terms of housing mix and affordable housing when having regard to the provisions of Policies H1 and H2 of the Borough Plan 2019 and Borough Plan Review.

3. Impact on Residential Amenity

Policy BE3 of the Borough Plan 2019 and Policy BE3 of the Borough Plan Review state that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity.

Policy BE3 (Sustainable Design and Construction) of the Borough Plan 2019 states that development proposals must be:

1. Designed to a high standard.
2. Able to accommodate the changing needs of occupants.
3. Adaptable to, and minimise the impact of climate change.

Policy BE3 of the Borough Plan 2019 and Policy BE3 of the Borough Plan state that all development proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area, respecting the sensitivity to change of the generic character types within each urban character area. Key characteristics to review include:

1. Current use of buildings
2. Ownership/tenure
3. Street layout
4. Patterns of development
5. Residential amenity
6. Plot size and arrangement
7. Built form

The key principles in Policy BE3 of the BPR align with that of the Borough Plan (2019).

Paragraph 135 (f) of the NPPF is also relevant and sets out the need for planning to deliver a high standard of amenity for all existing and future occupants of buildings.

Firstly considering the impact on the residential dwellings on Earls Road, which is made up of mostly two-storey semi-detached or detached residential dwellings, although it is noted there are some bungalows (as part of Priory Court and 109a Earls Road). These dwellings are located to the east of the proposed site whereby the rear of the properties will face towards the rear of the proposed dwellings. The position of these dwellings has been carefully considered throughout the application process to

ensure that adequate levels of amenity will continue to exist to the existing occupiers as well as providing adequate levels of amenity for the future residents.

The Sustainable Design and Construction SPD (SPD) states that the way buildings relate to each other – their orientation and separation distance – must provide and protect acceptable levels of amenity for both existing and future residents. The following standards of amenity can be used flexibly, depending on house layout and on-site circumstances such as orientation, window, ceiling and roof height, levels, garden size and shape. The standards are appropriate to both extensions and new residential development. With regard to the latter, care should be taken to provide scope for later extensions and alterations that will not erode these standards (paragraph 11.2).

It goes on to state that front, rear and side facing windows to habitable rooms will be protected from significant overlooking and overshadowing where such windows are the primary source of light and are the original openings in the house. Habitable rooms are rooms where occupants spend significant amounts of time, such as the lounge, kitchen, study, dining room and bedroom. It does not include bathroom, WC, utility rooms, hall, landing or garages. Where a room has (or originally had) two windows or more, the primary source of light will usually be the window(s) (if of reasonable size) that overlooks amenity areas (paragraph 11.3).

In the interests of protecting privacy, a minimum 20 metres separation distance is required between the existing ground and first floor habitable room windows and proposed ground and first floor habitable room windows. Where a three-storey development is proposed a distance of 30 metres will normally be required where such an elevation containing windows faces another elevation with windows. This is in the interests of preventing an oppressive sense of enclosure (paragraph 11.4).

The distances between the proposed dwellings and the existing on Earls Road would, in the main, comply and/ or exceed the minimum 20m separation distance as required by Paragraph 11.4 of the SPD. There are some exceptions such as the distance between Plot 2 and 109a Earls Road which has a window facing towards the rear of the proposed dwelling which would be 19.75m resulting in a shortfall of 0.25m and plots 18 and 143 Earls Road which would have a separation distance of 19.7m resulting in a shortfall of 0.3m.

On these 2 occasions, given the very limited nature of the shortfalls and the overall compliance across the wider site, the scheme is considered to maintain an acceptable relationship with existing neighbouring properties. On balance, the proposal would not result in material harm to residential amenity and therefore the minor shortfall in separation distances would not warrant refusal of the application.

The SPD also states that habitable room windows above ground floor which overlook neighbouring private amenity space shall be at least 7 metres from the boundary (11.6). The proposed dwellings will have private amenity space of more than 7m in length, so this is met.

In terms of the impact on the proposed dwellings within the site, due the layout of the proposal dwellings will be positioned either side of the main access road throughout the site. Some of the plots are staggered, to ensure compliance with distance standards to Earls Road as well as ensuring a mix of front of plot parking and tandem parking spaces in the interest of visual amenity.

The SPD states that an extension [or dwelling] shall not infringe a line drawn at 60 degrees from the centre point of the window of an adjacent habitable room of the same floor level. This is usually relevant to a proposed ground floor rear extension. A proposed extension a storey higher than the window of an adjacent habitable room shall not infringe a 45-degree line. In any event, near the boundary of an adjoining usable rear private amenity space a proposed single storey extension [or dwelling] shall be less than 4 metres long. In the same circumstances, a two-storey extension [or dwelling] shall be less than 3 metres long (Paragraph 11.9).

Plot 15 would be set further back in its plot compared to Plot 14 by 2.55m, and Plot 14 would be further forward in its plot compared to Plot 15 by 2m, however, the proposal would not infringe upon the 45 or degree lines and in both scenarios would extend by less than 3m at two-storey level and is therefore considered to be acceptable.

Plot 35/36 is set further back in its plot compared to Plot 34 by 4.8m however it would be set off and away from the boundary by 2.2m. The 45-degree line from the nearest habitable window (kitchen window) would breach the 45-degree line but only by 0.45m. On this occasion it is considered that as Plots 35/36 is to the north, the layout of Plot 34 has 2 ground floor openings (a kitchen window closest to Plot 35/36 as well as glass patio doors away from this neighbour), the separation distance between the plots as well as the very slight breach, the breach of the 45 degree line is considered to be acceptable.

Where other plots are staggered throughout the site, these are separated from adjacent properties by parking areas, or the degree to which the dwellings are staggered are very limited (less than 0.5m) and would not have any detrimental impact on residential amenity.

The requirements of the Nationally Described Space Standards are considered to be relevant in this case. Policy H4 of the Borough Plan Review states that all residential dwellings should comply with the Nationally Described Space Standards (NDSS). The plans demonstrate all dwellings would meet and/ or exceed the NDSS.

The policy requirements for M4(2) Building Regulation requirements for accessible and adaptable homes vary between the Borough Plan and the Borough Plan Review. The Outline application was determined under the Borough Plan and only the matters reserved are for consideration at this stage. Under the Borough Plan, at least 35% of dwellings should meet M4(2) standards. The Sustainable Design Checklist confirms that 19 plots (35%) would meet M4(2) requirements.

In terms of outdoor amenity space and gardens, all dwellings will have access to a private rear garden however the sizes of the gardens vary and, in some cases, it is noted that gardens are small. For example, the flats will have private garden areas of just 5m in depth and 25 sq. m in size. The SPD states that new housing development should provide sufficient amenity space to meet the recreation and domestic requirements of occupants. This is also reiterated in Policy BE3 of the Borough Plan Review. Amenity space should be provided for passive recreation activities such as reading, active recreational uses such as gardening and domestic uses such as drying clothes. The SPD, however, does not have a minimum size that gardens must be to ensure this and instead it is considered on a case-by-case basis.

The flats are 1-bed only and it is therefore assumed that such premises would require less garden area than the larger dwellings. The context of the site in terms of its limited

size and scale must also be considered – larger garden areas could result in knock on effects in terms of layout efficiency and separation distances.

On balance, it is considered that the proposed garden areas would provide a functional level of amenity for future residents, proportionate to the size and type of accommodation proposed. The overall provision is therefore deemed acceptable and compliant with the objectives of the SPD and Policy BE3 of the Borough Plan and Policy BE3 of the Borough Plan Review would not justify refusal on amenity space grounds.

4. Impact on Visual Amenity and Layout

Policy BE3 of the Borough Plan 2019 requires development proposals to be designed to a high standard. The policy also states that all development proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area, respecting the sensitivity to change of the generic character types within each urban character area. In addition, the policy goes on to confirm a number of considerations which should be taken into account when assessing planning applications, to include, current use of buildings, ownership/tenure, street layout, patterns of development, residential amenity, plot size and arrangement and built form. These requirements are also reiterated in the Borough Plan Review.

Policy NE5 of the Borough Plan and Borough Plan Review state that major development proposals must demonstrate how they will conserve, enhance, restore or create a sense of place, as well as respond positively to the landscape setting in which the development proposal is located.

Paragraph 135 of the NPPF emphasises that developments should function well over their lifetime, be visually attractive through good architecture, layout and landscaping, and be sympathetic to local character and history while allowing for appropriate innovation. Developments should also establish or maintain a strong sense of place, optimise site potential, and create safe, inclusive, and accessible environments that promote a high standard of amenity.

The National Design Guide (paragraph 21) reinforces that well-designed places are achieved through coordinated decisions across all design levels, including layout, scale and form, appearance, landscape, materials, and detailing.

The proposed development will be served by a single access road running north–south between Vernon’s Lane and Beaumont Road. This access has been previously approved under the outline application (and amended through subsequent Section 73 applications).

The dwellings are all two-storey in height and comprise a range of house types, sizes, and styles, which introduces visual interest in accordance with the Design Guidance SPD. The elevations show a mix of brick and render with two roof tile colours (red/brown and grey), with the exact materials to be agreed via condition attached to the outline consent. Overall, the mix and design of dwellings are considered appropriate for the area and consistent with the character of the development itself.

Policy DS4 of the Borough Plan Review outlines site NSRA2 (this site) as a non-strategic allocation and the supporting text for each non-strategic allocation ‘is guidance only (they are not policy requirements)’. Part of the supporting text for NSRA2

explains that opportunities exist to create a new positive frontage to Vernons Lane and that the development reflects the characteristics of the surrounding townscape.

In terms of the proposed layout, the site is located adjacent to existing residential development but is relatively self-contained and would not be read directly in context with the surrounding dwellings. As such, the proposed layout does not need to replicate the existing pattern of development but instead should achieve a coherent and functional arrangement in its own right. However, the dwellings closest to the southern boundary to relate well and create a positive frontage to Vernons Lane, in accordance with Policy DS4 of the Borough Plan Review.

The proposed layout is considered to make efficient use of the available land and provides a legible street pattern with appropriate relationships between dwellings. Adequate space is provided for parking, landscaping, and private gardens, ensuring a pleasant residential environment for future occupants.

Overall, the proposed layout is considered appropriate for the site's shape and constraints and would deliver a well-designed and functional form of development. The layout therefore complies with the objectives of Policy BE3 of the Borough Plan 2019, Policy BE3 of the Borough Plan Review, the Design Guidance SPD, and the National Planning Policy Framework in promoting high-quality and sustainable design.

5. Impact on Heritage and Conservation Area

The application site borders Abbey Conservation Area which is located to the east of the development site. which is a designated heritage asset and as such, development within it should preserve or enhance the Conservation Area. In this case, although the development is outside of the boundary of the Conservation Area, it is immediately adjacent to it and therefore forms part of its setting. In accordance with Paragraph 208 of the NPPF, great weight is given to the conservation of heritage assets including the contribution made by their setting. Similarly, Policy BE4 of the Borough Plan states that development affecting a designated or non-designated heritage asset and its setting will be expected to make a positive contribution to its character, appearance and significance. Policy BE4 of the Borough Plan Review states that development proposals should sustain and where possible enhance the Borough's heritage assets.

Policy DS4 outlines site NSRA2 (this site) as a non-strategic allocation and the supporting text for each non-strategic allocation 'is guidance only (they are not policy requirements)'. Part of the supporting text for NSRA2 explains that opportunity exists ensure development is sensitive to its location adjacent to the Conservation Area.

In this case, views of the site from within the Conservation Area are limited, owing the presence of mature trees on Earls Road and the presence of closely related dwellings. These factors together significantly restrict intervisibility between the site and the designated area, thereby reducing any perceptible influence the site has on its character or appearance.

The relation between the site and the Conservation Area has been carefully considered and on balance, it is concluded that the proposed development would not result in harm to the character, appearance or significance of the Conservation Area or its setting. The proposal therefore accords with the objectives of the NPPF, Policy BE4 of the Borough Plan and Policies BE4 and DS4 of the Borough Plan Review.

Policy DS4 of the Borough Plan Review, under NSRA2, states that the site has been identified as having archaeological potential and any planning application will need to have regard to this and may need to be accompanied by archaeological reports.

The WCC Archaeology Team were consulted with on the application. They explain that a programme of archaeological evaluation (trial trenching), secured by a condition attached to the outline consent (ref. 039525), has been undertaken at this site. The trial trenching did not identify any significant archaeological remains requiring further archaeological work to mitigate the impact of the development and, consequently, they advised that the condition could be discharged in full. As such, they have no further comments to make on any reserved matters applications relating to this scheme.

6. Highway Safety

The NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users (paragraph 115). Access was approved at outline, and is from Vernon's Lane and Beaumont Road with a single access within the site itself.

Significant discussions have been held between the Highway Authority, NBBC and the developer regarding the initial/ ongoing concerns with the proposed road layout. The most recent set of plans has largely overcome the Highway Authority's concerns and were subject to a Road Safety Audit (RSA). The RSA identified 4 problems relating to:

1. The raised table at plots 26/27
2. Lighting
3. Tracking to the south
4. Drainage

The Highway Authority stated that points 2 and 4 above will be subject to detailed design at the stage of the road adoption agreement pursuant to Section 38 of the Highways Act 1980. The designer's response to points 1 and 3 have been accepted by the safety team and are suitable to overcome the concerns. These include, removing the raised feature at plots 26/27 and installing bollards to prevent overrun of the tactiles and updated tracking to show no overrun for problem 3.

These will again be subject to further comment as part of the S38 road adoption agreement and the subsequent stage 2 Road Safety Audit. Due to bollards being required and the maintenance liability of these it may be that this pedestrian crossing is removed. Based on the appraisal of the development proposals and the supporting information in the planning application the Highway Authority submits a response of no objection, subject to conditions.

With regard to parking provision, the Transport Demand Management Matters SPD 2022 (TDMM) requires 1 parking space to be provided for 1-bedroom dwellings and 2 spaces for 2-, 3- and 4-bedroom dwellings. This is achieved across the site through a mix of front plot parking and tandem parking spaces to the side of dwellings. Visitor parking spaces are also proposed to the north and south of the site with a total of 6 spaces provided. For the number of proposed dwellings, the SPD would require 9 visitor parking spaces so there is a slight shortfall, however, the highway authority had no objections to the number proposed and it is not considered that the 6 spaces as proposed, or the shortfall in visitor spaces would result in a materially harmful impact on highway safety and is therefore accepted on this occasion.

As per the TDMM and Air Quality SPD, new developments are expected to include appropriate provision for electric vehicle (EV) charging points. Residential developments are required to provide EV charging points at a rate of 1 charging point per dwelling with allocated parking. This was not considered at outline stage, however, can be considered at RM stage whereby layout is being considered. A condition to ensure EV parking spaces in accordance with the SPDs shall be included as a condition on the decision notice.

7. Flooding and Drainage

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraph 167). This aligns with Policy NE4 of the Borough Plan and Borough Plan Review.

Paragraph 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraphs 173 and 174 of the NPPF explain that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now, or in the future, from any form of flooding and the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The site is located wholly within Flood Zone 1 and is at low risk of surface water flooding and other forms of flooding, with the exception of a very small part of the site to the south, however, no development is proposed to this location.

A drainage strategy plan has been submitted and reviewed by WCC FRM as the Lead Local Flood Authority (LLFA), who have submitted a response of no objection to the proposal. The proposed surface water drainage system features a Section 104 (S104) sewer network connection, to be adopted by Severn Trent Water (STW), which will direct stormwater into an attenuation basin. Surface water discharge will be limited to 24 litres per second, with the drainage system designed to handle up to a 100-year storm event, including a 40% climate change allowance. Permeable paving will be used for parking spaces to support water management. The attenuation basin will provide storage for a 30-year storm event, while additional storage for up to 100-year events will be achieved through cellular storage tanks, meeting LLFA requirements.

Severn Trent have been consulted on this application; however, no response has been received.

On balance, the submitted sustainable drainage measures, site grading, and flood-resistant design will ensure compliance with regulations and prevent increased flood risk to the surrounding area therefore complying with national and local policies and is considered to be acceptable.

8. Ecology, Biodiversity, Landscaping and Trees

The NPPF and Policies NE1 and NE3 of the Borough Plan 2019 seek to protect and enhance biodiversity and ecological networks, an approach also reflected in the Council's adopted Open Space and Green Infrastructure SPD. Policy NE3 requires development proposals to ensure that ecological networks, biodiversity, and geological features are conserved, enhanced, restored and, where appropriate, created. Proposals that may affect ecological networks or important geological features must

be supported by a Preliminary Ecological Appraisal and, where relevant, further detailed assessments.

Policy NE1 of the Borough Plan Review states that the Borough's green and blue infrastructure assets will be protected, managed and where possible, enhanced or created to provide nature recovery networks. Policy NE3 of the Borough Plan Review aligns with that of the Borough Plan, and goes on to state that the use of mechanisms to improve biodiversity such as green roofs or green walls are encouraged.

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. The requirements of the EU Habitats Directive are implemented through the Conservation of Habitats and Species Regulations 2010, which require local planning authorities, as competent authorities, to have regard to the provisions of the Directive when determining planning applications that could affect European Protected Species (EPS).

The NPPF outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible. It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

The application site was originally formerly occupied by the Discovery Academy School. A preliminary ecology appraisal submitted at the outline stage concluded that there are no statutory or non-statutory nature conservation designations within or adjacent to the site and that the proposals are unlikely to adversely affect any designations in the wider area. The site was assessed as having limited ecological value, and no further ecological concerns have been raised during consultation on this Reserved Matters application.

In terms of Biodiversity Net Gain (BNG) which became under the Environment Act 2021, specifically, it is implemented through Schedule 7A of the Town and Country Planning Act 1990, as inserted by Schedule 14 of the Environment Act 2021. This policy requires that from 12th February 2024 all new major developments and from 2nd April 2024 for minor applications must achieve a minimum of 10% net gain in biodiversity compared to the pre-development state subject to some exceptions. One of these exceptions includes existing applications made before day 1 of mandatory BNG (12th February 2024).

In this case, the outline application was submitted and approved prior to mandatory BNG on 12th February 2024 and as such, this RM and any other future RM applications submitted in response to the outline permission are not subject to mandatory BNG. Additionally, as the site was considered to have a low biodiversity value at outline stage, a BNG metric was not submitted nor was it required to be submitted at any time.

WCC Ecology initially advised that the proposed SuDS basin could be designed to deliver ecological benefits by incorporating a deepened basin that reaches the water table to maintain year-round water retention, with gently sloping sides and native-species marginal planting (for example EM3 or EM8F seed mixes) to enhance biodiversity and water quality.

Paragraph 182 of the NPPF states that development which could affect drainage on or around the site should incorporate sustainable drainage systems and such features

should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity.

The agent has confirmed that on this occasion, the SuDS feature is designed as an attenuation basin with a depth of approximately 1 metre, rather than as an ecological pond. Increasing the depth further to reach the water table (estimated at 2–2.5 metres) would present significant technical challenges, including implications for drainage performance, flood risk management, and health and safety. Furthermore, the Open Space and Green Infrastructure SPD require that ecological water features are set back by a minimum of 12 metres from built development or hard surfacing (measured from the top of the bank). Given the site's narrow configuration, achieving this would necessitate a substantial reconfiguration of the layout and the loss of several dwellings, adversely affecting both site viability and efficient land use.

Following review of the revised proposals, WCC Ecology have accepted that it would not be feasible to deepen the basin in this instance. The updated landscaping plan indicates that the area surrounding the basin will be seeded with a species-rich wildflower mix, which will still provide a biodiversity benefit consistent with the aims of Policy NE3 and the NPPF's objective to achieve measurable net gains where practicable.

While the SuDS basin will not function as a year-round ecological feature, the proposed wildflower planting will deliver some ecological enhancement within the site and overall, the approach to ecology and landscaping is considered to be acceptable on balance.

Trees

Condition 22 of the amended outline applications required the following details to be submitted alongside any reserved matters applications –

22. Any reserved matters applications seeking approval of scale, layout, or landscaping shall be submitted with an Arboricultural Method Statement and Arboricultural Impact Assessment which shall include details of all existing trees and hedgerows on site, including those to be retained and removed, together with measures for the protection of those to be retained during the course of development. The scheme shall also show the typical canopy extent of the retained trees at maturity. No works, including site preparatory works, shall take place on site at any time, unless the approved measures for the protection of those trees and hedgerows to be retained has been provided on site in accordance with the agreed details.

This condition was considered necessary as there are a number of TPO covered trees on the site which could be impacted by this development. An Arboricultural Assessment and Method Statement has been submitted to the Council which concludes that the following trees are proposed to be removed as a result of this development:

- 3 category U (unsuitable) individual trees
- 19 category C (low-quality/ value) individual trees
- 4 category C (low-quality/ value) groups of trees
- 11 category B (moderate-quality/ value) individual trees

Conversely, the following trees are to be retained:

- 1 category U (unsuitable) individual tree

- 11 category C (low-quality/ value) individual trees
- 3 category C (low-quality/ value) groups of trees
- 33 category B (moderate-quality/ value) individual trees
- 1 category A (high-quality/ value) individual tree

Policy DS4 outlines site NSRA2 (this site) as a non-strategic allocation and the supporting text for each non-strategic allocation 'is guidance only (they are not policy requirements)'. Part of the supporting text for NSRA2 explains that opportunity exists to create a new positive frontage to Vernons Lane, retain views from the north of the site towards Mount Judd, retain established trees and boundary hedges wherever possible, ensure development is sensitive to its location adjacent to the conservation area, that development reflects the characteristics of the surrounding townscape and that built development sits outside the small area of flood zone located in the south of the site. It also states that Development should seek to avoid any loss of trees covered under the Tree Preservation Order on the site (reference TPO 1.19)

Overall, more trees are to be retained than removed. The trees which have been selected to be removed are within areas of open space centrally located within the site and their removal is necessary to facilitate the development. It should be noted that none of the trees to be removed are covered by the Tree Preservation Order ("TPO").

The Arboricultural Statement states that prior to any tree removal, the tree and its surroundings should also be assessed for the presence of any protected species, and the timing of works should best avoid the potential for any adverse impact on wildlife and all tree works undertaken will comply with British Standard 3998 'Tree Work - Recommendations' (2010) and be carried out by skilled tree surgeons.

The NPPF recognises that trees make an important contribution to the character and quality of urban environments. Planning decisions should ensure that existing trees are retained wherever possible, and appropriate measures are in place to secure the long-term maintenance of newly planted trees (paragraph 136).

In this case whilst the development would result in the loss of 37 trees, it should also be noted that a substantial number (49 trees) are to be retained and integrated into the final development layout. In this instance, the scope for additional tree planting is significantly constrained by the approved layout, including associated infrastructure and the proximity of buildings (such as the existing school buildings), as well as the need to ensure that the growing conditions for any retained trees are not compromised.

The submitted soft landscaping plan details the position of four replacement trees on the site. Although this number is limited, on this occasion, it is considered proportionate in light of the site's spatial constraints and substantial retention of a number of higher quality trees and TPO trees.

It is considered that on balance, the proposed landscaping scheme would maintain an acceptable level of tree cover and is therefore consistent with the aims of the NPPF.

In terms of the trees to be retained, the Arboricultural Statement details a number of tree protection measures and a timeline for such measures, including tree protection fencing and temporary ground protection, which will be in place during demolition, construction and prior to the landscaping activities commencing. This will ensure that no Root Protection Areas will be affected by excavation works, storage of materials or plant and machinery access.

Works are proposed to two TPO'd trees, including T30 – crown reduction of no more than 2m on northern aspect and pruned back to suitable pruning points, and T70 – crown reduction of no more than 2m on southern aspect and pruned back to suitable pruning points. This work is to provide clearance from the nearby proposed dwellings at Plots 1 and 30 once constructed. The works as proposed are considered to be modest in extent and confined to limited parts of the crown. The reduction to these trees is to be undertaken to suitable pruning points and is consistent with good arboricultural practice and is not considered to adversely affect the health, form or amenity contribution of the trees.

Within the root protection areas of trees to be retained, the preparation of soil for planting and turfing will be carried out by hand. Cultivation will be kept to a minimum, and new topsoil will not exceed 100mm in depth within 1m of the stem.

On balance, it is considered that the details within the Arboricultural Impact Assessment and Method Statement are acceptable in terms of the proposed tree retention and removal, the protection measures for retained trees and the limited works to two TPO covered trees. It is recommended that compliance with these details be secured by condition to ensure that the development is carried out in accordance with the approved arboricultural measures.

9. Waste and Refuse

The Sustainable Design and Construction (SDC) SPD states that designs should consider arrangements for bin collections. Developments without collection areas can result in wheelie bins strewn across public areas until they are reclaimed by residents. The bins can represent a safety risk to pedestrians and vehicles and can be visually unappealing.

Designs must have consideration for waste bin storage, there should be sufficient space to accommodate all the different types of bins used for waste collection. Bin stores should be located no more than 25m from the highway (where the bin collection lorry can park) for normal 2 wheeled household bins and 10m for a larger 4 wheeled bin.

Bin storage should not harm the visual amenity of the area, must be managed so that it does not create risk to water, air, soil, plants or animals, should not cause nuisance through odours, and not affect the countryside and or places of special interest.

Waste bin storage areas should be well ventilated and situated away from direct sunlight. Consideration should be given to the adaptability of design to respond to changes in Council collection strategies (paragraphs 11.22-11.25).

In terms of bin storage, a refuse strategy plan has been received to show the position of bin storage within the rear gardens of all dwellings. Each dwelling has access to their rear garden through a side access gate and as such, it is considered that storage can be accommodated within the rear garden of dwellings.

In terms of collections, all bins will be able to be positioned and collected kerbside on collection days. NBBC Waste & Refuse team were consulted on this application, however, no response has been received. As such, it is assumed that they have no comments or objections to make on this scheme.

On balance, the scheme is considered acceptable in terms of waste and refuse matters.

10. Conclusion

In conclusion, the NPPF 2024 (Paragraph 11) promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

In conclusion, the principle of residential development, the impact on residential amenity, visual amenity, heritage and conservation area, highway safety, flooding and drainage matters, ecology, biodiversity, landscaping and trees and waste and refuse matters have been assessed against the Borough Plan (2019) and Borough Plan Review and are considered to be acceptable subject to conditions.

REASONS FOR APPROVAL:

Having regard to the pattern of existing development in the area, relevant provisions of the Borough Plan and the advanced Borough Plan Review, as summarised above, and the consultation responses received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

SCHEDULE OF CONDITIONS:

Schedule 1

1. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Site location plan	7287-P-100A	21/02/2025
Proposed site plan	7287-P-200Q	27/10/2025
Proposed landscaping plan	7287-P-110G	11/09/2025
Proposed hard landscaping plan	7287-P-120G	11/09/2025
Proposed refuse strategy plan	7287-P-130G	11/09/2025
Proposed elevations plot 1-2 (Daresbury)	7287-P-7000.P3	23/09/2025
Proposed ground floor plan plots 1-2	7287-P-3000.P1	11/07/2025
Proposed first floor plan plots 1-2	7287-P-3001.P1	11/07/2025
Proposed elevations plot 3-4 (Daresbury)	7287-P-7001.P3	23/09/2025
Proposed ground floor plan Plots 3-4	7287-P-3002.P2	23/09/2025
Proposed first floor plan Plots 3-4	7287-P-3003.P1	11/07/2025
Proposed elevations plot 5-6 (Cavendish)	7287-P-7002.P3	23/09/2025
Proposed ground floor plan Plots 5-6	7287-P-3004.P2	23/09/2025
Proposed first floor plan Plots 5-6	7287-P-3005.P1	11/07/2025
Proposed elevations plots 7-8 (Cavendish)	7287-P-7003.P3	23/09/2025
Proposed ground floor plan Plots 7-8	7287-P-3006.P2	23/09/2025
Proposed first floor plan Plots 7-8	7287-P-3007.P1	11/07/2025

Proposed elevations plots 9-11 (Daresbury)	7287-P-7004.P2	22/08/2025
Proposed ground floor plan Plots 9-11	7287-P-3008.P1	11/07/2025
Proposed first floor plan Plots 9-11	7287-P-3009.P1	11/07/2025
Proposed elevations plot 12-13 (Cavendish)	7287-P-7005.P1	11/07/2025
Proposed ground floor plan Plots 12-13	7287-P-3010.P1	11/07/2025
Proposed first floor plan Plots 12-13	7287-P-3011.P1	11/07/2025
Proposed elevations plots 14-15 (Cavendish & Carnaby)	7287-P-7006.P2	23/09/2025
Proposed ground floor plan Plots 14-15	7287-P-3012.P2	23/09/2025
Proposed first floor plan Plots 14-15	7287-P-3013.P1	11/07/2025
Proposed elevations plots 16-17 (Carnaby)	7287-P-7007.P3	23/09/2025
Proposed ground floor plan Plots 16-17	7287-P-3014.P2	23/09/2025
Proposed first floor plan Plots 16-17	7287-P-3015.P1	11/07/2025
Proposed elevations plots 18-19 (Cavendish)	7287-P-7008.P3	23/09/2025
Proposed ground floor plan Plots 18-19	7287-P-3016.P2	23/09/2025
Proposed first floor plan Plots 18-19	7287-P-3017.P1	11/07/2025
Proposed elevations plots 20-21 (Carnaby)	7287-P-7009.P3	23/09/2025
Proposed ground floor plan Plots 20-21	7287-P-3018.P2	23/09/2025
Proposed first floor plan Plots 20-21	7287-P-3019.P1	11/07/2025
Proposed elevations plots 22-24 (Daresbury)	7287-P-7010.P1	11/07/2025
Proposed ground floor plan Plots 22-24	7287-P-3020.P1	11/07/2025
Proposed first floor plan Plots 22-24	7287-P-3021.P1	11/07/2025
Proposed elevations plots 25-26 (Cavendish)	7287-P-7011.P1	11/07/2025
Proposed ground floor plan Plots 25-26	7287-P-3022.P1	11/07/2025
Proposed first floor plan Plots 25-26	7287-P-3023.P1	11/07/2025
Proposed elevations plot 27 (Richmond)	7287-P-7012.P1	11/07/2025
Proposed ground floor plan plot 27	7287-P-3024.P1	11/07/2025
Proposed first floor plan plot 27	7287-P-3025.P1	11/07/2025
Proposed elevations plot 28 (Richmond)	7287-P-7013.P1	11/07/2025
Proposed ground floor plan plot 28	7287-P-3026.P1	11/07/2025
Proposed first floor plan plot 28	7287-P-3027.P1	11/07/2025
Proposed elevations plot 29 (Richmond)	7287-P-7014.P1	11/07/2025
Proposed ground floor plan plot 29	7287-P-3028.P1	11/07/2025
Proposed first floor plan plot 29	7287-P-3029.P1	11/07/2025
Proposed elevations plot 30 (Richmond)	7287-P-7015.P3	23/09/2025
Proposed ground floor plan Plot 30	7287-P-3030.P2	23/09/2025
Proposed first floor plan Plot 30	7287-P-3031.P2	23/09/2025
Proposed elevations plots 31-32 (Daresbury & Grosvenor)	7287-P-7016.P3	23/09/2025
Proposed ground floor plan plots 31-32	7287-P-3032.P1	11/07/2025
Proposed first floor plan plots 31-32	7287-P-3033.P1	11/07/2025
Proposed elevations plots 33-34 (Cavendish)	7287-P-7017.P3	23/09/2025
Proposed ground floor plan plots 33-34	7287-P-3034.P1	11/07/2025
Proposed first floor plan plots 33-34	7287-P-3035.P1	11/07/2025
Proposed elevations plots 35-38 (Flats)	7287-P-7018.P1	11/07/2025
Proposed ground floor plan plots 35-38	7287-P-3036.P1	11/07/2025

Proposed first floor plan plots 35-38	7287-P-3037.P1	11/07/2025
Proposed elevations plots 39-40 (Daresbury)	7287-P-7019.P1	11/07/2025
Proposed ground floor plan plots 39-40	7287-P-3038.P1	11/07/2025
Proposed first floor plan plots 39-40	7287-P-3039.P1	11/07/2025
Proposed elevations plots 41-42 (Daresbury)	7287-P-7020.P1	11/07/2025
Proposed ground floor plan plots 41-42	7287-P-3040.P1	11/07/2025
Proposed first floor plan plots 41-42	7287-P-3041.P1	11/07/2025
Proposed elevations plots 43-46 (Daresbury)	7287-P-7021.P1	11/07/2025
Proposed ground floor plan plots 43-46	7287-P-3042.P1	11/07/2025
Proposed first floor plan plots 43-46	7287-P-3043.P1	11/07/2025
Proposed elevations plots 47-48 (Daresbury)	7287-P-7022.P1	11/07/2025
Proposed ground floor plan plots 47-48	7287-P-3044.P1	11/07/2025
Proposed first floor plan plots 47-48	7287-P-3045.P1	11/07/2025
Proposed elevations plots 49-52 (Flats)	7287-P-7023.P1	11/07/2025
Proposed ground floor plan plots 49-52	7287-P-3046.P1	11/07/2025
Proposed first floor plan plots 49-52	7287-P-3047.P1	11/07/2025
Proposed elevations plots 53-54 (Daresbury & Grosvenor)	7287-P-7024.P1	11/07/2025
Proposed ground floor plan plots 53-54	7287-P-3048.P1	11/07/2025
Proposed first floor plan plots 53-54	7287-P-3049.P1	11/07/2025

Schedule 2

2. The development hereby approved shall not be occupied until the road has been laid out in accordance with drawing no. 7287-P-200 Rev Q.

3. The development hereby approved shall be carried out in full accordance with the approved Arboricultural Impact Assessment and Method Statement (Revision H) as received by the Council on 27th August 2025, including all tree protection measures, construction methodologies and timelines set out within. This shall apply at all stages of the development, including prior to demolition, during construction and landscaping works.

4. The development hereby approved shall be carried out in full accordance with the approved refuse strategy plan 7287-P-130G (received by the Council on 11th September 2025) unless otherwise agreed in writing by the Council. The details of which shall then be implemented in full accordance with the approved plan prior to the occupation of the dwelling in which the refuse storage relates.

5. No individual dwelling shall be occupied until a safe and suitable pedestrian/cycle access has been provided to and from that dwelling to the public highway network.

6. No structure, tree or shrub shall be erected, planted, or retained within the visibility splays exceeding, or likely to exceed at maturity, a height of 0.6m above the level of the public highway.

7. Prior to the first occupation of the development, a scheme shall be submitted to and approved by the Council detailing arrangements of Electric Vehicle (EV) charging

points, along with provision for passive infrastructure to enable future expansion, shall be submitted to and approved in writing by the Council. The scheme shall include:

- i. The location and type of each charging point at a rate of a minimum of 1 active EV charging points per dwelling;
- ii. A maintenance and management plan for the charging infrastructure;
- iii. Details of passive provision such as ducting or cabling to enable future installation of additional EV charging points.

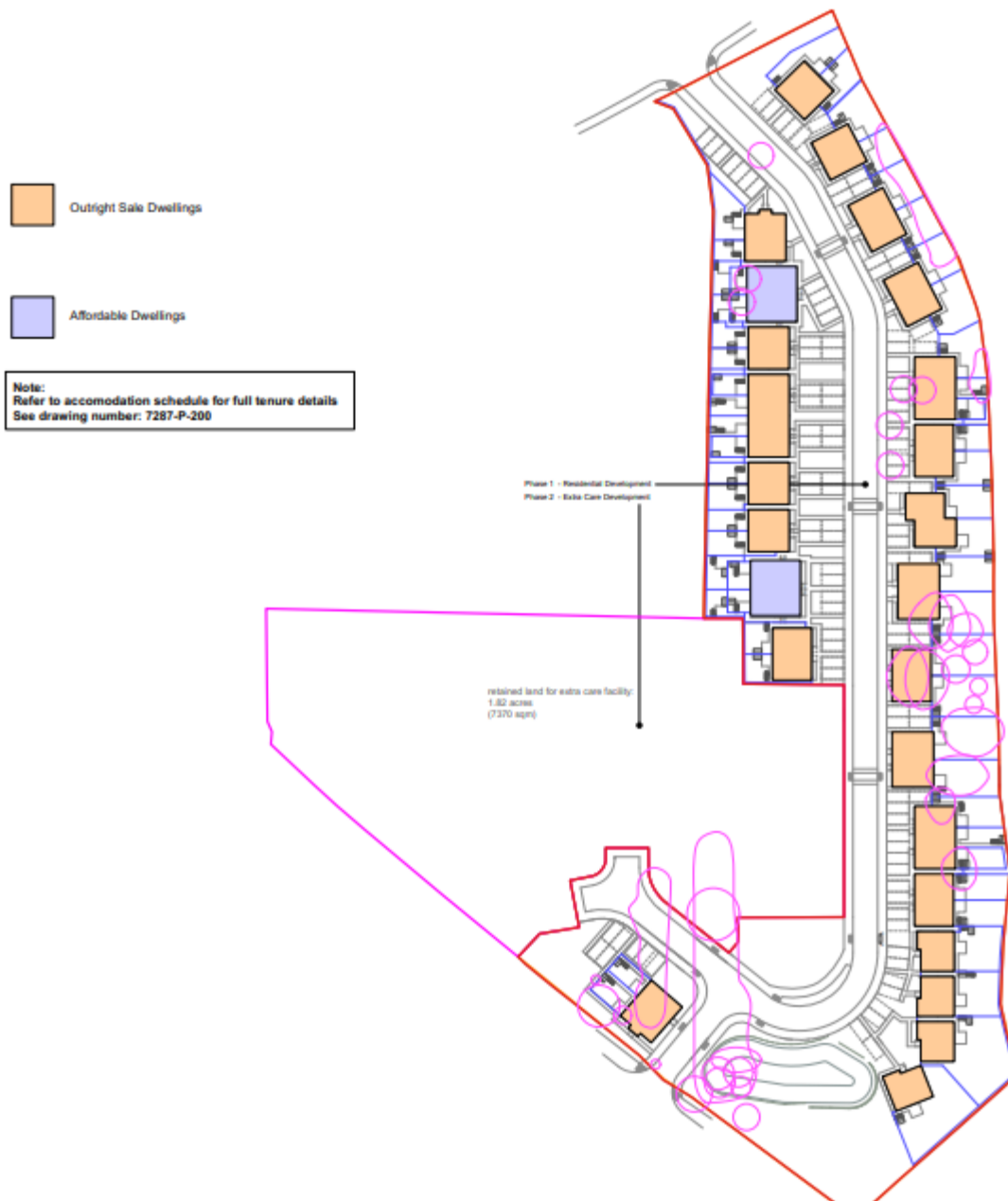
The approved scheme shall then be implemented in full accordance with the approved details prior to the occupation of the dwelling in which the EV charging point relates.



Site location plan



Proposed site layout plan

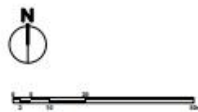


Proposed tenure plan

Planting Schedule	
Low Level Planting:	
Bc	Bergenia cordifolia
Bs	Baccharis glabra (Dune Group) 'Sunset'
Cs	Ceanothus sp. Flows. Ripens
Ca	Cornus sanguinea 'Midwinter Fire'
Bg	Buxus sempervirens 'Surrey Gold'
Hb	Habe gingifolia 'Suffrutescens'
He	Hebe 'Red Edge'
Lm	Lonicera angustifolia 'Munstead'
Lp	Lonicera pileata
Ss	Sedum spectabile 'Brilliant'
Trees:	
D1	Prunus avium 'Pieris'
D2	Acer Campestre 'Silvermist'
D3	Malus sylvestris sp.
D4	Betula ulula var. jacquemontii
Native Hedge Row Mix:	
Prunus spinosa - 10%	
Crataegus monogyna - 60%	
Ilex aquifolium - 10%	
Aster campestre - 10%	
Lonicera periclymenum - 5%	
Rosa canina - 5%	
Attenuation Bank Seed Mix To Include:	
EM3 Special General Purpose	
Meadow Mixzone - 70%	
EM3P W60 Flower for Wetlands - 30%	



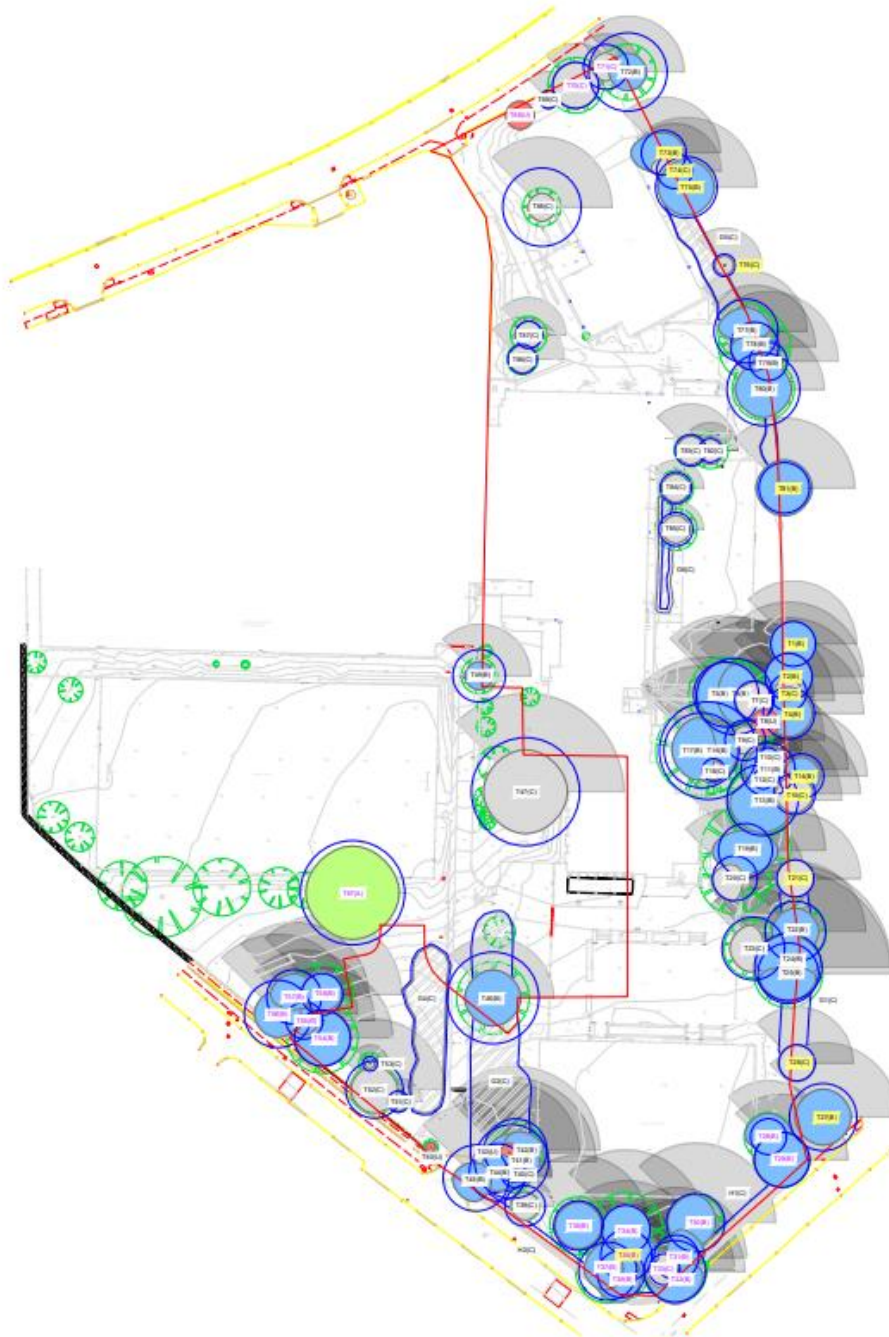
Proposed soft landscaping plan



Proposed hard landscaping plan



Proposed street scenes



Tree survey plan



Tree removal plan



Tree protection plan

REFERENCE No. 041222

Site Address: 267 Weddington Road, Nuneaton, Warwickshire, CV10 0HE

Description of Development: Works to TPO Tree - Removal of tree due to decline and Ganoderma present to base of tree plus proposed replacement with same species in a similar location (T1 Lime tree). Prune canopy back to provide 2.0 m clearance from fabric of building, 15% crown thin and removal of deadwood (T2 Lime tree)

Applicant: Ms Nicky King

Ward: WE

RECOMMENDATION:

Planning Committee is recommended to grant consent, subject to the conditions printed.

INTRODUCTION:

This application is for works to a tree covered by a Tree Preservation Order (TPO) - the proposal is for the removal of a tree due to decline and Ganoderma (fungus) present at the base of tree plus proposed replacement with the same species in a similar location (T1 Lime tree). They also seek to prune the canopy back to provide 2.0 m clearance from the fabric of building, 15% crown thin and removal of deadwood on a second tree (T2 Lime tree) at 267 Weddington Road, Nuneaton Warwickshire, CV10 0HE.

The trees are covered by Tree Preservation Order 4/08. This TPO is made up of 2 Lime and 3 Ash Trees at land known as The Former Fox and Crane Public House, 263 Weddington Road. Trees T1 and T2 are now located within the front garden of 267 Weddington Road following redevelopment of the area.

BACKGROUND:

This application is being reported to Committee as the applicant is an elected Councillor of NBBC.

RELEVANT PLANNING HISTORY:

- 038965 - Proposed works to trees situated on front garden near to wall on path to property 267 Weddington Road, that are covered by Tree Preservation Order 4/08 including to remove the stumps and replant more manageable species in place. Tree works refused 05/01/2023
- 032808 - Cut back overhanging branches across footpath to house up to 2 metres in height to two lime trees known as T1 and T2 which are located to the front garden of 267 Weddington Road. Withdrawn
- 030350 - Cut back by a quarter one overhanging limb to two lime trees and
- remove epicormic growth to 2.5 metres above ground level to same: to trees known as T1 and T2 which are located to the front garden of 267 Weddington Road. Tree works agreed 22/11/2010

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - o BE3 – Sustainable design and construction
 - o Supplementary Planning Guidance / Supplementary Planning Documents.

Policies of the Borough Plan Review:

- o BE3 – Sustainable design and construction
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Tree Officer

CONSULTATION RESPONSES:

No objection subject to conditions from:
NBBC Tree Officer

NEIGHBOURS NOTIFIED:

1-6 Grove Lodge, 12, 13 Lionel Close. 265, 266, 268, 270, 271, 272, 274 Weddington Road.

Neighbouring properties were sent letters notifying them of the proposed development on 19th September 2025 and a site notice was erected on street furniture on 1st October 2025.

NEIGHBOUR RESPONSES:

There has been 1 letter of objection from 1 address. The comments are summarised below:

1. Objection in relation to the replacement of the tree as this could become diseased and there are no details on the application in relation to its position

APPRAISAL:

The key issues to assess in the determination of this application are:

1. The impact upon the Public Amenity Value of the tree, the impact upon the long-term health of the tree and whether or not the proposal is justified, having regard to the reasons put forward in support of it.
2. Conclusion

1. The impact upon the Public Amenity Value of the tree, the impact upon the long-term health of the tree and whether or not the proposal is justified, having regard to the reasons put forward in support of it.

When assessing proposed works to a tree covered by a TPO the following are considered; the tree's visibility to the public, its condition, age and remaining life-expectancy, its function within the landscape and ultimately its importance to the local environment. The advice from the National Planning Practice Guidance (NPPG) on Tree Preservation Orders and trees in Conservation Areas is that the Local Authority should assess the impact of the proposal on the amenity of the area and whether the proposal is justified, having regard to the reasons and additional information put forward in support of it.

The application proposes to fell a Lime Tree (T1) and replace with the same species in a similar location. In addition, the application proposes a partial cut back of the canopy of another Lime Tree (T2) by up to 2m on the side nearest to the fabric of the building (267 Weddington Road) plus a 15% crown thin and removal of deadwood.

The Council's Tree Officer has been consulted regarding these works and has no objections.

Works to T1 Lime tree

T1 Lime is located within the front garden of the application property and is clearly visible from Weddington Road, which is a busy public thoroughfare. The tree therefore makes a notable contribution to the visual amenity of the streetscape, being visible to both pedestrians and passing traffic. Although there are other mature trees present within the wider locality that collectively contribute to the verdant character of the area, including T2 Lime tree, this tree as existing does provide a prominent feature within its setting and makes a modest contribution to local amenity.

The application seeks removal of this tree as it is showing signs of Ganoderma present, which is a form of wood-decaying fungus which affects trees and can indicate internal decay. Google Street View imagery indicates that the tree has shown little increase in size since its growing environment changed from hard landscaping to a residential setting after June 2009. The Council's Tree Officer has stated that although the species is generally one of good vigour, this specimen exhibits poor vitality within its current environment. The Ganoderma present at the base of the stem, which is indicative of developed decay, would ultimately lead to failure or necessitate removal in time. In summary, the tree is expected only to provide a diminished level of amenity in the future.

Given the identified structural and vitality issues of the tree, whilst it currently makes a modest contribution to the local amenity of the area, the removal of T1 is justified on arboricultural grounds due to its deteriorating health and reduced long-term prospects. The proposed replacement with a Lime in a similar position would maintain the contribution of tree cover and continuity of species within the streetscape, thereby preserving public amenity in the medium to long term and the works therefore meet the NPPG guidance for TPO assessments.

The works are therefore considered to be acceptable subject to conditions including a condition relating to the replacement Lime tree.

Works to T2 Lime tree

T2 lime tree is also located within the front garden of the application property and is visible from Weddington Road and also makes a notable contribution to the visual amenity of the streetscape. Reference to Google imagery indicates that the tree's condition has remained stable since 2021, although in a state of poor vitality.

The Council's Tree Officer has reviewed the proposed works for this tree and states that, the proposed pruning works to clear the tree from the building's fabric would be acceptable, subject to the cuts being made just outside of the previous pruning points, or to a maximum of 2m, where no such points exist. This approach would ensure that there are minimal wounds to the tree and therefore limits its exposure.

The proposed 15% crown thin would involve the removal of foliage, which in turn requires the tree to expand energy to produce new leaves and heal resulting wounds. This process places greater energy demands on the tree while simultaneously using its energy reserves. That said, a 15% crown thin is at the lower end of intervention, and this species tends to respond well compared to other tree species. The crown thin at 15% is therefore accepted subject to the cuts being made to branches of less than 50mm in diameter where possible, unless necessary to mitigate a risk and should not be made to any branches with a stem diameter of more than 100mm.

The proposed pruning works are limited in extent and have been reviewed by the Council's Tree Officer, who raises no objection subject to adherence to good arboricultural practice. The proposed works would help to alleviate the conflict between the tree and the property, whilst retaining the trees overall form and public amenity value and is therefore considered acceptable, subject to conditions.

2. Conclusion

In conclusion, on the basis of the above assessment, the proposed works to T1 and T2 are considered justified and represent a proportionate response to the arboricultural circumstances of each tree. The removal and replacement of T1 is supported due to its declining condition and limited long-term prospects, while the proposed pruning to T2 constitutes appropriate maintenance to address building clearance without detriment to its health or amenity value.

The proposed works would accord with sound principles of arboricultural management and would result in no unacceptable harm to public amenity. The works are therefore considered to meet the requirements of the National Planning Practice Guidance for Tree Preservation Orders. It is therefore recommended that the application be approved.

REASONS FOR APPROVAL:

The proposed works are consistent with sound arboricultural practice and are not expected to result in any unacceptable loss of public amenity. Accordingly, the proposals are considered to comply with the guidance set out in the National Planning Practice Guidance for Tree Preservation Orders.

SCHEDULE OF CONDITIONS:

Approval Subject to:

- i) The work granted consent shall be carried out in accordance with British Standard 3998 (Recommendations for Tree Work 2010).
- ii) The works approved to be carried out within 2 years from the date of consent.
- iii) Within the first planting season following the removal of T1, a Lime tree shall be planted in a location within the front garden of the property to the satisfaction of the Council. Details of the proposed location, size, and stock type of the replacement tree which must be in accordance with BS:8545 unless a justified alternative is submitted shall be submitted to and approved by the Council no later than 6 weeks before planting. The replacement tree shall be adequately watered, staked, and maintained for a minimum period of 5 years following planting. Any tree that, within this period, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with a tree of similar size and species. In addition, the Council

shall be notified in writing within 2 weeks of the replacement tree being planted, and photographic evidence of planting shall be submitted.

iv) The approved pruning works to T2 lime tree shall be carried out only on the side of the tree facing the building at 267 Weddington Road and shall be limited to cuts just outside previous pruning points, or, where no previous pruning points exist, to a maximum of 2 metres from the branch tips.

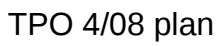
v) The approved 15% crown thin to T2 lime tree shall be carried out only by removing branches with a diameter of less than 50mm, except where the removal of larger branches is necessary to mitigate a risk. In such cases, no cuts shall be made to branches with a stem diameter greater than 100mm.



Evidence of fungi (Ganoderma) to T1



Tree location plan



Item No. 3

REFERENCE No. 040963

Site Address: 152 Marlborough Road, Nuneaton, Warwickshire, CV11 5PQ

Description of Development: Single storey rear extension to replace existing conservatory

Applicant: Mr Malek

Ward: CC

It has been identified that planning application reference 040963, relating to a single storey rear extension at 152 Marlborough Road, Nuneaton, was determined under delegated powers by Officers on 14th August 2025.

Subsequent review has confirmed that the applicant is a member of Council staff and in accordance with the Council's Constitution, applications made by or on behalf of employees or elected Members of the Council should be reported to the Planning Applications Committee for determination rather than decided under delegated authority.

Section 5D.7(a) of Nuneaton and Bedworth Borough Council's Constitution currently states that all planning applications submitted by Members or Officers must be determined by the Planning Applications Committee, irrespective of any Scheme of Delegation in effect at the time. This requirement differs from the provisions set out in Part 3E.7(b) of the Scheme of Delegation, which specifies that only applications where the applicant is a Member or an employee of the Development Control or Building Control Sections should be referred to the Committee. The Planning Team has been reminded of the requirements within the Constitution to mitigate the chance of this happening again and we are currently working to propose amendments to ensure alignment and consistency between the two documents.

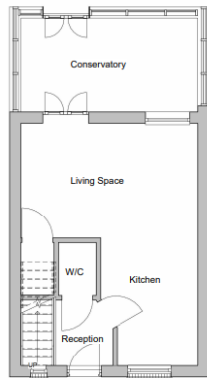
This represents an administrative oversight rather than a substantive procedural error. The application was processed, consulted upon and assessed in full accordance with the statutory legislation, The National Planning Framework and the Council's adopted policies and guidance. The Officer's assessment concluded that the proposal complied with the relevant provisions of the Development Plan and the National Planning Policy Framework and planning permission was subsequently granted under delegated powers. No objections were received during the consultation period and the Decision Notice is available to view on the Council's website.

To ensure openness and transparency in the Council's decision-making processes, this report is presented to the Planning Applications Committee for noting and information only. The purpose is to provide transparency to formally record the circumstances of the determination and to note that the decision was made under delegated authority.

No further decision is required from Members in relation to this matter.



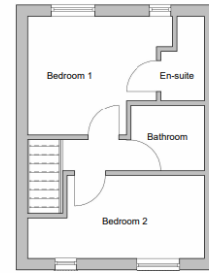
Existing Block Plan



Ground Floor

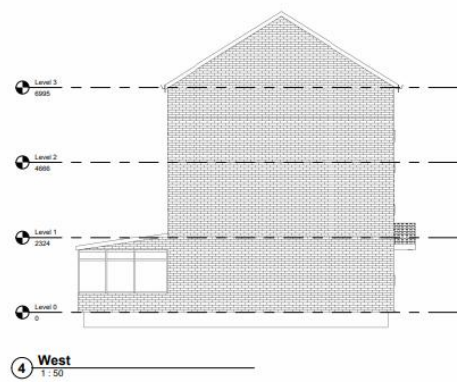
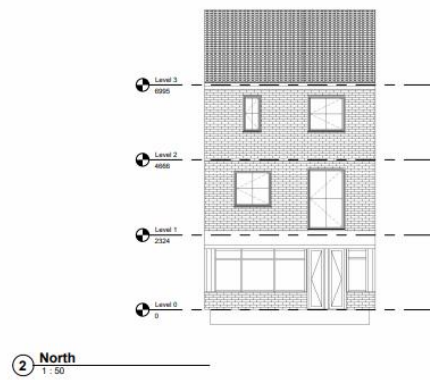


First Floor



Second Floor

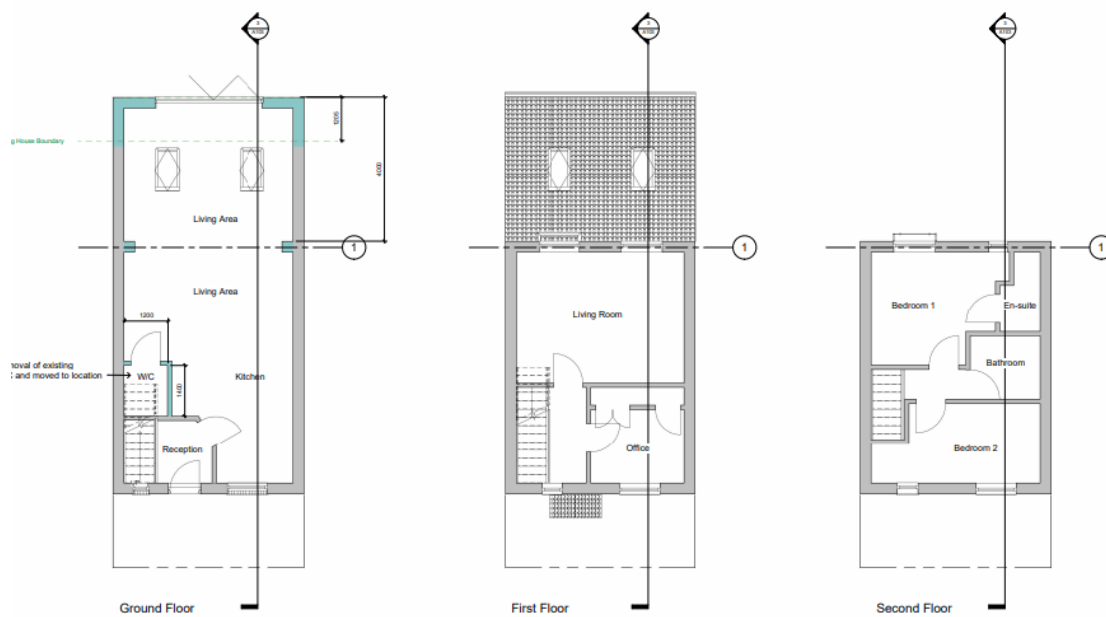
Existing Floor Plans



Existing Elevation Plans



Proposed Block Plan



Proposed Floor Plans



Proposed Elevation Plans

Adoption – The final confirmation of a local plan, or planning document, by a local planning authority.

Advertisement consent – A type of consent required for certain kinds of advertisements, such as shop signs and hoardings. Some advertisements are allowed without the need for an application by the Town and Country Planning (Control of Advertisement) (England) Regulation 2007.

Affordable housing – Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Authority monitoring report – A report that allows the Local Authority to assess the extent to which policies and proposals set out in all the local development documents are being achieved.

Appeal – The process by which a planning applicant can challenge a planning decision that has been refused or had conditions imposed.

Area action plan – A document forming part of the local plan containing proposals for a specific defined area.

Article 4 direction – A direction restricting permitted development rights within a specified area. They are often used in conservation areas to provide protection for things like windows, doors, chimneys, etc.

Brownfield – Land which has had a former use.

Conservation area – An area of special architectural or historic interest, the character and appearance of which are preserved and enhanced by local planning policies and guidance.

Conservation area consent – Consent needed for the demolition of unlisted buildings in a conservation area.

Consultation – A communication process with the local community that informs planning decision-making.

Certificate of lawfulness – A certificate that can be obtained from the local planning authority to confirm that existing development is lawful. Change of use – A material change in the use of land or buildings that is of significance for planning purposes e.g. from retail to residential.

Character appraisal – An appraisal, usually of the historic and architectural character of conservation areas.

Community – A group of people that hold something in common. They could share a common place (e.g. individual neighbourhood) a common interest (e.g. interest in the environment) a common identity (e.g. age) or a common need (e.g. a particular service focus).

Community engagement and involvement – Involving the local community in the decisions that are made regarding their area.

Design and access statement – A short report accompanying a planning permission application. Describes design principles of a development such as layout, townscape characteristics, scale, landscape design and appearance.

Design Code - A design code provides detailed design guidance for a site or area they prescribe design requirements (or 'rules') that new development within the specified site or area should follow.

Development – Legal definition is “the carrying out of building, mining, engineering or other operations in, on, under or over land, and the making of any material change in the use of buildings or other land.”

Development management control – The process of administering and making decisions on different kinds of planning application.

Development plan – A document setting out the local planning authority's policies and proposals for the development and use of land in the area.

Duty to co-operate – A requirement introduced by the Localism Act 2011 for local authorities to work together in dealing with cross-boundary issues such as public transport, housing allocations or large retail parks.

Economic development – Improvement of an area's economy through investment, development, job creation, and other measures.

Enforcement – Enforcement of planning control ensures that terms and conditions of planning decisions are carried out.

Enforcement notice – A legal notice served by the local planning authority requiring specified breaches of planning control to be corrected.

Environmental impact assessment – Evaluates the likely environmental impacts of the development, together with an assessment of how these impacts could be reduced.

Flood plain – An area prone to flooding.

Front loading – An approach to community engagement in which communities are consulted at the start of the planning process before any proposals have been produced. General (Permitted Development) Order The Town and Country Planning General (Permitted Development) Order is a statutory document that allows specified minor kinds of development (such as small house extensions) to be undertaken without formal planning permission

Greenbelt – A designated band of land around urban areas, designed to contain urban sprawl (not to be confused with 'greenfield').

Greenfield site – Land where there has been no previous development (not to be confused with Greenbelt).

Green infrastructure – Landscape, biodiversity, trees, allotments, parks, open spaces and other natural assets.

Green space – Those parts of an area which are occupied by natural, designed or agricultural landscape as opposed to built development; open space, parkland, woodland, sports fields, gardens, allotments, and the like.

Green travel plan – A package of actions produced by a workplace or an organization setting out how employees, users or visitors will travel to the place in question using options that are healthy, safe and sustainable, and reduce the use of the private car.

Highway authority – The body with legal responsibility for the management and maintenance of public roads. In the UK the highway authority is usually the county council or the unitary authority for a particular area, which can delegate some functions to the district council.

Historic parks and gardens register – The national register managed by English Heritage which provides a listing and classification system for historic parks and gardens.

Housing associations – Not-for-profit organisations providing homes mainly to those in housing need.

Independent examination – An examination of a proposed neighbourhood plan, carried out by an independent person, set up to consider whether a neighbourhood plan meets the basic conditions required.

Infrastructure – Basic services necessary for development to take place e.g. roads, electricity, water, education and health facilities.

Inquiry – A hearing by a planning inspector into a planning matter such as a local plan or appeal.

Judicial review – Legal challenge of a planning decision, to consider whether it has been made in a proper and lawful manner.

Legislation – The Acts of Parliament, regulations, and statutory instruments which provide the legal framework within which public law is administered.

Listed buildings – Any building or structure which is included in the statutory list of buildings of special architectural or historic interest.

Listed building consent – The formal approval which gives consent to carry out work affecting the special architectural or historic interest of a listed building.

Local authority – The administrative body that governs local services such as education, planning and social services.

Local plan - The name for the collection of documents prepared by a local planning authority for the use and development of land and for changes to the transport system. Can contain documents such as development plans and statements of community involvement.

Local planning authority – Local government body responsible for formulating planning policies and controlling development; a district council, metropolitan council, a county council, a unitary authority or national park authority.

Major Planning application-

- the winning and working of minerals or the use of land for mineral-working deposits
- waste development
- Residential development of 10 or more residential dwellings
- Residential development of on a site of 0.5 hectares or more (where the number of residential units is not yet known i.e. for outline applications)
- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more.
- development carried out on a site having an area of 1 hectare or more

Material considerations – Factors which are relevant in the making of planning decisions, such as sustainability, impact on residential amenity, design and traffic impacts.

Micro-generation – The small-scale generation of renewable energy usually consumed on the site where it is produced.

Mixed use – The development of a single building or site with two or more complementary uses.

National Planning Policy Framework (NPPF) – The government policy document first adopted in 2012 was updated in 2021. The NPPF introduces a presumption in favour of sustainable development. It gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Neighbourhood planning – A community initiated process in which people get together through a local forum or parish or town council and produce a neighbourhood plan or neighbourhood development order.

Non-determination – When a planning application is submitted and the local authority fails to give a decision on it within the defined statutory period.

Operational development – The carrying out of building, engineering, mining or other operations in, on over, or under land; part of the statutory definition of development (the other part being material changes of use of buildings or land).

Permitted development – Certain minor building works that don't need planning permission e.g. a boundary wall below a certain height.

Policy – A concise statement of the principles that a particular kind of development proposal should satisfy in order to obtain planning permission.

Parking standards – The requirements of a local authority in respect of the level of car parking provided for different kinds of development.

Plan-led – A system of planning which is organised around the implementation of an adopted plan, as opposed to an ad hoc approach to planning in which each case is judged on its own merits.

Planning gain – The increase in value of land resulting from the granting of planning permission. This value mainly accrues to the owner of the land, but sometimes the local council negotiates with the developer to secure benefit to the public, either through section 106 planning obligations or the setting of a community infrastructure levy.

Planning inspectorate – The government body established to provide an independent judgement on planning decisions which are taken to appeal.

Planning obligation – Planning obligation under Section 106 of the Town and Country Planning Act 1990, secured by a local planning authority through negotiations with a developer to offset the public cost of permitting a development proposal. Sometimes developers can self-impose obligations to pre-empt objections to planning permission being granted. They cover things like highway improvements or open space provision.

Planning permission – Formal approval granted by a council allowing a proposed development to proceed. Planning Practice Guidance (PPG) The government's PPG can be read alongside the NPPF and is intended as a guidebook for planners. It is not a single document but an online resource which is

kept current through regular updates. Presumption in favour of sustainable development The concept introduced in 2012 by the UK government with the National Planning Policy Framework to be the 'golden thread running through both plan making and decision taking'. The National Planning Policy Framework gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Public inquiry – See Inquiry.

Public open space – Open space to which the public has free access.

Public realm – Areas of space usually in town and city centres where the public can circulate freely, including streets, parks and public squares.

Regeneration - Upgrading an area through social, physical and economic improvements.

Retail – The process of selling single or small numbers of items directly and in person to customers. The use category defined as Class E in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Rural – Areas of land which are generally not urbanised; usually with low population densities and a high proportion of land devoted to agriculture.

Scheduled ancient monument – A nationally important archaeological site, building or structure which is protected against unauthorised change by the Ancient Monuments and Archaeological Areas Act 1979.

Section 106 – see Planning obligation.

Sequential test – A principle for making a planning decision based on developing certain sites or types of land before others, for example, developing brownfield land before greenfield sites, or developing sites within town centres before sites outside town centres.

Setting – The immediate context in which a building is situated, for example, the setting of a listed building could include neighbouring land or development with which it is historically associated, or the surrounding townscape of which it forms a part.

Space standards – Quantified dimensions set down by a local planning authority to determine whether a particular development proposal provides enough space around it so as not to affect the amenity of existing neighbouring developments. Space standards can also apply to garden areas.

Supplementary planning document – Provides detailed thematic or site-specific guidance explaining or supporting the policies in the local plan.

Sustainable development – An approach to development that aims to allow economic growth without damaging the environment or natural resources. Development that “meets the needs of the present without compromising the ability of future generations to meet their own needs”.

Town and Country Planning Act 1990 – Currently the main planning legislation for England and Wales is consolidated in the Town and Country Planning Act 1990; this is regarded as the ‘principal act’.

Tree preservation order – An order made by a local planning authority to protect a specific tree, a group of trees or woodland. Tree preservation orders (TPOs) prevent the felling, lopping, topping, uprooting or other deliberate damage of trees without the permission of the local planning authority.

Use classes order – The Town and Country Planning (Use Classes) Order 1987 (as amended) is the statutory instrument that defines the 8 categories of use of buildings or land for the purposes of planning legislation. Planning permission must be obtained to change the use of a building or land to another use class.

Urban – Having the characteristics of a town or a city; an area dominated by built development. Urban design – The design of towns and cities, including the physical characteristics of groups of buildings, streets and public spaces, whole neighbourhoods and districts, and even entire cities.

Urban fringe – The area on the edge of towns and cities where the urban form starts to fragment and the density of development reduces significantly.

Guide to changes to the Use Classes Order in England

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take away	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research and development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Hotels, boarding and guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Changes of use within the same class are not development. Use classes prior to 1 September 2020 will remain relevant for certain change of use permitted development rights, until 31 July 2021. The new use classes comprise:

Class E (Commercial, business and service uses),

Class F.1 (Learning and non-residential institutions)

Class F.2 (Local community uses)