

Enquiries to:
Democratic Services

Telephone Committee Services: 024 7637 6220

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

Date: 26th February 2026

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 10th March 2026 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.

The Council is committed to providing a safe and respectful environment for our employees, customers and elected members. As such, please be advised that any form of abuse, aggression, or disrespectful behaviour towards our team will not be tolerated under any circumstances.

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 10th February 2026, 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****10th February 2026**

A meeting of the Planning Applications Committee was held in the Town Hall, Nuneaton on Tuesday, 10th February 2026.

Present

Councillor B. Hancox (Chair)

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

Apologies: Councillors K. Wilson and S. Dhillon.

PLA33 Minutes

RESOLVED that the minutes of the meeting held on the 13th January 2026 be approved, and signed by the Chair.

PLA34 Declarations of Interest

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](#)).

PLA35 Declarations of Contact

No Declarations of Contact were made.

IN PUBLIC SESSION**PLA36 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 PLA36 OF THE
PLANNING APPLICATIONS COMMITTEE ON 10TH FEBRUARY 2026

041225 – 32 Chesterton Drive, Nuneaton, Warwickshire. CV10 9QR

Applicant – Mr Abdullah Ahmed

Public Speakers: Ms Lydia Wilcox (Objector)

DECISION that Planning Permission be granted, subject to the conditions printed in the agenda.

041338 – 2 Glebe Road, Nuneaton, Warwickshire. CV11 4BJ

Applicant – Ms Lucy Reah

Public Speakers: Mr Russell Dyble (On behalf of Agent)
Ms Lucy Reah (Applicant)
Nada Srbjanin (Objector)
Mr Paul Barrow (Objector)

DECISION that Planning Permission be granted, subject to the conditions printed in the agenda.

Planning Applications Committee
10th March 2026

Agenda Item Index

Planning Applications

Item No.	Reference	Ward	Address	Page No.
1.	041073	EX	"Site 113d002 - Elwy Circle", Elwy Circle, Ash Green	8
2.	041332	SM	Site 51A025 - Vicarage Street, Nuneaton (Church Street Shops & Justice Walk Car Park).	39

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

REFERENCE No. 041073

Site Address: Site 113d002 - Elwy Circle, Ash Green, Coventry, West Midlands

Description of Development: Outline planning permission for up to 22no. residential dwellings with all matters reserved except for access

Applicant: Mr D O'Flanagan

Ward: EX

RECOMMENDATION:

Planning Committee is recommended to grant planning permission, subject to no new material planning considerations being raised during the consultation period and to delegate authority to the Assistant Director for Planning to secure the scheme through an appropriate legal mechanism (which may include planning conditions, a planning obligation/legal agreement, a Section 111 agreement, or a combination of these), and to issue the decision subject to the conditions set out in the report.

INTRODUCTION:

This is an outline planning permission for up to 22no. residential dwellings with all matters reserved except for access at Site 113d002, Elwy Circle, Ash Green Coventry, West Midlands.

Site Description

The site consists of a large open space, which is currently has an equestrian use and features a stable to the rear. The site is bordered by residential caravans to the east on Elwy Circle, by fields to the north and west and a nursing home to the south.

The site, encompassing approximately 0.93 hectares, is located to the west of Ash Green and forms part of the West Midlands Green Belt.

Running from north-east to south-west through the site is a National Grid overhead line and a pylon is located to the western boundary. There is an existing vehicular access serving the site from New Road. Beyond the eastern site boundary is the Ash Green Park Home site on Elwy Circle and on the opposite side of New Road to the south of the Site, is The Haven Nursing Home

Portions of the site are visible from surrounding roads including the highway of New Road and from the Elwy Circle/Ash Green Park Home site. The site itself is relatively flat.

The proposed development is for the erection of up to 22 dwellings on the site, all proposed to affordable housing, with associated infrastructure.

This is an outline planning application, the only matter to be considered at this stage is:

- Access – accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

To be considered at a future Reserved Matters stage are:

- Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.
- Scale – the height, width and length of each building proposed in relation to its surroundings.
- Appearance – the aspects of a building or place within the development which determine the visual impression it makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- Landscaping – treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences and walls.

RELEVANT PLANNING HISTORY:

- No Previous Planning History

RELEVANT PLANNING POLICIES:

Policies of the Borough Plan Review 2025:

- Strategic Policy DS1 – Delivering sustainable development
- Strategic Policy DS2 – Settlement hierarchy and roles
- Strategic Policy DS3 – Overall development needs
- Policy DS6 - Green Belt
- Policy H2 – Affordable Housing Provisions
- Policy H4 – Nationally Described Space Standards
- Policy HS2 – Strategic accessibility and sustainable transport
- Policy BE3 – Sustainable design and construction
- Policy NE1 – Green and Blue Infrastructure
- Policy NE2 – Open space and playing fields
- Policy NE3 - Ecology, Biodiversity, Geodiversity and Local Nature recovery
- Policy TC3 - Hierarchy of centres (including district and local centres)

Supplementary Planning Documents (SPDs) and other policies/ guidance

- Affordable Housing SPD 2020.
- Sustainable Design and Construction SPD 2020.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

Cadent, CCG, Coal Authority, Environment Agency, George Eliot Hospital Trust, Health and Safety Executive, National Grid, NBBC Environmental Health, NBBC Housing, NBBC Greenspace Planning Officer, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NHS, Severn Trent Water, Warwickshire Police, Western Power Distribution, WCC Archaeology, WCC Ecology, WCC Fire Safety, WCC Flood

Risk Management, WCC Highways, WCC Infrastructure, WCC Public Rights of Way, WCC Water Officer

CONSULTATION RESPONSES:

No objection subject to conditions from:

WCC Highways, WCC Archaeology, WCC Ecology, WCC Flood Risk Management, Fire Safety, WCC Water Officer

No objection from:

NBBC Planning Policy, Cadent, Coal Authority, Warwickshire Police, NBBC Housing, Health and Safety Executive

No response from:

NBBC Environmental Health, NBBC Refuse, Environment Agency, NBBC Sports Development, Severn Trent Water, CCG, Western Power Distribution, National Grid

Obligations Requested from:

WCC Infrastructure, WCC Public Rights of Way, NHS, George Eliot Hospital Trust, NBBC Greenspace Planning Officer

NEIGHBOURS NOTIFIED:

All neighbours consulted, were 17, 18, 19, 20, 21, 22, 23, 24, and 25 Elwy Circle, The Haven Nursing Home, and 'Old Bablake' Hill Street, 21 and 22 High View Drive, Ash Green.

Neighbouring properties were sent letters notifying them of the proposed development on 16th July 2025, 17th February 2026 and 23rd February 2026. A site notice was erected on street furniture on 23rd July 2025 and the application was advertised in The Nuneaton News on 30th July 2025.

NEIGHBOUR RESPONSES:

There have been 15 objections from 14 addresses. The comments are summarised below;

1. The introduction of these new homes does not preserve the character of the community, as Ash Green Mobile Home Park is cherished for its unique character
2. The new build would bring a marked increase in population density and will irreparably strain the vital services and infrastructure that residents depend on.
3. The height, scale and modern design of new builds are incompatible with the traditional homes and low-rise buildings that define the neighbourhood.
4. Erosion of the visual harmony and historic continuity
5. Greater pressure on local healthcare, schools, recreational facilities and public transport
6. Environmental ramifications are huge
7. The loss of mature trees, shrubs and green corridors would diminish the area's biodiversity
8. Contradicts the climate goals of both the local council and the nation at large
9. Whilst it states that the proposal will provide adequate parking, local residents are sceptical
10. Overflow parking from developments often spills into neighbouring streets
11. Increased congestion increases local frustration, daily convenience and the risk for emergency vehicle access

12. Public safety concerns
13. This application raised serious questions about transparency and proper consultation
14. Consultation was not long enough or wide enough and the plans lack critical details
15. Anxiety has risen in the community and although the community is not opposed to change, the scheme is not wanted
16. Impact on flooding and surface water drainage
17. Lack of Borough Plan
18. Impact on existing infrastructure

There have been 4 letters of support from 4 addresses, the comments are summarised below;

1. Need for affordable housing in the area
2. Grey belt land offers an opportunity to address the issue of a significant housing crisis
3. This shows a commitment to the government's plan to build 1.5 million homes over the next five years.

APPRAISAL:

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

1. The Principle of the Development
2. Impact on the Green Belt
3. Impact on Residential Amenity
4. Impact on Visual Amenity
5. Impact on Highway Safety
6. Flooding and Drainage
7. Ecology, Biodiversity and Open Space
8. Waste and Refuse
9. Archaeology
10. Affordable Housing
11. Air Quality
12. Land Contamination and Stability
13. Planning Obligations
14. Conclusion

1. The Principle of Development

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key constituents 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 Strategic Policy DS1 of the Borough Plan Review (2025) which should be seen as a golden thread running through both plan making and decision taking. Strategic Policy DS3 identifies the overall development needs for the Borough throughout the plan period. The current Borough Plan plans for at least 9,810 homes for the entire plan period that calculates that 545 dwellings per annum are required in the Borough. The site has not been

accounted for within these figures and therefore the proposal would be a small windfall development.

The site is situated within the Green Belt. This means that any new development on this site is considered inappropriate and harmful to the Green Belt unless it can be demonstrated that the proposed development meets the criteria set out in the NPPF. Borough Plan Review Policy DS6 says that to ensure the Green Belt across the Borough continues to serve its fundamental aim and purpose, it will be protected by restricting development to only that which is considered by national planning policy as not inappropriate development. This will be assessed in more detail in the Green Belt section below but principally the site does fall within the defined Green Belt.

The application site is located outside the defined settlement boundary as set out on the Proposals Map of the Nuneaton and Bedworth Borough Plan Review 2025, with the eastern boundary of the site adjoining the settlement edge. In accordance with Strategic Policy DS2, development in locations outside of settlement boundaries is strictly limited to uses that are demonstrably necessary in the countryside, such as agriculture, forestry, or leisure. The proposed residential development does not fall within any of the specified acceptable uses, and no evidence has been provided to demonstrate an essential requirement for this location. As such, the proposal is contrary to Policy DS2 of the adopted Borough Plan.

However, Policy H2 of the Borough Plan Review states that there are exceptions. Outside of settlement boundaries, housing development, in addition to those allocated within the Borough Plan Review, will be supported on small rural exception sites, where affordable homes can be delivered to meet the needs of local people within the local community, where there is no conflict with other Borough Plan Review policies and the following criteria are met:

- The site is adjacent to existing settlement boundaries.
- The proposed development is considered suitable by virtue of its size and scale in relation to the surrounding settlement and its services and proximity to public transport links and infrastructure.
- The initial and subsequent occupancy of affordable homes is controlled through planning conditions and legal agreements, as appropriate to ensure that the accommodation remains available in perpetuity to local people in affordable housing need.
- The majority of homes provided are affordable and where an element of market housing is required to enable the delivery of significant additional affordable housing, the element of market housing is the minimum amount required to enable the delivery of the proposed market housing.

The application site lies adjacent to the defined settlement boundary, with its eastern boundary directly adjoining the settlement boundary of Ash Green and the Northern Coventry Fringe. In spatial terms, the scale and form of the proposed development are considered appropriate when assessed against the surrounding context. The proposal comprises 100% affordable housing and represents a highly sustainable location. The site benefits from strong vehicular and non-vehicular transport connections, and its close relationship to the adjacent settlement ensures compliance with the first two criteria of Policy H2. In respect of the third criterion, the delivery of affordable housing will be secured through a Section 106 Agreement, ensuring that the homes remain affordable in perpetuity. The agreement will also include provisions to prioritise a proportion of the dwellings for local people in order to meet identified local housing needs. Finally, the fourth criterion requires that the majority of homes are affordable.

As the scheme proposes 100% affordable dwellings, this requirement is clearly satisfied. Accordingly, the development is considered to fully comply with Policy H2 and is therefore acceptable in principle as a residential development within the Green Belt.

2. Impact on the Green Belt

The site is situated within the Green Belt. This means that any new development on this site is considered inappropriate and harmful to the Green Belt unless it can be demonstrated that the proposed development meets the criteria set out in the NPPF. Borough Plan Review Policy DS6 says that to ensure the Green Belt across the Borough continues to serve its fundamental aim and purpose, it will be protected by restricting development to only that which is considered by national planning policy as not inappropriate development.

Grey Belt or Not Grey Belt

The first consideration for decision making is to assess whether the site constitutes 'Grey Belt' land within the Green Belt. The Grey Belt definition is contained within the Glossary to the NPPF. It says that Grey Belt is defined as "land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143."

The site is currently used for equestrian purposes with a stable structure located near the northern boundary of the site. The glossary of the NPPF is clear on its definition of previously development land as the following:

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

An assessment should be made against the existing development on the site with this definition and the site-specific context involved.

The first section of this definition states that land is occupied by a structure and that it should not be assumed that the whole of the curtilage should be developed... There are stables on the site to the north but the site remains largely undeveloped. The site does not comprise of large areas of fixed surface infrastructure or large areas of land that have been lawfully developed. The use is for equestrian which is not an agricultural use or forestry and is clearly excluded from this definition. The site is also not connected to any mineral extraction, landfill and is not within any built-up area. Finally, the land has not been restored through any development management procedures, and it has not been previously developed with remains blended into the landscape.

The next point to consider is whether the site strongly contributes to three of the five purposes of Green Belt mentioned within the definition. These three purposes are:

1. To check the unrestricted sprawl of larger built-up areas (purpose a).

2. To prevent neighbouring towns merging into one another (purpose b).
3. To preserve the setting and special character of historic towns (purpose d).

Advice on how to assess the matter of whether a site “strongly contributes to the purposes” is set out in the PPG. Regarding purpose (a), the PPG is clear that this purpose relates to the sprawl of large built-up areas and thus villages are not to be considered large built-up areas. Sites that strongly contribute to purpose (a) are likely to be free from existing development and lack physical features in reasonable proximity, that could restrict and contain development. They are likely to be the near larger built-up areas. In this instance, Coventry to the south, Bedworth to the north and Birmingham is a considerable distance to the west of the site. In assessing this purpose, two issues are considered; how the development prevents ribbon development and the openness of the parcel of greenbelt. The applicant site is within a parcel of Green Belt known as NG5. It also made clear that villages are not regarded as large built-up areas which also must be considered as part of this assessment.

The point of purpose (b) is to maintain a clear physical separation between neighbouring towns to preserve the distinct identity and character of the individual towns. The PPG states this purpose relates to the merging of towns, not villages. Sites that strongly contribute to purpose (b) are likely to form a substantial part of a gap between towns and its development would likely result in the loss of the visual separation of towns. The site forms a section of the green belt between Keresley End, which is a village connected to Coventry and Ash Green/Neils Green which are villages. Neither of these are large built-up areas or ‘towns’ and so as a result it will not result in forming or reducing the gap between Nuneaton and Bedworth; Nuneaton and Coventry; or Bedworth and Coventry.

Finally, with regards to purpose (d), sites that strongly contribute to purpose (d) are likely to form part of the setting of the historic town and make a considerable contribution to the special character of a historic town. This could be as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town. The site does not form part of the setting of an historic town, and it does not have any connection to one. Therefore, the site is considered to serve a weak contribution to preserving the setting and special character of historic towns either.

Additionally, Grey Belt land does exclude land where the application of the policies relating to the areas or assets in footnote 7 of the NPPF (other than Green Belt) would provide a strong reason for refusing or restricting development. The assets referred to relate to habitat sites and/or designated as Sites of Special Scientific Interest, Local Green Space, National Landscape, a National Park, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change. None of these are relevant as none of the relevant consultees have any objections to the development.

Inappropriate or not inappropriate development

After concluding that the site is Grey Belt land, the next consideration is to assess whether a development which utilises Grey Belt land, is inappropriate development or not. There is no conclusion in the NPPF which states that development on Grey Belt land, is automatically not inappropriate development. Paragraphs 154 and 155 of the NPPF (2024) outline how inappropriate development should be assessed.

Paragraph 154 of the NPPF states that Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries

- and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The proposal does not fall into any of the exceptions in paragraph 154 of the NPPF (2024). The proposal is for affordable housing, however the wording of the exemption (point f), states that this affordable housing needs to be under policies set out in the development plan. The development plan which holds the most weight is The Borough Plan Review (2025) which does not have specific policies for affordable housing to meet local community needs and so this is not relevant.

Paragraph 155 of the NPPF provides further context against which this judgement is to be made. All four conditions have to be satisfied if the proposal is to be not inappropriate development as paragraph 155 states that the development of homes should also not be regarded as inappropriate, implying that once an assessment under paragraph 154 has been undertaken, one under paragraph 155 should be taken. The four conditions are:

- a. the development would utilise Green Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. there is a demonstrable unmet need for the type of development proposed;
- c. the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and
- d. where applicable the development proposed meets the 'Golden Rules' requirements set out in Framework paragraphs 156-157.

In reaching a judgement on condition (a), the PPG says that Local Planning Authorities should consider the extent to which the development of Green Belt land would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way. Hence this assessment now also takes into account the other two purposes as set out in paragraph 143 of the NPPF. These are purpose (c) - (to assist in safeguarding the countryside from encroachment)

and purpose (e) - (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land).

The Coventry and Warwickshire Joint Green Belt Study was produced in 2016. This has undertaken a comprehensive assessment of Green Belt land within the administrative areas of Coventry City Council, North Warwickshire Borough Council, Nuneaton and Bedworth Borough Council, Rugby Borough Council, Stratford-on-Avon District Council and Warwick District Council. It looked at a number of parcels of land within the Green Belt. The application site is within the parcel known as NG5. It is therefore pertinent to consider the assessment of parcel NG5 in this Green Belt Study to assess whether the development of the site would undermine the remaining Green Belt across the plan area.

The Green Belt Study concludes that the parcel does play a role in preventing ribbon development along Blackberry Lane, New Road and Newland Lane. Within the parcel contains two farms, an isolated dwelling and a nursing home, with the buildings associated with these developments compromise the openness of the Green Belt within their immediate vicinity. This parcel separates Keresley Newlands and the villages of Ash Green and Neal's Green. The site is on the Ash Green boundary edge and will directly face Keresley Newlands.

Parcel NG5 is not within an existing settlement boundary. The parcel sits between Ash Green to the East, Keresley to the West, and Bedworth to the North. However, in considering the remaining Green Belt across the plan area and preventing neighbouring towns from merging into one another, it is not considered the site would fundamentally undermine this.

The Green Belt Assessment does consider the cores of Coventry, Nuneaton, Bedworth and Hinckley as historic towns in the assessment. Parcel NG5 does not overlap with a Conservation Area within an historic town. In addition, there is no intervisibility between the historic core of a historic town and the parcel. It is not considered that the development of the site would therefore fundamentally undermine the ability for the remaining Green Belt to prevent preserve the setting of historic towns.

Purpose (e) of the Green Belt serves to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. This objective centres on promoting sustainable development. It is considered that all Green Belt achieves this purpose to the same extent, and that the Green Belt value of parcels when assessed against purpose (e) is unlikely to be distinguishable.

Condition (b) of paragraph 155 is that there has to be a demonstrable unmet need for the type of development proposed. The site is for 100% affordable housing and NBBC Planning Policy and NBBC Housing have both confirmed that there is a chronic need for affordable housing in the Borough and so it is concluded that this shows the demonstrable unmet need and so condition (b) is met.

Moving onto condition (c) of Paragraph 155 which is in relation to the development being in a sustainable location, it states that particular reference should be given to paragraphs 110 and 115 of the NPPF. The guidance does say 'particular reference' meaning that other relevant paragraphs can be taken into account when determining the sustainability. Paragraph 110 seeks that development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 ensures that sustainable transport modes are prioritised, that there is safe and suitable access to the site, that

the design of parking reflects current national guidance and that any significant impacts from the transport is mitigated to an acceptable degree through a vision-led approach. The PPG states that for the purpose of decision making, where Green Belt land is not in a location that is or can be made sustainable, development on this land is inappropriate. Whether locations are sustainable should be determined in light of local context and site or development-specific considerations.

The site is not located within a settlement boundary as set out in Borough Plan Policy TC3 but is directly on the edge of the village of Ash Green. Borough Plan Review Policy TC3 does state that any new residential development should be within 800m walking distance of a district or local centre. The nearest local centres are Smorrall Lane Local Centre and Coventry Road/School Lane. Smorrall Lane Local Centre is 2000m as a direct distance and 2600m as a driving/walking distance and Coventry Road/School Lane is 2200m directly and 2600m as a driving/walking distance. In both cases, this is above the threshold in TC3. However, there is a bus stop 150m from the site which provides a regular bus service to Nuneaton, Bedworth, Coventry and University Hospital (Services 57 and 79). 79 stops at both local centres as well as the centre of Nuneaton and 57 stops at Smorrall Lane Local Centre as well as the centres of Nuneaton, Bedworth and Coventry. Furthermore, whilst it is not classed as a local or district centre, there is a post office, convenience store and church located within Ash Green and this is 500m from the site. As such, it is considered that the development does focus on a location which can be sustainable through offering a genuine choice of transport modes (in accordance with NPPF paragraph 110). This ensures that sustainable transport modes in the form of bus use are prioritised (as set out in NPPF paragraph 115).

Finally, with regards to condition (d), the development is concerned with housing and is a 'major development' in the Green Belt, therefore the 'Golden Rules' do have to be met. These are outlined in paragraph 156 of the NPPF (2024), and the paragraph is as follows:

Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning permission, the following contributions ('Golden Rules') should be made:

- a. affordable housing which reflects either:
 - (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or
 - (ii) until such policies are in place, the policy set out in paragraph 157 below;
- b. necessary improvements to local or national infrastructure; and
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

Paragraph 158 of the NPPF (2024) clearly states that a development which complies with the Golden Rules should be given significant weight in favour the grant of permission.

Point (a) states that the affordable housing on the site reflects the appropriate policy either locally or in line with the NPPF. The Borough Plan Review (2025) does not have a specific Green Belt affordable housing policy therefore paragraphs 67 and 68 are relevant in this instance. Borough Plan Policy H2 does state how the site can be a rural exception and become acceptable development in the Green Belt. However, there is

not a specific Green Belt affordable housing policy that sets out specifics about percentages or types of affordable housing required for each site.

Paragraph 67 states that 'As part of the 'Golden Rules' for Green Belt development set out in paragraphs 156- 157 of this Framework, a specific affordable housing requirement (or requirements) should be set for major development involving the provision of housing, either on land which is proposed to be released from the Green Belt or which may be permitted on land within the Green Belt. This requirement should: a) be set at a higher level than that which would otherwise apply to land which is not within or proposed to be released from the Green Belt; and b) require at least 50% of the housing to be affordable, unless this would make the development of these sites unviable (when tested in accordance with national planning practice guidance on viability).

Paragraph 68 states that 'The affordable housing requirement for land within or released from the Green Belt may be set as a single rate or be set at differential rates, subject to the criteria above'

Paragraph 157 states that 'Before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%. In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default. The use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability.'

The set level in land which is not within or released from the Green Belt under Borough Plan Policy H2 is 25% and paragraph 157 requires that affordable housing contribution to satisfy the Golden Rules is to increase this by 15 percentage points up to a cap of 50% and so at least a 40% affordable housing percentage is required under this paragraph. The proposal is that the site will be 100% affordable housing, which is above the 40% created under the workings of paragraph 157 and accords with both a) and b) which is required under paragraph 67. Under the associated guidance on viability the national government clearly states that the 50% cap as outlined in paragraph 157 does not prevent a developer from agreeing to provide affordable housing contributions which exceed the 50% cap. Therefore, it can be considered that the application aligns with point a of paragraph 156.

Point (b) of Paragraph 156 states that the application should make contributions to the necessary improvements to local or national infrastructure. This is usually done through s106 contributions which have been requested for education, public rights of way and through sustainable travel promotion and road safety. This has subsequently agreed upon by the applicant and so this proposal aligns with this point under paragraph 157.

Point (c) relates the provision of good quality green spaces and that the new residents should have access to this within a short walk of their home, whether this is on site or off site. The NPPG states that the following should be considered under this section of the 'Golden Rules':

- New residents and the wider public should be able to access good quality green spaces which are safe; visually stimulating and attractive; well-designed;

sustainably managed and maintained; and seek to meet the needs of the communities which they serve.

- Accessible green spaces are areas of vegetation set within a landscape or townscape, often including blue space, which are available for public use free of charge and with limited time restrictions.
- Where possible access to green spaces should include safe active travel routes and should be served by public transport, which also means providing the necessary infrastructure (such as footpaths and bridleways).
- Proposals should consider how the creation or enhancement of existing green spaces can contribute to the priorities for nature recovery set out within the relevant Local Nature Recovery Strategies, providing greater benefit to nature and contributing to the delivery of wider environmental outcomes.
- Where appropriate, authorities should consider the use of conditions or planning obligations. The Community Infrastructure Levy can also be used to fund improvements to existing greenspaces or the provision of new ones. Local authorities should consider arrangements for the long-term maintenance of green spaces.

NBBC Open Space were consulted on the application and have requested contributions to improve the public green spaces within the borough which the applicant has agreed to pay. Therefore, this point about improving green spaces being one of the golden rules is met.

In drawing all of the above together, it is considered that all of the conditions set out in paragraph 155 are met. As all the conditions have been met, the development is to be regarded as appropriate development in the Green Belt.

Green Belt Harm

Having concluded that the proposal is appropriate development in the Green Belt, it means there is limited definitional harm. However, it is still necessary to assess what the actual level of harm might be. This would look at whether the openness of the Green Belt is preserved or not. There is no definition of openness in the NPPF, but in a planning context it is generally taken to be “the absence of development”. The PPG however advises that four elements should be assessed which are spatial impacts, visual impacts, the degree of activity arising from a proposal and whether that proposal is for permanent change or not.

The site is a field used for equestrian use with a structure located at the rear of field and rest of the field being used for equestrian activities. The site is located adjacent to the neighbouring caravan development on Elwy Circle and the Haven Nursing Home to the south. The site is bordered by a hedgerow on the northern border and large trees on the southern border with the highway. This gap, which is perceived as openness from Elwy Circle, will be reduced as a result of the built development. However, due to the enclosed nature of the field, bordered by substantial evergreen trees to the south a caravan park to the east and the development to the south, the development will not cause substantial harm to the openness of the Green Belt.

The proposed dwellings would be permanent rather than temporary in nature. Whilst permanence is a relevant consideration, this factor alone is not considered to result in substantial harm to the openness of the Green Belt. In terms of spatial impact, the proposal would introduce up to 22 new dwellings onto a currently undeveloped field. Although, by virtue of the proposed access arrangements, not all dwellings would be prominently located along the street frontage and many would be set within the body

of the site, the development would nonetheless represent a significant intensification of built form within an open Green Belt location.

The introduction of a residential scheme of this scale would materially reduce openness both spatially and visually and would urbanise the site. As such, the proposal would result in a relatively high degree of harm to the openness of the Green Belt, particularly given that it constitutes a major residential development in a presently undeveloped area.

In conclusion, there is limited definitional Green Belt harm by reason of the site being found to be Grey Belt. However, as the proposal is a major residential scheme, there is some actual Green Belt harm by reasoning of the harm to the openness. It is now necessary to assess whether there are any other harms to outweigh the benefits as part of the planning balance.

3. Impact on Residential Amenity

Strategic Policy DS2 of the Borough Plan states that there should not be a negative impact to the amenity of the surrounding environment or residents. Policy BE3 of the Borough Plan Review– Sustainable Design and Construction refers to development having to comply with the Council’s Sustainable Design and Construction SPD in order to protect residential amenity of adjacent properties.

Policy BE3 of the Borough Plan Review 2025 states all Development proposals should be:

1. Designed to meet the requirements specified in any relevant extant Concept Plan SPD and the Sustainable Design and Construction SPD (2020).
2. Able to evidence efficient use and protection of natural resources.
3. Able to evidence that new developments are water efficient, incorporating water efficiency and re-use measures and that the estimated consumption of wholesome water per dwelling is calculated in accordance with the methodology in the water efficiency calculator, not exceeding 100 litres/person/day (until such time this is superseded by a lower figure under Building Regulations).
4. Able to evidence that new development will maximise energy efficiency and meet the optional higher standard for Building Regulations in regard to energy use. Development should adhere to the Future Homes and Buildings Standard, prior to its introduction in 2025, by promoting a fabric first approach, including the use of passive design principles where possible.
5. Minimise the potential for pollution of air, soil, noise and light, and in particular not contribute to unacceptable levels of air pollution.
6. Adaptable, resilient and minimise climate change acts to achieve the nation’s carbon net zero emissions target by 2050.
7. Able to reduce crime by demonstrating where the principles of Secured by Design have been incorporated into the design including consideration of wider security and defence.
8. Able to promote sustainable transport.
9. Able to promote placemaking strategies for an inclusive, safe, accessible and healthy living environment for all.

Urban character

All development proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area and respecting the sensitivity to change of the generic character types within each urban character area. Development must take a comprehensive and co-ordinated approach, respecting

existing constraints, including utilities, situated within each site. Key characteristics to consider include:

10. Current use of buildings.
11. Ownership/tenure.
12. Street layout.
13. Patterns of development.
14. Residential amenity.
15. Plot size and arrangement.
16. Built form.

Policy H4 of the Borough Plan Reviews states that all residential dwellings should comply with the Nationally Described Space Standards (NDSS), unless proven not to be feasible. The policy continues by stating that where this requirement is believed to be unviable, written robust justification as to why this policy cannot be achieved, should be provided to the Council. As this is an outline application, these measures will be secured via condition.

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

The development is adjacent on one side to residential properties within Elwy Circle.

The Sustainable Design and Construction SPD 2020 sets out minimum separation distances that are required between existing and proposed dwellings and in between the proposed units themselves, in order to protect light, amenity and privacy. The exact details of the layout, size, scale and fenestration of the dwellings would be provided at the reserved matters stage and the policies within the SDC would be applied at this stage. Although purely indicative, at present, the indicative layout plan shows that the minimum separation distances set within the Sustainable Design and Construction SPD 2020 between the proposed properties and existing neighbouring properties could be met. As such, it has been demonstrated that the impact to residential amenity could be acceptable.

4. Impact on Visual Amenity

Policy NE5 of the Borough Plan states 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. The site is located within an urban setting and therefore the proposed development would be in keeping with the existing landscape.

The NPPF states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (paragraph 135). BE3 of the Borough Plan states that all development proposals must contribute to local distinctiveness and character and some of the key characteristics to review include street layout, plot size and arrangement and built form. As this is an outline application, details of design, scale and layout are not being considered at this stage and would form part of a future reserved matters application.

The proposal would permanently change the landscape of the site through the development of residential houses. The site is surrounded on one side by residential developments however this form of development is one of caravans. The next nearest

is the nursing home to the south and the section of New Road located within the settlement boundary. This does have to be considered at the reserved matters stage that the introduction of two storey properties here would be a new addition to the area and so should be designed as such.

5. Impact on Highway Safety

Policy HS2 states that proposals with transport implications should be addressed and the matter of access is being considered at this stage.

The proposed access to site is being proposed at the southern border of the site with the access opening out onto New Road. New Road is a main road within the area and this located near the bend in the road outside of the confines of Ash Green. The proposed access will be 5.5m wide with 2no 2m footpaths on either side of the proposed access and highway.

WCC Highways have been consulted a number of times and this section will outline the impact that the proposal will have on highway safety.

The first consultation response stated the following that the Highway Authority raised an objection to the proposed development due to several issues with the transport and access details. Firstly, no Stage 1 Road Safety Audit had been submitted, nor a brief for the audit had been provided. Swept path analyses submitted with the application were insufficient, as they did not cover all turning manoeuvres for vehicles entering and exiting the site in both directions. Additionally, no speed data was provided to demonstrate that the proposed visibility splays are suitable for the approach speed of vehicles, with historic data showing higher speeds than the posted limit. The forward visibility splay for right-turning vehicles into the site was not shown. The construction of the new junction will also require tree removal and the relocation of a lamp column. Lastly, the existing footway in front of the site was requested to be widened to a minimum of 2 metres to ensure pedestrian safety. However, from this initial consultation it was noted that the impact of the development on the capacity of the public highway network should not be severe and this is an important conclusion when considering access on a site like this.

A stage 1 Road Safety Audit was then submitted as well as documentation trying to counteract the issues put forward by the Highways Authority. However, an objection was raised again due to problem raised in the Audit which included the location of the trees at proposed junction, increased risk of collisions on the footway adjacent to the proposed junction; the quality of the carriageway surface on New Road; the potential parking within junction visibility splays. These were problems identified within the RSA. The non-RSA comments still raised concerns and an objection, primarily due to the lack of a Stage 1 Road Safety Audit and insufficient swept path analyses to fully assess the proposed bellmouth junction's suitability. The visibility splays provided are acceptable based on speed survey data, though no forward visibility for right-turning vehicles has been shown. Additionally, concerns remain over tree removals, particularly Tree 3 (a category B2 oak) which is a key landscape feature. The Forestry Team has suggested relocating the access point to retain this tree and reduce impacts on others, such as Trees 1 and 6, which are affected by encroachment into their Root Protection Areas (RPAs). While the Tree Protection Plan (TPP) is in place, a detailed Arboricultural Method Statement (AMS) is required to ensure the protection of the trees during construction. Despite these concerns, the amended visibility splays and swept path analyses are deemed acceptable, and with proper mitigation, tree loss could be minimized through relocation and planting.

Responses to the RSA issues were provided and still not accepted and the applicant had reviewed this and responded to the queries raised. However, at this stage the non-RSA issues had been dealt with and so the only objection that remained was the non-agreement to problems 3.5, 3.6 and 3.7 which the highways authority stated needed to be resolved prior to determination.

In the final round of consultation, problem 3.5 was satisfied as the kerb heights would be raised within the visibility splay and the footway would be cleared of existing vegetation to provide a satisfactory minimum width. Problem 3.6 by the way of a legal agreement will provide SLOW marking on the approach and that this would be reviewed as part of the stage 2 RSA. Finally, problem 3.7 states that a TRO would not be warranted as parking occurs irregularly and was not present during any site visits undertaken. The WCC Forestry team also commented, but did not object, that Tree removal should be considered a last resort, as compensation would need to be paid to the tree owner. If removal is unavoidable for the proposal, substantial on-site mitigation planting would be required. If space on-site is insufficient, alternative off-site planting options should be explored. It was noted during the meeting that the proposed development would result in a 10% net gain in planting, which reflects a positive contribution to the site's biodiversity and green infrastructure. The Highways Officer also provided a number of conditions which were:

1. The access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the approved drawing (SK01), the Designer's Response, and the specification of the Highway Authority.
2. No dwelling shall be occupied until the footway fronting the site has been improved in accordance with the Designer's Response & Approved Drawing No. SK01, and the informal pedestrian crossing between the North & South of New Road has been provided in accordance with the approved drawing and the specification of the Highway Authority.
3. No dwelling shall be occupied until the advanced warning scheme as set out in Problem 3.6 of the Designer's Response has been implemented to the satisfaction of the planning authority in consultation with the Highway Authority.
4. The development shall not be occupied until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.4 metres and 'y' distances of 97.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.
5. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan (CMP) shall be followed at all times during demolition and construction.

These will be tested against paragraph 57 of the NPPF which states that all planning conditions should be kept to a minimum and only imposed where necessary, relevant to planning and to the development to be permitted, enforcement, precise and reasonable. All are reasonable and relevant and the principle of all the conditions is acceptable however the wording will be changes to make the conditions enforcement and precise enough for a decision notice should this application be approved.

6. 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 181). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Further guidance is provided on flooding and flood risk in the National Planning practice Guidance. Borough Plan Policy NE4 also deals with managing flood risk.

The site is within Flood Zone 1 with a very low risk of surface water flooding and therefore the proposal is considered to be compliant with Policy NE4 and follows the sequential approach.

Paragraph 182 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

WCC Flood Risk Management were consulted on the application, and they first returned a response of objection since the information that was submitted did not fully comply with their requirements. Specifically, the details relating to surface water drainage was insufficient. The submitted information did not provide adequate information to demonstrate that the site can be safely and appropriately drained, or to allow for a robust assessment of the potential flood risk on site. The Lead Local Flood Authority further raised a number of concerns regarding the submitted Flood Risk Assessment and Drainage Strategy. These related to the viability of an infiltration-based drainage solution, the proposed discharge into a Sewage Treatment Works rather than the higher-ranked watercourse to the west, the consideration of additional SuDS features, discrepancies in site and impermeable area measurements, greenfield runoff calculations, and the maintenance and exceedance arrangements for the proposed attenuation features.

The second round of consultation returned a response of no objection subject to a number of conditions being added to the decision notice should this application be approved. This is because whilst the applicant has demonstrated the principles of an acceptable surface water management strategy at the site, further information is required and this is best submitted as part of a discharge of condition application. These conditions will be assessed against the NPPF tests and reworded if required. This is because in principle all issues were addressed by the submission of report 1301/000/02- August 2025.

Paragraph 57 of the NPPF (2024), states that all planning conditions should be kept to a minimum and only imposed where necessary, relevant to planning and to the development to be permitted, enforcement, precise and reasonable. Having assessed the proposed conditions against this paragraph it is determined that the proposed conditions are aligned with this NPPF paragraph and so will be added to the decision notice should this application be approved.

7. Ecology, Biodiversity and Open Space

The NPPF and Policies NE1, NE2 and NE3 of the Borough Plan refers to the protection and enhancement of ecology. This is mirrored in the Council's adopted Open Space SPD.

The NPPF outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraph

187. It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

The indicative plan shows that the proposal would retain some open space and the majority of this is formed within area along the northern part of the site. However, this open space does not include any on-site equipped play provision. The Open Space Strategy sets out that residents should have access to three principal types of park provision – Destination, Community and Local. Each of those types of provision includes type specific equipped play provision. However, there are minimum distance requirements which are needed for play equipment to water courses, roads, houses and SUDS features. Due to the presence of all of these elements, it is reasonable to say that the scheme would not be able to provide on site play provision. As on-site provision is not feasible on this site, NBBC Parks have requested contributions towards the maintenance and improvement of local destination, community and local parks and allotments. The applicant has agreed to this request, after negotiations. As such, it is considered that the scheme would meet Policy NE1 as it would create and enhance new green infrastructure assets.

Policy NE1 also discusses blue infrastructure and states that where development proposals include a watercourse within their site boundary, providing an easement between the development edge and the watercourse can help contribute to the delivery of green corridors. The policy states that an 8 m easement is typically used and should be included in proposals wherever possible. The indicative layout plan shows that this 8m set back could easily be achieved.

Policy NE3 of the Borough Plan 2019 sets out that development proposals will ensure ecological networks and services, and biodiversity and geological features are conserved, enhanced, restored and, where appropriate, created. The policy further states that development proposals affecting the ecological network and/or important geological features will be accompanied by a preliminary ecological assessment and/or, where relevant, a geological assessment.

This proposal has been accompanied by the following:

- Preliminary Ecological Appraisal
- Biodiversity Net Gain Assessment
- Statutory Biodiversity Metric
- Great Crested Newt Report
- Pre-development Tree Survey
- Statutory BNG Metric

The correct documentation was submitted, and the information was considered within an ecology consultation with WCC.

The submitted Statutory Biodiversity Metric had been completed in accordance with the relevant guidelines, and based on the information provided, the development is expected to achieve a 10% biodiversity net gain on site. However, it should be noted that if, at the reserved matters stage, detailed landscape plans show that a 10% biodiversity net gain cannot be achieved, the purchase of biodiversity credits may be required. The proposed habitat creation and management measures should be secured through a Habitat Management and Monitoring Plan, which can be imposed as a condition of any planning permission. Given that the creation of neutral grassland constitutes a 'significant' habitat enhancement, monitoring by the Council will be necessary, and this can be secured through a Section 106 agreement. In line with the biodiversity net gain requirements, a Biodiversity Gain Plan must be submitted prior to

the commencement of works, including any site clearance. The 10% net gain requirement will be secured through a section 106 legal agreement.

When assessing the impact on species and biodiversity net gain (BNG), the following considerations have been identified. Five swallow nests were recorded within the existing stables on site. Given the proposed removal of the stables, appropriate compensation measures should be implemented, including the installation of a swallow house. It is suggested that this could be located near the proposed basin at the northern end of the site. This can be secured at the Reserved Matters stage and controlled through a planning condition.

One tree (T1) within the site has been assessed as having moderate bat roosting potential. According to the submitted plans, this tree is proposed to be retained, and it should be adequately protected during construction. Protection measures can be secured through a Construction Environmental Management Plan (CEMP) condition. The nearest pond is located 150m from the development site. The submitted ecological report concludes that due to the presence of sub-optimal habitat for great crested newts on site, further surveys are not required. However, precautionary mitigation measures should be implemented during construction to avoid incidental harm to great crested newts, in line with best practice guidance.

The development should incorporate enhancements for wildlife, in line with Paragraph 187(d) of the National Planning Policy Framework (NPPF). This should include the installation of bat and bird boxes within the new buildings, as well as ensuring that any new fences have 15cm gaps at the base to allow for the movement of hedgehogs and other small terrestrial wildlife between gardens.

It is essential that the illumination of trees, hedgerows, and the proposed basin does not exceed 1 lux to mitigate potential impacts on local wildlife, particularly bats. To ensure that light levels are appropriately managed, a sensitive lighting scheme should be designed in accordance with the *Bat and Artificial Lighting at Night Guidance Note 08/23* (Bat Conservation Trust & Institute of Lighting Professionals, 2023). This will ensure that lighting does not disturb ecological habitats and complies with best practice guidelines for the protection of bat species and other nocturnal wildlife.

8. Waste and Refuse

NBBC Refuse and Waste have not responded to the consultation request and therefore it is assumed that they have no objection to the proposal. In addition, given the nature of the area and existing access, it is considered sufficient for collection by refuse collection vehicles. Details for bin storage within the site will be provided at reserved matters stage. Regarding fire safety, Warwickshire Fire and Rescue Service have been consulted on the application and raise no objection to the proposal subject to a condition being added to the decision notice, should it be recommended for approval.

9. Archaeology

Policy BE4 of the Borough Plan Review states that development proposals which sustain and enhance the Borough's heritage assets including listed buildings, conservation areas scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved. The site is not within, or adjacent to any of the above asset areas, however the WCC Archaeology Team were consulted on this application to review the potential archaeological impacts.

WCC Archaeology returned a response of no objection subject to a condition being imposed on the decision notice. Their reasoning was that the proposed development lies within an area of significant archaeological potential as it is situated to the east and adjacent to the proposed boundary of Newlands Hall Park, which is a post-medieval parkland believed to have origins dating back to the 15th century. Additionally, Newlands Hall Monastic Grange and associated fishponds are located approximately 270m to 370m to the northwest of the site. Roman coins have been recovered by metal detectorists at these sites.

While limited direct evidence for pre-medieval activity has been identified in the immediate vicinity, this may be attributed to a lack of previous archaeological investigations rather than an indication of a lack of potential archaeological deposits in the area. Consequently, the potential for prehistoric and Roman-period remains to be present on the site is considered uncertain.

10. Affordable Housing

Policy H2 of the Borough Plan requires 25% of all new developments to be affordable on sites of 15 dwellings or more, however this site would be 100% affordable. The Council would secure the 25% affordable dwelling within a S106 agreement, the remaining 75% would be secured in agreement with the Council and the developer. This is required as the development is considered to be mainly policy compliant due to its proposal as 100% and so this will need to be suitably secured.

The proposal would see an increase the amount of affordable housing in the area and NBBC Housing are in support of the application and the delivery of a 100% affordable housing scheme. As this is an outline application, no further details have been submitted in relation to the affordable housing mix or the location. This would form part of subsequent reserved matters application and an assessment would be made at that time regarding compliance with Planning Policy and the Affordable Housing SPD. Further details have been requested via condition. NBBC Planning Policy and NBBC Housing have no objections to this application.

11. Air Quality

Developments of this size do not require an air quality assessment, but as per the Air Quality SPD, type 1 mitigation is required on site. NBBC Environmental Health were consulted on the application and did not return a response to the application and so no objection is assumed. Even though there was no objection the following conditions to help be line with Policy BE3 of the Borough Plan Review will be added to the decision notice:

1. For domestic heating provision, all gas-fired boiler installations should be low NOx emission type that meet a minimum standard of less than 40mg Nox/IWh
2. There shall be no occupation of any dwelling until Electric Vehicle (EV) charging points at a rate of; one charging point per dwelling with dedicated parking.
3. The developer shall submit a Dust Management Plan for approval prior to the works.

12. Land Contamination and Stability

Paragraph 187 of the NPPF requires (amongst other things) that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or

being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Policy BE1 of the Borough Plan also requires that development proposals located on or adjacent to land which may have been subject to contamination and/or land instability will need to demonstrate that measures can be taken to effectively mitigate the impacts of land contamination and instability on public health, environmental quality, the built environment and general amenity and that the development site is or will be made suitable for the proposed final use.

NBBC Environmental Health were consulted on the application and did not return a response to the application and so no objection is assumed and no conditions are to be added to the decision notice.

The site is not within the Coal Authority's high risk development zone and therefore they have no comment to make on this application.

13. Planning Obligations

The NPPF sets out that the planning obligations should be considered where otherwise unacceptable development could be made acceptable. However, paragraph 58 of the NPPF 2024 notes that these obligations should only be sought where they meet all of the following tests:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

Paragraph 98 of the NPPF 2024 also outlines the need for planning to take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Section 122 (2) of the CIL Regulations reiterates that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is compliant with these three tests. It is therefore necessary to have regard to these three tests when considering the acceptability of planning obligations.

Organisation	Request For	Contribution	Notes
NBBC Parks	Provision and maintenance of play and open space Breakdown: Capital Total Maintenance Total Design and Management Fees	£45,239.13 Breakdown: £32,787.16 £9,173.25 £3,278.72	
WCC Education	Additional Early years and Primary and Secondary SEN provision in the local area	£100,522 Secondary: £2,673,500	
GEH	Emergency Admissions Admissions and providing capacity	£6,607 £18,012 Total: £24,619	Not considered to be CIL compliant

Public Rights of Way	To improve Public Rights of way within one and half mile of the site These are considered to be B4-B15 B18-B26 B28-B31 M305 M309 M310 M322 M326-M328 M330-M332 M334-M338	£892.41	
Road Safety	Road safety initiatives within the community	£50.00 per new dwelling 22 proposed dwellings: £1,100	
WCC Monitoring Costs	A fee for the monitoring and administration of CC obligations	£350 + (5 hours x £40 officer time x number of triggers)	
Ecology and BNG		10% Net Gain & monitoring fee	
Affordable Housing		25% of the development is to be secured as AH via an S106 Remaining 75% either condition and/or legal agreement	

14. Conclusion

The NPPF 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.

The potential impacts of the proposed development in relation to the principle of development, the Green Belt, residential amenity, visual amenity, highway safety, flood risk and drainage, contamination, air quality, ecology, biodiversity and open space and heritage and archaeology have all been considered and assessed against both national and local policy. The assessment has subsequently shown that, there would be no adverse impacts in some instances.

The main conflict in this case arises from the site's designation as part of the Grey Belt. The site is located within the Green Belt, but it has been assessed as "Grey Belt," which mitigates much of the usual harm. While the proposal for 22 affordable dwellings will result in some harm to the Green Belt, particularly in terms of the spatial and visual loss of openness, this is not considered substantial due to the site's enclosed nature and surrounding development. The proposal aligns with policy objectives, including the provision of affordable housing, and meets the NPPF's 'Golden Rules' for Green Belt development. Therefore, the development is considered acceptable in the planning balance. The proposal is also in line with Policy H2, which holds significant weight in the planning balance. It is also acknowledged that the proposal lies outside the settlement boundaries. However, given the provision of 100% affordable housing,

which aligns with key planning policy objectives, the proposal is considered acceptable as this weighs significantly in favour of the development. A similar scheme for general housing outside the settlement boundary would likely not be approved, but the affordable housing element justifies the departure from policy in this instance.

Where other more minor potential adverse impacts are identified, it would be possible to mitigate against this through the use of planning obligations and conditions. Therefore, on balance, the recommendation for the application is approval subject to the legal agreement and condition printed below.

REASONS FOR APPROVAL:

Having regard to the pattern of existing development in the area, relevant provisions of the development plan, 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:

1. This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995, on an outline application and the further approval of the Council shall be required with respect to the undetermined matters hereby reserved before any development commences:
 - a) the siting of the proposed development
 - b) design
 - c) external appearance
 - d) details of the landscaping
2. In the case of the reserved matters specified above, application for approval accompanied by all detailed drawings and particulars, must be made to the Council not later than the expiration of three years from the date of this permission.
3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of all reserved matters.
4. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan Reference	Date Received
Access Plan	CH_SK01_GA	25/09/2025
Existing Site Block Plan	338_PL-03A	18/06/2025

5. No development shall commence until details of site levels and finished floor levels have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.
6. A Habitat Management and Monitoring Plan (HMMP) for a minimum 30-year timeframe shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development to include site clearance of the development and be in accordance with the Biodiversity Gain Plan. The content of the HMMP shall include the following:
 - a. Description and evaluation of features to be managed in accordance with

- any landscape scheme drawings submitted for approval.
- b. A plan identifying location and extent of features to be managed.
 - c. Ecological trends and constraints on site that might influence management.
 - d. Aims and objectives of management.
 - e. Prescriptions for management actions.
 - f. Preparation of a work schedule (including annual work plan capable of rolling forward over a five-year period).
 - g. Details of the body or organisation responsible for implementation of the plan.
 - h. Ongoing monitoring and remedial measures.
 - i. The completed statutory metric applied to the application site to demonstrate that a biodiversity net gain will be achieved.
 - j. Locations and numbers of integrated bat and bird boxes, swallow house, reptile, and amphibian refugia, invertebrate boxes.
 - k. Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery.

The plan shall also set out (where results from monitoring show that conservation aims and objectives of the HMMP are not being met) how contingencies and remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

7. No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities of an ecological clerk of works (ECoW)/similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

8. The development hereby permitted shall not commence (including ground clearance works) until details of all external lighting (to include location, height from ground level, lux level contour plan, and hours of operation) have been submitted to and approved by the Local Planning Authority. External lighting proposed should conform to the protocols set out in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The development shall be carried out in full accordance with such approved details. In discharging this condition, the Local Planning Authority expects lighting to be restricted in proximity to key habitats, trees, hedges, and the proposed bat boxes and to be kept to a minimum at night across the whole site to minimise impact on emerging and foraging bats. This could be achieved in the following ways:
 - b. Narrow spectrum lighting used to avoid the blue-white wavelengths
 - c. Lighting directed away from vegetated areas
 - d. The brightness of lights will be as low as legally possible
 - e. Lighting timed to provide some dark periods
 - f. Connections to areas important for foraging will contain dark corridors.
9. The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes at the site, has been submitted to and approved in writing by the local Planning Authority. The approved scheme shall be implemented in full prior to occupation of any development to the satisfaction of the Local Planning Authority.
10. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment (1301-00-101, May 2024) and LLFA Response Statement document (1301/000/02, August 2025) has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority. The details shall include:
 1. Demonstration that any departure from the agreed design is in keeping with the approved principles.
 2. Any As-Built Drawings and accompanying photos
 3. Results of any performance testing undertaken as a part of the application process (if required / necessary)
 4. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 5. Confirmation that the system is free from defects, damage and foreign objects
11. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:
 1. Undertake infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
 2. Where infiltration is demonstrated to not be feasible, limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an

- allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 2.4l/s for the site in line with the approved surface water drainage strategy (ref: 1301-00-03 , revision B, dated April 2025).
3. Where the drainage scheme proposes to connect into a 3rd party asset, for example a public sewer, further information should be provided regarding the ownership, purpose, location and condition of this asset along with confirmation of the right to connect into it. This could take the form of land ownership plans showing riparian ownership, land drainage consent, flood risk activity permit or agreement under Section 106 of the Water Industry Act (1991).
 4. Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.
 5. Provide detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should feature specific demonstrating that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
 6. Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:
 - a. Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and justification of such criteria where relevant.
 - b. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events
 - c. Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.
 - d. Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
 7. Provide plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. Such overland flow routing should:
 - a. Demonstrate how runoff will be directed through the development without exposing properties to flood risk.
 - b. Consider property finished floor levels and thresholds in relation to exceedance flows.
The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.
 - c. Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.
12. The access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the approved drawing (SK01) and the Designer's Response.
 13. No dwelling shall be occupied until the footway fronting the site has been improved in accordance with the Designer's Response & Approved Drawing No. SK01, and the informal pedestrian crossing between the North & South of New Road has been provided in accordance with the approved drawing No. SK01

14. The development shall not be occupied until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.4 metres and 'y' distances of 97.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.
15. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan (CMP) shall be followed at all times during demolition and construction.
16. No development shall be carried out until details of the means of foul drainage disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.
17. The details required by condition 1(d) (Landscaping) shall be carried out in the following manner:
Soft landscaping shall be carried out in full in the first planting season following the first occupation of a dwelling. Hard landscaping works within each phase shall be carried out in full prior to the first occupation of each phase.

Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Local Planning Authority consents in writing to any variation.
18. There shall be no occupation of any dwelling until Electric Vehicle (EV) charging points at a rate of; one charging point per dwelling with dedicated parking have been provided.
19. No development above slab level shall commence until details of rainwater harvesting systems to be installed in the curtilage of all dwellings has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the agreed system has been provided in accordance with the approved details. Once provided, the rainwater harvesting systems shall be maintained in perpetuity for the lifetime of the development.
20. For domestic heating provision, all gas-fired boiler installations should be low NOx emission type that meet a minimum standard of less than 40 mg NOx/kWh.
21. No development above slab level shall commence until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.
22. No development above slab level shall commence until full details of the boundary treatments, including new walls, fences, gates and other means of enclosure, have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the boundary treatment to that plot has been carried

out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

23. Details of the following additional matters shall, where relevant, concurrently with the submission of the reserved matters application, be submitted to and approved in writing by the Local Planning Authority before development of any part of the site to which the submitted details relate is commenced. The development shall be implemented in accordance with the details so approved prior to that part of the development being occupied or brought into use.

A) A schedule of the mix of dwellings across the whole site demonstrating how this takes into account and accords with the most up-to-date Strategic Housing Market Assessment (SHMA) and Housing and Economic Development Needs Assessment (HEDNA);

B) A schedule of the amount and types of accessible, adaptable and wheelchair user dwellings across the whole site to meet Building Regulations requirement M4(2) and M4(3) and

C) A schedule of the number of bedrooms, number of persons expected to occupy each dwelling, storey height, total GIA floorspace area and total built-in storage areas for each dwelling type to demonstrate compliance with the most up-to-date publication of the Nationally Described Space Standards.

24. No development shall take place until:

a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.

b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed within the approved Archaeological Mitigation Strategy Documents, shall be undertaken in accordance with those documents.

Site Location Plan and Illustrative Block Plan



Disclaimer
 The Architect's Site Plan and Block Plan are prepared for the Client's use only and may not be reproduced or used in any other way without the Architect's written permission. The Architect is not responsible for any errors or omissions in the drawings or for any consequences arising from the use of the drawings. Check all site dimensions prior to any construction. Refer any discrepancies to the Architect.

Revisions

A	Revised in line with Client Comments	15/05/2025
B	Revised in line with Client Comments	15/05/2025
C	Approved in line with Client Comments	25/05/2025
D	Approved in line with Client Comments	25/05/2025

Contact + Location

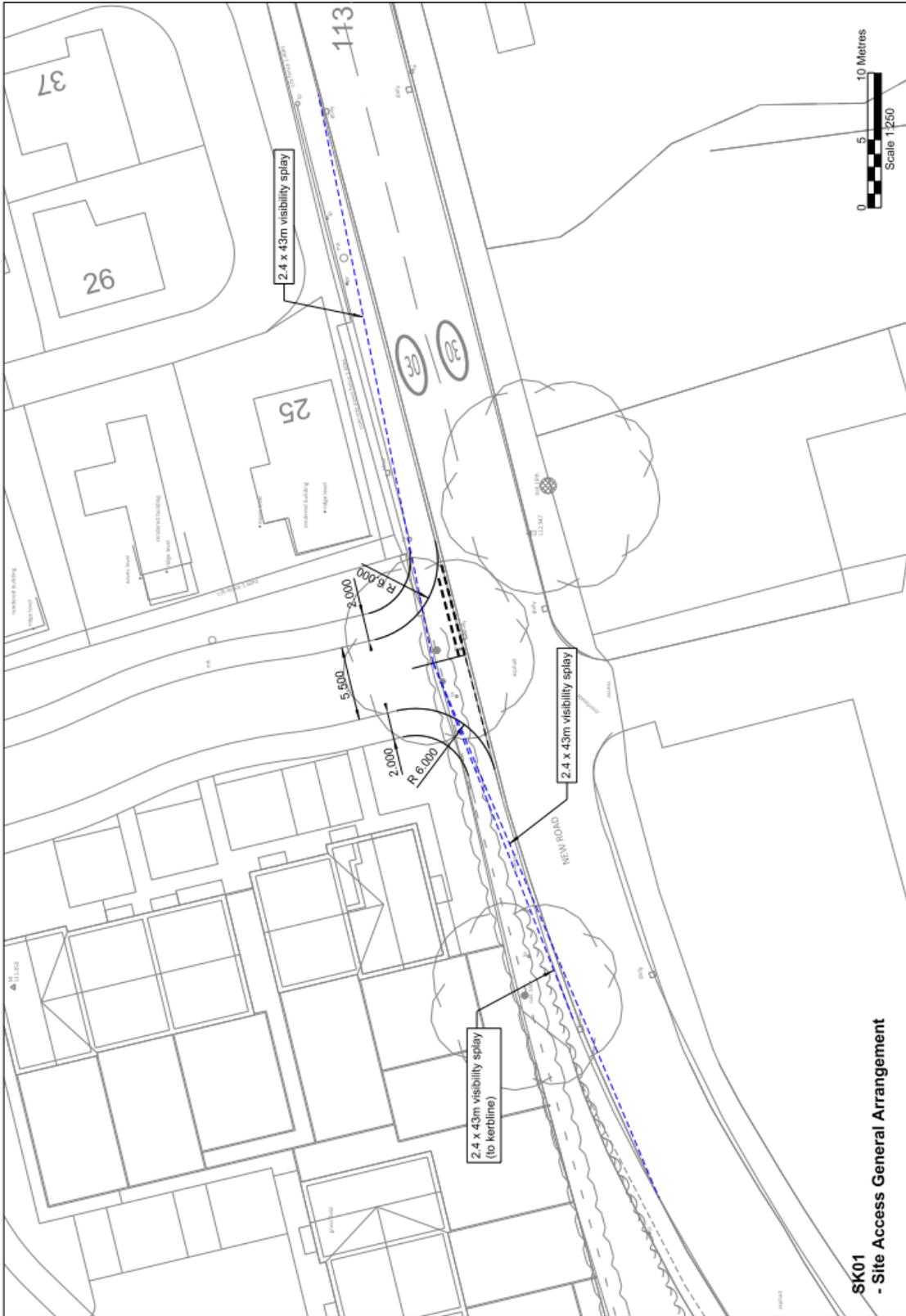
10071 83 1025
 10071 83 1025
 10071 83 1025
 10071 83 1025

Lawrence & Finlay Architects Ltd
 10071 83 1025
 10071 83 1025

Details

Client	O'Flanagan Homes
Site No	Land Off New Road, Ash Green, Coventry
Drawing Title	Block Plan
Job Number	318
Drawing Number	P-012 - 1-500
Scale	PLANNING





Proposed Access Plan



Existing Site Plan



REFERENCE No. 041332

Site Address: Site 51A025 - Vicarage Street, Nuneaton (Church Street Shops & Justice Walk Car Park).

Description of Development: Section 73 application to vary condition 4 to amend the red line boundary and minimum Gross Internal Floor Area pursuant to planning permission ref 039175 - Outline planning application (with all matters reserved) for the erection of a new Library and Business Centre (Use Class F1 and Class E(c)) and up to 65 no. residential dwellings (Use Class C3), including site clearance and the demolition of the existing library building, former Parish Hall building, Powell House, premises at Number 1-2 Church Street and premises at Number 3 Church Street (including Royal Mail Sorting Office), parking, landscaping and public space.

Applicant: C/O Agent (Turley)

Ward: SM

RECOMMENDATION:

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

INTRODUCTION:

039175:

Outline planning permission was granted under ref. 039175 for the erection of a new Library and Business Centre (Use Class F1 and Class E(c)) and up to 65 no. dwellings (Use Class C3), including site clearance and the demolition of the existing library. All matters of detail were reserved for consideration in subsequent Reserved Matters and approval of conditions applications. The following matters were reserved to be considered at a future stage and did not form part of the outline planning permission:

- Access – accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- Appearance – the aspects of a building or place within the development which determine the visual impression it makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- Landscaping – treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences and walls.
- Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.
- Scale – the height, width and length of each building proposed in relation to its surroundings.

The site is within Nuneaton Town Centre and is strategically important for growth as identified in the 'Transforming Nuneaton' vision. Transforming Nuneaton is being funded by its development partners, including Coventry and Warwickshire LEP, The West Midlands Combined Authority and Central Government funds including the

Future High Street Funds and the Towns Fund. Nuneaton and Bedworth Borough Council (NBBC) and Warwickshire County Council (WCC) are working together to deliver the transformation of Nuneaton Town Centre, to achieve a mixed-use regeneration proposal aimed at boosting economic growth in the town and providing new employment and living opportunities.

The site is owned by NBBC and WCC. WCC owns and maintains the existing Library. Warwickshire Property and Development Group (WPDG) were the applicant for 039175. WPDG is a company launched by WCC, however WPDG itself has no statutory functions. As such 039175 was not subject to Regulation 3 of the Town and Country Planning (General) Regulations 1992 (as amended) and was determined by NBBC.

Changes sought:

Since 039175 was determined, technical design has progressed for the development (particularly the Library and Business Centre).

It has become apparent minor revisions to the red line boundary (the defined application site) per approved plans relevant to condition 4 on 039175 are required. This is to support forthcoming Reserved Matters submissions and to ensure all proposed development falls within the consented site area. This includes:

- 36 sqm of additional land at the northwest corner of the site (off Bridge Street), to ensure alignment with the latest topographical survey and include land for public realm works which would sit just outside the current red line boundary.
- 216 sqm of additional land at the north of the site, adjacent to the Wheat Street/Vicarage Street junction, to include land initially thought to be required for separate highways improvements. This land is now surplus to the highways improvements and will need to be incorporated into the development to avoid a redundant parcel of land.

There are no changes sought to the sitings or heights of built form on approved plans relevant to condition 4 on 039175.

Detailed plans for the Library and Business Centre have also now been submitted (ongoing Reserved Matters ref. 041347). 041347 will be referred to Planning Applications Committee once that application is ready for determination. It is apparent the gross internal floor area (GIFA) for the currently proposed Library and Business Centre is below the amount required by the approved quantum plan relevant to condition 4 on 039175. The current requirement is for a minimum GIFA of 3,730 sq m, which is now sought to be amended to 3,000 sq m. The current 041347 plans have a GIFA of 3,373 sq m, however a 3,000 sq m threshold has been requested in case amendments are required which would further reduce the currently proposed GIFA.

041332

041332 is an application made under section 73 of the Town and Country Planning Act 1990 to seek consent for the above changes through amendments to condition 4 approved plans. This application type can be used to make a material amendment by varying or removing conditions associated with a planning permission. There is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission and must not result in a development fundamentally different from the one originally permitted.

<u>039175</u> <u>Condition 4</u> <u>approved plans</u>	<u>Current plan</u> <u>reference</u>	<u>Proposed plan</u> <u>reference</u>	<u>Reason change sought</u>
Location Plan	3637-AAR-P1-ZZ-SI-A-9005	3637-AAR-P1-ZZ-SI-A-9005 rev A	To reflect amended red line boundary
Land use parameter plan	3637-AAR-P1-ZZ-SI-A-9026	3637-AAR-P1-ZZ-SI-A-9026 Rev G	To reflect amended red line boundary
Amount quantum plan	3637-AAR-P1-ZZ-SI-A-9028	3637-AAR-P1-ZZ-SI-A-9028 Rev H	To reflect amended red line boundary, and change to Library and Business Centre minimum GIFA
Building heights parameter plan	3637-AAR-P1-ZZ-SI-A-9029	3637-AAR-P1-ZZ-SI-A-9029 Rev K	To reflect amended red line boundary

In the event 041332 is approved subject to conditions; the approved conditions should correspond with conditions on 039175. Some conditions on 039175 have since been approved (see planning history). Where relevant the wording of 041332 conditions would reflect this to be to the effect of 'development shall be undertaken in accordance with approved details on X', rather than 'prior to development details on X should be submitted and approved.'

BACKGROUND:

This application is being reported to Planning Applications Committee as the proposal involves NBBC as a land owner, and the scheme is not of a minor nature, as defined in statistical returns to the Government (per 3E.7 viii in the scheme of delegation contained within NBBC's Constitution).

RELEVANT PLANNING HISTORY:

There is an extensive planning history at this site, however only the below is considered relevant to this application:

- 039175. Outline planning application (with all matters reserved) for the erection of a new Library and Business Centre (Use Class F1 and Class E(c)) and up to 65 no. residential dwellings (Use Class C3), including site clearance and the demolition of the existing library building. Conditional Approval 05/08/2025.
- 041171. Application for approval of details reserved by conditions 6 (demolition method statement), 13 (construction ecological management plan), 15 (dust management plan), 19 (trees and hedgerows retention and removal), 25 (contamination land assessment), and 26a (archaeological written scheme of investigation) pursuant to planning permission ref 039175.
 - Condition 6 partially approved 05/11/2025 (approval in relation to demolition of buildings north of existing library only).
 - Condition 13 approved 11/09/2025.
 - Condition 15 partially approved 25/09/2025 (approval in relation to demolition of buildings north of existing library only).
 - Condition 19 partially approved 11/09/2025 (approval in relation to demolition of buildings north of existing library only).
 - Condition 25 partially approved 11/09/2025 (approval in in relation to demolition of buildings north of the existing library only).
 - Condition 26a approved 28/01/2026.
- 041326. Application for approval of details reserved by conditions 5 (phasing plan) and 12 (Biodiversity Net Gain plan) pursuant to planning permission ref 039175. Application ongoing.

- Condition 5 approved 13/02/2026
- 041442. Application for approval of details reserved by conditions 21 (ventilation) and 27 (hydrant locations) pursuant to planning permission ref 039175. Application ongoing.
 - Condition 27 approved 23/01/2026.
- 041347. Reserved Matters application for Phase 1a (Library and Business Centre) and Phase 1b (infrastructure works) pursuant to outline planning permission ref. 039175 – seeking approval of access, appearance, layout, scale and landscaping (Phase 1a) and access only (Phase 1b). Application ongoing.

RELEVANT PLANNING POLICIES:

As required by Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development shall be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan for the area relevant to this application is the Nuneaton and Bedworth Borough Plan Review (2021-2039), adopted in 2025.

Policies of the Borough Plan Review 2025:

- DS1 – Presumption in favour of sustainable development.
- DS2 – Settlement Hierarchy and Roles.
- DS3 – Overall Development Needs.
- DS4 – Residential Allocations.
- H1 – Range and mix of housing.
- H2 – Affordable Housing.
- E1 – Nature of employment growth.
- TC1 – Town centre requirements.
- TC2 – Nature of town centre growth.
- TC3 – Hierarchy of centres.
- HS1 – Insuring the delivery of infrastructure.
- HS2 – Strategic accessibility and sustainable transport.
- HS4 – Retaining community facilities.
- HS5 – Health.
- HS6 – Sport and exercise.
- NE1 – Green infrastructure.
- NE2 – Open space and playing fields.
- NE3 – Ecology, Biodiversity, Geodiversity and Local Nature Recovery.
- NE4 – Managing flood risk and water quality.
- BE1 – Contamination and land stability.
- BE3 – Sustainable design and construction.
- BE4 – Valuing and conserving our historic environment.

Supplementary Planning Documents (SPDs) and other policies/ guidance

- Affordable Housing SPD 2020.
- Air Quality SPD 2020.
- Health Impact Assessment SPD 2021.
- Open Space and Green Infrastructure SPD 2021.
- Sustainable Design and Construction SPD 2019.
- Transport Demand Management Matters SPD 2022.
- National Policy Planning Framework (NPPF) 2024.
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

Provisions relating to statutory consultation and publicity do not apply to s73 applications. However, Local Planning Authorities have discretion to consider whether the scale or nature of the change warrants consultation, in which case the Authority can choose how to inform interested parties. In this case the Authority consulted all who submitted comments on 039175.

Environment Agency, The National Amenity Societies, Twentieth Century Society, Natural England, NBBC Environmental Health, NBBC Strategic Housing, NBBC Land and Property, NBBC Greenspace Planning Officer, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NBBC Tree Officer, NHS ICB Coventry and Warwickshire, Severn Trent Water, Warwickshire Police (Crime Prevention Design Advisor), WCC Archaeology, Warwickshire Fire and Rescue Service, Warwickshire Fire and Rescue Service Water Officer, WCC Flood Risk Management Team, WCC Ecology, WCC Highways, WCC Infrastructure, WCC Planning Consultations, NBBC Town Centres and Markets, Historic England, Royal Mail.

CONSULTATION RESPONSES:

No objection from:

Warwickshire Police (Crime Prevention Design Advisor), WCC Flood Risk Management Team, WCC Highways.

No comment from:

Environment Agency, Twentieth Century Society, NBBC Environmental Health, NBBC Strategic Housing, NBBC Greenspace Planning Officer, NHS ICB Coventry and Warwickshire, WCC Ecology, WCC Infrastructure, Historic England.

No response from:

The National Amenity Societies, Natural England, NBBC Land and Property, NBBC Planning Policy, NBBC Refuse, NBBC Sports Development, NBBC Tree Officer, Severn Trent Water, WCC Archaeology, Warwickshire Fire and Rescue Service, Warwickshire Fire and Rescue Service Water Officer, WCC Planning Consultations, Royal Mail, NBBC Town Centres and Markets

THIRD-PARTIES NOTIFIED:

Provisions relating to statutory consultation and publicity do not apply to s73 applications. However, Local Planning Authorities have discretion to consider whether the scale or nature of the change warrants consultation, in which case the Authority can choose how to inform interested parties. In this case the Authority consulted all who submitted comments on 039175.

The below properties were notified of the initial and amended submissions:

- Vicarage Street: Warwickshire Justice Centre.
- Bond Gate: Federal Express House, The Black Swan in Hand, Flat above The Black Swan in Hand.
- Bridge Street: Nos. 2-6.

The below properties were notified of the initial submission only. Mail to these properties was returned due to the addresses being inaccessible or the addressee having gone away. As such they were not notified of the amended submission:

- Wheat Street: Warwick House Flats Nos. 1-35
- Bridge Street: Nos. 11-12

- Church Street: No. 47

The initial and amended submissions were publicised via site notices, and press notices in Nuneaton News.

THIRD-PARTY RESPONSES:

None received.

APPRAISAL:

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

1. The Principle of the Development
2. Heritage and Archaeology
3. Highway Safety
4. Residential Amenity
5. Visual Amenity
6. Flood Risk and Drainage
7. Ecology, Biodiversity, Open Space
8. Land Contamination and Air Quality
9. Affordable Housing
10. Planning Obligations
11. Public Benefits of the Development
12. Conclusion and Planning Balance

1. The Principle of Development

The extant planning permission 039175 has already established the acceptability of the principle of the development across the vast majority of the site. There are considered to be no fundamental in principle changes from 039175. With regards to the additional parcels of land, these are largely existing areas of hardstanding, as well as very small parcels of undeveloped land, grass and planters. These areas are to be incorporated into the development and would be expected to largely comprise public realm or landscaping improvements.

The NPPF establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development into three key constituents 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 the Borough Plan Review which should be seen as a golden thread running through plan making and decision taking.

Policy DS2 of the Borough Plan Review sets out the hierarchy and roles for each settlement in the Borough with Nuneaton having the primary role for employment, housing, town centre, leisure and service provision. New development within settlement boundaries will be acceptable subject to there being a positive impact on amenity, the surrounding environment and local infrastructure.

Policy TC1 of the Borough Plan Review sets out development within the Nuneaton Town Centre will need to support the aspirations of the Transforming Nuneaton Initiative.

The site is Brownfield land, within the town centre, as such the site is the sequentially the most preferable kind of land to be developed. The NPPF sets out this sentiment in Paragraph 125.

125. Planning decisions should: ...;

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

The principle of development is considered to be acceptable.

2. Heritage and Archaeology

The extant planning permission 039175 already assessed the below in relation to outline application matters:

- Impact on Non-Designated Heritage Assets
- Impact on the Conservation Area by Demolitions
- Impact on Conservation Area by New Built Development
- Impact on Listed Buildings by New Built Development
- Archaeology

Policy BE4 of the Borough Plan Review states that development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved.

The proposed development lies within an area of archaeological potential, located within the probable extent of the medieval settlement of Nuneaton. Whilst it is likely the site will have been subject to modern disturbance there remains potential for archaeological features and deposits dating from the medieval and post-medieval periods to survive across this site. WCC Archaeology previously requested a condition relating to a scheme for archaeological fieldwork and for it to be carried out, along with any mitigation strategies identified. A corresponding condition can be attached to the 041332 permission (notwithstanding updated wording to reflect parts of the 039175 condition already approved). It is not considered proportionate to insist upon entirely new heritage statements etc given the very minor additional parcels of land, and the existing nature of this land.

Impacts on heritage and archaeology are considered to be acceptable.

3. Highway Safety

Paragraph 115 of the NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 116 of NPPF sets out development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The extant planning permission 039175 already assessed highway safety in relation to outline application matters and considered these to be acceptable. There are no meaningful changes in these matters on the new application. WCC Highways have no objections to the s73 application. It is not considered proportionate to insist upon entirely new transport surveys etc given the very minor additional parcels of land, and the existing nature of this land.

Impacts on highway safety are considered to be acceptable.

4. Impact on Residential Amenity

Policy BE3 of the Borough Plan Review sets out that all development proposals must enhance local distinctiveness and character, with a particular emphasis on residential amenity for both current and future residents.

The extant planning permission 039175 already assessed residential amenity in relation to outline application matters. Specific layout and design aspects are not under consideration at this stage and would be considered at Reserved Matters or approval of conditions stages.

Without a definitive layout to assess it is not possible, or fair, to assess distances standards, and other guidance relating to future occupiers. This will be applied to the future layout as and when that is submitted.

NBBC Environmental Health have no comments to make on this s73 application.

Impacts on residential amenity are considered to be acceptable.

5. Impact on Visual Amenity

Policy BE3 of the Borough Plan Review sets out that all development proposals should enhance local distinctiveness and character. Key elements to consider include street layout, plot size and arrangement, and architectural form.

The extant planning permission 039175 already assessed visual amenity in relation to outline application matters. Details of design and layout are not being considered at this stage and would form part of the assessment of a future Reserved Matters application.

Overall, it is considered that there would be no significant harm to the visual amenity of the area as a result of this outline permission, and other matters would be considered at a later date.

Impacts on visual amenity are considered to be acceptable.

6. Flood Risk and Drainage

The NPPF requires assessment of flood impacts on new developments while ensuring that flood risk is not exacerbated elsewhere (paragraph 170), advocating a risk-based approach to development location to avoid high-risk areas. Additional guidance on flooding is available in the National Planning Practice Guidance, while Borough Plan Policy NE4 forms the development plan basis for flood risk management. Utilising the Environment Agency's Fluvial Flood mapping, the additional parcel of land to the north-west is within Flood Zone 3 (the highest risk of flooding) and the additional parcel of land to the north is within Flood Zone 1 (the lowest risk of flooding). Albeit these parcels of land largely already comprise hardstanding and sealed surfaces.

Situated in a central and sustainable area of the Borough as a whole, and within the Town Centre, the site is previously developed (brownfield) land, making it suitable for development, contingent upon no objections from the Environment Agency (EA) and WCC Flood Risk Management (FRM) to safeguard future occupants from flood risk and prevent risk escalation elsewhere.

A Flood Risk Assessment accompanied the extant planning permission 039175, with the Environment Agency consulted and expressing no objections, providing that the development adheres to their standing advice.

Concerning surface water drainage, a Drainage Strategy was previously submitted, aiming to manage on-site surface water runoff to minimize flood risk, mitigate adverse impacts on third parties from surface water discharge, and ensure ongoing operation and maintenance through appropriate management and adoption. WCC Flood Risk reviewed the strategy and raised no objections, subject to specified conditions.

The EA has no comments to make on this s73 application, and WCC Flood Risk have no objections. It is considered flood risk and drainage can be suitably managed through the existing conditions and compliance with details already submitted. It is not considered proportionate to insist upon an entirely new flood risk assessment etc given the very minor additional parcels of land, and the existing nature of this land.

Impacts on flood risk and drainage are considered to be acceptable.

7. Ecology, Biodiversity, Open Space and Landscaping

Policy NE3 of the Borough Plan sets out that development proposals will ensure ecological networks and services, and biodiversity and geological features are conserved, enhanced, restored and, where appropriate, created. The policy further states that development proposals affecting the ecological network and/ or important geological features will be accompanied by a preliminary ecological assessment and/or, where relevant, a geological assessment.

The extant planning permission 039175 already assessed the above matters in relation to outline application matters. WCC Ecology has no comments to make on this s73 application. It is considered the above matters can be suitably managed through the existing conditions and compliance with details already submitted. It is not considered proportionate to insist upon entirely new ecological surveys etc given the very minor additional parcels of land, and the existing nature of this land.

Impacts on the above matters are considered to be acceptable

8. Land Contamination and Air Quality

The NPPF sets out that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination and to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraph 196).

The NPPF underscores the importance of planning policies and decisions in maintaining compliance with relevant pollutant limit values and national objectives, considering factors such as Air Quality Management Areas and Clean Air Zones, as well as cumulative impacts from local sites (paragraph 199 NPPF). It emphasises the identification of opportunities to enhance air quality or alleviate its impacts.

The extant planning permission 039175 already assessed the above matters in relation to outline application matters. NBBC Environmental Health has no comments to make on this s73 application. It is considered the above matters can be suitably managed through the existing conditions and compliance with details already submitted. There is no prospect of additional impacts on air quality given the nature of the development would not change, and is controlled by quantum plans etc.

Impacts on the above matters are considered to be acceptable

9. Affordable Housing

There are no changes to affordable housing provision proposed. The extant planning permission 039175 already assessed affordable housing in relation to outline application matters. NBBC Strategic Housing has no comments to make on this s73 application. It is considered affordable housing can be suitably managed through the existing conditions and compliance with details already submitted.

Impacts on affordable housing are considered to be acceptable.

10. Planning Obligations

There are no changes to the S106 legal agreement attached to the 039175 permission proposed. The S106 legal agreement allows for minor variations through s73 applications without requiring a new agreement to be completed. No new contributions requests have arisen through this s73 application.

11. Public Benefits of the Development

As set out in Paragraphs 7 and 8 of the NPPF, the primary aim of the planning system is to foster sustainable development, which encompasses economic, social, and environmental considerations. The 039175 assessment already considered the various public benefits to outweigh the potential substantial harm posed by the proposed development to the significance of non-designated (buildings) and designated heritage asset, namely the Nuneaton Town Centre Conservation Area.

The applicant had stated the below as public benefits on the 039175 submission. It is considered that these carry significant weight in favour of the proposal. These benefits would still be considered relevant, notwithstanding a potential proportionate reduction in some benefits associated with the Library and Business Centre given a slightly smaller floorspace now proposed.

Economic benefits

- The regeneration of a highly sustainable, well connected gateway site into the town centre, comprising the efficient redevelopment of underutilised brownfield land;
- The delivery of an active and vibrant mixed-use development which responds and contributes to achieving the vision and objectives of Transforming Nuneaton;
- A significant investment by WCC to develop a modern library, which will stimulate further regeneration and investment in the town centre;
- The proposed LABC will specifically:
 - New public and commercial premises;
 - Create and safeguard up to 395 gross (247 net additional) jobs;
 - Support up to 120 businesses through the provision of office accommodation and business support; Provide specialist support for start-ups, growing businesses, and SMEs; and
 - Boost the local economy by an estimated £28.3 million net additional GVA in the first 10 years;
 - Create £610,000 additional social benefit per annum during operation;
- The relocation and local retention of existing businesses and associated jobs to more suitable alternative premises in Nuneaton, including Wilko and Royal Mail – so no net loss;
- The proposed residential development will specifically:
 - Deliver up to 65 town houses (25% affordable) for new town centre living;

- Enhance economic benefits in the local area through the delivery of the government's New Homes Bonus and additional Council Tax revenue from new residents;
- Result in £0.78 million of 'initial occupation' expenditure and £1.5 million per annum total gross expenditure (£0.3 million net additional) which could support a further 4 FTE jobs locally;
- Potential to capture additional household retail (convenience and comparison) and leisure (goods and services) expenditure every year within Nuneaton town centre, and the wider region as a spin off (indirect) benefit of additional footfall in the town centre created by the library and new residents living in the town centre;
- Increase capitalised property values by approximately £7.7 million in the project and wider town centre as a result of investment in public realm;
- The creation of direct and indirect jobs associated with construction of the proposed development and expenditure of residents once complete;
- Economic benefits arising during construction specifically include:
 - 55 gross direct and indirect FTE construction jobs created;
 - 20 net additional local FTE construction jobs; and
 - £17.2 million of net additional associated GVA.

Social

- The delivery of a new and innovative Library and Business Centre (LABC), providing legacy facilities to serve new and existing residents, visitors, employees and businesses for years to come;
- The delivery of a variety of high-quality residential dwellings, including family homes, contributing towards local housing need in a prime sustainable location;
- The delivery of 25% affordable housing to meet local need and planning policy requirements;
- The creation of improved and well-managed public realm within the Site, including a 'pocket park', contributing to a network of high-quality public spaces in the town centre;
- Improved connectivity and permeability through and around the site, including to and between Justice Walk, Wheat Street, Vicarage Street and Church Street;
- Create a changing places facility; opening up opportunities for disabled adults to visit the town and access WCC services (currently there is not one in Nuneaton town centre);
- Provide publicly accessible toilets; it has been recently shown that the number of public toilets is declining and people are actively choosing not to go out as the number public toilets decreases;
- Provide access to business support for all people and flexible business start-up units, opening up opportunities for all;
- Provide a digitally accessible building where people can access the internet thereby opening up access to information, opportunities and supporting development of skills; and
- Enhancing the availability of literature and research collections for public reading and study through a new and improved library facility.

Environmental

- The Site represents the most suitable location for the proposed development within the town centre at the current location of the existing library, thus focusing development within the site including the replacement LABC facility, and avoiding the development of less sustainable land out of town;

- The Site is in a highly sustainable and accessible location, at a very short walking distance from countless services and facilities within the town centre;
- The proposals positively respond to and address the existing environment on and off site, including the Nuneaton Town Centre Conservation Area and nearby Listed buildings;
- The creation of improved and well-managed public realm and landscaping within the Site, including a 'pocket park', contributing towards biodiversity;
- The retention, enhancement and creation of existing and new habitats and ecological features where possible;
- The inclusion of sustainable initiatives including Electric Vehicle charging infrastructure and sustainable drainage systems, with the intention to supplement these initiatives at the future detailed design stage.

The additional parcels of land sought are considered necessary to enable the public benefits to be fully realised as part of a comprehensive development.

Clearly an overly small Library and Business Centre in Nuneaton Town Centre would be unsatisfactory. However there is no evidence the currently conditioned minimum 3,730 sq m GIFA Library and Business Centre is inherently the minimum floorspace needed to provide public benefits. It would appear the minimum GIFA figure imposed on 039175 was simply thought a reasonable floorspace to bring forward a satisfactory Library and Business Centre, at that time. Quantum of floorspace is often difficult to accurately gauge at outline stage given detailed plans are not yet available. Based on a reasonable view (with consideration to the ongoing Reserved Matters application 041347 to help inform this, albeit only limited weight given as this is an ongoing application) 3,000 sq m does not appear to be inherently too small to deliver a satisfactory Library and Business Centre. Detailed consideration on the acceptability of the 041347 submission would be undertaken in due course. 041347 could not be positively determined (in principle) until the relevant changes sought through this s73 application had been determined.

12. Conclusion and Planning Balance

The NPPF 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.

039175 is an extant planning permission, the assessment of which already considered the vast majority of material planning considerations relevant to this s73 application.

Taking into account all new considerations, as set out on balance it is considered the development would not result in undue conflict with the adopted development plan, or other policies within the NPPF overall. It is therefore considered the proposed development overall would achieve sustainable development which should consequently be approved subject to conditions. The outcome of this planning application would not grant consent on any separate matters. Non-planning matters are not able to be taken into account in determining this application.

REASONS FOR APPROVAL:

Having regard to the pattern of existing development in the area, relevant provisions of the development plan, 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:

1. This permission is granted under the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995, on an outline application and the further approval of the Council shall be required with respect to the undetermined matters hereby reserved before any development (excluding demolition) commences:

- a) Layout
- b) Scale
- c) Appearance
- d) Access and
- e) Landscaping.

2. In the case of the reserved matters specified above, application for approval accompanied by all detailed drawings and particulars, must be made to the Council not later than the expiration of three years from the date of this permission.

3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of all reserved matters.

4. The Reserved Matters pursuant to this outline shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Title	Plan No.	Date Received
Land Use Parameter Plan	3637-AAR-P1-ZZ-SI-A-9026 rev G	28/10/2025
Location Plan	3637-AAR-P1-ZZ-SI-A-9005 rev A	28/10/2025
Building Heights Param. Plan	3637-AAR-P1-ZZ-SI-A-9029 rev K	28/10/2025
Amount Quantum Plan	3637-AAR-P1-ZZ-SI-A-9028 rev H	10/12/2025

5. The sequence and timing of development across the entire site, including:

- a. The provision of all major infrastructure including accesses, internal roads, footpaths, and cycle ways.

b. Residential dwellings (include release for occupation)

c. The Library and Business Centre (including use)

d. The demolition and clearance of existing buildings.

e. Ecological and landscaping enhancement areas.

f. Surface water drainage installation and operation.) shall not be carried out other than in accordance with the approved Phasing Plan documents unless otherwise agreed in writing with the Local Planning Authority:

- Plan: AAR PR 00 PL A 0010 Phase 1a Site Demolition Clearance received 27/10/2025
- Plan: AAR PR 00 PL A 0011 Phase 1b Build new Library and Infrastructure received 27/10/2025
- Plan: AAR PR 00 PL A 0012 Phase 2a Demolition of Existing Library received 27/10/2025
- Plan: AAR PR 00 PL A 0013 Phase 2b Residential Development received 27/10/2025

6. Demolition and associated works, in relation to buildings north of the existing library only, shall be undertaken in accordance with the below approved documents:

- T-2025-139-02C Lowloader Access north gate, received 29/10/2025.
- T-2025-139-03C Tipper & Skip Access, received 29/10/2025.

- Construction Phase Plan - P25-036 Nuneaton 08.10.25, received 29/10/2025.
- Demolition Method Statement, RAMS – P25-036 Rev 0, received 29/10/2025.
- Traffic Management Plan P25-036, received 29/10/2025.

No demolition and associated works in any other phase shall take place, including any site clearance, until a Demolition Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning (within the site) and turning of delivery and demolition vehicles and the accommodation of all site operatives, visitors and demolition related vehicles during the demolition phase/period;
- ii) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- iii) Wheel washing facilities whereby no vehicles shall leave the site until their wheels, chassis and under carriage have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance in so far as is reasonably practicable
- iv) Measures to control the emission of dust and dirt during demolition;
- v) The notification of site neighbours with regard to specific works (particularly those causing significant noise or vibration);
- vi) Advance notification of any access way, pavement, or road closures;
- vii) Details regarding the planned demolition vehicle routes and access to the site;
- viii) Details of waste storage within the site to prevent debris spreading to the surrounding town centre and the highway and a scheme for recycling/disposing of waste resulting from demolition works;

7. No development within that specific phase shall commence (excluding demolition) until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority for the phase. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning (within the site) and turning of delivery and construction vehicles and the accommodation of all site operatives, visitors and construction vehicles during the construction period;
- ii) Wheel washing facilities whereby no vehicles shall leave the site until their wheels, chassis and under carriage have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance in so far as is reasonably practicable
- iii) Storage of plant and materials used in constructing the development;
- iv) Measures to control the emission of dust and dirt during construction;
- v) Details regarding the planned construction vehicle routes and access to the site;
- vi) The proposed hours and days of work;
- vii) Details of any proposed external illumination and/or floodlighting during construction;
- viii) Advance notification of any access way, pavement, or road closures;
- ix) The notification of site neighbours with regard to specific works (particularly those causing significant noise or vibration);
- x) Details of waste storage within the site to prevent debris spreading to the surrounding town centre and the highway and a scheme for recycling/disposing of waste resulting from construction works;

8. No development within that specific phase shall commence (excluding demolition) until full details and samples of materials proposed to be used in the external parts of any building in that phase have been submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details.

9. No development within that specific phase shall commence (excluding demolition) until full details of the site levels and finished floor levels for that phase have been submitted to and approved in writing by the local planning authority. No construction work shall be carried out other than in accordance with the approved details.

10. No occupation and subsequent use of each specific phase of the development shall take place until a detailed, site specific maintenance plan is provided to the LPA in consultation with the LLFA. Such maintenance plan should;

- a) Provide the name of the party responsible, including contact name, address, email address and
- b) phone number.
- c) Include plans showing the locations of features requiring maintenance and how these should be accessed.
- d) Provide details on how surface water each relevant feature shall be maintained and managed for the life time of the development.
- e) Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

11. No development (excluding demolition) shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall include the following information:

- Undertake infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
- Where infiltration is demonstrated to not be feasible, limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 5l/s for the Library and Business Centre site in line with the approved surface water drainage strategy (ref: Flood Risk Assessment and Below Ground Drainage Strategy, revision E, Cundall dated August 2022) and to 14.3l/s for the Residential development in line with the approved surface water drainage strategy (ref: Flood Risk Assessment and Below Ground Drainage Strategy, revision P04, Cundall dated August 2022).
- Where the drainage scheme proposes to connect into a 3rd party asset, for example a Severn Trent Water sewer, further information should be provided regarding the ownership, purpose, location and condition of this asset along with confirmation of the right to connect into it. This could take the form of an agreement under Section 106 of the Water Industry Act (1991).
- Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.
- Provide detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be

feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.

- Provide detailed, network level calculations demonstrating the performance of the proposed system.

This should include:

- Suitable representation of the proposed drainage scheme, details of design criteria used (incl.

consideration of a surcharged outfall), and justification of such criteria where relevant.

- Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events

- Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.

- Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.

- Provide plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. Such overland flow routing should:

- Demonstrate how runoff will be directed through the development without exposing properties to flood risk.

- Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA

recommend FFLs are set to a minimum of 150mm above surrounding ground levels.

- Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.

12. No development, except demolition, shall commence until an outline Biodiversity Net Gain Plan (BNGP) to demonstrate no net loss in biodiversity from the pre-development biodiversity value has been submitted to the Council and approved in writing. The BNGP shall include:

a. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,

b. the pre-development biodiversity value of the onsite habitat

c. the post-development biodiversity value of the onsite habitat

d. any offsite biodiversity gain linked to the development and the biodiversity value of that gain

e. the timing for the implementation of the proposed mitigation measures

f. a management plan for the provision and maintenance of offsetting features for not less than 30 years from the date of implementation

Any approved mitigation shall be implemented in accordance with the approved details.

13. The approved Construction Ecological Management Plan CEMP shall be adhered to throughout the construction period in accordance with:

- Construction Ecological Management Plan – Vicarage Street, produced by Middlemarch RT-MME-181235 Rev B, received 07/08/2025.

14. No development (excluding demolition) shall commence within that specific phase until full details of the provision of car parking, access and manoeuvring, including surfacing, drainage and levels for that phase have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the car parking, access and manoeuvring areas for that dwelling have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

15. Demolition and associated works, in relation to demolition of buildings north of the existing library only, shall be undertaken in accordance with the below approved document:

- Demolition Method Statement produced by DDS ref: P25-036 rev 2, received 07/08/2025.

No development (excluding demolition) shall commence within any other phase until a Dust Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority.

16. The developer should provide electric vehicle (EV) charging points at a rate of:
Commercial/Retail: **20%** of parking spaces (32 amp) which may be phased with 5% initial provision and the remainder at an agreed trigger level. At least 1 charging unit should be provided for every 10 disabled parking spaces. Where 50 parking spaces or more are provided then 1 rapid charging unit (43kW/50kW) per 50 spaces shall also be considered and parking time limited to a maximum of 1 hour. Ensure appropriate cabling is provided to enable increase in future provision.

Residential: 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking) and ensure appropriate cabling is provided to enable increase in future provision.

17. For domestic heating provision, all gas-fired boiler installations should be low Nox emission type that meet a minimum standard of less than 40 mg Nox per kWhr.

18. No demolition of the existing library building shall take place until the new LABC (library) hereby approved has been completed and a scheme (including plans and timetable) highlighting the proposed transfer of library facilities from the existing provision within Nuneaton Library to another suitable venue to ensure the continuity of those facilities has been submitted to and approved in writing by the Council.

19. Demolition and associated works, in relation to demolition of buildings north of the existing library only, shall be undertaken in accordance with the below approved document unless otherwise agreed in writing with the Local Planning Authority:

- Associated Architects Plan Site demolition clearance and tree retention plan AAR-P1-ZZ—SI-A-9015F, received 07/08/2025.
- Annotated plan (unreferenced) produced by demolition contractor confirming no trees within working zone to be retained (which is in line with the approved tree retention and removal plan), received 07/08/2025.
- Updated Bat Dusk Emergence Survey – Vicarage Street RT-MME-182675-01, received 07/08/2025.

No development in any other phase shall commence until a scheme has been submitted to and approved in writing by the local planning authority giving details of all existing trees and hedgerows on the site, any to be retained, and measures for their protection in the course of the development. No tree or hedgerow other than so agreed shall be removed, and no construction works shall commence unless the approved measures for the protection of those to be retained have been provided and are maintained during the course of development.

20. The submission of reserved matters for the residential layout phase shall include the submission of an updated noise report based on the final layout, together with a scheme of appropriate mitigation including insulation, acoustic fencing etc. where

required to meet internal and external noise levels set out in Environmental Noise Report ref NLABC-CLD-XX-XX-RP-AS-45202.

21. Details and specifications of all plant, equipment and machinery proposed as part of the library shall be submitted to and approved by the local planning authority prior to their installation, and shall include details relating to any other associated mitigation in respect of the proposed housing within the site.

22. The details required by any Landscaping reserved matters shall be carried out within 12 months of the commencement of the development and subsequently maintained in the following manner:

Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.

23. No development (excluding demolition) shall commence within that specific phase until a scheme for the lighting of the site (both the commercial and residential elements) and associated access roads, parking areas and open spaces for that phase has been submitted to and approved in writing by the local planning authority. This scheme should outline how the lighting scheme avoids potential negative effects upon the habitats used by foraging and commuting bats as evidenced by a suitably qualified and experienced ecologist. The development shall not be carried out other than in accordance with the approved details.

24. No dwelling shall be constructed above slab level until a noise attenuation scheme to meet the 'good' standard for internal and external noise levels as defined in BS8233:1999, including glazing and ventilation details, has first been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied other than in accordance with the approved details.

25. Demolition and associated works, in relation to demolition of buildings north of the existing library only subject to further investigation and remediation in accordance with the submitted phase 2 report, shall be undertaken in accordance with the below approved document unless otherwise agreed in writing with the Local Planning Authority:

- Phase II Geotechnical and Geoenvironmental Assessment NLABC-CDL-XX-XX-T-GL-60201 Rev P01, received 07/08/2025.

No development in any other phase (excluding demolition) shall commence until:

(i) A contaminated land assessment and associated remedial strategy, has been submitted to, and agreed in writing by the local planning authority.

(ii) The approved remediation works shall be completed on site, in accordance with a quality assurance scheme, agreed as part of the contaminated land assessment.

(iii) If during implementation of this development, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the local planning authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved.

(iv) On completion of the agreed remediation works, a closure report and certificate of compliance, endorsed by the interested party/parties shall be submitted to and agreed in writing by the local planning authority.

26. No development (excluding demolition) within that specific phase shall take place until:

b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved Written Scheme of Investigation (WSI) has been undertaken for that phase. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, for the relevant phase has been submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) for the phase has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

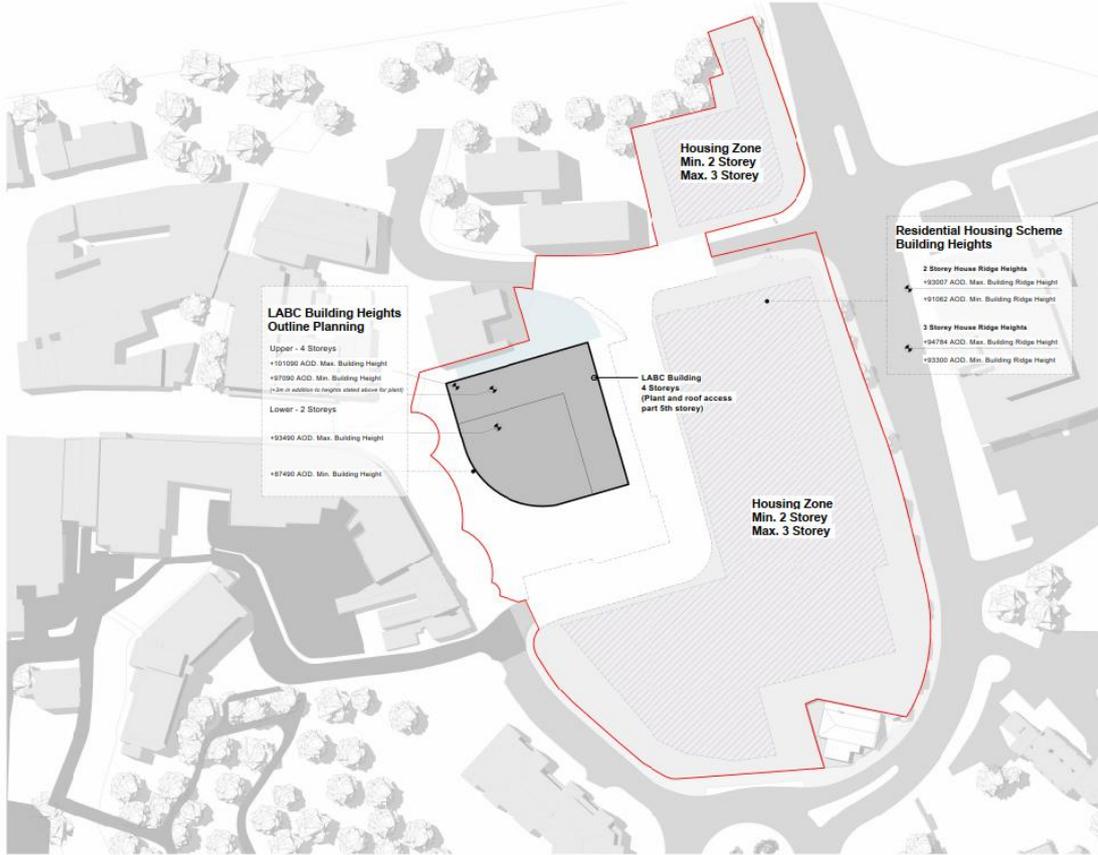
The development, and any archaeological fieldwork, post-excavation analysis, publication of results and archive deposition detailed in the approved documents, shall be undertaken in accordance with those documents.

The approved WSI comprises:

- NUNEATON LIBRARY REDEVELOPMENT PLOT 1 ARCHAEOLOGICAL EVALUATION, Proposed Written Scheme of Investigation, SP 36424 91783, Version No: 2, November 2025, File name: 211118_403.05578.00001_NuneatonLibrary_WSI_Final_Optimized, received 10/12/2025.
- NUNEATON HOUSING FEASIBILITY: ARCHAEOLOGICAL EVALUATION, Written Scheme of Investigation, SP 36490 91772, Version No: 2, November 2025, 220328_403.05578.00009_Nuneaton Housing Feasibility_WSI__SMcC rev_Optimized, received 29/10/2025

27. Unless otherwise agreed in writing with the Local Planning Authority, each phase of development (excluding demolition) shall not be occupied until the provision of adequate water supplies and fire hydrants has been made in accordance with:

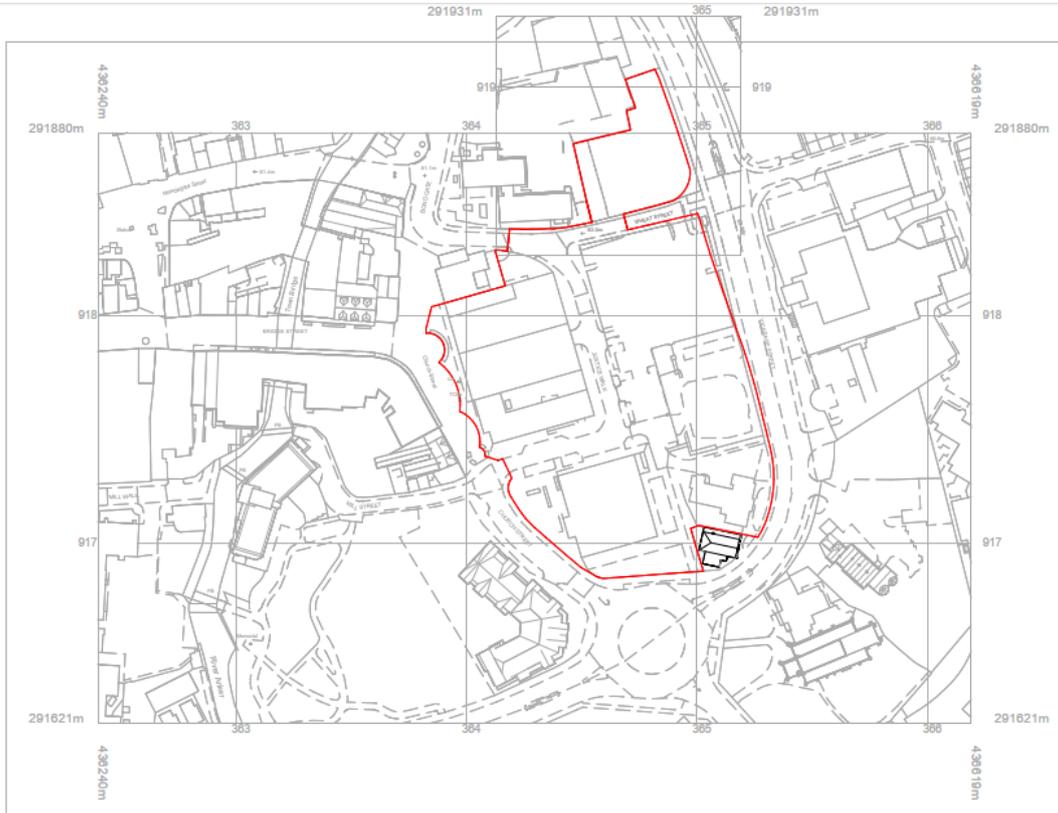
- Cover letter for application to discharge planning conditions 21 and 27 Phase 1A received 23/12/2025
- AAR-P1-ZZ-DR-A-9006 Proposed Site Plan Revision P05 received 23/12/2025



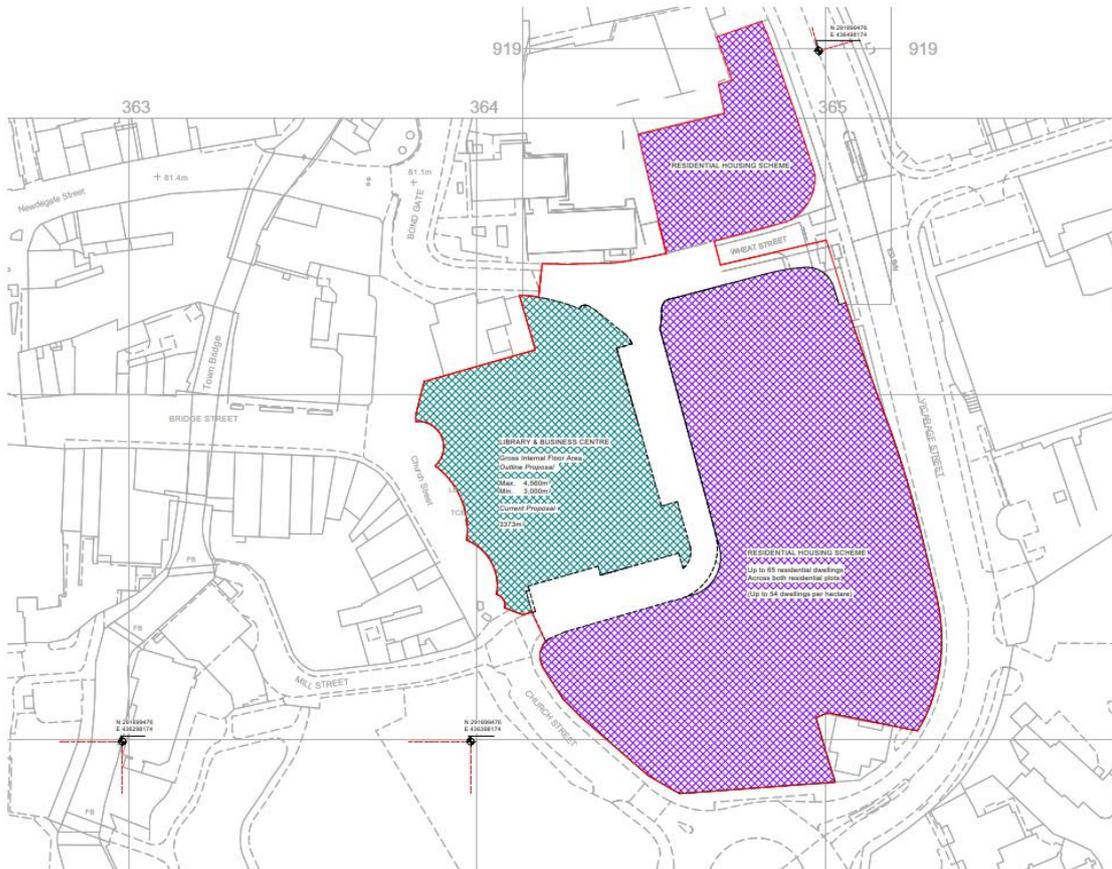
00- Site Plan - Building Heights Parameter Plan



00- Site Plan - Land Use Parameter Plan



00- Site Plan - Location Plan



00- Site Plan - Amount/Quantum Plan

Glossary

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.

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)