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Date: 10th April 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 21st April 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.

Committee Site Visit

Planning Applications Committee – 21st April 2026

Members are reminded that a site visit will take place prior to the Planning Applications Committee in connection with application 041073 –

The site visit will take place at Site 113d001- Elwy Circle and members are asked to meet at the site (at the access opposite the care home) at 4pm.

Committee Site Visits-Code of Conduct

The purpose of a site visit to an application site is to clarify and gather information on planning issues relating to the site. It is not to provide a forum for debate and discussion on the merits of the application. Therefore, Committee Site Visits will be conducted subject to the following criteria: a) A site visit is for the purpose of viewing the site and ascertaining facts. They will take place only if authorised by the Committee where the Committee considers it is unable to determine an application on the basis on the officers' report to the Committee alone. b) Authorised attendance at a site visit shall be limited to members of the Planning Applications Committee and appropriate Officers. c) There shall be no discussion of the merits of any application during the site visit. Such discussion will only take place at a meeting of the Committee. d) Applicants or their representative shall not be permitted to make representations to members of the Committee during a site visit. They may, however, give any purely factual information which is requested by members through the representative of the Development Control Department and which cannot be ascertained by viewing alone. e) At the start of the site visit the Chairman of the Planning Applications Committee or the representative of the Development Control Department will explain and make clear to all those attending the Code's requirements for the conduct of site visits.

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 March 2026, attached (**Page 6**).

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 8**).

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 March 2026

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

Present

Councillor B. Hancox (Chair)

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

Apologies: Councillors K. Wilson and S. Dhillon.

PLA37 **Minutes**

RESOLVED that the minutes of the meeting held on the 10th February 2026 be approved, and signed by the Chair.

PLA38 **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](#)).

PLA39 **Declarations of Contact**

No Declarations of Contact were made.

IN PUBLIC SESSION

PLA40 **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 PLA40 OF THE
PLANNING APPLICATIONS COMMITTEE ON 10TH MARCH 2026

041073 – Site 113d002- Elwy Circle, Ash Green, Coventry, West Midlands

Applicant – Mr D O'Flanagan

Public Speakers: Councillor T. Jenkins (Ward Councillor)
Councillor D. Brown (Ward Councillor)
Jannet Watts (Objector)
Rose-Marie Hamilton (Objector)
Ellie Jones (Agent)

DECISION that

- a) Planning Permission not be granted;
- b) a site visit be arranged to allow Planning Applications Committee Members the opportunity to view and consider issues which include:
 - visibility splay on the highway and road safety – especially relating to vehicle speed and vehicles turning right.
 - visual amenity and the protection of the character of surrounding area, including the merging and connecting of local villages
 - consideration of noise attenuation relating to the application.
- c) County Highways be requested to attend the site visit and Planning Applications Committee relating to this application.

041332 - Site 51A025- Vicarage Street, Nuneaton (Church Street Shops & Justice Walk Car Park).

Applicant – C/O Agent (Turley)

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

Planning Applications Committee
21st April 2026

Applications for Planning Permission
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Deferred Items/ Site Visits

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Wards:					
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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

SITE VISIT

Item No. 1

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 delegated 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.

Reasons for the Site Visit

This application was previously heard at Planning Applications Committee 10th March 2026. The application was deferred for a site visit to allow Planning Applications Committee Members the opportunity to view and consider key issues, including visibility splays on the highway and matters of road safety—particularly in relation to vehicle speeds and right-turning movements—alongside the impact on visual amenity and the protection of the character of the surrounding area, including the potential merging and combining of nearby settlements, as well as considerations relating to noise attenuation associated with the proposed development. Also, to request that a highways officer be present at the site visit and then the following committee meeting.

INTRODUCTION:

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.

The site consists of a large open space, which is currently has an equestrian use and featured a stable to the rear, which has now been removed. 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 Guidance and Supplementary Planning Documents:

- 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, National Grid, NBBC Environmental Health, NBBC Housing, NBBC Parks, 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 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, National Grid

No response from:

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

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, 23rd February 2026 and 12th March 2026. A site notice was erected on street furniture on 23rd July 2025 and 13th March 2026, and the application was advertised in The Nuneaton News on 30th July 2025 and 25th March 2026.

NEIGHBOUR RESPONSES:

There have been 36 objections from 16 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. A public safety concern
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 this scheme is not it.
16. Impact on flooding and surface water drainage
17. Lack of borough plan
18. Impact on existing infrastructure
19. Adding an access point in this location raises safety concerns
20. The access will present significant hazards for drivers on New Road and pedestrians
21. The road is notorious for speeding, and the introduction of an access road is likely to increase traffic congestion and collisions
22. Will cause road users to slow down or stop abruptly
23. The foundations of the nearby caravan park cannot withstand the construction
24. Health and safety issues on the site and this will impact the neighbouring properties

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 Impacts and Fire Safety
9. Archaeology
10. Affordable Housing
11. Noise Impacts
12. Air Quality
13. Land Contamination and Stability
14. Planning Obligations
15. Conclusion

1. The Principle of Development

- 1.1. 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 granted where proposals accord with the development plan and relevant policies within the NPPF, unless material considerations indicate otherwise, or adverse impacts would significantly and demonstrably outweigh the benefits (paragraph 11).
- 1.2. 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 Review plans for at least 9,810 homes for the entire plan period that equating to a requirement of 545 dwellings per annum. The site has not been accounted for within these figures and therefore the proposal would be a windfall development.
- 1.3. 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 falls within one of the exceptions set out in the NPPF or very special circumstances can be demonstrated. Borough Plan Review Policy DS6 states 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 is considered in detail in the Green Belt section below but

principally the site does fall within the defined Green Belt.

- 1.4. 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, states that 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 Review.
- 1.5. However, Policy H2 of the Borough Plan Review provides an exception to this position. Outside settlement boundaries, additional housing development may 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.
- 1.6. The application site lies adjacent to the defined settlement boundary, with its eastern boundary directly adjoining that 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, given its proximity to services and transport links. The site benefits from good access to vehicular and pedestrian transport networks, 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, subject to compliance with Green Belt policy.

2. Impact on the Green Belt

- 2.1. 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.
- 2.2. To help with this assessment, the terms large built-up area and towns need to be defined so the parameters are clear. A large built-up area in the context of Nuneaton and Bedworth Borough are both of the larger towns, Nuneaton and Bedworth. Large built-up areas in the area also include Coventry, Hinckley and Rugby. As for a town, there is no planning definition of a town in the PPG but logically this should follow the same methodology and definition as 'large built-up' areas. Therefore, Nuneaton, Bedworth, Hinckley and Rugby are towns. Furthermore, as Birmingham and Coventry are cities they can be classed as a town for the purposes of this assessment.
- 2.3. Within the Borough Plan Review 2025, Nuneaton and Bedworth are clearly the built-up areas and the two towns in the area. Under Strategic Policy DS2, there is a clear settlement hierarchy. Showing Nuneaton as primary, Bedworth are secondary, Bulkington as tertiary and the 'Northern Fringe' of Coventry as the final settlement. Ash Green, Neal's Green and Keresley are located in the 'Northern Fringe' and paragraph 6.9 of the Borough Plan Review clearly states that within the Borough, settlement boundaries define Nuneaton, Bedworth, Bulkington, Ash Green/Neal's Green and Keresley.

Grey Belt or Not Grey Belt

- 2.4. The first consideration for decision-making is to assess whether the site constitutes 'Grey Belt' land within the Green Belt. The definition of Grey Belt is set out in the Glossary to the NPPF. 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."
- 2.5. The site is currently used for equestrian purposes with a stable structure that was located near the northern boundary of the site. It is being removed as part of this application process. The glossary of the NPPF is clear on its definition of previously development land as the following:
- 2.6. 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.

- 2.7. The existing development on the site has been assessed against the NPPF definition of previously developed land, taking into account the specific characteristics of the site. The definition refers to land occupied by a permanent structure, while making clear that it should not be assumed that the entirety of a site's curtilage is previously developed.
- 2.8. In this case, the site is currently in equestrian use and formerly contained a stable structure located near the northern boundary. However, the site remains largely undeveloped in character, with no significant areas of fixed surface infrastructure or extensive built form. The limited presence of built development does not extend across the wider site, which is predominantly open. The site is not associated with mineral extraction or landfill, is not located within a built-up area, and has not been subject to restoration through development management procedures. Furthermore, it does not comprise residential curtilage such as private gardens, nor does it fall within categories such as parks or allotments. While the former stable structure represents a small element of built form, this has not resulted in the site being materially altered in character, and any remnants have assimilated into the surrounding landscape. Having considered these factors, it is concluded that the site does not constitute previously developed land.
- 2.9. However, in the context of Grey Belt policy, whether a site is previously developed land is not determinative. Previously developed land represents a starting point for the assessment, but it is not a requirement for land to qualify as Grey Belt. Accordingly, whilst the site is not considered to be previously developed, this does not preclude it from being classified as Grey Belt.
- 2.10. The next section of the assessment to consider whether the site strongly contributes, or not, to three of the five purposes of Green Belt mentioned within the definition. These three are:
 - To check the unrestricted sprawl of larger built-up areas (purpose a).
 - To prevent neighbouring towns merging into one another (purpose b).
 - To preserve the setting and special character of historic towns (purpose d).
- 2.11. The three purposes allow for sites and areas of Green Belt to be assessed as to whether the site has a weak or none, moderate or strongly contributes to the purposes (a) (b) and (d). Advice on how to assess the matter of whether a site "strongly contributes to the purposes" is set out in the PPG.

Purpose A- To check the unrestricted sprawl of larger built-up areas

2.12. 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 and if developed would result in an incongruous pattern of development in relation to the large built-up area. They are likely to be the adjacent to larger built-up areas. In this instance, Coventry to the South, Bedworth to the North and Birmingham to the West of the site are the larger built-up areas. Although it is a city, Coventry can clearly be considered a town in Green Belt terms. In assessing this purpose, two issues are considered; how the development prevents ribbon development and the openness of the parcel of greenbelt. Sites that moderately contribute are adjacent or near to large built-up areas but include features that weaken the land's contribution to this purpose. These features can be issues such as being partially enclosed by existing development and being subject to other urbanising influences. Sites that weakly contribute are not adjacent or near to large built-up areas or sites that are adjacent or near to a large built-up area but contain or are largely enclosed by significant existing development. The applicant site is within a parcel of greenbelt 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 site is located near to a large built-up area with Coventry being located to the South but is relatively open to the North and is adjacent to Ash Green which does not have a significant gap to Coventry, and it would not result in an incongruent pattern of development should it be approved. The site is located between, Ash Green and Keresley, neither of which are large built-up areas. Therefore, it is concluded that the site makes a limited (moderate to weak) contribution to this purpose, which weighs in favour of it being classified as Grey Belt. It should be noted that, to fall outside the Grey Belt definition, land must strongly contribute to the relevant Green Belt purpose; a moderate or weak contribution is insufficient.

Purpose B- To prevent neighbouring towns from merging into one another

2.13. 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. Assessment sites that contribute moderately are likely to be located in a gap between towns but include one or more significant features that weaken their contribution to these purposes. These can include forming a small gap between towns and where development can be approved without the loss of visual separation between towns becoming significant. Sites which make weak or no contribution are those that do not form a gap between towns or form part of a gap between towns, but only a very small part of the gap and do not contribute to visual separation. 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. In the Borough Plan Review 2025, these are both a part of the 'Northern Fringe' of Coventry and are not connected to Nuneaton or Bedworth. As 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. Having, assessed the location of the site it can be concluded that the proposal moderately contributes to this purpose of the Green Belt as it is in located a gap, but is partially contained and any development would not be incongruous.

Purpose D- To preserve the setting and special character of historic towns

2.14. 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. Sites that contribute strongly to this purpose would likely be free existing development, or form part of a historic town or make a considerable contribution to the special character of a historic town and be a part of or impact a conservation area significantly. Sites that contribute moderately can still form part of the setting and/or contribute to the special character of a historic town but are separate by existing development or topography, or do not have significant visual, physical or noticeable relationship to the historic town. Finally, sites which have weak or no contribution do not form part of the setting of a historic town and have no connection or relationship to the character of the historic town.

2.15. 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 as Nuneaton and Bedworth’s historic settings are not within the Green Belt sections of the borough and that none of the borough’s conservation areas are outside of the built up urban areas and so none can be impacted or affected by the Green Belt parcels.

Footnote 7

2.16. 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.

Conclusion of Grey Belt Assessment

Previously Developed Land	Purpose A	Purpose B	Purpose D	Conclusion
No	Moderate Contribution	Moderate Contribution	Weak or No Contribution	The land is Grey Belt

2.17. The table above outlines the key conclusions from the four areas of assessment for Grey Belt consideration. While the land is not classified as previously developed, this does not preclude it from being designated as Grey Belt. Officers have determined that the site does not make a strong contribution to any of the three relevant purposes of Green Belt assessment. As only a strong contribution would prevent a site from being classified as Grey Belt, the site is therefore designated as Grey Belt.

Inappropriate or not inappropriate development

2.18. After concluding that the site is Grey Belt land, the next consideration is to assess whether a development on Grey Belt land, is inappropriate development or not. The NPPF does not state that development on Grey Belt land, is automatically not inappropriate development. Paragraphs 154 and 155 of the NPPF (2024) outline how to whether development is inappropriate or not.

2.19. 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.

2.20. The proposal does not fall within any of the exceptions outlined in paragraph 154 of the NPPF (2024). Although the proposal is for affordable housing, the

exemption in point (f) specifies that such housing must align with policies set out in the development plan. The most relevant development plan is the Borough Plan Review (2025), which does not include specific policies for affordable housing to meet local community needs. Therefore, the exemption is not applicable in this case.

- 2.21. Paragraph 155 of the NPPF provides further context against which this judgement is to be made. All four of 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 Grey 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.

Condition A

- 2.22. 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 in 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).
- 2.23. 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-upon-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 designated 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.
- 2.24. The Green Belt Study concluded that the parcel does play a role in preventing ribbon development along Blackbery Lane, New Road and Newland Lane. The whole parcel contains two farms, an isolated dwelling and a nursing home, with the buildings associated with these developments compromising 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.

- 2.25. 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.
- 2.26. 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.
- 2.27. 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.
- 2.28. In conclusion of an assessment on condition (a) of paragraph 143 of the NPPF, the development of the site would not undermine the broader objectives of the Green Belt. While the site plays a role in preventing ribbon development and maintaining the openness of the Green Belt, its development is not considered to adversely affect the ability of the remaining Green Belt to serve its purposes, particularly in safeguarding the countryside from encroachment or assisting in urban regeneration. The site's location, separated from historic towns and conservation areas, further mitigates concerns about compromising the setting of these areas. Therefore, based on the comprehensive assessment of parcel NG5 in the Green Belt Study, it is concluded that the development would not materially harm the strategic function of the Green Belt across the plan area, in line with the guidance provided in the NPPF.

Condition B

- 2.29. Condition (b) of paragraph 155 of the NPPF requires that there must be a demonstrable unmet need for the type of development proposed. In this case, the proposal is for 100% affordable housing, and both NBBC Planning Policy and NBBC Housing have confirmed that there is a significant and chronic need for affordable housing across the borough. The proposal directly responds to this pressing need by providing much-needed affordable homes for local residents. Given the evidence provided by the relevant technical consultees, it is clear that the development will help to address this gap in provision. Therefore, it is concluded that the site meets the requirements of condition (b) of paragraph 155 of the NPPF, as it demonstrates a clear and demonstrable unmet need for affordable housing within the borough.

Condition C

- 2.30. The next stage is to assess the proposal against condition (c) of Paragraph 155 which is in relation to the development being in a sustainable location, it states

that particular reference should be made to paragraphs 110 and 115 of the NPPF. The guidance specifically says 'particular reference' meaning that other relevant paragraphs can be taken into account when determining the sustainability. Paragraph 110 directs 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.

- 2.31. The site is not located within a settlement boundary as set out in Borough Plan Review Policy TC3 but is situated directly on the edge of the 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 the crow flies 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, both of which exceed the threshold set out in Policy TC3. However, there is a bus stop 150m from the site which provides a regular bus service to Nuneaton, Bedworth, Coventry and University Hospital (Servies 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).

Condition D

- 2.32. 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), states that '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.
- 2.33. 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.
- 2.34. Point (a) requires that the affordable housing proposal aligns with the relevant policies, either locally or in accordance with the NPPF. The Borough Plan Review (2025) does not contain a specific policy for affordable housing within the Green Belt; therefore, paragraphs 67 and 68 of the NPPF are applicable in this instance. While Borough Plan Review Policy H2 provides provisions for rural exception sites, it does not include a dedicated Green Belt affordable housing policy outlining specific percentages or types of affordable housing required for each site.
- 2.35. 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).
- 2.36. 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’
- 2.37. 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.’
- 2.38. The set level in land which is not within or released from the Green Belt under Borough Plan Review 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, but only 25% council owned affordable housing, which exceeds the 40% created under the workings of paragraph 157 and complies with the requirements of both a) and b) which is required under paragraph 67. 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.

- 2.39. 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.
- 2.40. 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.
- 2.41. 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.

Conclusion on Inappropriateness

- 2.42. In drawing all of the above together, it is considered that all of the conditions set out in paragraph 155 are met. These are:

- a. the development would utilise Grey 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.
- 2.43. As all the conditions as set out in Paragraph 155 have been met, and the site is within a designated Grey Belt area, the development is to be regarded as not inappropriate development within the Green Belt.

3. Impact on Residential Amenity

- 3.1. Strategic Policy DS2 of the Borough Plan Review 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.
- 3.2. 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.
-
- 3.3. Policy H4 of the Borough Plan Review states that all residential dwellings should comply with the Nationally Described Space Standards (NDSS), unless proven not to be feasible.
 - 3.4. 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.
 - 3.5. Paragraph 130 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.
 - 3.6. The proposed development is situated adjacent to residential properties within Elwy Circle. In accordance with the Sustainable Design and Construction Supplementary Planning Document (SPD) 2020, minimum separation distances between existing and proposed residential dwellings must be maintained. These distances are critical to safeguarding residents' privacy, reducing any potential overbearing and overlooking issues and protecting their overall amenity.
 - 3.7. The Sustainable Design and Construction SPD 2020 establishes specific criteria for the spatial relationships between dwellings, including the distance between proposed buildings and existing properties, as well as the required separation between individual units within the development itself. These standards are intended to mitigate any potential adverse impacts on the living conditions of neighbouring properties.
 - 3.8. At the reserved matters stage, detailed proposals for the layout, size, scale, and fenestration of the proposed dwellings will be submitted for consideration. At this stage, the relevant policies and guidance set out within the Sustainable Design and Construction SPD 2020 will be applied to ensure compliance.
 - 3.9. While the layout presented at this stage is indicative and subject to change, the submitted plan suggests that the proposed development is capable of meeting the minimum separation distances outlined in the SPD. It is therefore

anticipated that, with careful design at the reserved matters stage, the development will not unduly impact the amenity of adjacent residential properties. Accordingly, it has been demonstrated, on a preliminary basis, that the potential impacts on residential amenity can be satisfactorily mitigated, ensuring the proposed development will be compatible with the surrounding residential environment.

4. Impact on Visual Amenity

- 4.1. Policy NE5 of the Borough Plan Review 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.
- 4.2. 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 Review 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.
- 4.3. The proposed development would result in a permanent transformation of the site, introducing residential housing to an area that is currently characterized by a different form of development, specifically caravans. The site is situated adjacent to existing residential developments on one side, though these are of a different type, with caravans comprising the primary form of housing in the immediate vicinity. To the south, the closest neighbouring land use is a nursing home, while further to the south, New Road forms part of the settlement boundary.
- 4.4. The introduction of two-storey residential properties on this site would represent a substantial change to the existing visual character of the area. As such, this proposed development must be carefully considered in terms of its potential impact on visual amenity, particularly in relation to the surrounding land uses and settlement context. The proposed two-storey properties would introduce a more traditional residential form, which is distinct from the existing caravan park to the north and the nursing home to the south.
- 4.5. At the relevant reserved matters stage, a visual amenity assessment will be undertaken to assess the impact of the proposed development on the visual character of the area. This assessment will consider factors such as scale, massing, design, and materials, ensuring that the proposed dwellings are integrated into the surrounding environment. Given that the site is between differing forms of development, the proposals should ensure that the new residential units are designed in a manner that complements the established

character of the area while responding appropriately to the specific visual and spatial constraints of the site.

5. Impact on Highway Safety

- 5.1. Policy HS2 states that proposals with transport implications should be addressed and the matter of access is being considered at this stage.
- 5.2. 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 is 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.
- 5.3. WCC Highways have been consulted multiple times throughout the development process, and their feedback has led to several rounds of negotiation to address highway safety concerns and transport details, including the submission of a stage 1 Road Safety Audit and responses to concerns raised as a result of it. In the final round of consultation, several issues were resolved. Problem 3.5 was addressed by raising the kerb heights within the visibility splay and clearing vegetation to ensure the required footway width. Problem 3.6 was mitigated through a legal agreement to provide SLOW markings, which would also be reviewed during the Stage 2 Road Safety Audit. For problem 3.7, it was concluded that a Traffic Regulation Order (TRO) would not be required as parking was not observed during site visits. The WCC Forestry Team emphasized that tree removal should be a last resort, with compensation and substantial on-site mitigation planting required. They acknowledged that, despite tree loss, the proposal would result in a 10% net gain in planting, positively contributing to the site's biodiversity and green infrastructure. Ultimately, the highways officer provided conditions for the proposal, and the remaining issues were considered resolved in the final consultation.
- 5.4. In response to the issues raised during the consultation process, the scheme has been revised to incorporate a bellmouth access point, which has been fully endorsed by WCC Highways. The design of this access point, as outlined in the drawing, will be subject to a condition that requires adherence to the final Road Safety Audit (RSA) and its accompanying recommendations. This ensures that the access point meets the necessary safety standards, with all relevant concerns regarding the junction layout addressed. Additionally, the footway along the site frontage will undergo significant improvements to enhance pedestrian safety and accessibility. The kerb heights within the visibility splay will be raised to ensure clear sightlines for both pedestrians and vehicles. In conjunction with this, any existing vegetation obstructing the footway will be cleared to provide a minimum width that meets the required safety standards.
- 5.5. These enhancements have been carefully reviewed and approved by both the WCC Highways Officer and road safety experts from the council as well as the applicant's technical team, ensuring that the proposed alterations meet the highest safety standards. To further improve safety and visibility for drivers approaching the site, SLOW road markings will be installed on New Road at

the site's access point. The visibility splays in both directions have been carefully measured and confirmed, ensuring that no planting or structures exceeding 0.6 meters will obstruct sightlines. This measure is critical in maintaining safe visibility for all road users. All of the above improvements and safety measures have been secured through planning conditions, which have been fully agreed upon by the applicant and their appointed agent. The conditions ensure that the design and construction of the access point, footway improvements, road markings, and visibility splays will be implemented in full accordance with the approved plans and road safety requirements, providing a safe and effective solution for both highway safety and pedestrian amenity. These conditions are as follows:

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.
- 5.6. These have 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, enforceable, precise and reasonable. The principle of these conditions is that they are reasonable and relevant and so are acceptable, however the wording will be changed to make the conditions enforceable and precise enough for a decision notice should this application be approved.
- 5.7. Third-party objections from neighbouring residents have raised concerns regarding speeding on New Road, specifically in the vicinity of the proposed

development. While the road has a posted speed limit of 30mph, planning decisions cannot account for the enforcement of this limit or anecdotal reports of occasional speeding. To address these concerns raised by WCC Highways, an Automatic Traffic Count (ATC) was conducted and submitted for review by the Highway Authority. The results of this assessment, carried out in accordance with national standards, were reviewed and deemed acceptable by the Highway Authority, confirming that the proposed development will not significantly impact road safety or the surrounding area. The traffic survey indicated that the majority of vehicles adhered to the speed limit, with the 85th percentile speeds slightly above the posted limit, which is common for such roads. Overall, the findings confirm that the traffic flow and speed on New Road are consistent with typical road conditions, and the proposed development will not cause any significant adverse effects on highway safety or the local community.

- 5.8. The National Planning Policy Framework (NPPF) is clear in paragraph 116 that development should only be refused or prevented on highway grounds if it would result in an unacceptable impact on highway safety or if the residual cumulative impacts on the road network, after mitigation, would be severe, taking into account all reasonable future scenarios. Furthermore, paragraph 56 of the NPPF underscores that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the imposition of appropriate conditions. Following multiple rounds of consultation, Warwickshire County Council's Highways team has raised no objections to the final proposal. It has been determined that, with the implementation of the proposed mitigation measures to enhance road safety and the access, the development will not result in an unacceptable impact on highway safety, nor will it have a severe effect on the road network. This conclusion is contingent upon the enforcement of the conditions recommended by the highways authority, all of which have been agreed upon by the applicant and their agent. As such, it can be confidently concluded that the proposed development will not have an adverse impact on highway safety.

6. Flooding and Drainage

- 6.1. 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 173). 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 Review Policy NE4 also deals with managing flood risk.
- 6.2. 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.
- 6.3. Paragraph 175 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
 - a) take account of advice from the lead local flood authority;

- b) have appropriate proposed minimum operational standards;
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - d) where possible, provide multifunctional benefits
- 6.4. Warwickshire County Council's Flood Risk Management team was initially consulted on the application and raised an objection due to insufficient information regarding surface water drainage. Specifically, the submitted details did not adequately demonstrate that the site could be safely and appropriately drained, nor did they allow for a robust assessment of potential flood risks on the site. The Lead Local Flood Authority raised concerns about the viability of an infiltration-based drainage solution, the proposed discharge into a Sewage Treatment Works instead of the higher-ranked watercourse to the west, insufficient consideration of additional Sustainable Drainage Systems (SuDS) features, discrepancies in site and impermeable area measurements, inadequate greenfield runoff calculations, and unclear maintenance and exceedance provisions for the proposed attenuation features. These concerns were communicated to the applicant and their agent, along with guidance on how to address them, and additional documentation was subsequently submitted.
- 6.5. Following this second round of consultation, the Flood Risk Management team no longer objected to the proposal, subject to the inclusion of several conditions should the application be approved. While the applicant successfully demonstrated the general principles of an acceptable surface water management strategy, further detailed information is still required. This information will be provided through a discharge of condition application, ensuring that a more thorough assessment can be made at the appropriate stage. The conditions proposed will be evaluated against the National Planning Policy Framework (NPPF) tests to ensure they are necessary, relevant, and enforceable, and will be reworded if needed. In principle, the issues raised have been addressed through the submission of report 1301/000/02 – August 2025, but further details will be assessed as part of the discharge of condition process. The conditions are very detailed regarding the specific information required, including the need for further surface water drainage details, maintenance strategies, and SuDS provisions. This level of detail ensures that all potential flood risks are fully addressed and mitigated, providing a robust framework to manage surface water effectively. By requiring this additional information before construction, the proposal ensures that the development will not exacerbate existing flood risks and will be in full compliance with best practices for sustainable drainage, ultimately reducing the impact on local flood management systems and surrounding properties.
- 6.6. Severn Trent Water was consulted as part of the application process but did not submit a formal response. The absence of an objection suggests that Severn Trent has no concerns regarding the proposal, particularly with regard to the handling of both surface water and foul water drainage. However, as part of standard procedure and to ensure compliance with the relevant regulations, conditions have been included in the decision notice. These conditions stipulate that the applicant must submit detailed surface water and foul water drainage

plans for approval prior to the commencement of any works on-site. Surface water drainage was also recommended and suggested by the FRM team at Warwickshire County Council.

- 6.7. The imposition of these conditions will ensure that the development does not negatively impact the local drainage network or contribute to flooding risks. By requiring these details to be provided at a later stage, the planning authority can ensure that the final drainage strategy is both appropriate and sustainable, in line with environmental best practices. The conditions will allow for a more thorough assessment of drainage designs and their integration into the surrounding infrastructure, ensuring that surface and foul water are appropriately managed and that the development will not place undue pressure on existing drainage systems. This approach also demonstrates a proactive commitment to sustainable water management, helping to mitigate any potential adverse effects on local water systems and supporting the overall resilience of the development against flooding risks.
- 6.8. 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 relevant to the development to be permitted, enforceable, 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

- 7.1. The NPPF and Policies NE1, NE2 and NE3 of the Borough Plan Review refers to the protection and enhancement of ecology. This is mirrored in the Council's adopted Open Space SPD.
- 7.2. 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 180). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.
- 7.3. 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.

- 7.4. 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.
- 7.5. Policy NE3 of the Borough Plan Review 2025 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.
- 7.6. 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 Metric for all scenarios proposed
- 7.7. The correct documentation was submitted, and the information was considered has been considered WCC Ecology.
- 7.8. 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, auditing by North Warwickshire Borough Council (NBBC) 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. This condition will be tested against the NPPF and added to the decision notice if appropriate. The 10% net gain requirement will be secured through a section 106 legal agreement.
- 7.9. 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.

- 7.10. 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. Protection measures will be secured through a Construction Environmental Management Plan (CEMP) condition.
- 7.11. 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.
- 7.12. 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.
- 7.13. 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 Impacts and Fire Safety

- 8.1. 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.
- 8.2. 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

- 9.1. 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.

- 9.2. 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 associate fishponds are located approximately 270m to 370m to the northwest of the site. Roman coins have been recovered by metal detectorists at these sites.
- 9.3. 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

- 10.1. The site is classified as a rural exemption site within the principle of development section of this report. As such, Policy H2 of the Borough Plan Review requires that the majority of homes proposed be affordable housing. The applicant is proposing a scheme that delivers 100% affordable housing, fully meeting the requirements outlined in Policy H2. This is a significant positive feature, as it directly addresses the pressing need for affordable housing in the area, ensuring that all units will be accessible to households in need of affordable housing. Since the majority of affordable housing is required for policy compliance, the fact that 100% affordable housing is proposed and will be secured within the legal agreement ensures the site remains policy compliant.
- 10.2. The provision of 100% affordable housing has received the full support of NBBC Housing, which is in favour of the proposal for its potential to deliver a substantial contribution to the local affordable housing stock. The outline application, being considered here, does not provide specific details regarding the mix or precise location of the affordable housing units, these details will be addressed in subsequent reserved matters submissions. At that stage, an assessment will be made to ensure compliance with both Planning Policy and the Affordable Housing Supplementary Planning Document (SPD). It is important to note that NBBC Planning Policy and NBBC Housing have not raised any objections to the application at this time, further supporting the proposed affordable housing provision.
- 10.3. Policy H2 of Borough Plan Review (2025) also specifies that for developments on small rural exception sites, the majority of homes must be affordable, and any market housing should be limited to the minimum necessary to enable the delivery of affordable housing. As concluded in the principle of development section this site can be classed as a small rural exception site. The proposed development complies with this section of the policy by offering 100% affordable housing and no market housing, which aligns with the rural exception

site criteria. It also ensures that the development will primarily serve local needs for affordable housing. The NPPF, particularly Paragraph 67, requires major residential developments on land within or released from the Green Belt to deliver at least 50% affordable housing unless it can be demonstrated that such a requirement would make the development unviable. The applicant's proposal to deliver 100% affordable housing significantly exceeds this national threshold.

- 10.4. While the Borough Plan Review (2025) does not currently have specific affordable housing requirements for Green Belt or Grey Belt sites, the national policy under the NPPF applies. The application provides 100% affordable housing, well above the 50% threshold required by the NPPF, and so is in line with national policy objectives aimed at increasing the supply of affordable housing in areas where there is an identified need. The proposal is for 100% affordable housing, the remaining 75% of units, outside of the first 25% affordable units, will be designated as affordable additionalities. The Council would secure the 25% affordable dwellings within a S106 agreement, the remaining 75% would also be secured in the agreement between the Council and the developer. This is required as the development is considered to be policy compliant if the proposal is secured as 100% affordable and so this will need to be suitably secured. The flexibility of the securing of the remaining units will allow for the development to proceed while ensuring full compliance with the requirements of Policy H2 and the broader affordable housing objectives.
- 10.5. In conclusion, the proposed development's provision of 100% affordable housing aligns with the rural exemption section of Policy H2 of the Borough Plan Review, which encourages affordable housing delivery, particularly on rural exception sites, and exceeds the 50% affordable housing threshold stipulated by national policy in the NPPF for Green Belt developments. The proposal, in its entirety, offers a significant contribution to the local housing market, aligning with both local and national policy objectives aimed at increasing the supply of affordable homes, and does so without the inclusion of market housing, further strengthening its compliance with Policy H2.

11. Noise

- 11.1. Policy BE3 of the Borough Plan Review requires that all development proposals minimise the potential for environmental impacts, including noise pollution, and ensure that future occupiers are provided with an acceptable standard of amenity.
- 11.2. At the Planning Committee Applications meeting held on 10 March, the application was deferred to allow further consideration of the potential noise impacts associated with the proposed development.
- 11.3. NBBC Environmental Health were consulted as part of the application process and did not provide a response within the statutory consultation period. On this basis, no formal objection has been raised. Notwithstanding this, and in the interests of ensuring compliance with Policy BE3, the Construction Management Plan condition (Condition 15) has been expanded to require the submission of detailed information relating to the management and mitigation

of noise during the construction phase. This approach ensures that potential short-term impacts are appropriately controlled.

- 11.4. The imposition of a noise attenuation scheme condition has been carefully considered. However, given that this application is submitted as an outline application, with matters of layout, scale and appearance reserved for the relevant reserved matters application, it is not currently possible to design or assess a meaningful or effective noise mitigation scheme. Any such condition would therefore fail to meet the tests of reasonableness and relevance set out in national planning policy, as it would rely on parameters that are not yet established. It is considered more appropriate for any detailed noise mitigation measures, if required, to be addressed at the reserved matters stage, when sufficient information will be available to properly assess and respond to site-specific circumstances. However, it is considered unlikely that the introduction of a residential development would give rise to significant adverse noise impacts in an area which is bordered on two sides by a form of residential development. This is particularly the case when compared to the potential impacts associated with the potential impacts associated with the introduction of more intensive or non-residential uses, such as commercial development.

12. Air Quality

- 12.1. 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.

13. Land Contamination and Stability

- 13.1. Paragraph 180 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 Review 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.

13.2. 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.

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

14. Planning Obligations

14.1. 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.

14.2. 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.

14.3. 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	£892.41	

	M309 M310 M322 M326-M328 M330-M332 M334-M338		
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 WCC obligations	£350 + (5 hours x £40 officer time x number of triggers)	
Ecology and BNG		10% Net Gain and Monitoring fee	
Affordable Housing		100% Affordable Housing secured in line with the recommendation	

15. Conclusion

- 15.1. In line with the National Planning Policy Framework (NPPF), which promotes a presumption in favour of sustainable development, decisions should be made in accordance with an adopted Development Plan, unless material considerations indicate otherwise. The proposed development has been comprehensively assessed against national and local planning policies, including considerations of residential amenity, visual amenity, highway safety, flood risk and drainage, contamination, air quality, ecology, biodiversity, open space, and heritage and archaeology. The assessment has demonstrated that there would be no significant adverse impacts in many of these areas.
- 15.2. The site has been concluded through the assessment to be located within the Grey Belt, rather than the land being Green Belt. Due to this designation, the proposal is not considered to constitute inappropriate development within the Green Belt, as outlined in paragraphs 154 and 155 of the NPPF. As the site's enclosed nature and proximity to surrounding development reduce the potential for substantial harm, the proposal is deemed to align with the NPPF's guidance on Green Belt development.
- 15.3. The proposal for 22 affordable dwellings is consistent with key policy objectives, particularly the provision of affordable housing, and aligns with the NPPF's "Golden Rules" for development in the Green Belt. It also complies with Policy H2, which carries significant weight in the planning balance. While the site lies outside the settlement boundaries, the provision of 100% affordable housing provides a strong justification for the departure from settlement boundary policy, and after careful assessment, a conclusion that the site would be a rural exemption site under policy H2. A similar proposal for general housing outside the settlement boundary would likely not be considered acceptable, but the affordable housing element makes this development proposal an exception.
- 15.4. Minor adverse impacts identified during the assessment can be effectively mitigated through the use of planning obligations and conditions. In light of these considerations, and on balance, the proposal is deemed acceptable, and

the recommendation is to approve the application, subject to the completion of the legal agreement and the imposition of the conditions outlined 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
Location Plan	338_PL-03E	26/03/2026

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:
 - a. Narrow spectrum lighting used to avoid the blue-white wavelengths
 - b. Lighting directed away from vegetated areas
 - c. The brightness of lights will be as low as legally possible
 - d. Lighting timed to provide some dark periods
 - e. 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 commence, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Council. The CMP shall include, but not be limited to, details of:
 1. Working hours and days of operation.
 2. Site access arrangements for vehicles, plant, and deliveries.
 3. Parking and loading/unloading areas for contractors.
 4. Wheel washing facilities and measures to prevent mud/debris on the highway.
 5. Noise and vibration control measures.
 6. Site security and hoarding arrangements.
 7. Waste management and recycling strategy.
 8. Contact details for the site manager and community liaison.
 9. Traffic management and pedestrian safety measures.
 10. Emergency procedures.

The development shall thereafter be carried out in accordance with the approved CMP.

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

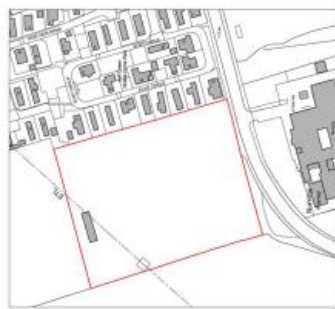
- writing by the Local Planning Authority.
- b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements 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.

25. No dwelling shall be occupied until the advanced highway warning signage scheme, as detailed in Section 3.6 of the approved Designer's Response (ref: 190925 Rev 0, received by email on 3rd February 2026), has been fully implemented in accordance with the details submitted.
26. No development (including site clearance and demolition) shall commence until a Dust Management Plan has been submitted to and approved in writing by the Council. The approved plan shall set out measures to control and mitigate dust emissions arising from construction activities on the site. The plan shall include details of:
- a) site preparation and demolition methods;
 - b) dust suppression measures, including water suppression and covering of stockpiles;
 - c) wheel washing and measures to prevent mud and debris being deposited on the public highway;
 - d) monitoring and complaint procedures; and
 - e) construction traffic management measures to minimise dust generation.

The approved Dust Management Plan shall be implemented in full for the duration of demolition, site preparation and construction works.

e Location Plan and Illustrative Block Plan



Disclaimer

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- Revisions**
- A. Revisited in line with Client Comments
 - B. Revised in line with Client Comments
 - C. Revised in line with Client Comments
 - D. Access Revised
- 7/4/2025
12/05/2025
25/09/2025

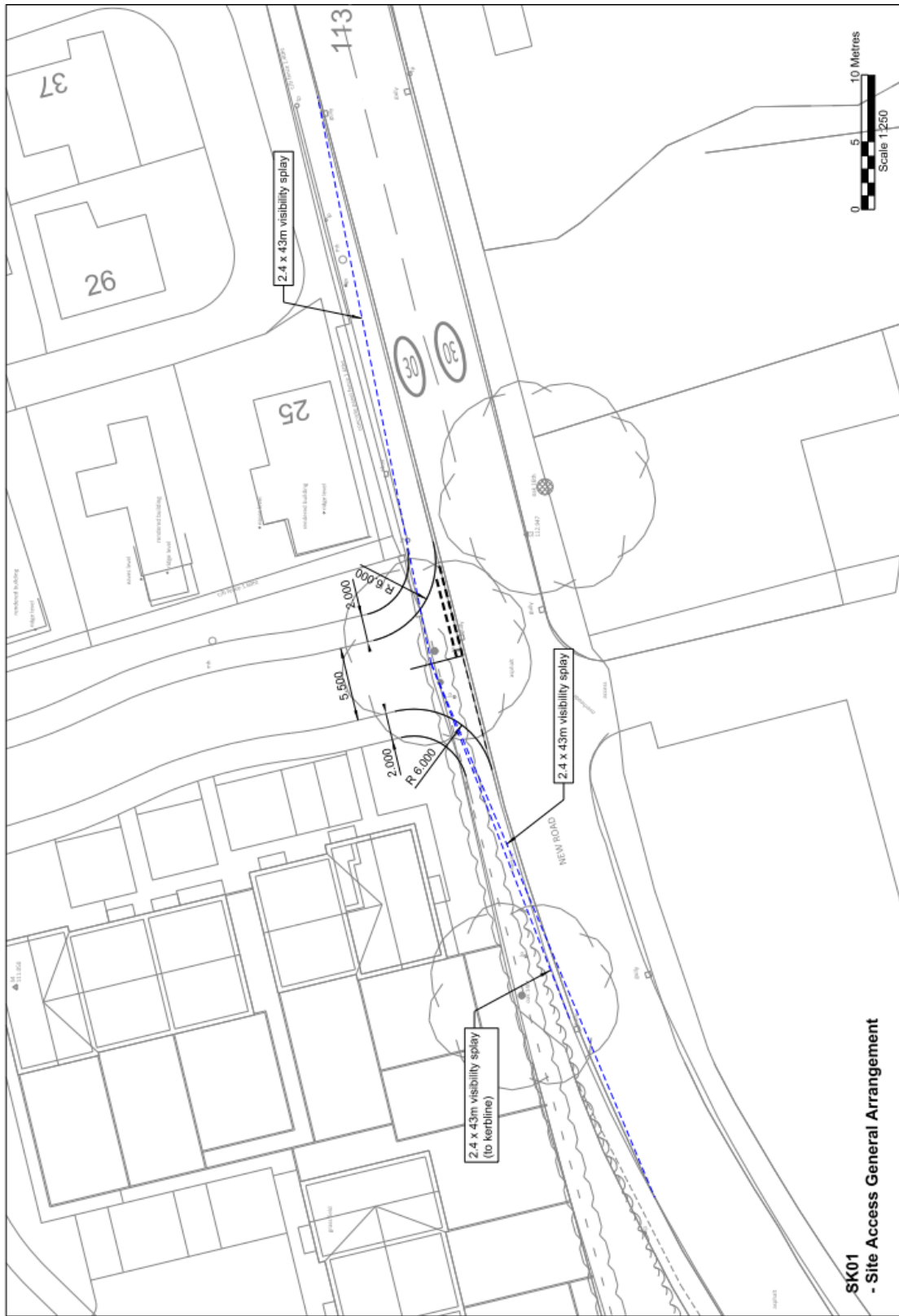
Contact + Location

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Newby, Cleethorpe
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Details

Client: OFlanagan Homes
Job No: Land Off New Road, All Green, Coventry
Drawing Title: Location - Block Plan
Job Number: 318
Scale: 1:250 - 1:500
SQA: PLANNING





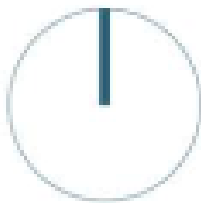
Proposed Access Plan



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Location Plan

Scale 1:1250



PLANNING APPLICATIONS

Item No. 2

REFERENCE No. 041355

Site Address: Site 83d006 - Brook Street, Bedworth, Warwickshire

Description of Development: Erection of 2no. detached bungalows with associated works and external alterations to Begonia Bungalow

Applicant: Mr. R. Mcilwraith

Ward: SL

RECOMMENDATION:

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

INTRODUCTION:

This is a full planning application which seeks permission for the erection of two detached bungalows. Each bungalow will measure 7.8m in width and 9.8m in length (at their longest part). The bungalows will have a hipped roof with an eaves height of 2.2m and a ridge height of 4.8m. The bungalows will each have two bedrooms, an open plan kitchen/dining rooms, separate living room and a bathroom. Each plot will have 2 parking spaces to the front. The proposal includes soft landscaping including the planting of 15 new trees. The application also includes the alteration to windows and configuration of the kitchen/dining room and bedroom two at Begonia Bungalow.

The application site is in Bedworth. It is within the garden area of Begonia Cottage, which is a bungalow located to the west of the application site. Brook Street is a cul-de-sac, and the site is located to the north of the road. The site is bounded by 9 Brook Street which is a two-storey detached dwelling to the east, a row of detached bungalows to the south and open fields to the north which is Green Belt land. The site itself however is outside of the Green Belt. Further to the west are open fields, currently owned by Bungalows Gardens which is a bungalow located to the northwest. At present, the site has a number of trees on it, a small pond and greenhouses, typical with use as a domestic garden.

RELEVANT PLANNING HISTORY:

- 034991- Erection of a pair of semi-detached 3-bedroom dwellings. Withdrawn August 2017.

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan Review 2021-2039
 - DS1 – Delivering sustainable development

- DS2- Settlement hierarchy and roles
- TC3- Hierarchy of centres
- H4- National Described Space Standards
- HS2- Strategic accessibility and sustainable transport
- NE3- Ecology, biodiversity, geodiversity and local nature recovery
- NE4- Managing flood risk and water quality
- BE3 – Sustainable design and construction
- BE4- Valuing and conserving our historic environment
- Supplementary Planning Guidance / Supplementary Planning Documents.
 - Air Quality 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 Gas, Health and Safety Executive (HSE), NBBC Environmental Health, NBBC Green Spaces, NBBC Planning Policy, NBBC Waste Management, Severn Trent, WCC Archaeology, WCC Ecology, WCC FRM, WCC Highways Authority, Warwickshire Fire Safety & Warwickshire Wildlife Trust

CONSULTATION RESPONSES:

No objection from:

WCC Archaeology & WCC Highways Authority

No objection subject to conditions:

NBBC Environmental Health & WCC Ecology

No response/not commenting from:

Cadent Gas, HSE, NBBC Green Spaces, NBBC Planning Policy, NBBC Waste Management, Severn Trent, WCC FRM, Warwickshire Fire Safety & Warwickshire Wildlife Trust

NEIGHBOURS NOTIFIED:

Arbury Estate, 2-8 (evens) & 9 Brook Street, Bungalow Gardens and Begonia Bungalow

Neighbouring properties were sent letters notifying them of the proposed development on 18th November 2025. Following the receipt of updated plans, letters were resent to neighbouring properties on 9th March 2026.

NEIGHBOUR RESPONSES:

There have been 10 letters of objection from 4 addresses raising the following points:

1. Soakaway is sited in Flood Zone 3
2. Removal of habitats
3. BNG is off site
4. Unreliable ecology survey
5. No additional parking or visitor parking

6. Brook Street is too narrow and congested parking leading into Mill Terrace
7. Construction issues
8. Harm to residential amenity
9. Overdevelopment of constrained plot

There has been 1 letter providing comments from 1 address raising the following point:

1. The road needs widening

There have been 3 letters of support from 1 address raising the following points:

1. It will tidy the road up
2. Nice addition to the road

There has been a petition with 17 signatures from 12 addresses raising the following points:

1. Soakaway is sited in Flood Zone 3
2. BNG is off site
3. No additional parking or visitor parking
4. Brook Street is too narrow
5. Construction issues

APPRAISAL:

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

1. The Principle of Residential Development
2. Impact on Visual Amenity
3. Impact on Residential Amenity
4. Impact on Highway Safety and Parking
5. Ecology and Biodiversity
6. Flooding and Drainage
7. Waste Management
8. Archaeology
9. Land Contamination

1. The Principle of Residential Development

- 1.1. The NPPF establishes the need for the planning system to achieve sustainable development. Paragraphs 7 and 8 break down sustainable development into three key constituents which are economic, social, and environmental dimensions. Paragraph 11 also sets out a presumption in favour of sustainable development. 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. The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan Review which should be seen as a golden thread running through both plan making and decision taking.

Housing Supply

- 1.2. Policy DS3 identifies the overall development needs for the Borough throughout the plan period. By 2039, it plans for at least 9,810 homes which is 545 dwellings per annum in the Borough. The latest five-year housing land position for Nuneaton and Bedworth Borough Council (using the housing requirement,

supply figures in the housing trajectory, a 5% buffer under the Housing Delivery Test 2022 Measurement and, the 'reverse Liverpool method') demonstrates that the Authority can demonstrate a supply position of 10.5 years as of 1st April 2025.

- 1.3. As such, Nuneaton and Bedworth are meeting their housing delivery targets. In this context, there is no identified unmet housing need that this development would address. The Borough Plan Review does make an allowance of 504 dwellings through the windfall allowance. The development would make a limited contribution towards windfall provision. Therefore, in light of the fact there is a housing supply and policy is up-to-date, limited weight is attributed to the fact the development would supply two dwellings.

Location

- 1.4. With regards to the principle in terms of the location, the application site is within the Settlement Boundary of Bedworth with Bedworth town centre being located 0.9 miles to the south. Policy DS2 says that Bedworth has the secondary role (after Nuneaton) for housing. The majority of new development is therefore to be directed to Nuneaton as the primary town, but development directed to other settlements including Bedworth, should be at a scale that reflects the role and function of the settlement and its order in the hierarchy, as well as the settlement's ability to accommodate change.
- 1.5. Paragraph 115 of the NPPF says that in assessing sites it should be ensured that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. Policy TC3 sets out the hierarchy of centres (including district and local centres). The site is within a reasonable distance to Bedworth as the Town Centre. Town Centres contribute to the main shopping facilities of the Borough and include day-to day shopping and commercial activities. Bedworth is an 8-minute bus journey away (along Leicester Road), a 1.4 kilometre 20-minute walk or a 6-minute cycle ride away. The nearest Local Centre is Nuneaton Road. Local Centres provide for the day-to-day top-up shopping needs of local people on a smaller scale than a district centre including newsagents, small convenience stores and sub-post offices. Nuneaton Road is located a 0.3 kilometre 4-minute walk or a 2-minute cycle ride away. In this regard, the site is considered to be within a very sustainable location in accordance with the NPPF and TC3. This provides some weight in favour of the principle of development.
- 1.6. The site is a garden area within an existing residential area. Whilst there would be the addition of two new dwellings, as Brook Street is already a residential area, the development of residential uses at this location would not be introducing a use that is out of character or incompatible with the area. This adds some further weight to the principle of development.

2. Impact on Visual Amenity

- 2.1. Paragraph 135 of the NPPF concentrates on guiding the overall quality of the area through good design, landscaping and layout that is 'sympathetic to local character and history, including the surrounding built environment and landscape setting'. Part d of paragraph 135 goes on to say that developments

should 'establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials.'

- 2.2. Borough Plan Review Policy BE3 states that development proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area. This includes layout, built form and plot size and arrangement. Sections 9 and 10 of Sustainable Design and Construction SPD gives guidance on the design of the street scene including the street layout and density. Policy BE3 says that all proposals should be designed to meet the requirements specified in the Sustainable Design and Construction SPD.
- 2.3. The application site represents an infill site. It a parcel of land within an established built-up area, where there is a gap between existing properties within the street frontage. It can be redeveloped and therefore represents the repurposing of part of a larger garden. Paragraph 10.9 of the Council's Sustainable Design SPD states that dwellings which infill or are a continuation of an existing street should follow the existing pattern of development line defined by the immediate adjoining properties. Where proposals deviate from the existing line of development applicants should demonstrate how the design enhances the overall street scene.
- 2.4. This application is a full planning application meaning that the scale, appearance and layout is known and can be assessed as part of this application. The street scene of Brook Street is residential in nature, comprising of 1960s-1980s dwellings. The Sustainable Design SPD sets out the residential character areas of Nuneaton and Bedworth and highlights this area as being a 'Post-war Private Residential Estate'. The characteristics of this area are low-medium density semi-detached, close, and linked-detached residential properties. They are Anglo-Scandinavian style with shallow pitched roofs and non-local brick often pale in colour. There is little variety of house types within streets and cul-de-sac layouts are common. Characteristics include small front gardens with either dwarf walls or without an enclosure to pavements and, integral garages and forecourt parking. In considering the sensitivity to change, the repetitive nature of buildings does mean that development of individual buildings may weaken the coherence. However, individual designs and the materials used are usually undistinguished and, redevelopment over a wider area could introduce some welcome variety. Overall, there is considered to be a 'medium sensitivity' to change here.
- 2.5. There are two strong architectural styles along Brook Street. Firstly, there is a row of five brown brick, two-storey semi-detached and detached dwellings. These are located to the east of the street on the approach from Wood Street/Hill Street. These follow a straight line of development in that they are all situated from the road by the same distance. The other, is a row of detached bungalows which are located to the south of the site. These predominately have brown brick with white/cream front render. The built line of these properties is slightly different in that each property is stepped in front of the adjacent property resulting an angled line of built development. Begonia Cottage and Bungalow Gardens are an exception to the rest of the street in that their development has been more sporadic and that whilst they are bungalows, they are of a different

design to the two other vernaculars on the street scene. As such, the strong built form at this section of Brook Street is weaker.

- 2.6. The design of the two bungalows will reflect the design of Begonia Cottage due to the hipped roof and small hipped roof protrusion from the front. The bungalows will also be in line with the front of nos.1-9 in order to maintain the straight line of development. As such, they development will reflect the different built typologies. As set out in the Sustainable Design SPD, the introduction of a varied design, whilst also reflecting the neighbouring details, introduces some further variety into the street scene which is welcomed.
- 2.7. The dwellings will be constructed out of brick with white render. Given the render on the neighbouring bungalows, this is also supported in order for the development to also reflect these neighbouring details. The details of the facing brick including the colour are not currently known though it would be preferential for the brick to also be brown. Given the applicant does not yet know what brick they will use until they order the bricks, it is necessary to attach a condition which will be prior to any construction to the external surfaces of the buildings. It is deemed that it does not need to be a pre-commencement condition given the choice of the bricks is not required for foundation works and would come later in the development anyway.
- 2.8. When considering the development is an infill, to be in accordance with paragraph 10.9 of the Sustainable Design SPD the development will follow the existing pattern of development as defined by the immediate adjoining properties at 9 Brook Street and Begonia Cottage by reflecting the two. In terms of the height, the bungalows will also reflect those bungalows opposite. As such, the design is considered to be acceptable and therefore, it is not considered there would be an adverse impact on the visual amenity of the area. This provides moderate weight in favour of the development.

3. Impact on Visual Amenity

- 3.1. Paragraph 198 of the NPPF requires planning decisions to ensure that developments are appropriate for the location taking into accounts effects on living standards, noise impacts, light pollution and amenity. The Sustainable Design and Construction SPD sets out standards for overlooking including separation distances and overshadowing. The way buildings relate to each other, their orientation and separation distance must provide and protect acceptable levels of amenity for both existing and future residents. These standards can be used flexibly, depending on house layout and on-site circumstance. Borough Plan Review policy BE3 says that all proposals should be designed to promote placemaking strategies for an inclusive, safe, accessible and healthy living environment for all.
- 3.2. As this a full application, and the location of windows and rooms within the bungalows are known, it is possible to fully assess the impacts of this development on the residential amenity on the existing neighbouring dwellings and impacts on future occupiers. The closest properties which have the biggest potential to be impacted are 2, 4 & 9 Brook Street. Consideration will also be

given to Begonia Bungalow as whilst it is within the blue line boundary, the bungalow will be a separate property.

2 & 4 Brook Street

- 3.3. Nos. 2, and 4 are located on the opposite side of Brook Street, to the south of the applicant property. The key consideration with these properties is to protect the habitable windows on the principal elevation which will face the new bungalows and subsequently front onto the new bedroom windows. Paragraph 11.4 of the Sustainable Design SPD says that in the interests of protecting privacy, a minimum 20 metres separation distance is required between the existing ground floor habitable room windows and proposed ground floor habitable room windows. It does go on to say that the distances may be reduced if they are across public viewed areas e.g. across a public highway. In this case, from no.2 to plot 1 there would be a separation distance of approximately 19.9m and to plot 2 there would be approximately 19.4m. The separation distances are just below the threshold of the Sustainable Design SPD. However, the SPD does say that the distance may be reduced if they are across public viewed areas e.g. across a public highway. In this case as the distances are across highway therefore, it is considered that there would be no adverse impacts from overlooking to this neighbour. From no.4 to plot 1 there would be a separation distance of approximately 17.4m and to plot 2 there would be 17.5m. These distances are slightly less for this neighbour due to the fact no.4 sits forward of no.2. However, in considering the distance to the windows is across the public highway which acts as a spatial buffer, this is also considered acceptable and is unlikely to result in an unacceptable loss of privacy.

9 Brook Street

- 3.4. No.9 is the neighbouring, unattached property located to the east. In terms of habitable windows, there are no habitable windows on the west facing elevation of no.9 which will front onto the application site. As such, there are no windows which are to be protected. As the proposal is to be single storey, only the ground floor windows at 9 Brook Street are applicable. Whilst applicable to extensions, paragraph 11.9 of the Sustainable Design SPD says that an extension shall not infringe a line drawn at 60 degrees from the centre point of the window of an adjacent habitable room of the same floor level. In order to protect the aspect for no.9, it is important to consider the outlook from ground floor habitable windows. From both the front and rear of the property, Plot 2 (as the closest bungalow) would not breach the 60-degree line.
- 3.5. The next consideration therefore is to protect amenity space. Again, whilst applicable to extensions, the Sustainable Design SPD says that near the boundary of an adjoining usable rear private amenity space a proposed single storey extension shall be less than 4 metres long. Whilst this would apply to an extension, the need to protect amenity space is still important. In this case, Plot 2 will broadly be in line with no.9 to the front of property and does not project any further back than the rear wall of no.9. As such, it is not considered that there would be an adverse impact on the garden space of this neighbouring property.

Begonia Bungalow

- 3.6. Begonia Bungalow is located to the west of the site and is within the blue line boundary of the application site. The first consideration is to protect the habitable windows on the east facing elevation will front onto the side elevation of Plot 1. Within the side elevation of Plot 1 there will be an obscure glazed window which will be associated with a bathroom. A bathroom is not considered a habitable window and given the obscure glazing, this will reduce the adverse impacts on privacy. Paragraph 11.7 of the Sustainable Design SPD says that in the interests of protecting aspect and light, the blank wall of an extension directly facing the window of a habitable room of the same height shall be a minimum 12 metres apart. Again, whilst this is applicable to an extension, the requirement to prevent a negative sense of enclosure is still important. In this case, between Begonia Cottage and the side elevation of Plot 1 there will be a separation distance of 7.7m which is below the 12m. As such, there is the potential for a negative sense of enclosure to the side facing windows of Begonia Bungalow which is of moderate weight against the development.
- 3.7. Currently, on the east facing elevation of Begonia Bungalow there are three sets of windows; 1 kitchen, 1 bathroom and 1 bedroom (bedroom 2). The bathroom window is not a habitable window and therefore is not to be protected and so, is not assessed. With regards to the kitchen window, this is a habitable window. At present, this provides the only source of light to the kitchen. A separation distance of 7.7m therefore would not be acceptable due to the impact on the light. However, within the dining room there are three windows. The proposal includes the demolition of the wall between the kitchen and the dining room so that it opens it up into one big room therefore, providing three extra sources of light from the windows on the north elevation. With regard to bedroom 2, the primary window is on the east facing elevation (that which will front onto the plot 1). There is a small secondary window on the south elevation. At present, there is also a car port. This means that the light entering the secondary window is limited. A separation distance of 7.7m therefore would not be acceptable due to the impact on the light to bedroom 2. The proposal includes the demolition of the car port and increasing the width of the window in bedroom 2 so that it provides more light. As this window will be south facing, it will maximise on the amount of natural light. This is considered acceptable.
- 3.8. The works to Begonia Bungalow will need to be undertaken prior to the occupation of plots 1 and 2. It is considered that is reasonable for this to be a pre-occupation condition, rather than a pre-commencement condition (in case the works are carried out to Begonia Bungalow but then the bungalows are not developed).
- 3.9. The second consideration is in protecting the private amenity space of Begonia Bungalow. Due to the shape of the land ownership, the private amenity space of Begonia Bungalow is to the side of the property and therefore will be adjacent to Plot 1. The initial proposed plans indicated that from plot 1 to the boundary of Begonia Bungalow's garden, there was to be a distance of 0.65m. This was not considered a substantial gap such that Plot 1 would be considered to be adjacent to the garden. Adjacent to the garden, Plot 1 will be 9m in length which is in excess of the 4m set out in the Sustainable Design SPD. There was the potential for this to have an adverse impact on the enjoyment of the private

garden which is also of significant weight against the development. Therefore, amendments have been made so that plot 1 is set 1m away from the boundary. This increase in separation distance assists in reducing the negative impacts on the amenity space of Begonia Bungalow. Consideration is also given to the fact the garden is east facing and so during the peak sunlight hours (10am-4pm) the shadow cast on the garden is from Begonia Cottage itself and therefore, would not be from Plot 1 which further limit some of the negative impacts with regards to light.

Land to the Rear

- 3.10. To the rear of the property is green space which is classified as Green Belt Land. It is a Local Wildlife Site called Court Farm and is owned by Arbury Estate. A consultation letter was sent to Arbury Estate however, no comments have been received. In terms of this space, the development of two bungalows is unlikely to have an adverse impact on its use. Matters relating to the fact it is a Local Wildlife Site are addressed under the biodiversity section of this report. However, given there are no neighbouring properties to the rear, the development would not conflict with the green space.

Noise

- 3.11. Given Brook Street and the surrounding roads have predominately residential uses, the addition of two properties would not result in an adverse impact in noise, above that which is acceptable in this location. Noise is regarded as what an ordinary person is reasonably expected to tolerate. It does not consider unforeseen circumstances like anti-social noise as this would be unreasonable. The PPG provides policy guidance on noise. It sets out that decision making needs to take account of the acoustic environment and in doing so consider whether a significant adverse effect is likely to occur, whether an adverse effect is likely to occur and whether a good standard of amenity can be achieved (Paragraph: 003 Reference ID: 30-003-20190722). The observed levels are as follows:

- Significant observed adverse effect level: This is the level of noise exposure above which significant adverse effects on health and quality of life occur.
- Lowest observed adverse effect level: this is the level of noise exposure above which adverse effects on health and quality of life can be detected.
- No observed effect level: this is the level of noise exposure below which no effect at all on health or quality of life can be detected. (004 Reference ID: 30-004-20190722).

- 3.12. In light of this, given the scale of the scheme, it is considered that there would be minimal significant adverse impacts to neighbouring properties and minimal observed effect levels.

- 3.13. Comments have been received regarding noise and air pollution from construction particularly from HGV traffic. It is within everyone's interests to ensure disruption from the erection of the dwellings is kept to a minimum. The noise disruption from the building works will be temporary and whilst this may cause some distress to neighbouring properties, it is not unreasonable for the building works to take place for a temporary period of time. It is accepted that

Brook Street is narrow and so construction works may have an impact on access. It is therefore recommended that a Construction Method Statement be submitted prior to the commencement of development. This pre-commencement condition was agreed with, with the agent on 7th January 2026. Once the dwellings have been erected, it is satisfied that any noise disturbance and presence of HGVs will disappear meaning there should be no long-term disruption.

- 3.14. It is important to note, any noise nuisance complaints are still able to be reported separate to planning. NBBC Environmental Health, the technical consultee with expertise on noise, have no objections to the development.

Nationally Described Space Standards

- 3.15. Borough Plan Review policy H4 sets out that all residential dwellings should comply with the Nationally Described Space Standards. For a single storey, two-bedroom, three-person property, the gross internal floor area provided should be 61m² including 2m² of built-in storage. The gross internal area for each bungalow is 61.5m² which complies with this. There is to be a storeroom to each bungalow which will measure 2m². The double bedrooms will have a floor area of 11.5m² and the single bedrooms will have a floor area of 7.5m². This is in accordance with the NDSS and therefore policy H4 is complied with which adds weight in favour of development.

Garden Sizes

- 3.16. The application will result in the substantial decrease in the garden size of Begonia Cottage by approximately 540m². There is no figure within the Borough Plan Review or the relevant SPDs which specifies how large garden areas should be. Paragraph 11.11 of the Sustainable Design SPD says that gardens should be of a useable rectangle garden shape. New housing development should provide sufficient amenity space to meet the recreation and domestic requirements of occupants. Amenity space should be provided for passive recreation activities such as reading; active recreational uses such as gardening; and domestic uses such as drying clothes. In this regard, the garden areas afforded to plots 1 and 2 will be a regular size such that they will be usable spaces. The garden sizes are similar to that at 1-9 Brook Street. Plot 1 will have a garden area of approximately 110m² with a width of 9m and a length between 10.3m and 12.7m. Plot 2 will have a garden area of approximately 135m² with a width of 8.8m and a length between 12.7m and 16.9m. These are considered adequate.
- 3.17. With regards to the remaining garden at Begonia Cottage, in terms of useable space, the remaining garden will be L-Shaped. Therefore, the useable garden space will be the rectangular section to the south. This will be 85m² with a width of 6.7m and a length between 11.9m and 13.5m. Whilst smaller than plots 1 and 2 and substantially smaller than their current garden size, it will be private and will allow for active recreational and domestic uses such that it can be considered usable and therefore, is adequate.

4. Impact on Highway Safety

- 4.1. Paragraph 115, part b of the NPPF says it should be ensured that 'safe and suitable access to the site can be achieved for all users'. Paragraph 116 says '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, following mitigation, would be severe, taking into account all reasonable future scenarios'.
- 4.2. Borough Plan Review policy HS2 requires that planning applications demonstrate suitable demand management measures, which includes adequate parking provision, and whether the proposal will meet acceptable levels of impact on existing highways networks. The Transport Demand Management Matters SPD sets out the parking provision for new development. For a two-bedroom dwellinghouse outside a town centre, this is two car spaces and one secure cycle space per dwelling. This includes one unallocated space per ten dwellings for two bed houses. Overall, the parking spaces are in accordance with the required parking standards given there are to be two per dwelling. The Highways Authority have been consulted with, and offer no objection which is of material consideration in support of the application. The visibility splays from the parking spaces are acceptable. The spaces are set perpendicular to the highway. It is accepted the development does not provide any unallocated parking requirement. However, given there are only two dwellinghouses, it does not meet the ten dwelling threshold and therefore, this is not insisted upon. The cycling parking is shown within the rear gardens and therefore is in accordance with the Transport Demand SPD.
- 4.3. In accordance with the Council's Air Quality SPD, residential developments are required to provide one charging point per dwelling with dedicated parking (16amp), and ensure appropriate cabling is provided to enable increase for future provision. The EV charging points are shown on the Proposed Site Plan. A condition will be attached which will ensure these are provided before the dwellinghouses are occupied.
- 4.4. It is accepted that along Brook Street, particularly at the junction with Hill Street and Mill Terrace there is a wider parking problem with a lot of on-road parking. Comments have been received that Brook Street itself is narrow and would need widening. Firstly, in considering this development, due to the fact there is the required parking provision it is not considered that it would lead to an increase in on-road parking around Mill Terrace. It is also not down to this development to fix the wider issues. The concern is whether it would exacerbate it which in this case, it not considered that it would. Secondly, the additional car movements from two, two-bed dwellings onto Brook Street is considered to be minimal. Thirdly, Brook Street is approximately 5m wide. Whilst this is below the standard 5.5m for a standard two-lane road, this is a cul-de-sac therefore, car movements are limited. It is not a through road and does not accommodate buses. A narrower road can reduce traffic speeds. As such, it is not considered the fact the road is narrower is a reason for refusal and it would not be reasonable to expect this development to improve Brook Street as a whole. Overall, it is considered that there would be no severe highways impacts which would warrant a refusal which adds weight to supporting the application.

5. Ecology and Biodiversity

- 5.1. Paragraph 187 of the NPPF outlines that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. This includes by considering the impact on ecological networks, protected wildlife, priority species and priority habitats.
- 5.2. Borough Plan Review policy NE3 sets out that development proposals should ensure ecological networks and services, and biodiversity and geological features are conserved, enhanced, restored and, where appropriate, created. All applicable development that is not exempt, must demonstrate a minimum 10% Biodiversity Net Gain (BNG) with off-site offsetting being required as a last resort once all available options in the avoidance mitigation hierarchy have been demonstrably explored.
- 5.3. Under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), BNG is mandatory and development must deliver a 10% BNG, unless the development is exempt. In this case, the site is not exempt and the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 17A of the Town and Country Planning Act 1990) is applicable. A metric has been submitted which indicates the required 10% gain is to be achieved through both habitat creation within the site, and the purchase of biodiversity units associated with trees at Hill Farm in Stratford-upon-Avon which is a Biodiversity Gain Site. A public comment has been received that biodiversity should be achieved on site. Whilst in the BNG hierarchy, offsetting through creating or improving habitats elsewhere is the least desirable, it is still an acceptable way to achieve BNG. WCC Ecology have been consulted with and have commented that as an indication has been provided how the 10% BNG will be achieved, this is considered satisfactory for this application. Biodiversity gain can be secured through a deemed condition and therefore shall be an informative attached to the decision.
- 5.4. A comment has been received that the ecology survey was undertaken outside of the optimal ecological survey window, and that no-species specific survey has been undertaken. A Preliminary Ecological Appraisal can be undertaken at any time of the year. The survey was undertaken by a competent ecologist and was reviewed by WCC Ecology who had no objection to the survey.
- 5.5. As previously set out, a Local Wildlife Site called Court Farm is located adjacent to the north. WCC Ecology commented that a thorough ecological survey was undertaken. The site comprises a garden, with non-native, ornamental hedgerow along the southern and eastern boundaries, and two trees. They welcome that the mitigation hierarchy has been followed with the mature ash tree proposed to be retained. They have said that a tree protection plan should be produced which can form part of a Construction and Ecological Management Plan. This pre-commencement condition has been agreed with, with the agent via email on 9th December 2025. The trees within the site were assessed and found to have negligible bat roosting potential. The ecology report does recommend adopting mitigation measures for badgers, commuting and foraging bats, nesting birds, foraging and sheltering reptiles, and hedgehogs. The plans do indicate there will be bird boxes. Nonetheless, the measures can

be incorporated into the Construction and Ecological Management Plan. Overall, it is considered that appropriate steps have been taken to mitigate and secure biodiversity enhancements.

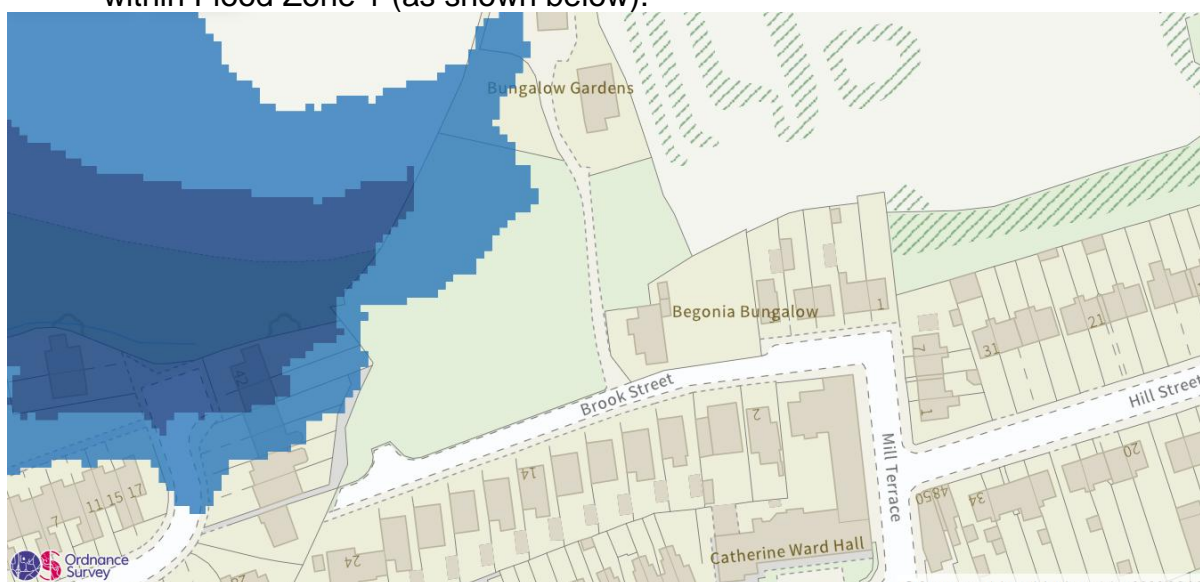
- 5.6. WCC Ecology have commented that the proposed on-site creation does not constitute a 'significant' habitat enhancement. Therefore, auditing by the Local Planning Authority is not considered necessary. A S106 is therefore not required.

6. Flooding and Drainage

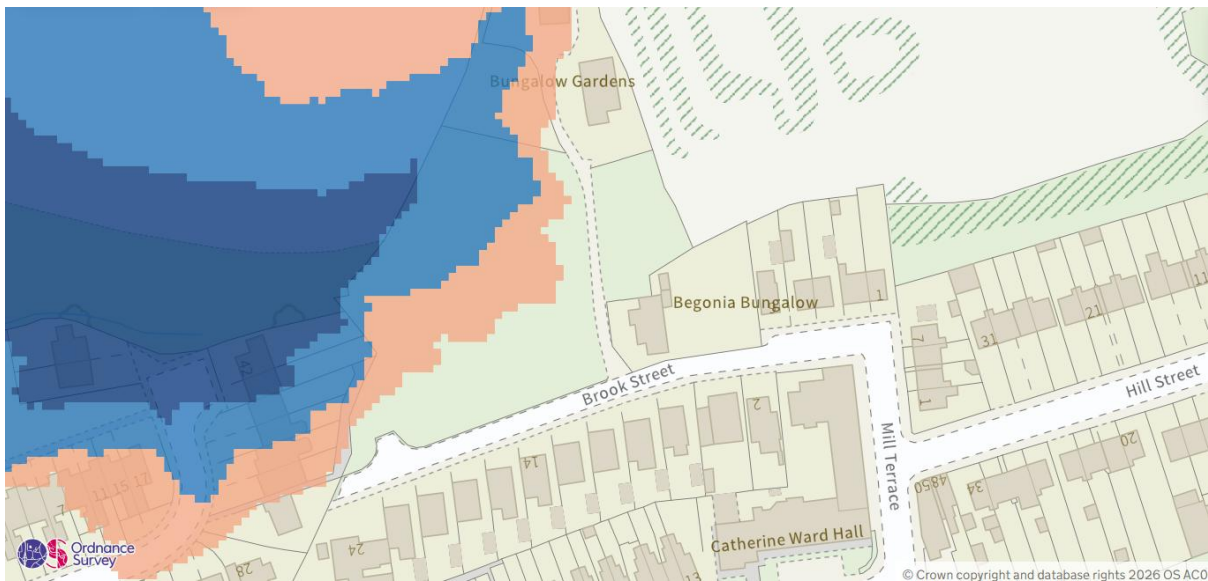
- 6.1. Paragraph 181 of the NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it. It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk.

- 6.2. Borough Plan Review Policy NE4 echoes this. It states that new development should be prioritised to areas of lowest flood risk and must not increase flood risk elsewhere. New development proposals must account for climate change in their plans to ensure that the site will be safe over its lifetime. This should consider the risk from all sources including fluvial, surface water, groundwater and sewer flood risk, making use of the SFRAs (both Level 1 and Level 2) (August 2023), available public mapping. NE4 does go on to say that flood risk should be considered proportionately for all development

- 6.3. Comments have been received that the development is within Flood Zones 2/3. However, the Government's 'Flood map for planning' shows that the site is within Flood Zone 1 (as shown below).



- 6.4. When considering future flood risk from climate change, the site is still not within flood zones 2/3 for 2070-2125.



6.5. The mapping also shows that there is a low risk of surface water flooding at a 1 in 30, 1 in 100 and 1 in 1000 year likelihood of flooding.



6.6. In March 2025, the Flood Zones which are produced by the Environment Agency were updated as part of the new National Flood Risk Assessment. This used new nationally modelling along with local modelling methods to improve the precision of the Flood Zones. Prior to this update, the northern section of the garden was within Flood Zones 2/3. However, following the update and as can be seen above, the site is no longer within a flood zone. The Lead Local Flood Authority have been consulted with, however, due to the nature of the development, they have not provided any comments. It is satisfied that the evidence from the government website indicates that the site is located in an area at lowest risk of flooding given it is no longer considered as being in Flood Zones 2/3.

6.7. With regards to drainage, the site is within an established, built-up area which should have the required foul sewage infrastructure in place. As such, the

development should be able to connect to the existing mains sewer. At this stage however, this is not known. Given there is to be a net increase of two buildings, it is not considered there be an adverse pressure on the existing network. However, as new connections will be required and a detailed drainage strategy has not been submitted to support the application, a pre-commencement condition will be required for the details of the foul sewage drainage.

- 6.8. The Site Plan indicates that there will be soakaways located in the rear gardens of the two dwellings for the drainage of surface water. However, no detailed soakaway drainage strategy has been submitted. Soakaways must discharge stored water sufficiently and quickly to provide the necessary capacity to receive future rainfall. The performance of a soakaway is dependent on the shape and size of the soakaway, the surrounding soil's infiltration characteristics and the depth to groundwater. As such, a suitable strategy is to be secured through the use of a pre-commencement condition to ensure that the site would appropriately manage the surface water run-off associated with the development to ensure that any existing fluvial flooding problem is not increased elsewhere. The wording and the trigger point have been agreed with the agent on 7th January 2026. The condition is required to secure the timely provision of the soakaways and to ensure they are appropriate for the development. The creation of a soakaway must still comply with Part H of the Building Regulations (which is a separate matter to planning) which specifies where soakaways can be located and the size that is permitted.
- 6.9. Severn Trent have been consulted with, however, there has been no response. Developers are encouraged to contact Severn Trent, regarding sewer capacity, at an early stage of planning, to ensure adequate time is available to assess the risk and develop any network improvements should they be required. This will be an informative added to the decision notice.

7. Waste Management

- 7.1. Paragraphs 11.22 - 11.28 of the Council's Sustainable Design and Construction SPD relate to waste. The guidance states that bin stores should be located no more than 25m from the highway (where the bin collection lorry can park) for normal 2 wheeled household bins. It also states that developments must not provide for wheeled bins to be stored at the front of the property unless a design solution is proposed which significantly limits the impact of the storage of bins on the street scene.
- 7.2. Bin storage should not harm the visual amenity of the area, must be managed so that it does not create risk to water, air, soil, plants or animals, should not cause nuisance through odours, and not affect the countryside and or places of special interest. Waste bin storage areas should be well ventilated and situated away from direct sunlight.
- 7.3. NBBC Waste & Refuse team have been consulted however no response has been received.

- 7.4. The bin stores are to be located on area of hardstanding within the rear gardens of each bungalow. This is in the private amenity spaces of the proposed dwellings therefore, keeping them out of the street scene. The bin collection points are located directly adjacent to the highway of Brook Street therefore in compliance with the Sustainable Design SPD. There is a shared access between the two bungalows which will allow ease for the bins to be pulled to the front of the properties on collection days. On this basis, the application would not result in an excessive drag and carry distance for waste and recycling. Therefore, the layout is considered acceptable from a waste management perspective.

8. Archaeology

- 8.1. Policy BE4 of the Borough Plan Review seeks for development to sustain and enhance the Borough's heritage assets which can include scheduled monuments. There are no designated or non-designated heritage assets in the locality of the site. WCC Archaeology have been consulted with but have not provided any comments on the scheme. Given the context of the area, the proposal is unlikely to have a significant archaeological impact. As such, there is no requirement for archaeological conditions to be placed on the decision.

9. Land Contamination

- 9.1. Paragraph 196a of the NPPF says that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination. Where a site is affected by contamination, responsibility for securing a safe development rests with the developer. NBBC Environmental Health have commented that there was a landfill site adjacent to this site. As such, a desktop survey and risk assessment to identify current and past land uses and, and sources, pathways and receptors of land contamination should be submitted to the Local Planning Authority before development commences. The pre-commencement condition has been agreed with the agent via email on 22nd December 2025.

10. Conclusion

- 10.1. 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.
- 10.2. The potential impacts of the proposed development in relation to the principle of the development, visual amenity, residential amenity, highway safety, ecology, flood and drainage, waste management, archaeology and land contamination have all been considered.
- 10.3. Taking into account the above assessment, on balance it is considered the development would not result in undue conflict with the adopted development plan, or policies within the NPPF overall.
- 10.4. There are some considerations which weigh against the proposal. The separation distance to Begonia Cottage and the impact on their private amenity space, is considered to be below the requirements of the Sustainable Design

SPD and therefore there is the potential to have a negative impact thus there is some conflict with BE3. The site will provide a small windfall site however, in the context of the housing supply in Nuneaton and Bedworth, this is considered to be a minimal benefit.

- 10.5. Moderate weight is attached to the fact that the site is within an existing residential cul-de-sac and therefore residential development would be compatible with the surrounding land uses. The proposal would result in the development of the gap within the cul-de-sac. In considering whether the impact on Begonia Cottage is sufficient to warrant a refusal, consideration is given to the fact the design of the development is acceptable from a visual amenity point of view. The bungalows reflect details from the different buildings in the street scene. The development of two bungalows is a reasonable scale for the size of the land. The parking provision is acceptable. There are no adverse impacts on ecology and flooding. The layout is acceptable to provide adequate waste management. The site is considered to be in a very sustainable location given its sustainable link to Bedworth and being within walking distance of a Local Centre.
- 10.6. Overall, the test in the balance is to assess whether the benefit side of the balance “clearly” outweighs the harm side of that balance. The material planning considerations as set out above do outweigh the harms caused. It is therefore considered the proposed development overall would achieve sustainable development.

REASONS FOR APPROVAL:

Having regard to the pattern of existing development in the area and relevant provisions of the development plan, the proposed development would be in accordance with the development plan. The application should consequently be approved subject to conditions. Whilst there have been multiple objections to the scheme, it is considered that there are no reasonable grounds for refusal.

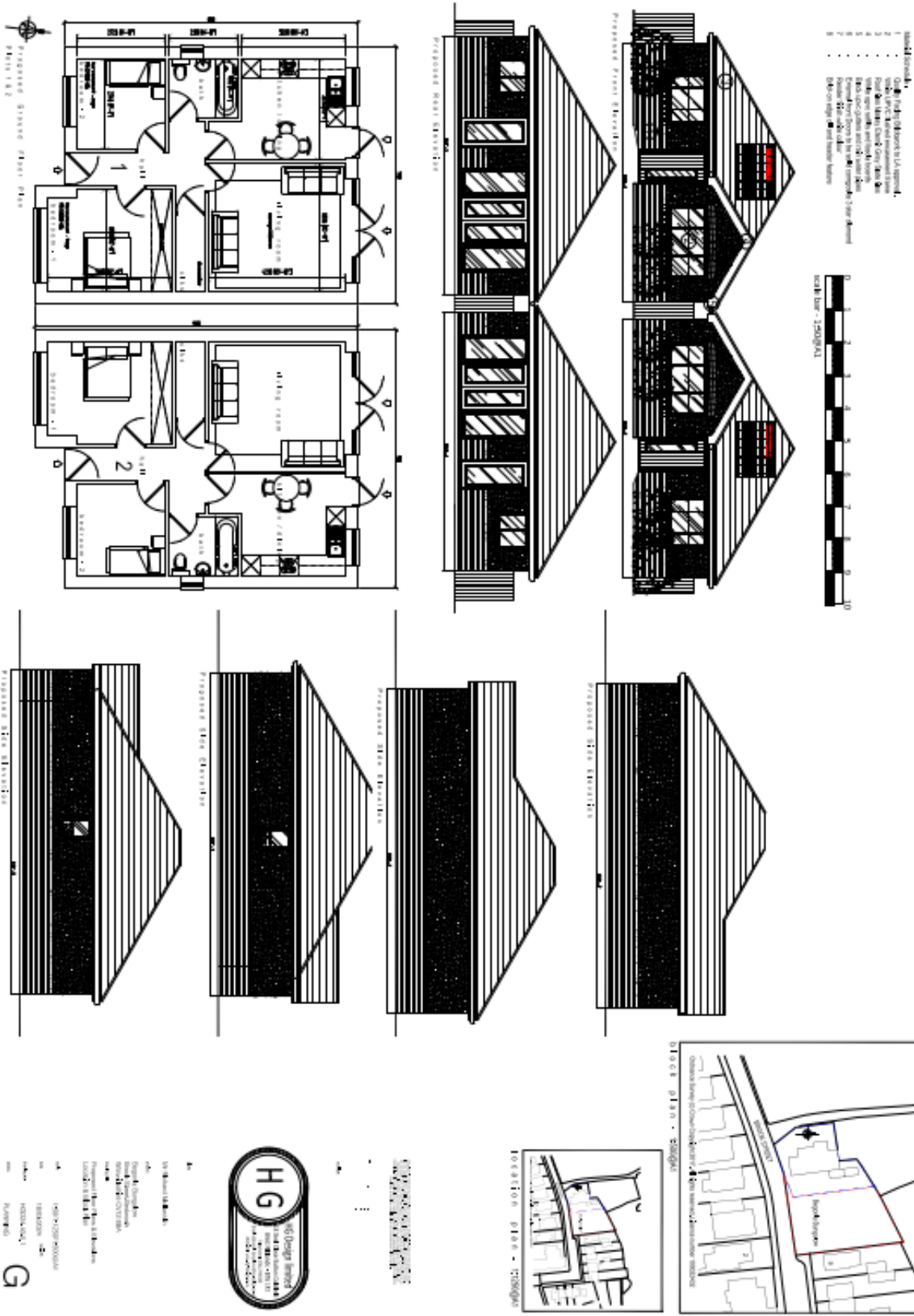
SCHEDULE OF CONDITIONS:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.
2. The development shall not be carried out other in accordance with the approved plans:

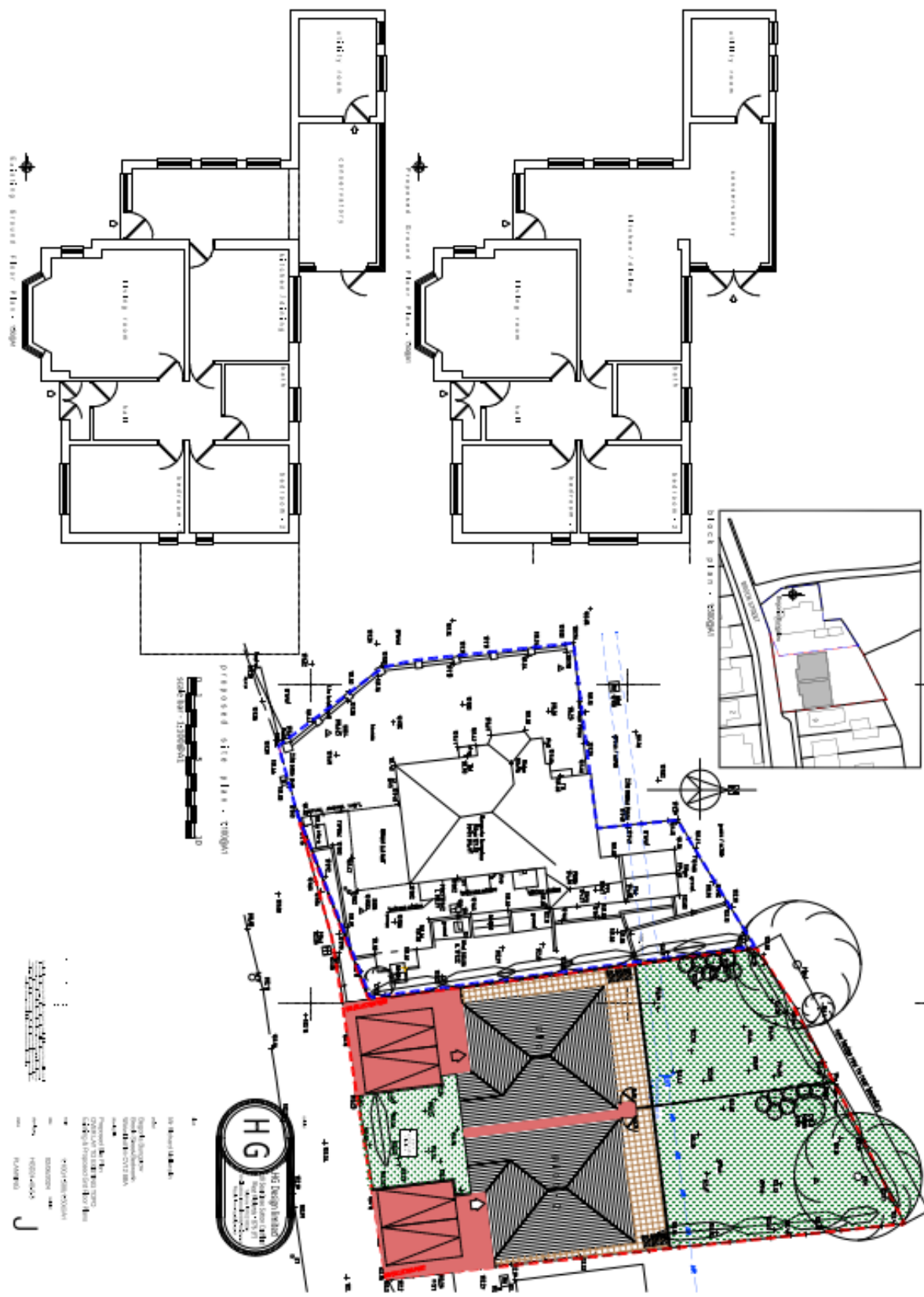
Document Name	Document No.	Date Received
Proposed Floor Plans & Elevations, Location & Block Plan	HGD24-40-5.1G	15 th January 2026
Proposed Site Plan	HGD24-40-5.2G	15 th January 2026
Proposed Site Plan overlay to existing topo	HGD24-40-5.3J	6 th March 2026

3. No development shall commence, including any site clearance, until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. The Plan shall provide for:
 - Working hours
 - Noise control measures during construction
 - Details of the contact for any local concerns with the construction activities on the site
 - The delivery of materials
 - The storage of plant and machinery used in the construction
 - Measures to control the emission of dust
4. No development shall commence, including any site clearance, until detailed plans of the drainage and soakaways for the disposal of surface water and foul sewage have been submitted to and approved by the Council. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
5. No development shall commence, including any site clearance, until a Combined Ecological and Landscaping Scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme must include all aspects of landscaping including habitat creation measures and species enhancements. The agreed scheme to be fully implemented before/during development of the site as appropriate.
6. No development shall commence, including any site clearance, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall be compliant with the British Standard on Biodiversity BS 42020:2013. In discharging this condition, the Local Planning Authority expect to see details concerning pre-commencement checks for protected and notable species and appropriate working practices and safeguards for retained habitats and for wildlife that are to be employed whilst works are taking place on site. The agreed Construction Environmental Management Plan shall thereafter be implemented in full.
7. No development shall commence, including any site clearance, until a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors has been submitted to approved in writing by the Local Planning Authority. The Preliminary Environmental Risk Assessment Report should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
8. Pursuant to condition 7, if the Preliminary Environmental Risk Assessment Report indicates a reasonable likelihood of harmful contamination then no development shall commence, including site clearance, until an Intrusive Site Investigation Risk Assessment Report has been submitted to and approved in writing by the Local Planning Authority. This should include:

- A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and
 - The results from the application of an appropriate risk assessment methodology.
9. Pursuant to condition 8, if harmful contamination is found on site, no development shall commence on site (other than that necessary for the discharge of this condition) until a Remediation Strategy Report, which is to include all relevant remediation method statements has been submitted to and approved in writing by the Local Planning Authority.
 10. Pursuant to condition 8 and 9, if harmful contamination is found and a remediation strategy is required, the development shall not be occupied until:
 - All works which form part of the Remediation Strategy Report pursuant to the discharge of condition 9 above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
 - A Remediation Verification Report confirming that the site is suitable for use has been submitted to and agreed in writing by the Local Planning Authority.
 11. No works to construct the external surfaces of the buildings hereby permitted shall commence until samples of the facing brickwork including the type and colour to be used have been submitted to and approved by the Local Planning Authority in writing. The approved materials shall then be used.
 12. No dwelling shall be occupied until the alterations to Begonia Bungalow, as shown on 'Proposed Site Plan overlay to existing topo, HGD24-40-5.3J', have been implemented and completed in full.
 13. No dwelling shall be occupied until the parking provision has been constructed in accordance with the approved plan titled 'Proposed Site Plan, HGD24-40-5.2F'.
 14. No dwelling shall be occupied until the respective EV charging point for that dwelling has been provided and made available for use with appropriate cabling.
 15. No dwelling shall be occupied until the respective cycle storage point for that dwelling has been provided.
 16. No dwelling shall be occupied until the respective bin storage for that dwelling has been provided.
 17. For domestic heating provision, all gas-fired boiler installations should be low NO_x emission type that meet a minimum standard of less than 40 mg NO_x per kWhr.



Proposed Floor Plans & Elevations, Location and Block Plan- HGD24-40-5.1G



Proposed Site with existing topo overlay- HGD24-40-5.3J

Item No. 3

REFERENCE No. 041362

Site Address: Land west of Bermuda Phoenix Community Centre, Bermuda Road, Nuneaton, Warwickshire

Description of Development: Construction of a local retail store (Use Class E) with associated access and parking, including parking provision for the existing community centre, landscaping and associated works

Agent: Mr Stojsavljevic

Ward: AR

RECOMMENDATION:

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

INTRODUCTION:

Construction of a local retail store (Use Class E) with associated access and parking, including parking provision for the existing community centre, landscaping and associated works at Land west of Bermuda Phoenix Community Centre, Bermuda Road, Nuneaton, Warwickshire.

Site Description

The site forms part of a wider site which benefits from full permission (original permission 031064) for a residential mixed-use development. A large majority of the development under the previous application has been brought forward, however the medical centre and the retail units as part of the local centre have not been brought forward due to a lack of demand at the time. Subsequent to this planning permission, a Section 73 application (Ref. 031653) was submitted and approved in July 2013 which sought to make minor amendments to the form of the local centre. These amendments were to allow the construction of the larger retail unit to come forward alone without the 2no. smaller retail units. However, even so, the proposed retail floorspace has not yet been implemented.

It is the retail element of the approved development that this application is proposing. A separate application for residential accommodation was submitted at the same time as this application but has been independently considered and granted permission under 041361.

The application site at present largely accommodates a grassed area and part of a 40 space car park. The proposed development would see the construction of a small retail store (under Class E) which will adjoin the adjacent Bermuda Phoenix Community Centre. The proposals also include soft landscaping areas on the sites frontage and car parking area. A separate, smaller staff car park is also proposed to the rear of the site.

RELEVANT PLANNING HISTORY:

- 041361 - Development of 100% affordable retirement living apartment scheme (Use Class C3) together with all associated works including communal/operational floorspace, ancillary facilities, car parking and landscaping works. Conditional approval 30 March 2026
- 036217 - Variation of S106 legal agreement under application 031064 to amend the wording relating to the mortgagee. Deed of Variation Issued 07 June 2019.
- 033007 - Variation of condition 2 and 34 of planning permission (031064) to show first floor window in rear elevations of plots 112 and 113 (Land at Bermuda Village). Conditional approval 24 November 2014.
- 032836 - Non-material amendment to approval 031064 variation of condition 2 to show revised materials (bricks) on plots 108-119 (Land at Bermuda Village and land to the east of Bermuda Road & to the south of Radley Drive). Approval 01 October 2012.
- 031716 - Non-material amendment to approval 031064 variation of condition 2 to show revised acoustic boundary next to Hazel Way Industrial Units (Land at Bermuda Village and land to the east of Bermuda Road & to the south of Radley Drive). Approval 04 August 2014.
- 031653 - Variation of Condition 2 of approval 031064 to show amendments to the proposed local centre and variation of conditions 19 and 20 to alter the trigger points for the completion of the new sports facility and open space (Land at Bermuda Village and land to the east of Bermuda Road & to the south of Radley Drive). Conditional approval 17 July 2013.
- 031064 - Erection of 175 dwellings, replacement sports and social club with new sports and recreation facilities (demolition of existing sports and social club), community park, medical centre and local centre, footpaths and cycle ways and associated landscaping. (Land at Bermuda Village and land to the east of Bermuda Road & to the south of Radley Drive)(Re-submission following the refusal of application 030794). Conditional approval 16 December 2011.
- 030794 - Erection of 175 dwellings, replacement sports and social club with new sports and recreation facilities (demolition of existing sports and social club), community park, medical centre and local centre, footpaths and cycle ways and associated landscaping (Land at Bermuda Village and land to the east of Bermuda Road & to the south of Radley Drive). Refused 19 August 2011.

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 – Delivering sustainable development
- DS2 – Settlement hierarchy and roles
- DS3 – Overall development needs
- DS4 – Residential allocations
- E1 – Nature of employment growth
- TC3 – Hierarchy of centres

- NE1 – Green and blue infrastructure
- NE3 – Ecology, biodiversity, geodiversity and Local Nature Recovery
- BE1 – Contamination and land stability
- BE3 – Sustainable design and construction

Supplementary Planning Guidance / Supplementary Planning Documents:

- 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 Gas, Environment Agency, Mining Redemption (Coal) Authority, NBBC Environmental Health, NBBC Open Space Officer, NBBC Planning Policy, NBBC Refuse, Severn Trent Water, WCC Ecology, WCC Highways, Warwickshire Fire Safety, Warwickshire Water Officer.

CONSULTATION RESPONSES:

No objection subject to conditions from:

Mining Redemption (Coal) Authority, NBBC Environmental Health, WCC Ecology, WCC Highways, Severn Trent Water

No objection from:

Cadent Gas, Environment Agency

Comment from:

NBBC Policy, WCC Infrastructure, Warwickshire Fire Safety

No response from:

NBBC Open Space officer, NBBC Refuse, Warwickshire Water Officer

NEIGHBOURS NOTIFIED:

107, 109 & “Bermuda Phoenix Centre” Bermuda Road. 117 & 118 Bermuda Village

Neighbouring properties were sent letters notifying them of the proposed development on 2nd December 2025. A site notice was erected on street furniture on 3rd December 2025 and 24th December 2025.

NEIGHBOUR RESPONSES:

There have been 11 objections from 7 addresses. The comments are summarised below:

1. Insufficient car parking in the locality/ for the centre as existing which will become worse as a result of this development
2. Users of the existing car park will be displaced; impact on people using the community centre
3. Insufficient car parking for the shop and the existing community centre
4. Parking restrictions on nearby roads will prevent on-street car parking for overspill

5. Road safety concerns with Bermuda Road and St. Georges Way and junctions
6. Vehicles speeding in the locality and safety concerns
7. Impact on pedestrian safety
8. Traffic calming measures and pedestrian crossing points are required
9. Increased traffic
10. Bus services are insufficient/ too infrequent
11. Impact on open green space used by the local community for football, bowls etc.
12. Impact on biodiversity

There has been 1 letter of support from 1 address, the comments are summarised below:

1. A local shop is needed in the area

APPRAISAL:

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

1. The Principle of the Development
2. Impact on Residential Amenity
3. Impact on Visual Amenity
4. Impact on Highway Safety
5. Land Contamination and Coal Mining
6. Biodiversity and Ecology
7. Conclusion

1. The Principle of Development

- 1.1. 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.
- 1.2. Paragraphs 125c and d of the NPPF states planning policies and decisions should *'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused ... promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks...'* It is therefore considered that the NPPF encourages LPAs to give substantial weight towards the use of previously developed land to accommodate housing and other uses.

- 1.3. 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.
- 1.4. Policy DS4 notes alongside that strategic allocations that there are also non-strategic sites are allocated for residential development within the plan period. This includes *NSRA10: Land at Bermuda Road, Nuneaton (Alternative Site Reference: ARB-1)* which considers that the principle of the development on this site shall be for 25 (approximate) dwellings or 60 extra-care units. NSRA10 states the following:
- The site is partially community use and partially vacant land. Due to previous land uses in the area (Bermuda Landfill Site - a former landfill site that accepted waste material) there may be potential for landfill gas to be generated. Developers may be required to carry out a comprehensive risk assessment due to the risks the former landfill site poses. The local authority's Environmental Health and Building Control departments would wish to ensure that any threats from landfill gas have been adequately addressed in the proposed development.
 - The site has planning consent for a GP surgery (Application reference 031064). Development on this site would need to demonstrate that delivery of a medical centre is not viable.
 - The Phoenix Centre will be retained, and car parking reconfigured to accommodate new residential development or potentially extra care units.
 - Any re-provisioning of car parking should not take place on the adjoining playing field land nor should the proposed residential development prejudice the use of the playing field site.
 - Opportunities exist to retain existing drainage features and associated vegetation in the west of the site. New hedgerows should be introduced to the site to provide structure to the landscape and new habitats and linkages should be provided to the public right of way to the east and open space to the north. Any open space or car park within the development should have pedestrian links to community facilities to the north and appropriate landscape treatment.
 - The site has local ecological value, that if managed sensitively, has the potential to become of county importance in the short-term. The Bermuda Phoenix Recreation Ground also has this potential.
 - Maintain and enhance the connectivity between Harefield Lane with the Bridleway.
- 1.5. In principle, development which abides by NSRA10 considerations is likely to be considered acceptable. In reviewing the relevant points of NSRA10 in relation to this development, comments have been made by NBBC Planning

Policy in relation to the GP surgery, requesting evidence that its delivery would not be viable. In this respect, evidence has been submitted to the council by the planning agent stating – *“The applicant had correspondence with the NHS in 2023 whilst the NHS were undertaking their Primary Care Network (PCN) Estate Plan. The NHS confirmed at that time that they had no requirements for a facility in this location. As landowner of the application site, Deeley has not been approached since these discussions by the NHS Trust for the medical centre. There are however several medical centres in the wider area which existing and future residents can utilise, the current GP provision in the area includes Old Mill Surgery (0.9 miles distance), Arbury Medical Centre (1.2 miles distance) and The Chaucer Surgery (1.7m miles distance), in addition to the George Eliot Hospital (0.4m miles distance). Due to the existing provision in the area against the population size and the absence of demand for the delivery of a medical centre since the grant of planning permission in 2011 [under 031064], this clearly demonstrates the lack of demand for this facility in this location”.*

- 1.6. The Council have considered the arguments as submitted and conclude that sufficient evidence has been submitted to demonstrate that the delivery of a medical centre is neither viable, nor required. All other matters under NSRA10, including retention of the Phoenix Centre and the re-provision of car parking to not take place on the playing field are acceptable. The development has shown that the car parking within the development would have pedestrian links to the community facilities in the north and appropriate landscaping has been retained and enhanced where appropriate. The proposal is therefore considered compliant with NSRA10.
- 1.7. It is noted that NSRA10 does not refer to the use of the land for commercial uses, as is proposed under this application. Retail units (Class E) are considered as a main town centre use, defined in Annex 2 of the NPPF, and such uses should be, in the first instance, directed to town centres in line with Policy TC3 (including district and local centres). However, 031064 is considered an extant planning permission, which included the principle of a new local centre. This scheme approved three retail units (total approx. 650 sq. m), which is a site area larger than the proposed development. The proposal was then amended following an approved S73 application to provide a single retail unit alongside the community centre building. A single retail unit, as is proposed under this scheme, would not be considered as the same principle of development as a local centre, which would typically be made up of a number of retail units. However, the approval of this application clearly demonstrated that the principle of retail uses at this location and this scale is acceptable.
- 1.8. It is considered that the proposed retail unit would serve the day-to-day shopping needs of existing local residents in the immediate area. It is also noted that under application 041361 that the site is not within the required walking distance of a local or district centre, as required by Policy TC3, and was concluded that that this retail store would help to mitigate the lack of a centre at this location. NBBC Policy have reviewed this application and have no raised any objections to the principle of retail development in this locality. Therefore, although this development would introduce a main town centre use outside of the town centre (or local/ district centre), the principle of development has

previously been established as acceptable and given that there is an extant planning permission for retail uses on this site, which could still be built out on the site, the principle of the development is found to be acceptable on balance. Furthermore, as the Council accept that the principle of a retail use, although not in strict accordance with Policy TC3 given its location, due to the fall-back option under the extant permission, it is considered that restrictions to the use of the building shall be restricted.

2. Impact on Residential Amenity

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

2.2. Paragraph 135f of the NPPF is also relevant and sets out the need for planning to deliver a high standard of amenity for all existing and future occupants of buildings. The scheme would result in changes on the site as previously outlined.

2.3. It is noted there are no residential properties adjoining the site. The nearest residential properties are set back from the site by Bermuda Road. The LPA's distances standards contained within the Sustainable Design and Construction Checklist are therefore all considered to be achieved. The C3 apartments which are considered under application 041361 would be located west of the site, which would be 11.2m from the site and separated from it by the access road.

Although planning permission has been granted for this scheme, the development has not been built out on site, therefore there is no guarantee that the scheme will come forward. In any case, given the separation distances, it is not considered that the shop will result in detrimental harm to residential amenity.

- 2.4. NBBC Environmental Health have considered that proposal and confirm that they have no objections in terms of the principle of development and noise levels. A noise assessment has been submitted and considered by EH which concludes that significant adverse impacts are unlikely, and while adverse impacts could occur at time at the adjacent apartments facility, any such impacts would be short-lived and limited in extent insofar as they are unlikely to occur everyday. Mitigation is proposed in the form of restricted delivery times, vehicle engines are not permitted to be run while vehicles are stationary, refrigeration units to be shut down while vehicles are stationary and servicing vehicles will not use tonal reversing alarms and only broadband alarms shall be used. On the basis of such mitigation being conditioned, EH concluded that they have no objections.
- 2.5. It is consequently concluded that the development is acceptable, subject to conditions, in terms of the impact on residential amenity.

3. Impact on Visual Amenity

- 3.1. Policy BE3 of the Borough Plan Review states that 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.
- 3.2. Paragraph 135 of the NPPF requires planning decisions ensure that developments:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 3.3. The proposed building would be single storey in nature with a maximum height of 4.8m to ridge and 3.6m to eaves. The materials schedule indicates that the building will be finished in multi red brick and grey standing seam roof. Full height UPVC windows are proposed in the front and side elevations. Photovoltaic (PV) panels are proposed to the southern roof elements.
- 3.4. There is considerable variety in built form and materials in the locality. The recently approved apartments would be finished in multi-red brick and render. On balance, the overall design of the retail unit and the proposed materials are considered appropriate in their style, scale and finish. On balance, the proposal is considered acceptable in terms of the principle of visual amenity.

4. Impact on Highway Safety

- 4.1. 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.
- 4.2. It is noted that part of this site would see the removal of an existing car park. This is used at present for parking for the existing facilities in the locality including the Phoenix Centre and football club/ open space to the north of the site by an informal arrangement only. Based on Google Streetview images, it appears the car park on site has been in its current form since at least Sept 2014, however, this did not form part of the previous planning consent as this land was designated to be landscaping. However, given that the car park has been in place for at least 12 years, it is the LPA's understanding that the car park in its current arrangement would now be lawful development. Furthermore, there are no planning conditions from the previous application which would require this car park to remain in situ. Whilst it is noted users of nearby facilities make use of the existing car park, it is not tied to these facilities and can be closed by the land owner at any time, regardless of the outcome of either this application or the associated application under 041361. The proposal would provide 25 car parking spaces including 2 accessible parking spaces and 3 staff parking spaces.
- 4.3. As the technical consultee with expertise in such matters, WCC Highways comments should be given significant weight. Correspondence, including a meeting, was held between the Highway Authority, applicant and Local Planning Authority to discuss the various points raised in the Highway Authority's initial response. The Highway Authority's latter response noted: *Concerns were raised regarding the loss of the existing car park however as*

set out by the applicant the car park was provided originally in anticipation of the originally proposed retail, medical and community units. Ultimately only the community unit was ever constructed however the car park remained available for use by the public regardless. The level of parking provided was previously agreed to serve the various proposed uses. There is currently no requirement for the car park to remain available for use and could be closed at any time by the land owner, therefore the loss of the car park could occur regardless of the proposals. The proposed uses for the retail development the adjacent apartment building are far smaller scale than the original uses proposed which were all considered acceptable. The proposals are therefore considered to be nil detriment/ betterment to the currently approved position on-site.

- 4.4. In terms of the proposed car parking arrangement, the Highway Authority stated: *After review of the previous approved parking provision a total of 13 spaces were required for the retail aspect and 24 spaces for the community centre for a total of 37 spaces (not including the medical centre) and parking was to be provided in excess of these requirements. Parking standards have changed for retail uses and more parking is now required (1 per 25sqm rather than 1 per 40sqm). Assuming that the community centre is the approved 520sqm and the proposed 237sqm retail this would require provision of 30 spaces (old standard) or 34 spaces (new standard). The proposals are therefore between 5 and 9 spaces short of NBBC standards. Whilst no justification has been provided for this, the Highway Authority is not concerned with the shortfall given the sustainable location and parking restrictions are provided in the area to protect unsuitable parking within the highway.*
- 4.5. In terms of the access arrangements, no changes are proposed. The Highway Authority stated that: *The access as previously accepted to serve a much higher scale development and so would be considered acceptable for the proposals put forward here. Road markings have been confirmed, tactile paving clarified and other associated changes with the parking layout have been made in accordance with the recommendations from the Highway Authority which are all considered suitable.*
- 4.6. On the basis of the amended plans as submitted, the Highway Authority confirm that they have no objections subject to conditions.
- 4.7. Among other matters, Policy HS2 of the Borough Plan Review states that the council will require measures for new development to provide infrastructure to deal with the issues of air quality, which at its minimum, development will need to provide electric vehicle charging points and dust management plans. It also requires development to result in acceptable levels of impact on existing highways networks. Proposals should target a minimum 15% modal shift to non-car-based uses by including provisions which promote more sustainable transport options. The Councils parking standards, as set out in the Transport Demand Matters – Parking Standards SPD require:
- 1 cycle space per 200 sq. m of floor space for customer use and 1 cycle space per 10 employees

- For non-housing development, 10% of parking spaces should be provided with 32amp charging points.
 - At least 1 EV charging unit should be provided for every 10 disabled parking spaces
- 4.8. The proposed site plan confirms that secure cycle parking will be provided within the site under a canopy for up to 8 spaces. The number of spaces is in excess of that required by this development, however, the number as proposed is considered acceptable. The proposal would also provide 3 EV parking spaces, including 1 charging unit on the disabled parking space. This would be in accordance with the SPD requirements.
- 4.9. On balance, the proposal is considered acceptable, subject to conditions, in terms of highway safety and parking provision.

5. Land Contamination and Coal Mining

- 5.1. 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.
- 5.2. NBBC Environmental Health and the Mining Remediation (Coal) Authority have considered this application. Firstly considering the comments from the Mining Redemption Authority, they state that: *The application site falls within the Coal Authority's defined Development High Risk Area. Therefore within the application site and surrounding area there are recorded coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process. The Coal Authority records indicate that within 20m of the site boundary there is a recorded mine entry (CA shaft ref: 435290-006). Records show that the shaft was considered filled by the former NCB (National Coal Board) in 1950. The shaft was located and treated by M&J Drilling Services Ltd in July 2012. Treatment consisted of pressure grouting the column in 2m stages from the base until topping out. Total grout intake between the primary and secondary treatment holes was 25 tonnes. A grouted plug was then formed above the shaft using a 5:1 PF to cement mix with a total grout intake of 3 tonne. Whilst there could be some deviation from its current recorded position, it would appear unlikely that this would impact on this current application site. Notwithstanding the above, the site also lies within an area of probable historic unrecorded shallow coal mining and a coal seam of workable thickness is recorded to outcrop at or close to the surface within the eastern part of the site that may have been historically worked from the surface to shallow depths beneath the site. These coal mining features could affect public safety and surface stability for the proposed development.*
- 5.3. The planning application is accompanied by a Preliminary Ground Investigation Report. Based on this, the Mining Redemption Authority have confirmed that they have no objections considering the content and recommendations made

by the report authors with regards to former coal mining activity subject to conditions.

- 5.4. In relation to contaminated land, NBBC Environmental Health raised concerns that the data and samples as submitted were 14 years old, especially considering that ground gas was considered a potentially considerable risk at the time. On this basis, an up-to-date investigation and gas protection design for the site was requested. This was subsequently submitted and reviewed.
- 5.5. The updated report states that investigation works are still ongoing and a separate report will be forthcoming, it also recommends a coal mine gas risk assessment, discovery strategy and gas protection measures are still required. As such, EH stated that the remedial strategy cannot yet be judged as complete. However, the details as currently submitted are acceptable in principle and a condition is recommended to be included on the decision notice in relation to further investigation works, including coal mine gas risk assessments, to be undertaken and submitted prior to commencement.
- 5.6. On balance, it is considered that subject to conditions, the proposal is acceptable in terms of the impact on land contamination.

6. Biodiversity and Ecology

- 6.1. The NPPF and Policies NE1 and NE3 of the Borough Plan Review seek to conserve, enhance, restore and, where appropriate, create biodiversity and ecological networks, an approach also reflected in the Council's adopted Open Space and Green Infrastructure SPD. Policy NE3 goes on to state that the use of mechanisms to improve biodiversity such as green roofs or green walls are encouraged, albeit these cannot be insisted upon. Proposals that may affect ecological networks or important geological features must be supported by a Preliminary Ecological Appraisal and, where relevant, further detailed assessments. This is reiterated in more detail in the Open Space and Green Infrastructure SPD.
- 6.2. WCC Ecology have considered this proposal and state that an ecological survey was undertaken in 2023, with an updated survey completed in September 2025. The site comprised modified and neutral grassland, introduced shrub and areas of hardstanding. In terms of species, a reptile survey was undertaken in 2023, during which no reptiles were recorded. WCC Ecology agree with the report's conclusion that great crested newts are likely to be absent from the site, as the on-site habitat is sub-optimal and the nearest pond was dry at the time of survey. As recommended in the ecological report, a Construction and Ecological Management Plan (CEMP) should be produced. This has now been submitted and reviewed, with WCC Ecology stating that the CEMP is comprehensive and includes all necessary mitigation measures. On this basis, works shall be carried out in accordance with the CEMP.
- 6.3. Biodiversity Net Gain, which became mandatory under the Environment Act 2021, specifically implemented through Schedule 7A of the Town and Country Planning Act 1990, as inserted by Schedule 14 of the Environment Act 2021. This policy requires minor planning applications to achieve a minimum of

10% net gain in biodiversity compared to the pre-development state. The application site is approximately 0.19ha in area and comprises a mixture of modified and other neutral grassland and hardstanding.

- 6.4. The submitted Statutory Metric has been reviewed and WCC Ecology confirm that this has been completed correctly and demonstrates that the development will result in a deficit of 0.52 habitat biodiversity units. There will be no impact on hedgerow biodiversity units. It has been indicated that the required 10% biodiversity net gain (0.58 habitat units) will be achieved through purchasing biodiversity units from a habitat bank.
- 6.5. A Biodiversity Gain Plan must be submitted at the discharge of the deemed condition. In addition, the purchase of biodiversity units should be secured through a condition. The habitat creation within the site should also be secured through a condition. The proposed on-site habitat creation does not constitute a 'significant' enhancement, therefore, monitoring by NBBC is not required.
- 6.6. In terms of lighting of the site, WCC Ecology welcome the lighting strategy and the commitment to minimising impacts on valuable ecological habitats. The lighting strategy is considered to be commendable.
- 6.7. Overall, it is considered that subject to conditions, there would be no undue impacts on ecology, biodiversity, landscaping likely to justify reasons for refusal. It is therefore considered the application complies with Policies NE1 and NE3 of the Borough Plan Review, and the OSGI SPD.

7. Conclusion

- 7.1. In conclusion, The NPPF 2024 (Paragraph 11) promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.
- 7.2. The principle of the development, impact on residential amenity, visual amenity, highway safety, land contamination and coal mining and ecology and biodiversity matters have been assessed against the Borough Plan Review 2025. Taking into account the above assessment, on balance it is considered the development would not result in undue conflict within the development plan, or other policies within the NPPF overall and there are no objections from any technical consultees. It is therefore considered the proposed development overall would achieve sustainable development which should consequently be approved subject to conditions.

Appendices

NPPF Annex 2: Glossary defines "Main town centres uses" as "*Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism*

development (including theatres, museums, galleries and concert halls, hotels and conference facilities)”.

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

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

<u>Plan Description</u>	<u>Plan Reference</u>	<u>Date Received</u>
Site location plan	B5999/P0001 Rev. A	14/11/2025
Proposed site plan	B5999/P003 Rev. E	02/03/2026
Proposed ground floor plan	B599/P004 Rev. B	14/11/2025
Proposed roof plan	B599/P005 Rev. A	14/11/2025
Proposed elevations	B599/P006 Rev. C	02/03/2026
Proposed Site Sections	B5999 / P007 Rev. C	02/03/2026
Proposed Boundary Treatment + Hard Landscaping Plan	B5999 / P008 Rev. E	02/03/2026

3. No development shall commence including any site clearance, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to through the construction period. The approved plan shall provide for:

- i. The routing and parking of vehicles of HGVs, site operatives and visitors;
- ii. Hours of work;
- iii. Loading and unloading of plant/materials.
- iv. Storage of plant and materials used in constructing the development.
- v. The erection and maintenance of security hoarding.
- vi. Wheel washing facilities to prevent mud and debris being passed onto the highway.
- vii. A scheme for recycling/disposing of waste resulting from construction works.
- viii. Emergency contact details that can be used by the Local Planning Authority, Warwickshire County Council and public during the construction period.

4. The development hereby approved shall not commence until a Dust Management Plan has been submitted for that phase and approved in writing by the Council. The plan shall detail measures for the control and reduction of dust associated with demolition, earthworks, construction and arrangements for monitoring air quality during construction. Only the agreed details shall be implemented on site and shall be adhered to throughout the duration of construction.

5. The development hereby approved shall not commence until:

a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

6. The development hereby approved shall not commence until detailed scheme to deal with land contamination and ground gas risks has been submitted to and approved in writing by the Council. The scheme shall be based on the submitted site investigation and land contamination report and shall include:

- an updated site investigation, including the outstanding mine shaft / zone of influence assessment;
- details of any required coal mining remedial works
- a coal mine gas risk assessment;
- a scheme of gas protection measures, including full specification and installation details; and
- a verification and validation strategy detailing how the effectiveness of the remediation and gas protection measures will be demonstrated.

The approved scheme shall thereafter be implemented in full in accordance with the approved details. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Council. The remediation strategy shall then be implemented as approved. Following completion of the approved remediation and gas protection measures, a verification report demonstrating their effectiveness shall be submitted to and approved in writing by the Council prior to first occupation of the development.

7. The development hereby permitted shall not commence, including site clearance, until proof that offsite biodiversity units have been purchased and allocated to the development by a Biodiversity Gain Site on the Biodiversity Gain Sites Register has been submitted to and approved in writing by the Local Planning Authority.

8. No development above ground level shall commence until a Biodiversity Management Plan (BMP) to include a plan of habitats, biodiversity enhancements and long-term management (to include location of measures, installation timescale, timing of works, species lists for proposed planting) has been submitted to and approved in writing by the Local Planning Authority. Such measures will be shown on all applicable annotated site plans and elevations, such approved mitigation and enhancement measures shall thereafter be implemented in full and maintained in strict accordance with the approved details in perpetuity.

9. No development above ground level shall commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first occupied and thereafter managed and maintained in accordance with the approved details.

10. The development shall not be occupied until the vehicular access, car and cycle parking and manoeuvring areas have been provided, laid out and made available for use in accordance with the approved site plan No. B5999/P003 Rev E (received by the Council on 2nd March 2026). Thereafter, these areas shall be retained, kept available for their intended purposes and shall not be used for any other purpose for the lifetime of the development.

11. The development shall not be occupied until a Delivery and Servicing Management Plan has been submitted to and approved in writing by the Council, in consultation with the Highway Authority. The Plan shall include details of the size and type of vehicles servicing the site, delivery and servicing hours, routing, loading/unloading arrangements, and measures to manage and control servicing activity. The approved Delivery and Servicing Management Plan shall be implemented in full prior to first occupation and shall thereafter be operated in accordance with the approved details for the lifetime of the development unless otherwise agreed in writing by the Council.

12. The development shall not be occupied until the refuse and recycling storage facilities shown on the approved site plan No. B5999/P003 Rev E (received by the Council on 2 March 2026) have been provided and made available for use. The facilities shall thereafter be retained for their intended purpose and shall not be used for any other purpose.

13. Notwithstanding the details submitted, nor condition 2 above, the Proposed Boundary Treatment + Hard Landscaping Plan No. B5999/P008 Rev. E (received by the Council 2nd March 2026) shall be carried out in accordance with the approved hard landscaping details only (excluding boundary treatments and any advertisement/totem signage). The approved areas shall be laid out, surfaced and clearly marked in accordance with the approved details prior to the first occupation or first operational use of the development and shall thereafter be permanently retained and kept available for the parking and manoeuvring of vehicles associated with the development.

14. Notwithstanding the details submitted, nor condition 2 above, the Proposed Boundary Treatment + Hard Landscaping Plan No. B5999/P008 Rev. E (received by the Council 2nd March 2026) prior to the installation of any boundary treatments, details of all walls, fences and other means of enclosure shall be submitted to and approved in writing by the Council. The approved boundary treatments shall thereafter be installed prior to first occupation of the development and retained for the lifetime of the development.

15. The external lighting for the development shall be installed in full accordance with the Lighting Impact Assessment reference 30019-LIGH-0402-RevB and the associated LUX contour plan No. 30019_02_100_02b (received by the Council 14th November 2025). The lighting shall be installed prior to first use of the development and shall thereafter be retained and maintained in accordance with the approved details for the lifetime of the development.

16. The development hereby approved shall be carried out in accordance with the mitigation details as set out in the Noise Assessment reference RA00893 – Report 2 (received by the Council 14th November 2025). All approved mitigation measures shall be fully implemented prior to first use of the development and shall thereafter be permanently retained, maintained, and operated in accordance with the approved details for the lifetime of the development.

17. The development hereby approved shall be carried out in full accordance with the landscaping proposals strategy plan No. IDPL LA6132 BP 101 Rev. E and detailed planting plan No. IDPL LA6132 BP 402 Rev. P05 (received by the council on 2nd March 2026) within 12 months of the commencement of the development and subsequently maintained in the following manner:-

Any tree, hedge, shrub, scrub or plant (including any replacements) 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.

18. The development hereby approved shall not be occupied until the Electric Vehicle (EV) charging points to be installed to the allocated bays as shown on the proposed site plan No. B5999/P003 Rev E (received by the Council on 2nd March 2026) have been installed in accordance with the approved details and shall be maintained in perpetuity. In addition, at that time of their installation, the developer shall also ensure that appropriate cabling is provided to enable increase in future provision.

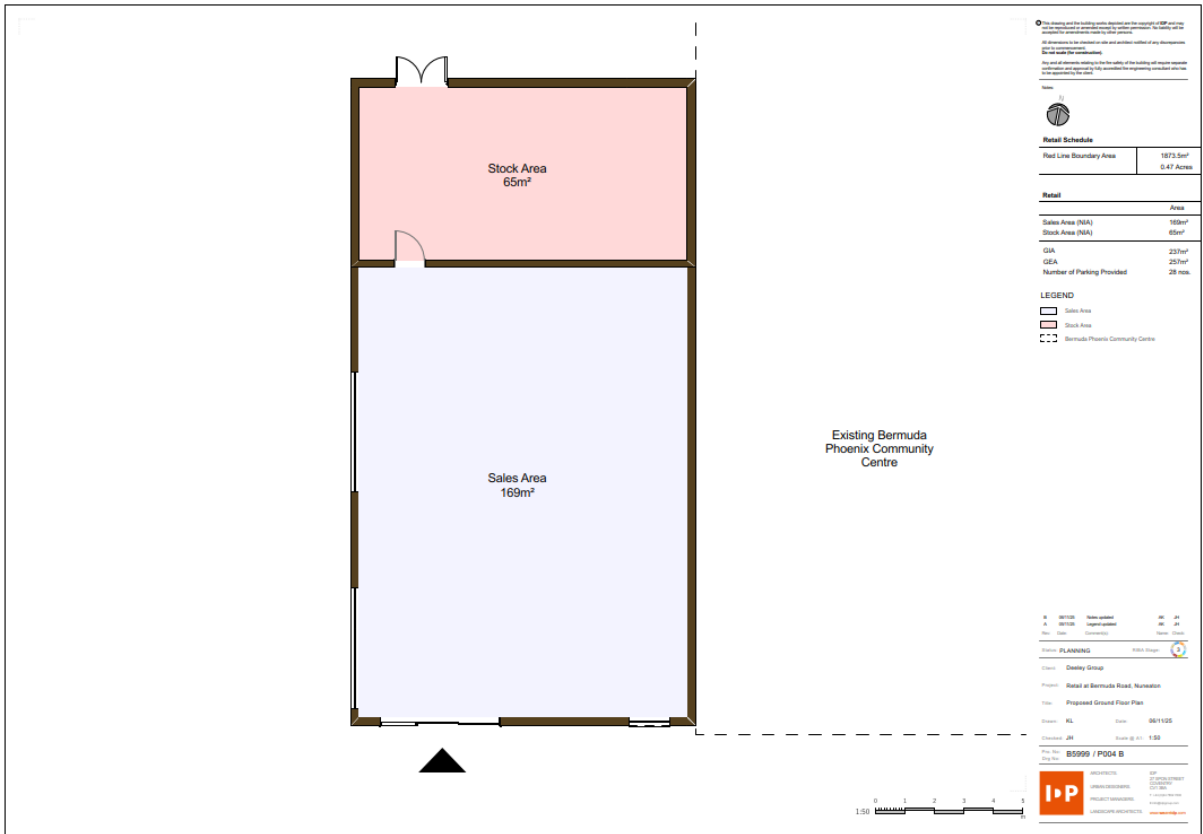
19. The development hereby approved shall be constructed in full accordance with the materials scheduled contained on the proposed elevations plan No. B5999/P006 Rev. C (received by the Council 2nd March 2026) unless otherwise agreed in writing by the Council.

20. No external extraction or ventilation equipment shall be installed without the prior written consent of the Council, details submitted should include technical specifications, appearance, siting/placement, noise generation and other pertinent details. The extraction or ventilation equipment shall then be installed and operated in accordance with the approved details and maintained as such in perpetuity.

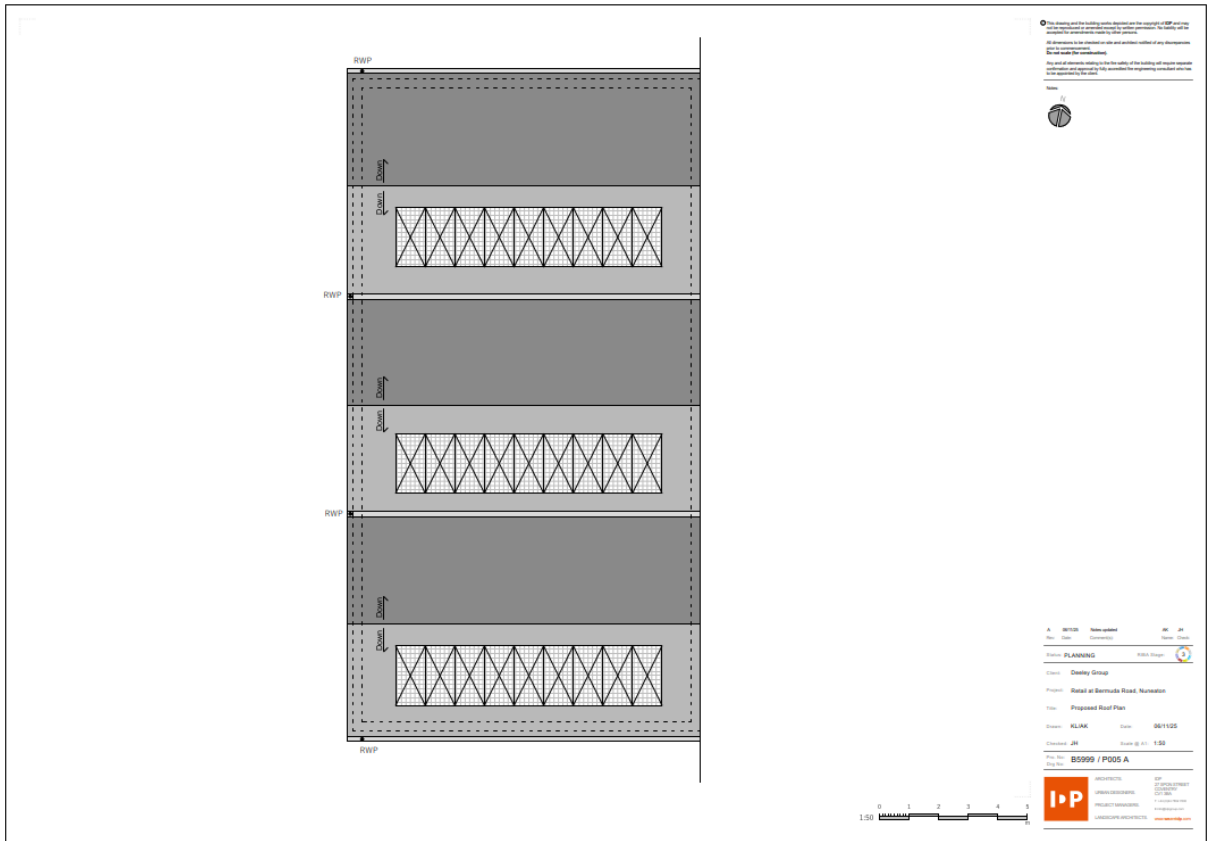
21. The use of the development by customers shall be restricted to the hours of 07:00 to 22:00 Monday to Sunday, including Bank Holidays. No customers shall be permitted



Proposed Site Plan



Proposed ground floor plan



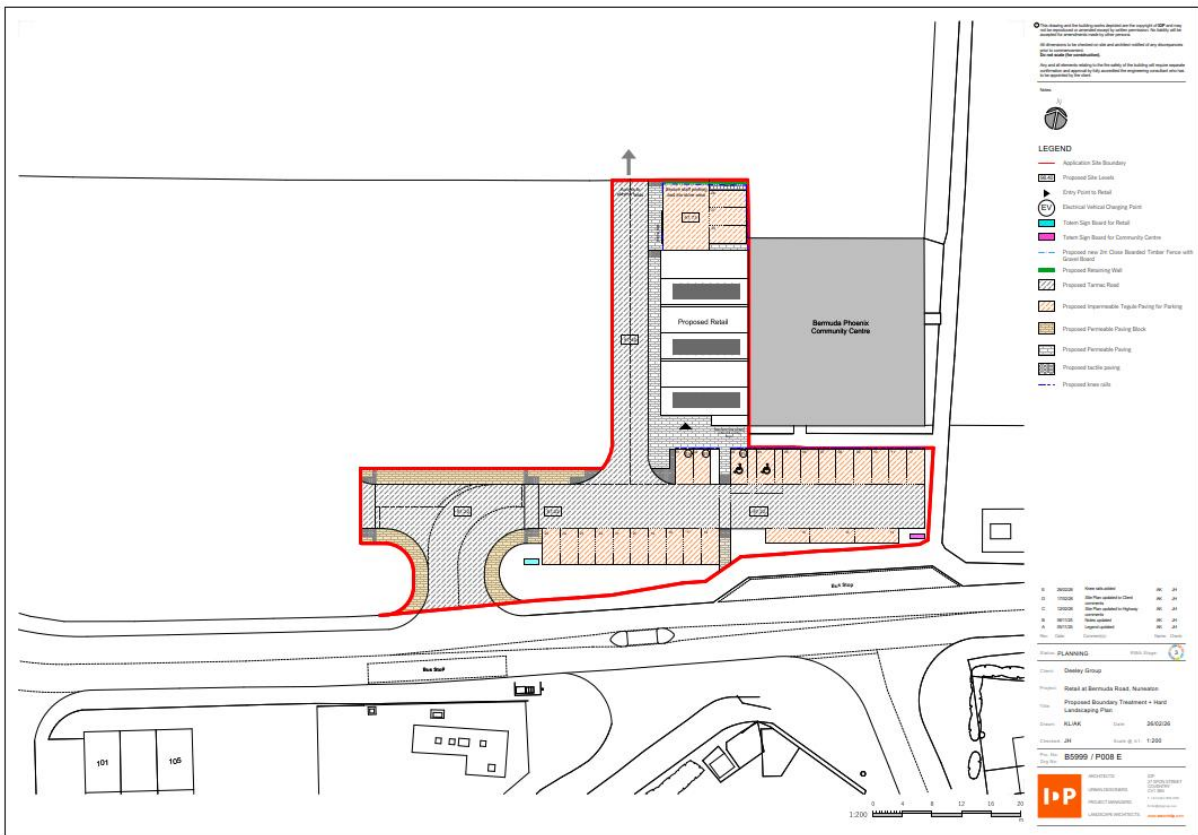
Proposed roof plan



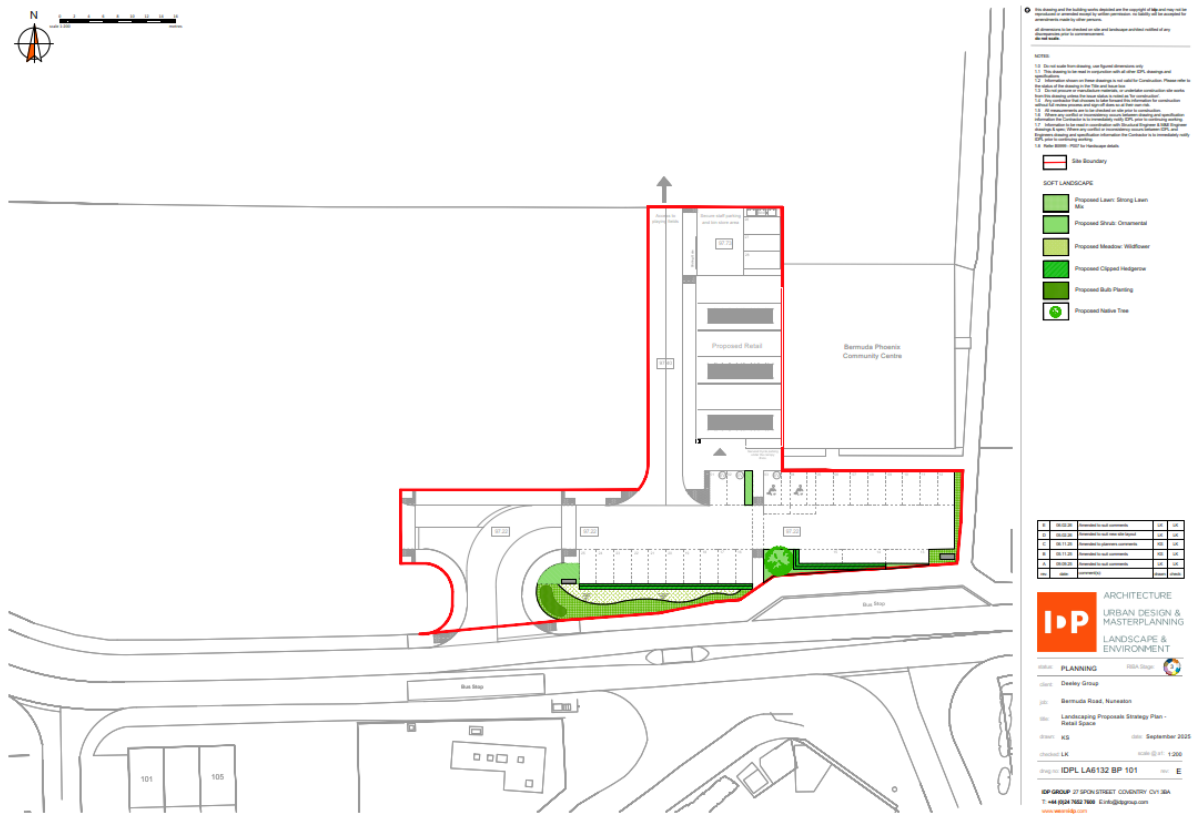
Proposed elevations



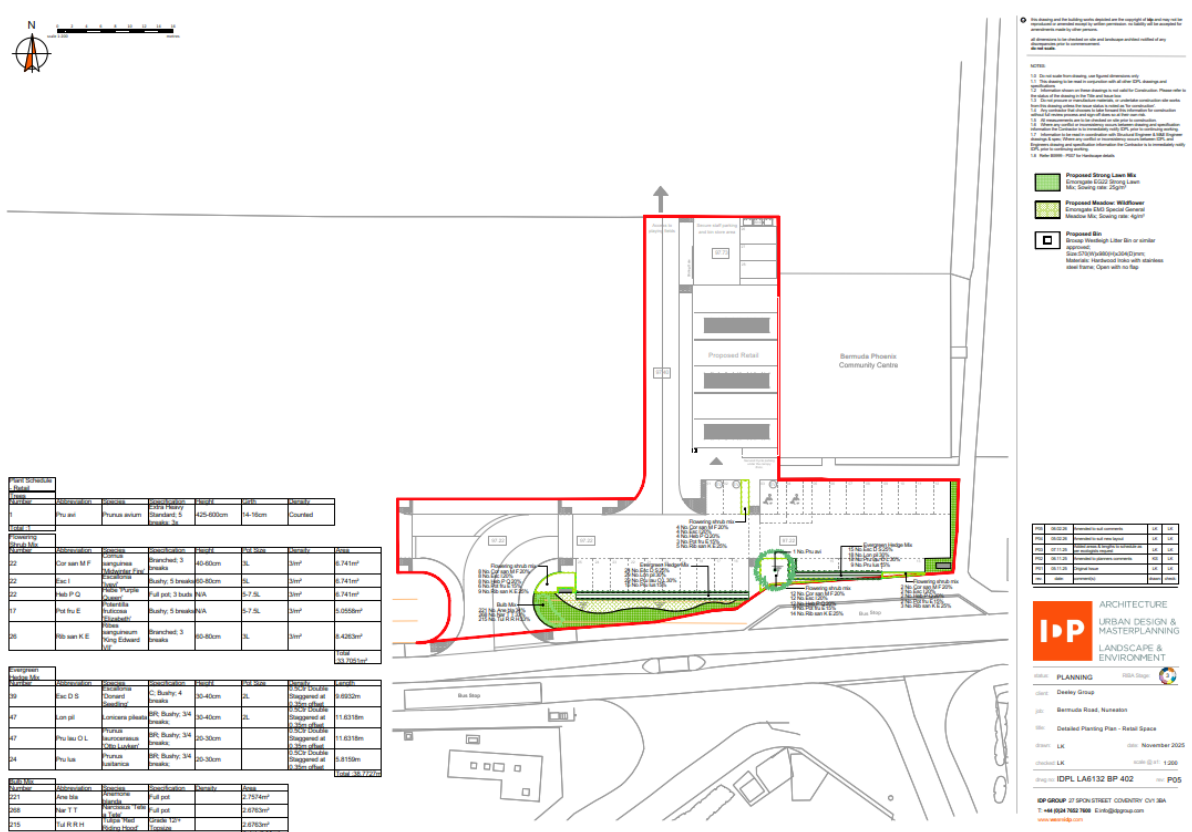
Proposed site sections



Proposed Boundary Treatment + Hard Landscaping plan



Landscape Porposals Plan



Detailed planting plan

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)