

PLANNING APPLICATIONS COMMITTEE

ADDENDUM 21st April, 2026

Item

- 1 Amend Description to read: Outline planning permission for up to 22no. residential dwellings with all matters reserved except for access (to include the demolition of the stables to the north of the site)

Amend: Consultation Responses to include:
No objection subject to conditions from:
NBBC Environmental Health

Amend paragraph 11.3 to read:

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.

Add paragraphs 11.5 to 11.8 to Noise:

11.5. However, since the previous committee and the publication of the committee agenda, a consultation response has been received from NBBC Environmental Health. The position set out in paragraph 11.4 was formed in the absence of a response from Environmental Health at that time. Now that specialist advice has been received, this supersedes the earlier position. Environmental Health have advised that a noise assessment should be secured by way of a pre-commencement condition. This has been forwarded to the applicant and their agent and has been agreed. As such, a revised assessment is provided below.

11.6. One of the reasons for the deferral was to further consider the potential noise impacts of the proposed development. The advice from Environmental Health confirms that, given the site location and surrounding context, a detailed noise assessment is required to fully understand the impact of existing and foreseeable noise sources on future occupiers. The imposition of a pre-commencement condition will ensure that this assessment is undertaken prior to development and will enable the Local Planning Authority to retain control over the design and implementation of any necessary mitigation measures. This is now considered appropriate and reasonable given the nature of the development and the concerns raised.

11.7. The proposed condition requires a comprehensive noise assessment, including baseline survey work, identification of all relevant noise sources, and demonstration of how good acoustic design has been incorporated into the layout and design of the development. It also requires compliance with BS 8233:2014, and the submission of detailed mitigation measures where

necessary, such as glazing, ventilation, and layout solutions. The requirement for implementation prior to occupation and retention thereafter ensures that mitigation is effective and enforceable and thus can be included in the condition wording.

11.8. On balance, having regard to the consultation response from Environmental Health, the reasons for deferral, and the need to ensure amenity for future occupiers, it is considered that noise impacts can be appropriately addressed through the imposition of the proposed condition. This approach is consistent with the NPPF and Policy BE3 of the Borough Plan Review. This condition is also on the addendum, as condition 28.

Delete: Paragraph 13.2 (page 38)

Add:

13.2. NBBC Environmental Health were consulted on the application and have now responded with no objection, subject to a number of conditions relating to contaminated land, being attached to the decision notice. At the time of preparing the agenda no response had been received, however this has now been received.

13.3. The information submitted with the application indicates the presence of made ground and potential waste materials, together with evidence of fly tipping. These factors, NBBC Environmental Health believes, suggest there is a reasonable likelihood of land contamination. In addition, the submitted information recommends that intrusive site investigation is undertaken to establish ground conditions and to determine the nature and extent of any contamination.

13.4. In the absence of a detailed site investigation and risk assessment, it is not possible at this stage to fully characterise potential pollutants or contaminants or to determine the risks to human health, controlled waters, property, or the wider environment. The presence of made ground and evidence of fly tipping are commonly associated with elevated contamination risks, and therefore further investigation is necessary to ensure that the site is suitable for its proposed use. The approach of securing site investigation and any necessary remediation by condition is considered appropriate in this instance, as it accords with the National Planning Policy Framework. This ensures that unacceptable risks are identified and addressed prior to development progressing, while allowing the application to be determined without undue delay.

13.5. The imposition of these conditions is necessary to ensure that the development does not give rise to unacceptable risks to human health or the environment due to land contamination, and to comply with the requirements of the NPPF and the relevant Borough Plan Review 2025 policies relating to land contamination.

As previously noted, one of the deferment reasons provided by the committee was to allow for the attendance of a highways officer at either the site visit, the committee meeting, or both. Planning Officers have made several requests for

a representative from the County Council to attend these events. Unfortunately, due to current capacity constraints, a representative from WCC Highways is unable to attend the Planning Applications Committee this evening. WCC Highways have provided an updated response, which is below:

Highway Authority Addendum Note - to support the NO OBJECTION recommendation

Planning Application: 041073

Site: Land off New Road / Elwy Circle, Ash Green

Proposal: Residential development (access to be determined)

Highway Authority: Warwickshire County Council (WCC)

Purpose of this Addendum

This note is provided by Warwickshire County Council in its role as Highway Authority to clarify and summarise the final highway and road safety position in respect of Planning Application 041073, following extensive technical review, Road Safety Audit (RSA) work, consultation with the Safety Engineering Team, and consideration of local representations. This note should be read alongside the Highway Authority consultation response dated 13th February 2026 and the supporting technical submissions.

Statutory Role and Decision-Making Context

Warwickshire County Council is a statutory consultee on planning applications, providing expert technical advice on highway safety and operation. The decision to approve or refuse planning permission rests with Nuneaton and Bedworth Borough Council as Local Planning Authority.

In accordance with paragraph 116 of the National Planning Policy Framework, development **should only be refused on highway grounds where the impact would be severe.** The Highway Authority's role is to assess whether impacts can be mitigated to an acceptable level; where this is not possible, objection is made.

Considering development proposals

115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
 - a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
 116. 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.
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Summary of Initial Highway Concerns

During earlier stages of the application, the Highway Authority raised multiple

formal objections, including but not limited to:

- suitability of the proposed access arrangement
- need for a full Stage 1 Road Safety Audit
- adequacy of visibility splays
- pedestrian safety and sub-standard footway width
- carriageway condition and braking risk on New Road
- swept path acceptability for refuse and service vehicles
- tree canopy impacts at the junction
- potential need for parking controls within visibility splays

These objections were formally recorded and maintained until the issues were addressed through further submissions, meetings, and agreed mitigation.

Road Safety Audit Process and Safety Team Involvement

A Stage 1 Road Safety Audit was undertaken in accordance with GG119 by independent auditors (TMS Consultancy). The audit identified Problems 3.1 to 3.7.

<file:///C:/Users/lgue/Downloads/GG%20119%20Road%20safety%20audit%20-%20Version%202.0.1.pdf>

A detailed Designer's Response was prepared and reviewed, and Warwickshire County Council's Safety Engineering Team (including the Principal Road Safety Engineer) was actively involved in resolving the outstanding matters. The Safety Team confirmed willingness to attend meetings specifically to assist in resolving the RSA problems and enabling the scheme to progress safely.

The following outcomes were agreed:

- RSA Problems 3.1–3.4 (lighting, pedestrian crossings, tree canopy) resolved or secured through S278 detailed design
- RSA Problem 3.5 (pedestrian safety) resolved through footway clearance to 1.8–2.0m and provision of full-height kerbs across the visibility splay
- RSA Problem 3.6 (carriageway condition / braking risk) **addressed through proportionate mitigation including advance warning signage and SLOW markings, agreed with the Safety Team as suitable for this context**
- RSA Problem 3.7 (parking within visibility splays) resolved, with independent speed data confirming splays substantially exceed minimum requirements

The RSA auditors confirmed that, under GG119, there is no requirement for further audit challenge at this stage and that **matters can be secured through conditions and Section 278 delivery.**

Traffic Speeds, Visibility and Capacity

Independent Automatic Traffic Counts undertaken in September 2025 recorded 85th percentile speeds of approximately 34.1mph eastbound and 33.2mph westbound, consistent with a 30mph urban environment.

Based on measured speeds:

- achievable visibility splays of approximately 95–101 metres are provided
- splays significantly exceed minimum standards
- forward visibility for right-turning vehicles is acceptable

The Transport Statement confirms that the development would not result in a severe impact on the operation or capacity of the highway network and that no further junction capacity assessment is required.

Pedestrian Safety and Representations

Concerns have been raised by local residents regarding pedestrian safety along New Road, including narrow footways and proximity to passing vehicles. The Highway Authority acknowledges these concerns as reflecting existing conditions on the public highway. Importantly, the development has been used as a mechanism to secure measurable safety improvements, including:

- footway widening and clearance to achieve minimum 1.8m width (up to 2.0m where possible)
- replacement of low upstand kerbs with full-height kerbs within the visibility splay
- provision of dropped kerbs and tactile paving at crossing points
- improved junction visibility and warning signage

These improvements would not otherwise be delivered in the absence of the development. Complaints received were handled appropriately in line with statutory roles and correctly differentiated between planning considerations and wider network management.

Final Highway Authority Position

Following resolution of all outstanding matters through the RSA process, Safety Team agreement, independent speed data, swept path analysis and secured mitigation, the Highway Authority issued a response of **no objection**, subject to conditions.

The Highway Authority is satisfied that:

- all Stage 1 RSA issues have been appropriately addressed
- safety mitigation is proportionate, evidence-based and enforceable
- remaining matters are secured through planning conditions and Section 278 agreements
- further Stage 2 and Stage 3 Road Safety Audits will be required prior to

construction and opening of the access

Should new safety issues arise at later audit stages, the developer will be required to address them before the access is brought into use.

Conclusion

In highway and road safety terms, the proposal has been rigorously assessed and can be delivered in a manner that is safe and acceptable, with improvements to existing conditions secured through the development. The Highway Authority therefore has no outstanding highway objections to the proposal, subject to the conditions set out in the formal consultation response.

Add Conditions

27. No development shall commence until:

- a. A contaminated land assessment and associated remedial strategy has been submitted to, and agreed in writing by the Council;
- b. The approved remediation works shall be completed on site, in accordance with a quality assurance scheme, agreed as part of the contaminated land assessment;
- c. If during implementation of this development, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the local planning authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved; and
- d. On completion of the agreed remediation works, a closure report and certificate of compliance, endorsed by the interested party/parties shall be submitted to and agreed in writing by the Council.

28. No development, other than that required to discharge this condition, shall commence until a noise assessment and scheme of sound insulation / acoustic design measures for the proposed dwellings has been submitted to and approved in writing by the Local Planning Authority.

The assessment shall:

- a) identify and assess all existing and reasonably foreseeable noise sources affecting the site, including road traffic, rail noise, and any other relevant external commercial or plant sources;
- b) include suitable baseline survey work and prediction methodology;
- c) demonstrate how the layout, orientation and design of the development has applied the principles of good acoustic design;
- d) demonstrate how internal and external noise levels will be achieved in accordance with BS 8233:2014, or any document replacing that standard;
- e) include details of any mitigation required, which may include glazing specifications, acoustic ventilation, façade treatments, boundary treatments, screening, and the positioning of gardens / private amenity areas; and

f) include a scheme for post-completion verification where mitigation relies on specific acoustic performance measures.
The approved scheme shall be implemented in full prior to the first occupation of the relevant dwellings and shall be retained thereafter. No changes shall be made to the approved mitigation without the prior written approval of the Local Planning Authority.

2 AMEND section 3's title to 'Impact on Residential Amenity'

3 Update to condition 2 -

2. 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
Site location plan	B5999/P001 Rev. A	14/11/2025
Proposed site plan	B5999/P003 Rev. E	02/03/2026
Proposed ground floor plan	B5999/P004 Rev. B	14/11/2025
Proposed roof plan	B5999/P005 Rev. A	14/11/2025
Proposed elevations	B5999/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