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Date: 6th October 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 20th October 2026 at 6.00p.m.**

Public Consultation on planning applications with 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: K. Wilson (Chair),
L. Cvetkovic (Vice-Chair), D. Boughan,
S. Carvell, B. Hancox, P. Hickling,
K. Kondakor, S. Markham, C. Morris,
P. Smith and T. Venson.

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

AGENDA

PART I - PUBLIC BUSINESS

1. **EVACUATION PROCEDURE**

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

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

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

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

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

3. **MINUTES** - To confirm the minutes of the meeting held on 1st September 2026, attached (**Page 5**).

4. **DECLARATIONS OF INTEREST**

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

Declaring interests at meetings

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

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

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

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

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

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

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

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

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

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

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

5. DECLARATIONS OF CONTACT

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

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control, attached (**Page 9**).

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

1st September 2026

A meeting of the Planning Applications Committee was held in the Town Hall, Nuneaton on Tuesday, 1st September 2026.

Present

Councillor K. Wilson (Chair)

Councillors: L. Cvetkovic (Vice-Chair), D. Boughan, P. Hickling, K. Kondakor, S. Markham, P. Smith, T. Venson, N. King (substitute for B. Hancox), R. Brill (substitute for S. Carvell) and B. Greenwood (substitute for C. Morris).

Apologies: Councillors S. Carvell, B. Hancox and C. Morris.

PLA9 Minutes

It was noted that the Chair had sent a letter to the Warwickshire County Council Transport Portfolio Holder (Councillor Shaw) as agreed at the last Planning Applications Committee meeting, and had shared this letter with Committee Members. He was grateful that Councillor Shaw attended this meeting along with Chris Lancett, Alan Law and Joel Enston from County Highways, and gave his thanks for their attendance.

Application 041247 had been deferred at the last meeting and was due to be brought back to this meeting, but as the applicant had not submitted requested information to Planning Officers in time, this application is no longer on the agenda at this meeting.

Councillor S. Markham advised that, under 'Declarations of Contact' the minutes should state that she and the Chair had 'not' given an opinion or indication as to how they would vote in relation to applications 041303 and 041247.

RESOLVED that the minutes of the meeting held on the 21st July 2026 be approved, and signed by the Chair, subject to the amendment being made to the Declarations of Contact.

PLA10 Declarations of Interest

Councillor D. Boughan declared a prejudicial in relation to application 041303 and will therefore not take part in the discussion or vote on this item.

The Chair declared he had been involved with application 041303 in the past, relating to negotiations for previous applications and in his previous roles as Leader of the Council and Portfolio Holder. He confirmed that this was not a prejudicial interest and he had no pre-determination in relation to the application.

RESOLVED that the declarations of interests are as set out above in addition to those set out in the Schedule that can be found on the Council's website - ([Councillor Schedule of Declarations of Interests for Meetings](#)).

PLA11 Declarations of Contact

Councillor S. Markham and the Chair declared that they had been contacted by residents in relation to applications 041303, but confirmed they had not given an opinion or an indication how they would vote.

The Chair declared that he had received an email from the appellant in relation to the statement of cost. Other Members declared the same but confirmed that they had not responded.

Cllr Kondakor declared that he does receive correspondence in his role as County Councillor, but this has no impact on his decision making or how he would vote.

IN PUBLIC SESSION

PLA12 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 PLA12 OF THE PLANNING APPLICATIONS COMMITTEE ON 1ST SEPTEMBER 2026

1. 041303 – Site 64c001 - Golf Drive Nuneaton Warwickshire

Applicant – Michaela Corbett

A presentation from County Highways was given after the Planning Officer report, as agreed by the Chair and as requested by Committee Members at the last Planning Applications Committee meeting.

Public Speakers:	Mr Allen Gilbey	(Objector)
	Mr Julian Gutteridge	(Objector)
	Mr Frederick Frempong	(Consultant for Applicant)
	Miss Michaela Corbett	(Applicant)
	Councillor D. Boughan	(NBBC Councillor)

As Councillor D. Boughan had declared a prejudicial interest in relation to this item, he was able to make a statement as a public speaker, but he did not take part in the discussion or vote in relation to this item.

DECISION that

- a) this application not be granted; and
- b) this application be refused due to the harm created by the occupation of 75 additional houses prior to the completion of the highway junction improvements which is likely to cause a severe adverse impact on the highway network.

The Chair moved in accordance with Council Procedure Rule 4A.21 to suspend standing orders to allow the business of the meeting to be concluded.

This was seconded by Councillor S. Markham. A vote was taken and the motion was passed.

PLA13 040698 – 212 Higham Lane, Nuneaton. CV11 6AS

Two NBBC Councillors who are not on the Planning Applications Committee requested to speak on this agenda item whilst the meeting was in public session.

Public Speakers: Councillor J. Clark (Ward Councillor)
Councillor M. Bird (NBBC Councillor)

PLA14 **Exclusion of the Public and Press**

RESOLVED that under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraphs 1, 5, 6 and 7 of Part I of Schedule 12A to the Local Government Act 1972.

Councillor K. Kondakor voted against the recommendation to go into private session and wished for this to be recorded.

PRIVATE SESSION

The Chair thanked Chris Lancett, County Highways Officer, for staying in the meeting for this agenda item.

PLA15 040698 – 212 Higham Lane, Nuneaton. CV11 6AS
Applicant – Mr Kirushnapillai Vijayarajah

RESOLVED that

- a) A written statement from the Council be sent to the Inspectorate by 09/09/2026 as part of this appeal, confirming that:
 - i) The Council defends the first reason for refusal,
 - ii) The Council withdraws from defending the second reason for refusal,
 - iii) The Council withdraws from defending the third reason for refusal; and
- b) The Assistant Director – Planning be authorised to take appropriate action to secure the most cost-effective course of action in handling the appeal including the application for costs against the Council, particularly in producing the written statement, whilst still ensuring if the Inspectorate are minded to allow the appeal that appropriate planning conditions and/ or legal agreements are requested.

Planning Applications Committee
20th October 2026**Applications for Planning Permission**
Agenda Item Index**Planning Applications**

1.	26/0003/S73	PO	Bedworth Physical Activity Hub, Coventry Road, Bedworth, Warwickshire, CV12 8NN	page 9
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Wards:					
AR	Arbury	EA	Eastboro	SL	Slough
AT	Attleborough	EX	Exhall	SM	St Marys
BE	Bede	GC	Galley Common	SN	St Nicolas
BU	Bulkington	HE	Heath	SE	Stockingford East
CH	Camp Hill	MI	Milby	SW	Stockingford West
CC	Chilvers Coton	PO	Poplar	WE	Weddington
				WH	Whitestone

Item No. 1

REFERENCE No. 26/0003/S73

Site Address: Bedworth Physical Activity Hub, Coventry Road, Bedworth, Warwickshire, CV12 8NN

Description of Development: Application for variation of conditions 2 (schedule of plans), 6 (drainage), 10 (landscape levels), 13 (hard and soft landscaping) and 29 (parking) following grant of planning permission 038702 (as amended by 041192).

Applicant: Strategic Director for Public Services, NBBC

Ward: PO

RECOMMENDATION:

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

INTRODUCTION:

This application seeks to vary conditions 2, 6, 10, 13 and 29 following grant of planning permission 038702 (as amended by 041192).

Condition 2 relates to the schedule of approved plans to which the development shall be carried out in accordance with. Condition 6 relates to the drainage proposals, condition 10 the landscaping level details, condition 13 the hard and soft landscaping details and condition 29 relates to parking.

Planning permission was originally granted on the 1st of June 2022 (ref. 038702) for the erection of a new physical activity hub consisting of a 25m 8 lane main pool, learner pool, 4no. court sports hall, fitness suite and associated changing and supporting spaces and car park and landscaping scheme to surrounding park with terrace, seating areas, paths and activity spaces (existing leisure centre to be demolished).

A Section 73 application was submitted and later approved in October 2024 to amend the arboriculture on site. A further Section 73 application was submitted and approved in October 2024 to allow for changes to the landscaping and levels across the site. Lastly, a s73 application was approved in October 2025 to vary conditions to allow for amendments to the design of the Physical Activity Hub (PAH) building alongside amendments to internal facilities and external layout including parking and landscaping. Alongside these permissions, various non-material amendments have been made which have allowed for minor changes across the site, as well as a number of the conditions which have been discharged.

This application seeks amendments to parking spaces, comprising the increase in the width of parking bays and consequently, a slight reduction in the number of spaces by

ten. Additionally, this application details changes in hard and soft landscaping elements across the site.

BACKGROUND:

This application is being reported to Committee as the application has been submitted by Strategic Directorate for Public Services on behalf of NBBC as the land is owned by NBBC. It is therefore a planning application made pursuant to Regulation 3 of The Town and Country Planning General Regulations 1992 (as amended), which requires this application to be determined by Committee

RELEVANT PLANNING HISTORY:

- 041456 – Advertisement consent for illuminated and non-illuminated signages on the northeast and southwest entrances. Approved 06/03/2026
- 041192 - Application for variation of conditions 2 (approved plans), 6 (drainage), 10 (site levels), 11 (Arboricultural Method Statement), 13 (hard and soft landscaping), 14 (tree protection plan) and 19 (boundary treatment plan) following grant of planning permission (039976). Approved 09/10/2025
- 040857 – Non-material amendment to planning approval to amend the building entrance façade details to brickwork and high level cladding (following approval of planning application 038702 as amended by 040455). Approved 01/04/2025
- 040573 – Non-material amendment to planning approval reference 039976 (original reference: 038702) to amend the parapet height by 0.3 metres, the louvre size and design of doors to the north-east and south-west elevation and the relocation of the 3G pitch. Approved 19/11/2024
- 040455 – Application to vary conditions 11, 12 and 14 of Section 73 permission 039976 to amend the tree removal and protection plans and Arboricultural Method Statement (following grant of planning application 038702). Approved 03/10/2024
- 040324 - Non-material amendment to approved 039976 to show amendments to the building footprint and to show roof plant and louvres in the façade. Approved 26/06/2024
- 039976 – Variation of condition 2 of planning permission 038702 to amend the size, shape, height and material approach of the building, amendments to the facilities within the building, amendment to the layout of the car parking area including a reduction in spaces and amendments to the landscaping strategy and variations of condition 3 (construction management plan), 4 (construction environmental management Plan), 7 (dust management plan), 11 (Arboricultural Method Statement) and 14 (tree protection) of planning permission 038702 to ensure the development is carried out in accordance with the updated submitted documents. Approved 08/02/2024
- 038702 – Erection of a new physical activity hub consisting of a 25m 8 lane main pool, learner pool, 4no. court sports hall, fitness suite and associated changing and supporting spaces and car park and landscaping scheme to surrounding park with terrace, seating areas, paths and activity spaces (existing leisure centre to be demolished). Approved 04/07/2022

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 Borough is the Nuneaton and Bedworth Borough Plan Review (2021-2039), adopted in December 2025

- Policies in the Borough Plan Review 2021-2039 (2025):
 - o DS1 – Delivering Sustainable Development
 - o DS2 – Settlement Hierarchy and Roles
 - o DS3 – Overall Development needs
 - o DS4 – Residential Allocations
 - o H1 – Range and mix of housing
 - o H2 – Affordable housing provision
 - o H4 – Nationally Described Space Standards
 - o H5 – Accessible and adaptable homes
 - o BE3 – Sustainable Design and Construction
 - o NE1 – Green and blue infrastructure
 - o NE2 – Open space and playing fields
 - o NE3 – Ecology, biodiversity, geodiversity and Local Nature Recovery
 - o NE4 – Managing flood risk and water quality
 - o NE5 – Landscape character
- Sustainable Design and Construction SPD 2026.
- Transport Demand Management Matters SPD 2026.
- National Policy Planning Framework (NPPF) (2026).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

NBBC Planning Policy, NBBC Tree Officer, NBBC Open Space officer, NBBC Environmental Health, WCC Highways, WCC Flood Risk, WCC Ecology, WCC Archaeology, Warwickshire Police, Warwickshire Water Officer, Warwickshire Fire and Rescue service, Severn Trent, Environment Agency, Coal Authority,

CONSULTATION RESPONSES:

Objection from: Warwickshire Police

No objection from: NBBC Environmental Health, NBBC Open Space Officer, WCC Highways, WCC Ecology, WCC Flood Risk, Coal Authority

No comments from: NBBC Planning Policy

No response received from: NBBC Tree Officer, WCC Archaeology, Warwickshire Water Officer, Warwickshire Fire and Rescue service, Severn Trent, Environment Agency

NEIGHBOURS NOTIFIED:

Former 3A, “Tangled Hair and Beauty” 3, “Old Black Bank” 4, Flat 4, 5 Black Bank. Ashtenne Industrial Fund Unit 1 Colliery Lane. Brose Ltd Colliery Lane North. 3-31 (odds inc.), 32b-73 (inc.), 75-79 (odds inc.), 80-86 (inc.), 92, “Coventry Road Dental

Care" 94, 96-138 (evens inc.), 146-162 (evens inc.) Coventry Road. 1-7 (inc.) Gilbert Close. 2 Park Road. 1-40 (inc.) The Waterfront. Bellway House High Street.

Neighbouring properties were sent letters notifying them of the proposed development on 27th July 2026. A site notice was erected on street furniture on 5th August 2026. The application was advertised in the Nuneaton News on 29th July 2026.

NEIGHBOUR RESPONSES:

The representations that have been made are summarised below. The views expressed are considered, where necessary, at the appropriate point in the material planning considerations section below, except where they are not material planning considerations, which are identified below.

1. Concerns raised in relation to the proposed position of gates on the access road which could restrict access into the site and subsequently, garages to properties on Coventry Road.

APPRAISAL:

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

1. The principle of the development
2. Impact on visual amenity
3. Impact on residential amenity
4. Impact on Highway Safety
5. Flood risk and drainage
6. Landscaping, Ecology and Biodiversity

1. The Principle of Development

1.1 The principle of development has been established through the granting of the original full planning application reference 038702. It is also noted that this is an extant permission, as development commenced on site in September 2024. This Section 73 application is primarily seeking amendments to the car parking layout to enlarge the size of vehicle bays which will result in a loss of 10 spaces overall. It is noted that a previous S73 amended the car parking layout from the 038702 layout. The impact on highway safety, as a result of these changes to the car parking layout, will be assessed later within the highway impact section of this report.

1.2 Other changes that are proposed through this Section 73 application include amendments to hard landscaping, soft landscaping and the site levels of the car park and subsequently, minor changes to the drainage. Details of landscaping will be assessed within the landscaping section of this report and drainage matters within the flood risk and drainage sections.

1.3 On balance, as the principle of the development has been previously accepted, it is consequently considered that the principle of development proposed by this application remains acceptable, subject to all other aspects of the assessment being acceptable.

2. Impact on Visual Amenity

2.1 A full and extensive assessment took place as part of the original planning application 038702. No amendments to the main Physical Activity Hub building are proposed as part of this application.

2.2 This proposal does seek to amend the location of the green gyms, as well as amendments to fencing to the sports pitch and car park. In reviewing the locations of the green gym equipment, the 7 pieces of equipment would remain around the oval path, in a slightly rearranged layout which is not considered to result in any harm to visual amenity. Similarly, the amendments to the proposed boundary treatments as set out on the boundary treatments plan show that, in the main, these are to remain as approved. The amendments relate to a new 1.2m high equestrian-style fencing proposed to one edge of the sports pitches. Given the limited height and overall open style of this fencing it is not considered that this would result in any harm to visual amenity. In addition, a 0.9m high stainless steel handrail is proposed. Similarly, the limited height and open style of this is not expected to result in any harm to visual amenity. Finally, an amended access gate is proposed which would lead to the car park, in the same location as previously considered. This style of access gate would be a height restricted gate. This would result in 2 posts either side at a total of 2.2m (or thereabouts, depending on the final manufacturer). This is an increase in height, compared to the previously approved access gate at approx. 1 metre high. Given the proposed position of the access gate, being set back from the main road and away from the built form of any nearby residential dwellings, and with a style that is consistent with other access gates to parks and car parks, it is not considered that the increase in height of the access gate as amended would result in undue harm to the visual amenity of the area. It is not considered that any other amendments proposed by this application would result in any additional built form and therefore would not have any impact on visual amenity.

2.3 On balance, the proposed amendments are considered to be acceptable in terms of the impact on visual amenity.

3. Impact on Residential Amenity

3.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in the NPPF (2026) are a material consideration in making these decisions and should be read alongside the policies in the development plan (save where those policies manifestly conflict with the NPPF 2026, they should be given limited weight). Policy BE3 of The Borough Plan Review (2025) as the development plan, sets out that 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.

3.2 The amendments to boundary treatments are located within the site. The main change would be to the access gate which is taller than previously considered. However, given its location which is set away from the built form of residential properties and is set in within the access road, it is not considered that this would result in any harm to residential amenity. It is not considered that any other changes

proposed by this application, as they would not result in any built form, and would have no significant impact on residential amenity.

4. Impact on Highway Safety

4.1 The main change to the proposal which could impact highway safety is the reduction in 10 car parking spaces, as a result of the increased size of parking bays. The proposed number of car parking spaces as a result of this application would be 132 car parking spaces, including 8 disabled bays (124 spaces which are not disabled). There would also be 2 spaces for coaches, which remains unchanged.

4.2 In considering the original application (ref. 038702), 158 spaces were proposed. This was subsequently reduced by Section 73 application ref. 039976 to 142 spaces (a loss of 16 spaces). As part of that application, this reduction was considered to be acceptable taking into account the sustainable location of the site.

4.3 WCC Highways have been consulted on this application and in reviewing the proposal, submit a response of no objection. It is therefore considered that, although there would be less parking than the original scheme, the original parking provision of this site prior to the construction of the Physical Activity Hub was 104 and therefore, there is still an overall increase in parking spaces. As such, the impact on highway safety is considered to be acceptable as a result of this application.

5. Flood Risk and Drainage

5.1 As a result of the proposed parking changes, the site levels have been slightly amended and therefore, the surface water drainage scheme has been amended accordingly. A revised Drainage Strategy has been submitted to reflect these minor changes and has been reviewed by WCC Flood Risk. Within their consultation, they provide a response of no objection to the amended Drainage Strategy. As such, condition 6 which relates to the site surface water drainage scheme, and condition 10 which relates to landscape levels, can be updated in line with the amended Drainage Strategy, and would not result in harm to flood risk or drainage matters.

6. Landscaping, Ecology and Biodiversity

6.1 Condition 13 of the parent permission reference 041192 relates to hard and soft landscaping. Due to the changes proposed to the scheme, amendments have been made to the hard and soft landscaping plans to reflect minor site layout changes. In addition, mitigation has been put in place to reduce the impact of the changes on the landscape proposals and to ensure that the site still delivers a biodiversity net gain in line with assessments previously submitted to the Council. The proposed changes deliver the same level of BNG, with planting relocated within the site.

6.2 It should be noted that the requirement for a 10% Biodiversity Net Gain, statutorily imposed by the Environment Act (2021) from the 12th of February 2024, does not apply to applications (or amendments) that were approved before the date the legislation came into place, or any subsequent S73 applications. In this instance,

the original application was approved in June 2022 (ref. 038702). Nevertheless, the previous permissions as well as this application will aim to deliver 10% net gain through both on-site and off-site enhancements.

6.3 The proposed landscaping details have been reviewed by NBBC Open Space Officer who submitted a response of no objection to the proposal. In their response, they state that the minor changes to both the hard and soft landscaping would secure the best outcomes for the park and facility users. In some cases, the amended path routings would better address desire lines. Some changes would also enhance the safety of site users and improve the ease and practicality of maintenance works.

6.4 The proposal would result in the loss of a knee rail to the car park, however, NBBC Parks state that the previous proposed knee rail will instead still be put into place under permitted development rights as part of a wider coherent knee rail provision, and would help to prevent unauthorised vehicular access to the park. The installation of this would be permitted development and as such this has not been formally assessed under this application. It should be noted that Warwickshire Police objected to this application on the basis of the loss of the knee rail to the car park. However, in considering the proposal, it is not considered that the loss of the knee rail to the car park would result in such harm that the application should be refused. On this basis, as no objections have been received by the Open Space Officer, the loss of the knee rail is considered to be acceptable on balance.

6.5 The proposal has also been assessed by WCC Ecology in terms of the impact on amended soft landscaping features, biodiversity and ecology matters. WCC Ecology have submitted a response of no objection stating that the proposed amendments to the landscaping details are relatively minor. On this basis they would have no objections to the amendments to condition 2 and 13. On balance, the amendments to landscaping, biodiversity and ecology matters have been considered and are considered to be acceptable.

7. Conclusion

7.1 This Section 73 application seeks to vary conditions 2 (schedule of plans), 6 (drainage), 10 (landscape levels), 13 (hard and soft landscaping) and 29 (parking) following grant of planning permission 038702 (as amended by 041192).

7.2 As this is a Section 73 application, the principle of development has already been established through the parent permission and is not being reconsidered. The changes proposed are relatively minor in scale and nature, primarily reflecting updates to technical details and associated plan references, rather than any substantive changes to the Physical Activity Hub.

7.3 The most notable changes are to the car park in terms of the reduction in spaces, but the increase in space size. This has had knock-on impacts to the drainage scheme of the site. Other smaller amendments include the amendments to the position and types of boundary treatments, gym equipment position and the impacts on soft landscaping. These changes have been thoroughly assessed throughout this report and are considered to have no adverse impact on residential or visual amenity, highway safety, landscaping, biodiversity or ecology matters and flooding and

drainage considerations. In some instances, such as the amendments to path locations, this is considered to be an improvement as they would better suit desire lines.

7.4 This application would also update the details of any conditions which have been discharged and pull together any details which have been considered through subsequent non-material applications which were determined after the previous Section 73 was approved.

REASONS FOR APPROVAL:

Having regard to the adopted Development Plan, the National Planning Policy Framework (2026), and the consultation response from statutory consultees, it is considered that the proposed variation to conditions 2 (schedule of plans), 6 (drainage), 10 (landscape levels), 13 (hard and soft landscaping) and 29 (parking) are acceptable and the proposal would accord with the relevant policies with the development plan and NPPF.

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 permission 038702.

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	23044-GT3-00-XX-DR-A-08-0001-RevP1	27 th November 2023
Landscape Masterplan	BLC-COL-ZZ-00-DR-L-1000 Rev. 25	7 th July 2026
Proposed Ground Floor Plan	23044-GT3-00-01-DR-A-20-0001 Rev P3	29 th May 2024
Proposed First Floor GA Plan	23044-GT3-00-01-DR-A-20-0101 Rev P3	29 th May 2024
Proposed Elevations	23044-GT3-00-ZZ-DR-A-08-0006 Rev P4	3 rd March 2025
Proposed Sections	23044-GT3-00-ZZ-DR-A-08-0008 Rev P2	17 th October 2024
General Arrangement Overall Site Plan	BLC-COL-XX-XX-DR-L-1010 Rev C04	7 th July 2026

3. The development shall not be carried out other than in accordance with the Construction Management Plan (ref HMD.0325 rev 02) received by the Council on 27th November 2023. Only the agreed details shall be implemented on site and shall be adhered to throughout the duration of construction.

4. The development shall not be carried out other than in accordance with the Construction Environmental Management Plan (ref HMD.0325 rev 002) received by

the Council on 27th November 2023. The approved details shall be adhered to throughout the duration of construction.

5. The development shall be carried out in accordance with the details set out in the Land Contamination Assessment and Remediation Strategy (LBHGEO, December 2023) and the Soil & Topsoil Management Plan, approved by application reference 040188 on the 2nd May 2024.

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.

6. The approved development shall be carried out in full accordance with the drainage plans and details approved on the 21st May 2024 through application reference 040189, including the Foul Water Drainage Layout (dwg. 600190-HEX-XX-XX-DR-C-9201 Rev P02), Drainage Details – Sheet 1 (dwg. 600190-HEX-XX-XX-DR-C-9210 Rev P03), Drainage Details – Sheet 2 (dwg. 600190-HEX-XX-XX-DR-C-9211 Rev P03), Drainage Details – Sheet 3 (dwg. 600190-HEX-XX-XX-DR-C-9212 Rev P03) and Foul Pump Chamber Details (dwg. 600190-HEX-XX-XX-DR-C-9220 Rev P02), alongside updated drainage plans submitted through application reference 041192, including Pond, Swale and SUDS Sections and Details Sheet 1 (600190-HEX-XX-XX-DR-C-9255 Rev P01) and Pond, Swale and SUDS Sections and Details Sheet 2 (600190-HEX-XX-XX-DR-C-9256 Rev P01), received on 21st August 2025 and updated drainage plans submitted through application 26/0003/S73 including Surface Water Drainage Strategy (600190-HEX-XX-XX-DR-C-9202 Rev C01 received 7th July 2026).

7. The development shall not be carried out other than in accordance with the Dust Management Plan (ref (ref HMD.0325) received by the Council on 27th November 2023. Only the approved details shall be implemented on site and shall be adhered to throughout the duration of construction.

8. No development including any site clearance shall take place until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Council. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall include details of:

- a. any pre- construction checks required;
- b. the species safeguards to be employed;
- c. appropriate working practices and timings of construction works;
- d. timing and methodology of site clearance;
- e. the extent of buffer zones and stand-offs for sensitive ecological features;
- f. what to do if protected species are discovered during construction;
- g. methods for checking habitats for nesting birds;
- h. measures to prevent pollution of surface water and groundwater during construction based on the Environment Agency's (EA's) Pollution Prevention Guidance (PPG) notes, the Groundwater Protection Policy (GP3) (EA, 2013a), CIRIA guidance on Construction Method Statements (CIRIA 2001,2015) and other current best practice.

- i. Demonstration of the adoption of best practice in storage of fuel, oils and chemicals, and in plant refuelling and maintenance during the construction phase.
- j. Measures to protect soil (re-use on-site, appropriate storage and handling, measures to avoid compaction and erosion, reinstatement) in line with BS3882: 2015 (BSI, 2015).
- k. Measures for the soft-felling of trees.
- l. Timetable for the removal of trees/arboricultural works (works should be undertaken outside of the bird nesting season (March-August inclusive), or otherwise under the direct supervision of a suitable qualified ecologist who will be able to identify nesting birds and advise of appropriate safe working distances)
- m. Details of the body or organisation responsible for the implementation and ongoing management, monitoring and remedial actions of the plan, including the mechanism for funding.

The CEMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the CEMP and address any contingency measures where appropriate. The CEMP will set out key operations and associated points at which written reports will be submitted by the Ecological Clerk of Works to the Authority evidencing implementation of the contents of the CEMP through dated photographs and associated text. All visits leading to photographic reports shall be submitted to the Council within 2 weeks of any such visit. The approved plan will be implemented in accordance with the approved details. The above conditions for Ecological works monitoring arrangements including a timetable covering all key stages and on site actions including what operations an ecologist will be present at and routine submission of written reports, including dated photographic records of works and visits at each key stage. The above conditions conform to the British Standard BS 42020:2013 Biodiversity: Code of Practice for Planning and Development.

9. The development shall not be carried out other than in accordance with the Biodiversity and Ecological Management Plan (BEMP) (ref RT-MME-158286-04 Rev B Biodiversity and Ecological Management Plan dated 09/05/2024) approved by the Council on 19th June 2024. The approved plan will be implemented in accordance with the approved details.

10. The approved development shall be carried out in full accordance with the following plans: Landscape Levels Plan Sheet 1 of 3 (dwg. BLC-COL-XX-XX-DR-L-2010 Rev C04), Landscape Levels Plan Sheet 2 of 3 (dwg. BLC-COL-XX-XX-DR-L-2020 Rev C04) and Landscape Levels Plan Sheet 3 of 3 (dwg. BLC-COL-XX-XX-DR-L-2030 Rev C04), as received 7th July 2026.

11. The development shall be carried out in accordance with the Arboricultural Method Statement (Report Number: RT-MME-159809-05 Rev A) received by the Council on 29th January 2024 and the Addendums to the Arboricultural Reports (ref RT-MME-159809-06 – SH / AH and RT-MME-15809-07 – SH / AH) received by the Council on 1st August 2024 and [insert date] August 2025 respectively.

No tree or hedgerow other than those shown within Arboricultural Impact Assessment (Report Number: RT-MME-159809-04 Rev A) received by the Council on 29th January 2024 and the Addendums to the Arboricultural Reports (ref RT-MME-159809-06 – SH

/ AH and RT-MME-15809-07 – SH / AH) received by the Council on 1st August 2024 and 21st August 2025 respectively shall be removed unless otherwise agreed.

Measures for the protection of the trees and hedges to be retained shall be installed in accordance with the details set out in the Arboricultural Method Statement and Addendums to the Arboricultural Reports for the duration of the development.

12. The development shall not be carried out other than in accordance with the Schedule of Works and arboricultural site monitoring schedule contained in the Arboricultural Method Statement (Report Number: RT-MME-159809-05 Rev A) received by the Council on 29th January 2024 and the Addendum to the Arboricultural Reports (ref RT-MME-159809-06 – SH / AH) received by the Council on 1st August 2024. The approved details shall be adhered to throughout the duration of construction.

13. The development shall not be carried out other than in accordance with the hard and soft landscape plans including General Arrangement Overall Site Plan (dwg. BLC-COL-XX-XX_DR-L-1010 Rev C04 , Furniture Plan (dwg. BLC-COL-XX-XX_DR-L-1020 Rev 7), Boundary Treatment Plan (dwg. BLC-COL-XX-XX_DR-L-1030 Rev C04), Landscape Levels Plan Sheet 1 of 3 (dwg. BLC-COL-XX-XX-DR-L-2010 Rev C04), Landscape Levels Plan Sheet 2 of 3 (dwg. BLC-COL-XX-XX-DR-L-2020 Rev C04) and Landscape Levels Plan Sheet 3 of 3 (dwg. BLC-COL-XX-XX-DR-L-2030 Rev C04), Hardscape Plan 1 of 3 (dwg. BLC-COL-XX-XX_DR-L-2110 Rev C04), Hardscape Plan 2 of 3 (dwg. BLC-COL-XX-XX_DR-L-2120 Rev C04), Hardscape Plan 3 of 3 (dwg. BLC-COL-XX-XX_DR-L-2130 Rev C04), Detailed Planting Plan 1 of 5 (dwg. BLC-COL-XX-XX_DR-L-5001 Rev C04), Detailed Planting Plan 2 of 5 (dwg. BLC-COL-XX-XX_DR-L-5002 Rev C04), Detailed Planting Plan 3 of 5 (dwg. BLC-COL-XX-XX_DR-L-5003 Rev C04), Detailed Planting Plan 4 of 5 (dwg. BLC-COL-XX-XX_DR-L-5004 Rev C04), Detailed Planting Plan 5 of 5 (dwg. BLC-COL-XX-XX_DR-L-5005 Rev C03), and Landscape Masterplan (dwg. BLC-COL-XX-00_DR-L-1000 Rev 25), received on 7th July 2026.

14. The development shall not be carried out other than in accordance with scheme for the protection of the retained trees detailed in the Arboricultural Method Statement (Report Number: RT-MME-159809-05 Rev A) received by the Council on 29th January 2024 and the Addendums to the Arboricultural Reports (ref RT-MME-159809-06 – SH / AH and RT-MME-15809-07 – SH / AH) received by the Council on 1st August 2024 and 21st August 2025. The development thereafter shall be implemented in strict accordance with the approved details.

15. The development shall not be carried out other than in accordance with the details of the acoustic barrier along the north-west boundary of the all-weather pitch approved by the Council on 7th June 2024. The all- weather pitch shall not be brought into use until the barrier has been erected in accordance with the approved details.

16. The development shall not be carried out other than in accordance with the scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site approved by the Council on 9th May 2024. The development shall not be brought into use until provision has been made in accordance with the approved details.

17. The development shall not be carried out other than in accordance with the scheme for lighting of the site and associated access roads and parking areas, as set out in the details approved by the Council on the 21st December 2024 under application reference 040644.

18. The external materials shall not be carried out other than in accordance with the details shown in the Design & Access Statement received by the Council on 27th November 2023, and details approved under application reference 040857, approved on the 1st April 2025.

19. The external boundary treatments shall not be carried out other than in accordance with the details shown in the Landscape Boundary Treatment Plan (dwg. BLC-COL-XX-XX-DR-L-1030 Rev 07) received by the Council on 21st August 2025..

20. No external plant, other than that approved in the plans received by the Council on the 29th May 2024, and later approved on the 26th June 2024 under application reference 040324, shall be installed on the site unless otherwise agreed by the Local Planning Authority. Acoustic treatment shall be installed in line with the scheme of acoustic mitigation approved under application reference 039976, approved on the 4th June 2024. The measures shall be implemented as approved and retained thereafter.

21. The all-weather pitch and associated lighting shall not be used other than be between the hours of 09:00 and 21:00.

22. All doors and windows to the fitness suite and studios shall be kept closed when amplified sound systems are used and when other noise generating activities are taking place.

23. The existing leisure centre building shall not be demolished until the Physical Activity Hub approved under this permission has been completed and made available for use.

24. All gas-fired boiler installations should be low NOx emission type and meet the specification used to inform the air pollution modelling detailed in the air quality assessment for the site received by the Council on 2nd March 2022.

25. The use of the 3G pitch shall not commence until:

(a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and

(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Council.

26. The development shall not be occupied until improvements have been made to bicycle access to and within the site to improve access from cycle route NCN52 in accordance with a scheme submitted to and approved in writing by the Council.

27. The development hereby permitted shall not be occupied until a Travel Plan Coordinator has been appointed in accordance with approved Travel Plan 600190-HEX-00-TP-RP-X-0004 V02 (received by the Council on 27th November 2023). The Travel Plan shall henceforth be implemented in accordance with the Action Plan contained therein, including the submission of details for review and monitoring to the Council.

28. With the exception of the lean-to structure shown in details submitted and approved under application reference 040511 on the 4th October 2024, the demolition of the remaining existing leisure centre building shall not take place until additional bat surveys by a suitably qualified and licenced ecologist have been undertaken to verify that there are no roosting bats within the existing building, the results of which shall be submitted to and approved in writing by the Council. If roosting bats are found a licence and mitigation statement shall be submitted to and approved in writing by the Council prior to the commencement of any development.

Any approved mitigation statement will be implemented in accordance with the approved details.

29. The development shall not be occupied until the parking, manoeuvring and service areas have been laid out and are available for use in general accordance with the Landscape Masterplan (drawing number BLC-COL-ZZ-00-DR-L-1000 revision 25) received by the Council on 7th July 2026, or to incorporate alternative temporary parking arrangements subject to phasing details which shall be submitted to and approved in writing by the Council.

30. Notwithstanding the approved plans in condition 2, the development shall not be occupied until the pedestrian and cycling improvements have been made in general accordance with the details submitted. Details of the cycle parking (including any temporary arrangements required by the development phasing) shall be submitted to and approved in by the Council.

31. The substation hereby approved shall be constructed in full accordance with the approved plan titled 'LD005-Rev0-TR7 GRP Substation Construction Details', received by the Local Planning Authority on 11th September 2025. The development shall be carried out in strict accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.

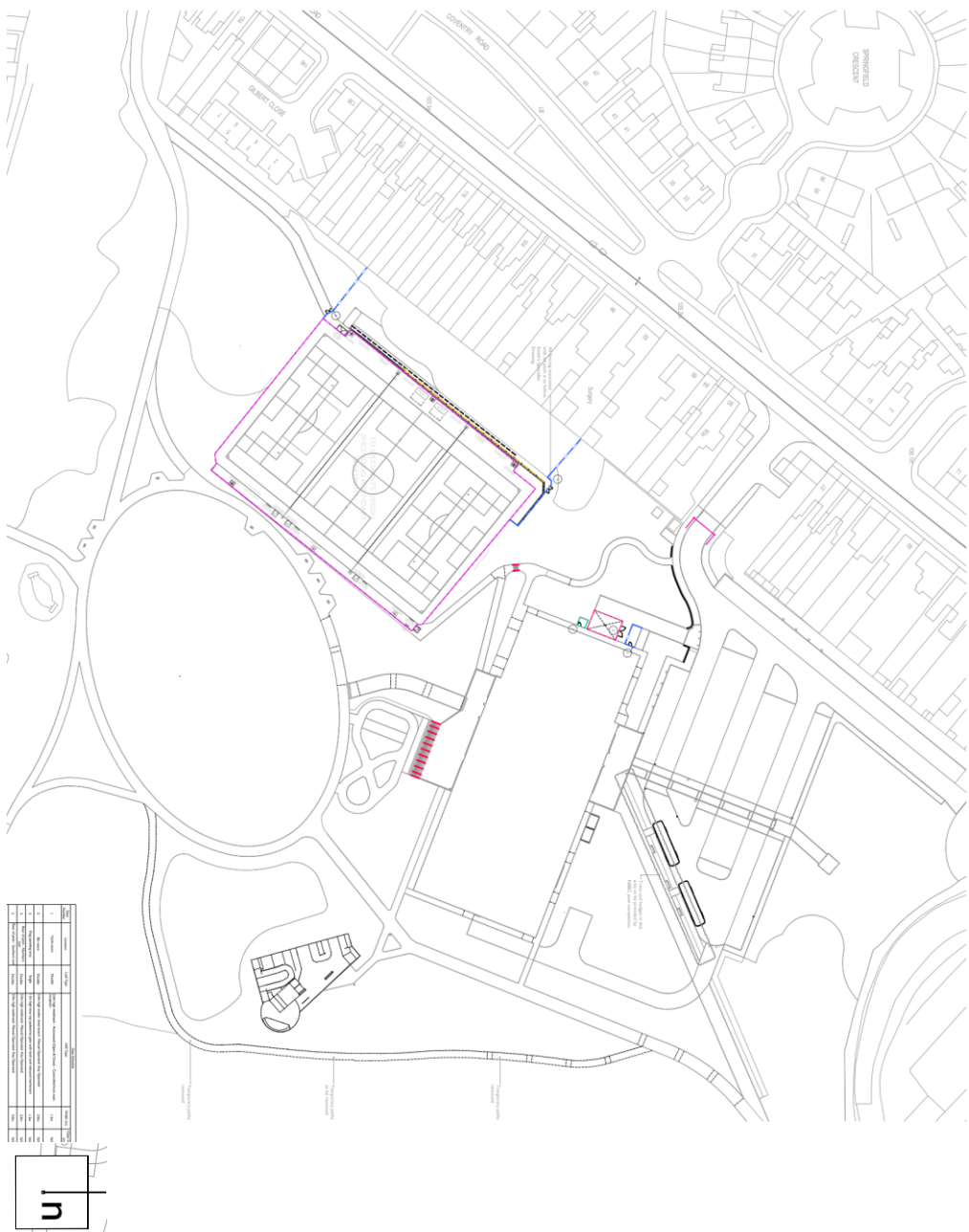
Landscape Master Plan



Furniture Plan



Boundary Treatment Plan



General Arrangement Site Plan



Glossary

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

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

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

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

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

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

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

Brownfield – Land which has had a former use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Flood plain – An area prone to flooding.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Major Planning application-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Public inquiry – See Inquiry.

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

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

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

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

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

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

Section 106 – see Planning obligation.

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

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

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

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

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

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

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

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

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

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

Guide to changes to the Use Classes Order in England

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

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

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

Class E (Commercial, business and service uses),

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

Class F.2 (Local community uses)