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Date: 21<sup>st</sup> March, 2014

Our Ref: NF

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in the Council Chamber, Town Hall, Nuneaton on Tuesday, 1<sup>st</sup> April , 2014 at 5.00 p.m.

**Public Consultation on planning applications will commence at 5.00 p.m. (see agenda item no. 5 for clarification).**

Yours faithfully,

ALAN FRANKS

Managing Director

To: All Members of the Planning  
Applications Committee

(Councillors R. G. Copland (Chair)  
J. Foster, W.J. Hancox, P.D. Hickling,  
K.A. Kondakor, A.A. Lloyd, B.J.  
Longden, J.A. Morgan, D.C. Navarro,  
G.D. Pomfrett, J. Sheppard, W.H.  
Sheppard and K.D. Wilson)

# AGENDA

## PART I - PUBLIC BUSINESS

### 1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Yorkshire 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 the 11<sup>th</sup> March, 2014 **(Page No. 4)**

### 4. DECLARATIONS OF INTEREST

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

**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. 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. **(Schedule Page No. 8)**
6. 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 attached. **(Schedule Page No. 8)**
7. 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**

**11<sup>th</sup> March, 2014**

A meeting of the Planning Applications Committee was held at the Civic Hall, Bedworth on Tuesday, 11<sup>th</sup> March, 2014.

**Present**

Councillor R.G. Copland – Chair

Councillors J. Foster, W.J. Hancox, P.D. Hickling, K.A. Kondakor, B.J. Longden, J.A. Morgan, D.C. Navarro, G.D. Pomfrett, J. Sheppard, W.H. Sheppard and K.D. Wilson

409 **Minutes**

**RESOLVED** that the minutes of the meeting held on 18<sup>th</sup> February, 2014 be confirmed.

410 **Declarations of Interest**

The following members declared interests in respect of the applications indicated (the reasons for the declaration of interests are recorded in the relevant minute or in the schedule).

Councillor J. Foster	:	032502/GC
Councillor P.D. Hickling	:	032502/GC
Councillor K.A. Kondakor	:	an Other Interest by reason of him being a Member of Warwickshire County Council
Councillor B.J. Longden	:	032502/GC
Councillor J.A. Morgan	:	032471/AR
Councillor D.C. Navarro	:	032471/AR
Councillor G.D. Pomfrett	:	032436/WM 032471/AR
Councillor J. Sheppard	:	032436/WM
Councillor W.H. Sheppard	:	032436/WM
Councillor K.D. Wilson	:	032502/GC 032436/WM 032471/AR

**IN PUBLIC SESSION**

411 **Planning Applications**

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

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

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Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND RELATED MATTERS REFERRED TO IN MINUTE 411 OF THE PLANNING APPLICATIONS COMMITTEE ON 11<sup>th</sup> MARCH, 2014

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032502/GC: Land adjacent to Auden Close (Site 46b005), Chesterton Drive, Galley Common, Nuneaton

Erection of local convenience store retail unit (A1) and two units for use as either retail (A1) or financial and professional services (A2) with associated car park and ATM (resubmission following refusal of 032209)

Applicant: Mr Peter Fletcher

**Speakers: Christine Bayliss  
Mr Pradip Komar Patel  
Jon Pope – Agent  
Elizabeth Randle**

**DECISION:**

**Approved.**

**N.B. Councillors J. Foster and K.D. Wilson declared an Other Interest in this item by reason of them having been contacted by residents who live in the area regarding this application, but they gave no indication of their voting intention.**

**Councillor P.D. Hickling declared an Other Interest in this item by reason of him having been contacted by the residents who live in the area regarding this application as he is a Councillor for the area concerned, but he gave no indication of his voting intention.**

**Councillor B.J. Longden declared an Other Interest in this item by reason of him having been involved with the press article and photograph which was produced at the meeting by one of the speakers objecting to this application.**

032436/WM: Site 74C004 – West of Maple Park, land North of Gipsy Lane, Nuneaton

Residential development of up to 575 houses including a mixed user neighbourhood centre, public open space, footpaths, cycleways, water attenuation basins and associated infrastructure, including realignment of Gipsy Lane (Outline with all matters reserved) (Land adjacent to Gipsy Lane/Marston Lane)

Applicant: Trenport Investments Limited

**Speakers: Councillor June Tandy  
Sam Margrave  
Andrew Wintersgill - Agent  
Chris Hall - Applicant**

**DECISION:**

Deferred for further consultation with Warwickshire County Council Highways and a representative from Warwickshire County Council Highways be requested to attend the next meeting to answer questions from Members on this application.

**N.B. Councillor G.D. Pomfrett declared an Other Interest in this item by reason of him having been contacted by the residents who live in the area regarding this application, but he gave no indication of his voting intention.**

**Councillors J. Sheppard and W.H. Sheppard declared an Other interest in this item by reason of them being a Director of Wembrook Community Centre.**

**Councillor K.D.Wilson declared an Other interest in this item by reason of him having attended a site exhibition, but he gave no indication of his voting intention.**

032471/AR: Site 72A008 Land South of Templar Drive & The Bridleways, Nuneaton  
Erection of 30 dwellings and associated works (all affordable)

Applicant: Deeley Homes

**Speakers: Mrs Trickett  
Chris Peat  
Pat Moroney – Applicant  
Kathryn Ventham - Agent**

**DECISION:**

The Head of Development Control be given delegated authority to grant planning permission, subject to the completion of a Section 106 agreement relating to a contribution towards the provision and maintenance of open space and play facilities in the area.

**N.B. Councillors J.A. Morgan and K.D. Wilson declared an Other interest in this item by reason of them having been contacted by residents who live in the area regarding this application, but they gave no indication of their voting intention.**

**Councillor D.C. Navarro declared an Other interest in this item by reason of his appointment as a Non-Executive Director of the George Eliot NHS Trust.**

**Councillor G.D. Pomfrett declared an Other interest in this item by reason of his appointment as a local School Governor.**

**Applications for Planning Permission etc.  
Agenda Item Index**

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<b>Planning Applications</b>			
2	032321/AB	Newtown Road Service Station, Newtown Road, Nuneaton	20

Wards:					
AB	Abbey	AR	Arbury	AT	Attleborough
BA	Barpool	BE	Bede	BU	Bulkington
CH	Camp Hill	EX	Exhall	GC	Galley Common
HE	Heath	KI	Kingswood	PO	Poplar
SL	Slough	SN	St Nicolas	WB	Wembrook
WE	Weddington	WH	Whitestone		



## PREVIOUSLY CONSIDERED

### Members will recall deferring the following application

1. **032436/WB: Site 74C004 – Land West of Maple Park & North of Gipsy Lane, Nuneaton Residential development of up to 575 houses including a mixed use neighbourhood centre, public open space, footpaths, cycleways, water attenuation basins and associated infrastructure, including realignment of Gipsy Lane (Outline with all matters reserved) (Land adjacent to Gipsy Lane/Marston Lane)**

Applicant: Trenport Investments Limited

#### **Reason for deferral:**

Members will recall deferring this application to allow a representative from WCC Highways to attend Committee to explain the modelling that has been completed and how the application was assessed.

#### **Consultees Notified:**

Severn Trent Water, WCC Highways, Warwickshire Wildlife Trust, Open Space Society, Ramblers Association, Environment Agency, WCC Structure Plan, WCC Rights of Way, WCC Countryside Access, WCC Museum and Fields, Natural England, Warwickshire Police, NBBC Environmental Health, NBBC Planning Policy Team, NBBC Housing Department, NBBC Parks and Countryside, Canal and Rivers Trust, Inland Waterways, WCC Flood Risk Team, NBBC Land Drainage Engineer, Whitestone Residents Association (c/o Tina Bass), CPRE Warwickshire, NHS CCG, Coal Authority, Network Rail, The Nuneaton Society, Warwickshire Police Minerals Team

#### **Neighbours Notified:**

5-15 Abbotsbury Way. 1, 2, 4, Northbourne Drive. 1-8, 14, 15 Marwood Close. 4, 17-27 Cliveden Walk. 22-30 (even), 21-25 (odd) Sterling Way. 1-5, 19-21 Chilworth Close. 24-32, 41-44, 45-52 (inc) Exbury Way. 13-18, 21-29 (inc) Gold Close. 210-216 (even), 301-337 (odd) Marston Lane. 81-87 (odd) Raveloe Drive. 26-42 (even), 88-100 (even) Red Deeps. 147-173 (odd), 131-145 (odd) Bradestone Road. 1-26 Caldwell Caravan Park, Bradestone Road. Faultlands Farm, Gipsy Lane, Nuneaton

#### **Consultation Representations:**

WCC Highways

1. Letter of objection received relating to
  - a. The design of the roundabout access does not meet the Highway Authority's criteria
1. No objections subject to conditions covering:
  - a. Provision of signalised junction at Coventry Road and Gipsy Lane.
  - b. Traffic Regulation Order for bridges over Wem Brook on Gipsy Lane.
  - c. Provision of public footway link along Gipsy Lane from canal bridge to Coventry Road.
  - d. Access to site in accordance with approved drawings.
  - e. Stage 1/2 Road Safety Audit submitted for access and signalised junction.
  - f. Construction of roads,
  - g. Speed limits altered fronting the site.
  - h. Parking and turning area.
  - i. Wheel washing

2. Request for contributions for following:
  - a. Contribute £5,700 per dwelling towards strategic high infrastructure.
  - b. Future strategic link between Bermuda Station and application site.
  - c. £490,000 to extend public transport service to 20 mins per hour service from Nuneaton Town Centre via Attleborough Green and Sterling Way.
  - d. Sustainability packs

#### The Environment Agency

1. Objection to original Flood Risk Assessment (FRA) on the grounds that:
  - a. The FRA does not comply with the requirements set out in paragraph 9 of the Technical Guide to the NPPF
2. No objection to amended FRA subject to conditions relating to:
  - a. Development to be carried out in accordance with the FRA
  - b. No development prior to a surface water drainage scheme
  - c. Remediation of any unsuspected contamination not previously identified
3. No objection to amended plans

#### The Inland Waterways Association

1. Letter of objection received relating to:
  - a. The IWA were not consulted on the latest consultation on the Borough Plan
  - b. The proposal conflicts with national guidance in respect of the purposes of including land within the GB
  - c. The 'prematurity' of the application
2. Letter of objection received reiterating their original comments

#### NBBC Parks and Countryside

1. Objection received relating to:
  - a. Inadequate area of open space supporting central play area
  - b. Need for open space to join two main areas of floodplain
  - c. Need for more extensive path/cyclepath network connecting obvious desire lines
  - d. Need for equipped play provision for teenagers and older children
2. Objection maintained to amended plans, now relating to:
  - a. Inadequate area of open space supporting central play area

#### WCC Minerals

1. No Objection for the reasons detailed below:
  - a. Based on the borehole evidence presented, it would appear that the quality of the sand and gravel is mostly undesirable when considered against industry criteria and the quantities of desirable material are not sufficient to justify prior extraction in advance of the development. In conclusion, I consider that the report has adequately assessed mineral issues in accordance with the requirements of the National Planning Policy Framework and the associated Technical Guidance and no further work is required.

#### Coal Authority

1. Letter of comment stating
  - a. Consultation not necessary as not in a High Risk Area

#### WCC Fire and Rescue

1. No objection subject to a condition relating to:
  - a. Fire hydrants and water supplies

NBBC Environmental Protection (Contaminated Land)

1. No objection subject to a condition relating to:
  - a. Appropriate site investigation is undertaken prior to development

WCC Rights Of Way Team

1. No objection request contributions:
  - a. £14800 for the improvement of public rights of way within 1.5 mile radius.
2. No change of comments to amended plans consultation.

Open Space Society

1. No Objection

Network Rail

1. No Objection
2. No Objection

WCC Museum and Field

1. No objection subject to a condition relating to:
  - a. Prior to any reserved matter submissions a programme of archaeological evaluative work shall be submitted and approved.

Canal and Rivers Trust

1. Unable to make a substantive response
2. No objection to the proposal
3. No further comments to make

NBBC Housing

1. Letter of Support received relating to:
  - a. Proposal would bring welcome and additional affordable housing accommodation in a desirable location where there are limited numbers currently.
  - b. As of October 2013 there were 1489 LIVE applicants registered on HomeHunt seeking affordable accommodation. The Housing Needs Survey indicates a shortfall in the provision of affordable units needed in the Borough which is given as 495 per annum respectively.
  - c. Development of this site is welcomed and could be very timely given the development of the MIRA site to the North.
2. Further comments received stating that;
  - a. The recent Strategic Housing Market Assessment (SHMA) demonstrates a net need of 140 affordable units per annum until 2031.
  - b. As of 1<sup>st</sup> February 2014 the Council has 1900 applicants registered for re-housing. These are all applicants with some degree of housing need.
  - c. In 2012/13 we saw the completion of 100 affordable units, and in 2013/14 we anticipate the figure to be 125 affordable units.

NBBC Planning Policy

1. Letter of comment relating to:
  - a. The Council do not have a five year land supply
  - b. A number of benefits have been identified:

- i. Opportunity to provide jobs and business for construction sectors during building (some weight)
  - ii. The site is sustainably located and offers the potential to provide sustainable modes of transport (significant weight)
  - iii. Realignment of Gypsy Lane would give significant highway improvements (some weight)
  - iv. Housing lane supply will be boosted where there is a lack of a 5 year supply (significant weight)
  - v. Provision of affordable housing (significant weight)
  - vi. Land for neighbourhood centre, public open space and potential for primary school (considerable weight)
- c. The proposal forms part of the Borough Plan and is a Preferred Option for housing land

#### Natural England

- 1. No objection
- 2. No objection to amended plans

#### NHS Property Services

- 1. No objection providing planning obligations are provided.

#### NBBC Environmental Protection

- 1. No objection subject to condition covering:
  - a. Noise attenuation scheme to be submitted and limit at 55dB
- 2. No objection to amended plans – original comments stills stand

#### Warwickshire Police

- 1. No objection subject to financial contributions for a police contact point
- 2. Email of comment stating now no community use on site, would prefer contributions for a Police Community Support Officer.

#### NBBC Community Safety and Development

- 1. Email stating that financial support for community centre would be preferential to on-site facilities

#### Severn Trent Water

- 1. No objections subject to conditions
  - a. Drainage

No Response received from Warwickshire Wildlife Trust, The Rambler's Association, WCC Countryside Access, WCC Flood Risk Team, NBBC Land Drainage, Whitestone Residents Association, CPRE Warwickshire, The Nuneaton Society.

#### **Neighbour Representations: Objections**

Letters of objection received from 6, 7, 10 Abbotsbury Way, 1, 4 Northbourne Drive, 15 Marwood Close, 237 Marston Lane, 9 Sterling Way, 1 Fairlands Park, Coventry, 25 Gypsy Lane (2 emails), 50 Leyland Road raising the following points:

- 1. The land is designated as Greenbelt
- 2. There is a serious flooding issue on the land
- 3. The proposal will cause detriment to highway safety and cause an exacerbation of traffic problems

4. There is wildlife on the site which should be protected
5. Would reduce area available for agriculture
6. The pollution from the quarry will be high on the site
7. High density housing may increase stress levels
8. The highway alterations will make matters worse
9. Do not understand how traffic lights can be installed on Coventry Road/Gipsy Lane junction
10. The proposal will create more noise and pollution
11. Overpopulation would spoil the area for existing residents
12. Existing infrastructure will not be able to cope
13. The countryside/green space is being eroded
14. High density housing would have a negative impact on the area
15. A school is not needed on site
16. A neighbourhood centre is not needed
17. It would impact on community facilities
18. Not a suitable location for mass development

Email of objection before application was submitted received from 4 Cliveden Walk raising points relating to:

1. Proposal would erode green open space
2. Ecology may be harmed
3. May increase crime
4. There are other sites available

Letter of objection received from 11 Abbotsbury, 64 Gipsy Lane raising the following additional points:

1. Proposal is contrary to the National Planning Policy Framework and Local Plan Policy ENV1
2. Will adversely affect openness, visual amenity
3. Area is prone to flooding
4. The site is a habitat for protected species
5. Increase in traffic generation
6. There are no special circumstances that would justify building on the site

Petition of objection received with 174 signatures raising the following points:

1. Nuneaton and Bedworth Borough Plan aims to designate land on Gipsy Lane for residential land and an employment site on existing Greenbelt.

Letters of objection from Gladman Developments raising the following points:

1. There is no presumption in favour of development, and an assessment of 'very special circumstances' should take place.
2. The proposal is a departure from policy (Saved NBBC LP Policy ENV1)
3. Only limited weight should be attached to the Borough Plan
4. Emerging Plan should not be part of 'very special circumstances'
5. Failure to consider alternative sites, there is sufficient availability on Countryside rather than Greenbelt
6. Application should be referred to the National Planning Casework Unit
7. Strategic Joint Greenbelt Review should be given regard as a material consideration, and should be tested through the full extent of the Local Plan process
8. Lack of supply of housing land is unlikely to outweigh the harm to the Green Belt to constitute very special circumstances.

MP Marcus Jones, raising the following objections;

1. The absence of an up-to-date Local Plan raises the question of whether piecemeal development can deliver the infrastructure necessary to sustain the type of large-scale developments now being proposed.
2. Inappropriate Development in the Green Belt.
3. Gipsy Lane has no relevant speed restrictions.
4. Sight lines will be restricted
5. Access and egress to the site via a single junction is inappropriate.
6. No planned investment which would enable local schools to increase capacity to deal with the increase in pupil numbers
7. All the existing schools are in highly populated residential areas, which already bring conflict between car user on the school run and local residents.
8. I am unconvinced about the proposed delivery of a new first school within the site and feel that delivery of this part of the development would be questionable.
9. Serious concerns over the flooding of the Wem Brook
10. Access to the development also seems limited for construction traffic, limited by the existing weight restrictions on the Coventry Canal bridge, this would result in site traffic entering and exiting the site via either the residential Whitestone or Wembrook areas.

### **Support**

Letter of support received from 36 Nuneaton Road, Bedworth raising the following points:

1. Will bring much needed housing capacity to the Borough
2. Will also improve safety along Gipsy Lane
3. Still ample Greenbelt to the south side of Gipsy Lane

### **Relevant Previous History:**

None.

### **Background:**

Notwithstanding the level of objection received the application is being presented to Committee at the request of Councillor June Tandy.

This is an outline application for the erection of up to 575 dwellings including a mixed use neighbourhood centre, public open space, footpaths, cycleways, water attenuation basins, and associated infrastructure including the realignment of Gipsy Lane.

All matters are reserved to be considered at a future stage and do not form part of this application, these reserved matters not considered with this application are:

- 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.
- 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; and
- 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 Policies:**

Nuneaton & Bedworth Borough Local Plan June 2006: H3 – Affordable Housing; H5 – Housing Capable of Adaption; H6 - Planning Obligations; ENV3 - Rural and Urban Countryside; R8 - Green Track Network and ENV14 Supplementary Planning Guidance/Supplementary Planning Documents. Residential Design Guide 2004. Affordable Housing SPG 2007. National Planning Policy Framework March 2012.

**RECOMMENDATION:**

The Council be minded to approve the application and it be referred to the Secretary of State for the Communities and Local Government in accordance with the Circular 02/09: The Town and Country Planning (Consultation) (England) Direction 2009. If the Secretary of State decides not to intervene, the Head of Development Control be given delegated authority to grant planning permission. On completion of a Section 106 agreement relating to contributions towards off site education improvements, off site improvements to local health services, rights of way improvements, the provision of affordable housing, contributions to the police, the provision of cycleway/footpaths, highway improvements including works to the highway and to support public transport and for the improvement of nearby community facilities as well as open space and play facilities in the area.

**Reason for the recommendation of approval**

Having regard to the pattern of existing development in the area and relevant provisions of the development plan, as summarised above, it is considered that subject to compliance with the conditions attached to this permission, although the proposed development would not be in accordance with the development plan, it 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. The Council be minded to approve the application and it be referred to the Secretary of State for the Environment, Transport and the Regions in accordance with the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999. If the Secretary of State decides not to intervene, the Principal Development Control Officer be given delegated authority to grant planning permission.

**Statement of positive engagement:**

The Council has worked with the applicant and their appointed agent in a positive and proactive manner through pre-application discussions, keeping them informed of the planning application progress, requests for additional information to address issues raised within consultation responses and the planning issues which have arisen during the determination of the planning application and negotiations for legal obligations.

**Conditions:**

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

Plan Description	Plan No.	Date Received
Illustrative Master Plan	TIL002/016B	14th February 2014
Parameter Plan	TIL002-015	14th February 2014
Site Location Plan	TIL002-001	15th November 2013
Proposed Access Arrangement	ITB8112-GA-004	15th November 2013
Soakaway Feasibility and		
Landfill Investigation	00035605.001	15th November 2013
Transport Assessment	PH/MS/ITB8112-003AR	15th November 2013
Planning Statement	N/A	15th November 2013
Design and Access Statement	N/A	15th November 2013

Sustainability Appraisal and Energy Statement	N/A	15th November 2013
Statement of Community Involvement	N/A	15th November 2013
Utilities Assessment	11013061	15th November 2013
Heritage Statement	PRC/14261	15th November 2013
Landscape and Visual Impact Assessment	N/A	15th November 2013

5. Prior to the submission of any applications for approval of reserved matters, a Phasing Plan shall be submitted to and approved in writing by the local planning authority. The Phasing Plan shall provide details of the sequence of development across the entire site, including:
  - a. The provision of all major infrastructure including accesses, roads, footpaths, cycle ways and access ramps
  - b. Residential dwellings.
  - c. Public open space.
  - d. Equipped play facilities, ballcourt/multi-use games area, teenager facility and junior/mini pitch.
  - e. Balancing ponds.
  - f. Ecological and landscaping enhancement areas.
  - g. Neighbourhood Centre.

The development shall not be carried out other than in accordance with the approved Phasing Plan unless otherwise agreed in writing by the Council.
6. No phase of development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period for that phase of development unless otherwise agreed in writing by the Council. The Statement shall provide for:
  - i) The routeing and parking of vehicles of site operatives and visitors;
  - ii) Hours of work;
  - iii) Loading and unloading of plant and materials;
  - iv) Storage of plant and materials used in constructing the development;
  - v) Wheel washing facilities;
  - vi) Measures to control the emission of dust and dirt during construction; and
  - vii) A scheme for recycling/disposing of waste resulting from construction works.
7. No phase of development shall commence until full details of the site levels and finished floor levels for that phase have been submitted to and approved in writing by the local planning authority. No construction work shall be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Council.
8. No phase of development shall commence until full details and samples of materials proposed to be used in the external parts of any building in that phase have been submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Council.
9. No phase of development shall commence until full details of the boundary treatments in that phase, including new walls and fences, have been submitted to and approved in writing by the Council. 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 Council.



10. The development hereby permitted, shall not be carried out other than in accordance with the approved Flood Risk Assessment (FRA) Ref: 11013061, dated 07/01/2014, compiled by WSP, and the following mitigation measures:
  - a) Limiting the discharge rate from the developed site to the pre-developed equivalent Greenfield runoff rate for the corresponding rainfall event. (This is typically based on the impermeable areas of development only; however, where the discharge rate is based on both permeable and impermeable areas of development, the drainage strategy must demonstrate how the permeable areas of the development are.
  - b) Finished floor levels set no lower than 300mm above the modelled 100year (Climate Change) flood level as determined by the Wem & Griff Brook Hydraulic Model Study Positively drained.
11. No phase of development hereby approved shall take place until such a time as a surface water drainage scheme (including details of foul sewage), based on sustainable drainage principles has been submitted to and approved in writing by the Council. Plans and calculations in support of the onsite surface water drainage system (i.e., micro drainage output for the 1 year, 30 year, 100 year climate change rainfall events, including pipeline schedules, network information, summary results and where flooding occurs the detailed output for the worst case duration for each return period affected), should be provided to demonstrate that no flooding occurs to the proposed development or surrounding area from the above rainfall events. If the system surcharges then a detailed plan (the location of any surcharging should be identified as should any resultant overland flood flow routes) and calculations for any surface flooding, including flood flow routes, expected depths, and confirmation that this would not cause flooding to nearby properties should be submitted to and approved by the Council in writing. Any excess surface water should be routed away from any proposed or existing properties. In addition any calculations (i.e. micro drainage output for the 30 year and 100 year climate change rainfall events) in support of any on site surface water attenuation system including sizing and any flow control e.g. hydro brake, details and design should be submitted and approved in writing by the Council.
12. No phase of development shall commence until full details of the provision of car parking, access and manoeuvring for that phase, including surfacing and drainage have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the car parking, access and manoeuvring areas for that dwelling have been laid out in accordance with the approved details, unless otherwise agreed in writing by the Council. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.
13. No development shall take place until an Ecological Construction Management Plan (ECMP) has been submitted to and approved in writing by the local planning authority. The approved ECMP shall be adhered to throughout the construction period. The Statement shall include details of any pre-construction checks required; the species safeguards to be employed; appropriate working practices and sequence of construction works; and the extent of buffer zones and stand-offs for sensitive ecological features. The ECMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the ECMP and address any contingency measures where appropriate.
14. No development shall take place until a Landscape Management Plan, indicating a scheme for the long-term management of open space, green infrastructure and planting within the public realm and details of biodiversity management has been submitted to and approved in writing by the Council. The open space, green infrastructure and planting shall thereafter be managed in accordance with the approved Landscape Management Plan, unless otherwise agreed in writing by the Council.

15. No phase of the development hereby permitted shall commence until a scheme has been submitted to and approved in writing by the local planning authority giving details of all existing trees and hedgerows within or adjoining that phase, any to be retained, and measures for their protection in the course of the development which is to be carried out in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. No tree or hedgerow other than so agreed shall be removed, and no construction works for that phase shall commence unless the approved measures for the protection of those to be retained have been provided and are maintained during the course of development.
16. No development shall take place until details of the layout of the open space and landscaped areas shown on the Parameter Plan, including the equipped play area for toddlers and junior ages, ballcourt/Multi Use Games Area and associated teenage facility, other public open space shown on the Parameter Plan, ecological and landscaping enhancement areas, and the associated boundary details (including fencing), paths / cyclepaths, surfacing, drainage, bins, seating, signage and notice/information boards, has been submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details, unless otherwise agreed in writing by the Council.
17. The details required by condition 1(d) (The Landscaping Reserved Matter) shall be carried out within 12 months of the commencement of the development and subsequently maintained in the following manner:  
Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.
18. No phase of development shall commence until a scheme for the lighting of the housing and associated access roads, parking areas and open spaces in that phase has been submitted to and approved in writing by the local planning authority. This scheme should outline how the lighting scheme avoids potential negative effects upon the habitats used by foraging and commuting bats as evidenced by a suitably qualified and experienced ecologist. The development shall not be carried out other than in accordance with the approved details, unless otherwise agreed in writing by the Council.
19. No phase of development shall commence until a noise attenuation scheme, including glazing and ventilation details, to limit noise levels within bedrooms and living rooms to 30dB LAeq,T and within garden areas to 55dB LAeq,T, has first been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied other than in accordance with the approved details and the recommendations of the Noise Assessment (RA00269 – Rep1).
20. No development shall commence until a site investigation to determine the gas regime and the extent of any land contamination associated with the on-site recorded historic landfill site has been carried out and the results submitted to the Council, along with the details of any remedial measures. No development shall commence until either (a) the Council has agreed in writing that no remedial measures are required, or (b) details of remedial measures have been approved in writing by the Council, in which case the works shall not be carried out other than in accordance with the approved details.
21. No phase of development shall commence until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes, for that phase has been submitted to and approved in writing by the local planning authority. Development within any phase shall not be occupied until provision has been made in accordance with the approved details.

22. No construction of the neighbourhood centre shall commence until details of the proposed uses and hours of operation have been submitted to and approved in writing by the Council.
23. Prior to the submission of any Reserved Matters applications for any phase of development:
  - A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work across this site, taking in to account the investigative work and methodology already undertaken, shall be submitted to and approved in writing by the LPA.
  - The programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI is to be undertaken. A report detailing the results of this fieldwork is to be submitted to the planning authority.
  - An Archaeological Mitigation Strategy document shall be submitted to and approved in writing by the LPA. This should detail a strategy to mitigate the archaeological impact of the proposed development. Dependent upon the results of the trial trenching, this may include further archaeological fieldwork and/or the preservation in situ of any archaeological deposits worthy of conservation.

Unless otherwise agreed with the Council, no development shall take place until any fieldwork detailed in the approved Archaeological Mitigation Strategy document has been completed to the satisfaction of the Council. The post-excavation analysis, publication of results and archive deposition shall be undertaken in accordance with the approved Mitigation Strategy document.
24. Notwithstanding the plans submitted no development shall commence until full details of the signalised junction of Coventry Road and Gypsy Lane has been submitted to and approved in writing by the Council in consultation with the Highway Authority. No construction shall commence until the signals have been constructed in accordance with the approved plans.
25. No development shall commence until a Stage1/2 Road Safety Audit has been submitted for the accesses and signalised junction in accordance with guidance. No development shall commence until any recommendations made in the Audit are incorporated into the design or any exceptions agreed.
26. No development shall commence until the bridges over the canal and the Wem Brook on Gypsy Lane have been inspected and assessed by the Highway Authority, and the Traffic Regulation Orders altered prior to and after construction to accord with the weight limits recommended.
27. Access for vehicles to the site from the public highway (Gypsy Lane D1454) shall not be made other than at the positions identified on the approved drawing, number ITB8112-GA-004 Rev B.
28. No dwellings shall be occupied until the speed limits fronting the site have been altered in accordance with the details provided.
29. No dwelling shall be occupied until sustainability packs for each household have been provided in accordance with details which have first been submitted to and approved in writing by the Council

## PLANNING APPLICATIONS

2. **032321/AB: Newtown Road Service Station Newtown Road, Nuneaton  
Construction of a new Petrol Filling station and associated works (and demolition of  
existing structures)**

Applicant: Asda Stores Limited

**Consultees Notified:**

Severn Trent Water, WCC Highways, Environment Agency, Health and Safety Executive, WCC Trading Standards, WCC Drainage, Warwickshire Police, NBBC Planning Policy, NBBC Parks & Countryside, NBBC Estates and Town Centres and NBBC Environmental Health.

**Neighbours Notified:**

Currys, B&M Stores, Carpet right, Newtown Centre, Enterprise Car Rental, Stagecoach Newtown Road; Cards Galore, The Crown Inn Bond Street.

**Consultation Representations:**

Severn Trent Water

1. No objection to original consultation subject to a condition relating to:
  - a. Drainage details for disposal of surface water and foul sewage.
  - b. No response to amended documents and plans.

Environment Agency

1. Objection to initial Flood Risk Assessment (FRA) on the grounds that:
  - a. The Flood Risk Assessment does not comply with their requirements or guidelines.
2. No objection subject to amended FRA subject to conditions relating to:
  - a. Mitigation measures to limit the surface water run-off, provision of storage volume and specified finished floor levels.
  - b. Site investigation, risk assessment, remediation strategy and verification plan including long term monitoring and maintenance.

WCC Highways

1. Objection on the grounds that:
  - a. The proposed development could have a detrimental effect on the flow of traffic on the surrounding public highway network and it has not been demonstrated how the movements will be improved.
2. No objection following further surveys, modelling and amended plans subject to conditions relating to:
  - a. Construction traffic does not use the access from Newtown Road.
  - b. Construction of access.
  - c. Details of access, car parking, manoeuvring, service areas, surfacing, drainage and levels.
  - d. Resurfacing of dropped kerb crossing fronting Newtown.
  - e. Provision of visibility splays.
  - f. No glare from lighting sources onto the public highway.
  - g. Provision of turning area and parking area for construction traffic.
  - h. Details to prevent/minimise spread of extraneous material.

WCC Archaeology

1. No comment.

Warwickshire Police

1. No objection.

WCC Land Drainage

1. No response to initial consultation.
2. No objection to new Flood Risk Assessment subject to the following conditions:
  - a. Development to be implemented as per the new FRA Report.
  - b. Details of drainage including oil separator, underground storage, control device and flap valve from the last chamber must be submitted prior to commencement.

Health and Safety Executive

1. No comments to make.

WCC Trading Standards

1. No objection.
2. Comments as follows:
  - a. Confirmation required of how the site will be monitored when there is no staff on the forecourt.

NBBC Parks & Countryside

1. No objection subject to conditions relating to:
  - a. A lighting survey to illustrate there will be no additional light spill to the river Anker.
  - b. Landscaping details must be approved prior to commencement.

NBBC Town Centre and Estates

1. No adverse comments.

NBBC Planning Policy

1. Support the proposal provided it is demonstrated that it will not impact on highway safety.

NBBC Environmental Health

1. No objection subject to conditions covering:
  - a. Contaminated land.

**Neighbour Representations:  
Objection**

Letters of objection received from 24 Old Hinckley Road, 28 Southfield Close, 38 Bronze Close and 7 Heron Way Bristol, stating the following:

1. The site is in an air quality zone and will increase environmental pollution.
2. There will be a vast increase in traffic which is already choked at peak times.
3. Could be an environment impact if petroleum ran off into the River Anker.
4. Whilst there was a petrol station here before but 20 years ago when there wasn't as much traffic.
5. Asda have not demonstrated a need, there is current provisions in Nuneaton.
6. Existing trading stations serve the community and provide local services and the proposal if allowed would cause job losses at other stations.

7. Dispute that Asda provide low priced fuel.
8. Whilst there would be some customers already shopping at Asda there will be some people who make special visits.

Letter of no objection from Stagecoach Midlands.

**Relevant Previous History:**

010040 Change of use from car sales to car rental. Approval 2005  
 007237 Installation of replacement 3000 gallon storage tank. Approval 1995  
 019283 Reconstruction of front elevation to construct office, sales room and store. Approval 1983  
 019188 Alterations to front elevations and re-siting of pump & island and petrol storage tank. Approved 1988

**Background:**

The application is being presented to Committee at the request of Councillor Kondakor.

**Relevant Policies:**

Nuneaton & Bedworth Borough Local Plan June 2006- Emp3 Redevelopment of Existing Sites or new Wind-fall Sites and S1 Town Centres. National Planning Policy Framework March 2012.

**RECOMMENDATION: Approval**

**Reason for the recommendation of 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.

**Statement of Positive engagement:**

The Council has worked with the applicant and their appointed agent in a positive and proactive manner through pre-application discussions, discussions to overcome technical objections from consultation responses and by keeping the agent informed of the planning application progress in order to address the planning issues which have arisen during the determination of the planning application and in accordance with the planning principles set out in the National Planning Policy Framework.

**Conditions:**

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

Description	Reference/Drawing. no.	Date Received
Design and Access Statement		7th March 2014
Flood Risk Assessment Report	5975-001 January 2014	7th March 2014
Tree survey	Aug 2013 rev A	9th Sept 2013
Eco Care Air and Water		9th Sept 2013
Surveillance camera	WV-CW960 series	9th Sept 2013
Nuneaton Transport Assessment	August 2013	9th Sept 2013
NDC Automated Traffic Count Data	Appendix D	9th Sept 2013

Technical Note 1	1st November 2013	5th Nov 2013
Technical Note 2	7th February 2014	7th March 2014
Orion AL4000		17th Jan 2014
Heras bow top fencing	std_bow_top_fe_002 rev 0	17th Jan 2014
Site Location Plan	A1322-NE(PA)01 rev P2	9th Sept 2013
Existing Block Plan	A1322-NE(PA)02 rev P3	7th March 2014
Proposed Block Plan	A1322-NE(PA)03 rev P4	7th March 2014
Proposed Petrol Station Plan	A1322-NE(PA)04 rev P5	7th March 2014
Proposed Forecourt Elevations	A1322-NE(PA)05 rev P2	9th Sept 2013
Proposed Forecourt Sections	A1322-NE(PA)06 rev P2	9th Sept 2013
Control Room Details	A1322-NE(PA)07 rev P2	9th Sept 2013
Lighting Column/Dome		
CCTV Details	A1322-NE(PA)08 rev P2	9th Sept 2013
Landscape Plan	A1322-NE(PA)09 rev P2	7th March 2014

3. No development shall commence until details for the disposal of both surface water and foul sewage have been submitted to and approved in writing by the Council. No development creating surface water run and the development shall not be brought into use until the drainage works in accordance with the approved details have been carried out.

As a minimum the details must include;

- Calculations of pre, and post- development runoff rates.
  - A fully labelled network drawing showing all dimensions of all elements of the proposed drainage system.
  - Detailed network calculations that correspond to the above drawing.
  - Modelled results for critical storms, including as a minimum 1yr, 30yr, and 100yr +30% cc events of various durations. A submerged outfall should be used for the modelling.
  - If required, an electronic copy of the model may be requested.
  - Correspondence from Severn Trent Water giving points of connection, permitted discharge rates, and confirmation of sufficient capacity within the receiving networks.
  - Detailed designed drainage drawings, including oil separator, underground storage and control device.
  - Details of the long term maintenance of the drainage.
  - The applicant should also include evidence of overland flood flow routing in case of system failure. This should include the flow routes and depths/velocities of the flows.
  - Installation of a flap valve within the last outfall chamber prior to leaving the site to minimise backwater affect from the River Anker.
4. No development shall be carried out unless in accordance with the approved Flood Risk Assessment (FRA) Report January 2014 Report No. 5975-001 and the following mitigation measures detailed within the FRA:
- a. Limiting the surface water run-off generated by the all rainfall events to 10.3l/s as per section 2.5 of the FRA so that it will not increase the risk of flooding off-site.
  - b. Provision of storage volume of 31.6m<sup>3</sup> set out in section 2.5 of the FRA.
  - c. Finished floor levels are set no lower than 81.84m above Ordnance Datum (AOD).
5. No development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the Council:
- a. A preliminary risk assessment which has identified:

- all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- b. A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - c. The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Council. The scheme shall be implemented as approved.

6. The mitigation measures shall be fully implemented prior to the use commencing on the site and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as submitted and approved in writing by the Council.
7. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Council. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
8. No development shall commence until full details of the provision of the access, car parking, manoeuvring and service areas, including surfacing, drainage and levels have been submitted to and approved in writing by the Council. No building shall be brought into use until the areas have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles. The vehicular access to the site shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.
9. No development shall commence until the new access and egress into the site including the access road between the roundabout junction of the A444 and the mini-roundabout within the application site is constructed in accordance with drawing numbers A1322-NE(PA)04 Rev P5 and A1322-NE(PA)03 Rev P4. All construction traffic are to use this new access rather than from Newtown Road (unless otherwise agreed in writing by the Council).
10. No development shall commence until a turning area has been provided within the site so as to enable general site traffic and construction vehicles to leave and re-enter the public highway in a forward gear.
11. No development shall commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.



12. No development shall commence until a parking area for all vehicles associated with the development hereby permitted has been provided to ensure no vehicles park or wait on the public highway during the demolition and construction.
13. The dropped kerb crossing fronting Newtown Road shall not be used until it has been resurfaced to the satisfaction of the Highway Authority and shall be used for the egress of tanker deliveries from the site only, and shall be gated at all times to prevent access / egress by other vehicles. The barriers shall be used and maintained in perpetuity unless agreed otherwise in writing by the Council.
14. The proposal will not be brought into first use until visibility splays have been provided to the vehicular egress from the site with an 'x' distance of 2.4 metres and 'y' distances of 25.0 metres to the near edge of the 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 carriageway.
15. Notwithstanding the details provided in A1322-NE(PA)08 and the details provided of the specification for use of the Orion 3 AL4000 lighting columns, a full lighting survey must be submitted and approved by the Council prior to any lighting (including during the construction phase) being first brought into use. This must show contour lighting spills and adequately evidence that there will be no increased light reaching the river corridor or glare to the public highway. The approved details shall be maintained in perpetuity to ensure no increase there is no light to the river corridor or glare to the public highway.
16. Notwithstanding the landscaping details provided on the approved plans, the landscaping details including new fences are to be submitted and approved by the Council and completed on site prior to the commencement of the use.

## GUIDE TO USE CLASSES IN ENGLAND

### Town & Country Planning (Use Classes) Order (as amended 2013)

Class	Category	Description	Permitted Change
<b>A1</b>	Shops	Shops, retail warehouse, post offices, ticket and travel agencies, sale of cold food for consumption off the premises, hairdressers, funeral directors, hire shops, dry cleaners, internet cafes.	To a mixed use as A1 & up to 2 flats. Temporary permitted change (2 years) for up to 150 sq m to A2, A3, B1 (interchangeable with notification)
<b>A2</b>	Financial & Professional Services	Banks, building societies, estate and employment agencies, professional services (not health or medical services) betting offices	To Class A1 where there is a ground floor display window and to a mixed use of any purpose within Class A2 & up to 2 flats. Temporary permitted change (2 years) for up to 150 sq m to A2, A3, B1 (interchangeable with notification)
<b>A3</b>	Food & Drink	Restaurants and cafes	To Class A1 where there is a ground floor display window and Class A2. Temporary permitted change (2 years) for up to 150 sq m to A2, A3, B1 (interchangeable with notification)
<b>A4</b>	Drinking Establishments	Public houses, wine bars or other such drinking establishments	To A1, A2 or A3 Temporary permitted change (2 years) for up to 150 sq m to A2, A3, B1 (interchangeable with notification)
<b>A5</b>	Hot Food Takeaway	For the sale of hot food for consumption off the premises	A1, A2 or A3 Temporary permitted change (2 years) for up to 150 sq m to A2, A3, B1 (interchangeable with notification)
<b>B1</b>	Business	a) Office other than a use within Class A2 b) Research and development of products or processes c) For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	Permitted B1 change to Class B8 subject to total floorspace being no greater than 500 sq m B1(a) office permitted change to C3 subject to: prior approval processes; previous use timings; limitations and exempt area (until 30/5/16) Temporary permitted change (2 years) for up to 150 sq m to A2, A3, B1 (interchangeable with notification) Permitted change from B1 to state funded school (and back to previous lawful use)
<b>B2</b>	General Industrial	Industrial process other than one falling within Class B1	B1 and B8. Permitted change to B8 is subject to total floorspace being no greater than 500 sq m
<b>B8</b>	Storage or Distribution	Use for storage or as a distribution centre	B1 subject to total floorspace being no greater than 500 sq m

<b>Class</b>	<b>Category</b>	<b>Description</b>	<b>Permitted Change</b>
<b>C1</b>	Hotels	Hotels, boarding and guest houses, (where no significant element of care is provided)	To state funded school (and back to previous lawful use)
<b>C2</b>	Residential Institutions	Residential accommodation and care to people in need of care, residential schools, colleges or training centres, hospitals, nursing homes	To state funded school (and back to previous lawful use)
<b>C2A</b>	Secure Residential Institutions	Prisons, young offenders institutions, detention centres, secure training centres, custody centres, short-term holding centres, secure hospitals, secure local authority accommodation, military barracks	To state funded school (and back to previous lawful use)
<b>C3</b>	Dwellings	Use as a dwelling house, (whether or not a main residence) by: a) a single person or by people to be regarded as forming a single household; b) Not more than six residents living together as a single household where care is provided for residents; or c) Not more than six residents living together as a single household where no care is provided to residents (other than use with Class C4)	Permitted change to C4
<b>C4</b>	Houses in Multiple Occupation	Use of a dwelling house by 3-6 residents as a "house in multiple occupation" (HMO). NB: Large HMO's (more than 6 people are unclassified therefore sui generis)	Permitted change to C3
<b>D1</b>	Non Residential Institutions	Clinics, health centres, crèches, day nurseries, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	Temporary permitted change (2 years) for up to 150 sq m to A1, A2, A3, B1 (interchangeable with notification)
<b>D2</b>	Assembly & Leisure	Cinemas, concert halls, bingo halls, dance halls, swimming baths, skating rinks, gymnasiums, other areas for indoor or outdoor sports and recreation not those involving motorised vehicles or firearms	To state funded school (and back to previous lawful use). Temporary permitted change (2 years) for up to 150 sq m to A1, A2, A3, B1 (interchangeable with notification)
	Sui-generis	Includes: theatres, large HMO's, hostels, petrol filling stations, shops selling and/or displaying motor vehicles, scrap yards, retail warehouse clubs, nightclubs, launderettes, taxi or vehicle hire businesses, amusement centres, casinos, funfairs, waste disposal installations.	No permitted change except casino to D2
	Other Changes of use	Agricultural buildings	See 2013 GPDO amendment for flexible changes to A1, A2, A3, B1, B8, C1, D2 (subject to limitations and conditions including some prior approval requirements)