

**CORPORATE SERVICES DIRECTORATE
PHILIP RICHARDSON MA LLB (HONS) BARRISTER
Assistant Director – Governance and Recreation
Town Hall, Nuneaton, Warwickshire, CV11 5AA**

Our Ref: DAM

Your Ref:

Date: 10th January, 2012

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Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held at the **Civic Hall, Bedworth** on Wednesday, 18th January, 2012 at 5.00 p.m. (In the event of the meeting being adjourned the Committee will re-convene on Thursday, 19th January, 2012 at 6.00 p.m.)

A site visit will take place prior to the meeting as detailed overleaf.

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

Yours faithfully,

PHILIP RICHARDSON

Assistant Director – Governance and Recreation

To: All Members of the Planning Applications Committee

(Councillors W.J. Hancox (Chair)
R.G. Copland, M.R Findley,
J.S. Ison, A.A. Lloyd, I.K. Lloyd,
D.C. Navarro, D. O'Brien, N.J.P. Phillips,
G. Smith, C. Stringer, J. Waine and
K.D. Wilson)

A G E N D A

PART I - PUBLIC BUSINESS

Site Visit Information

Members are reminded that a site visit will take place in connection with application number 031057/GC. Members are asked to meet at 67- 69 Tunnel Road, Nuneaton at 3.15 p.m.

Members not having their own transport are asked to meet at the Town Hall by not later than 3.00 p.m. If members require a lift from Bedworth Civic Hall, they are asked to phone 7637 6325 at least 24 hours before to arrange for an officer to pick them up at 2.45 p.m.

CODE OF CONDUCT- COMMITTEE SITE VISITS

The purpose of a visit to an application site is to clarify and gather information on planning issues relating to the site. It is not to provide a forum for debate and discussion on the merits of the application. Therefore, Committee Site Visits will be conducted subject to the following criteria:-

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

1. EVACUATION PROCEDURE

A fire drill is not expected during this meeting.

In the unlikely event that the Civic Hall needs to be evacuated, the Civic Hall Management will take control of the situation and issue all necessary instructions.

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 21st December, 2011 attached. **(Page 4)**
4. DECLARATIONS OF INTEREST - To receive declarations of personal/prejudicial 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 prejudicial interest the member must withdraw from the room unless dispensation has been given by the Standards Committee.

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 – report of the Head of Development Control attached. **(Schedule Page 7)**
6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK – report of the Head of Development Control attached. **(Schedule Page 7)**
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

21st December, 2011

A meeting of the Planning Applications Committee was held at the Town Hall, Nuneaton, on Wednesday 21st December, 2011.

Present

Councillor W.J. Hancox - Chair

Councillors M.R. Findley, D.C. Navarro, G. Smith, C. Stringer, J. Waine and K.D. Wilson.

Apologies for absence were received from Councillors R.G. Copland, J Ison A.A. Lloyd, I.K. Lloyd and D. O'Brien and N.J.P. Phillips.

348 **Minutes**

RESOLVED that the minutes of the meeting held on 21st November, 2011 be confirmed.

349 **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).

None

IN PUBLIC SESSION

350 **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.

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND RELATED MATTERS REFERRED TO IN MINUTE 350 OF THE PLANNING APPLICATIONS COMMITTEE ON 21st DECEMBER, 2011

030905/KI: Lamb & Flag PH, Church Road, Nuneaton
Conversion of storage building into two self contained residential units
Applicant: Mr. Terry Leedham

DECISION:

Refused on the grounds of highway safety and insufficient amenity for future occupiers.

031082/BU: 10 Coventry Road, Bulkington
Change of use of ground floor to day nursery (D1)
Applicant: Peter Wilkins

Speakers: Mrs Anne Crowe
Councillor J. Gutteridge – Ward Councillor
Ellie Jones

DECISION:

Refused.

031193/CH: Midland Quarry, Tuttle Hill, Nuneaton
Application for variation to the Section 106 Agreement dated 30th October 2003 relating to Planning Application TP/0118/03
Applicant: Redrow Homes

Speakers: Mark Marsh – Redrow Homes

DECISION:

A variation to the legal agreement entered into on 30th October 2003 requiring provision of £300,000 towards affordable housing be allocated flexibly across the whole of the Borough with the trigger point being occupation of the 50th dwelling.

031057/GC: Land Rear of 67-69 Tunnel Road, Nuneaton
Erection of 4 new dwellings with associated car parking and access driveway and new garage to existing dwelling
Applicant: c/o Mr. Otto De Weijer

Speakers: Mel Pardo
Alison Gregory
Councillor Bryan Grant – Ward Councillor
Mr Otto De Weijer

DECISION:

Deferred for a site visit to assess the impact on the character of the area and highway safety.

031170/WE: Former Fox & Crane Site, Weddington Road, Nuneaton
Amendment to previous approval, to demolish and replace existing building with new building

Applicant: Cartwright Homes Ltd.

Speakers: Colin Burrows
Bobby Evans

DECISION:

Refused.

030874/AT: Custom Chrome Ltd, 37-40 Seymour Road, Nuneaton
Erection of 7 flats in 2, two storey blocks (Existing building to be demolished)

Applicant: Mr. J. Basra

DECISION:

Refused on the grounds that the over-intensive nature of the proposal would create an un-cohesive development to the detriment of the area.

031035/BA: 374 & 376 Croft Road, Nuneaton
Conversion of shop units into two self contained flats to include elevational changes to the rear

Applicant: Mr. S. Gray

Speakers: Laura Hall

DECISION:

Refused on the grounds of insufficient parking provision to the detriment of highway safety and the adverse impact on existing and proposed occupiers by being overlooked.

Applications for Planning Permission etc.
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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		

SITE VISIT

Members will recall deferring the following for a site visit

1. **031057/GC: Land Rear of 67-69 Tunnel Road, Nuneaton
Erection of 4 new dwellings with associated car parking and access driveway and new garage to existing dwelling**
Applicant: c/o Mr. Otto De Weijer
- Reason for site visit:**
To assess the impact on the character of the area and highway safety.
- Consultees notified:** WCC Highways, Asset Management, Environmental Health, Parks & Amenities, Severn Trent Water and The Environment Agency
- Neighbours notified:** 4, 5 & 100 Orford Rise, 29-33 (odd), 47-59 (odd), 71, 73 Tunnel Road; 4, 5 & 100 Orford Rise, 29-33 (odd), 47-53 (odd), 57, 59, 71 & 73 Tunnel Road
- Consultation Representations:**
- WCC Highways:
- 1) Initial objection raising several points including; visibility splays, access width, turning areas, service vehicles, insufficient parking.
 - 2) Amended plans were received which overcame the original objection subject to conditions concerning:
 - a. details of access, car parking and manoeuvring areas
 - b. gate distances
 - c. footway crossing construction
 - d. visibility splays
 - e. turning area
- Asset Management: No response
- Environmental Health: No objection subject to condition:
 - a. Boundary fence required
- Parks & Amenities:
- 1) Concerns over some of the trees on the site so suggested condition relating to tree protection;
 - 2) Concern over ecology, so suggest bird and bat box condition;
 - 3) Comment relating to the adopted footpath.
- Severn Trent Water: No objection
- Environmental Agency: No objection
- Museum and Field Service: No objection
- Conservation Officer: No objection not considered to be worthy of heritage asset status.

Continued . . .

Neighbour Representations:

Letters of Objection to the original plans received from 31, 33, 47, 49, 51, 53, 57, 59, 73, 139 Tunnel Road, 15 Swinburn Close, raising the following points:

- 1) Do not want the demolition of 67-69 Tunnel Road (15).
- 2) Would like 67-69 Tunnel Road to be listed (15).
- 3) The proposal would impact upon the brook, habitat and view of farm (15).
- 4) A previous proposal for one dwelling was refused on the site (73).
- 5) The site's boundaries may have been extended historically (73).
- 6) The proposal may impact upon local wildlife, the habitat and environment (47, 49, 51, 53, 59, 73).
- 7) The site currently has a flood risk and this may increase this risk with the proposal (31, 51, 73).
- 8) Would further exacerbate the existing traffic, safety and parking issues surrounding the site (33, 47, 49, 51, 53, 57, 59, 139).
- 9) Lots of development locally over recent years (31, 139).
- 10) Rise in petty crime (139).
- 11) Countryside being 'eaten' away (139).
- 12) Would impact upon views and the openness of the countryside (33, 51, 57, 139).
- 13) The proposed access would be dangerous (31, 47, 49, 57, 59).
- 14) New proposal would increase pressure on local facilities (31).
- 15) Not in-keeping with surrounding area (31).
- 16) May cause difficulties for young mothers and those on mobility scooters because of access (57, 59).
- 17) Loss of privacy (33, 49, 51, 53, 57, 59).
- 18) Out of character with the surroundings (53, 59).
- 19) Construction vehicles will cause disruption including noise disturbance (53, 59).
- 20) Will impact upon light to house and garden (49, 51).
- 21) Will create noise disturbance (33, 51, 59).

Relevant Previous History:

TP/0524/00 – Residential development (outline for 1 house) – Refused – 12th January 2001

TP/0338/01 – Change of use from retail shop (67-69 Tunnel Road) – Approved – 1st June 2001

029841 – Subdivision of premises to two separate dwellings – Approved – 11th November 2009

Relevant Policies:

Saved Nuneaton & Bedworth Borough Local Plan June 2006: H6 - Planning Obligations, T10 - Car Parking Standards and ENV14 – Supplementary Planning Guidance/Documents - Residential Design Guide 2004 and the Car Parking Standards 2003.

Planning Policy Statement 1 - Delivering Sustainable Development, Planning Policy Statement 3 - Housing, Planning Policy Statement 5 - Historic Environment, Planning Policy Guidance 13 - Transport, and Planning Policy Statement 25 - Development and Flood Risk.

Continued . . .

RECOMMENDATION:

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

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.

Conditions:

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

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Site Layout	9609/PL01 Rev. F	15th November 2011
Land Survey	2887-01	30th August 2011
Plan and Elevations of Garage	9609/PL11	3rd October 2011
Site Location Plan	9609/PL10	30th August 2011
Elevations Plot 3	9609/PL07 Rev. B	3rd November 2011
Floor Plans Plot 3	9609/PL06 Rev. B	3rd November 2011
Plans Plot 1	9609/PL02 Rev. A	3rd November 2011
Elevations Plot 1	9609/PL03 Rev. B	3rd November 2011
Elevations Plot 4	9609/PL09 Rev. B	3rd November 2011
Floor Plans Plot 4	9609/PL08	3rd November 2011
Floor Plans Plot 2	9609/PL04 Rev. B	3rd November 2011
Elevations Plot 2	9609/PL05 Rev. B	3rd November 2011

3. No development shall commence until full details of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.
4. No development shall commence until details of all boundary treatments, including new walls and fences, have been submitted to and approved in writing by the Council. Including the provision of a 1.8 metre high close-boarded fence with the side boundary of 59 Tunnel Road. The use shall not commence until all boundary treatment has been carried out in accordance with the approved details.
5. No development shall commence until full details of the site levels and finished floor levels have been submitted to and approved in writing by the Council. No construction work shall be carried out other than in accordance with the approved details.
6. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the Council and the said scheme shall be carried out within 12 months of the commencement of the development and subsequently maintained in the following manner:-

Continued . . .

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.

7. No development shall commence until full details of the drainage to the site, including all surface water and foul sewers and drainage to all hardstandings, have been submitted to and approved in writing by the Council. No construction work creating surface water run off shall be carried out and no dwelling shall be occupied until the required drainage has been provided in accordance with the approved details.
8. No development shall commence until full details 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. The use shall not commence until the access has been constructed in accordance with the approved details.
9. No gates are to be hung within the access so as to open within 12 metres of the public highway footway.
10. The access to the site shall not be used until the existing public highway footway crossing has been altered, laid out and constructed in accordance with the approved plans and the specification of the Highway Authority.
11. The development shall not be commenced until visibility splays have been provided to the vehicular access to the site. Passing through the limits of the site fronting the public highway, the visibility splay looking left (east) from the access shall have a 'x' distance of 2.0 metres and a 'y' distance of 51.0 metres to the near edge of the public highway carriageway, and the visibility splay looking right (west) from the access shall have a 'x' distance of 2.4 metres and a 'y' distance of 51.0 metres. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.3 metres above the level of the public highway carriageway.
12. The development shall not be commenced 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.
13. No development shall commence until a scheme has been submitted to and approved in writing by the Council giving details of all existing trees and hedgerows on the site, any to be retained, and measures for their protection in the course of the development. No tree or hedgerow other than so agreed shall be removed, and no construction works shall commence unless the approved measures for the protection of those to be retained have been provided and are maintained during the course of development.
14. No development shall commence until full details of bird and bat bricks including specific location on the elevations, have been submitted to and approved in writing by the Council. Only the agreed details shall be implemented on site.

PLANNING APPLICATIONS

2. **031138/EX: Former Makro Cash & Carry, Silverstone Drive, Coventry**
Change of use of cash and carry store to Use Class A1 retail store to include
customer café, extension of mezzanine floor, ancillary external garden centre,
retention of B8 warehouse, alterations to building elevations

Applicant: Leekes Ltd

Consultees notified: WCC Highways; Environment Agency; Coventry City Council.

Neighbours notified: Unit 1, DB Schenker, Mallory Way; Melville/GES Global Network, City Link, Silverstone Drive; Unit 1, Unit 2, BDB Lock & Safe Unit 3, Vsport Unit 4, Unit 5, Unit 6, Curr@nt 7 & 8 & Unit 9 Amphion Business Park, Silverstone Drive.

Consultation Representations:

Town Centre Manager 1) No Objection

Planning Policy Letter of comment stating:
1) The applicant has submitted the appropriate supporting documents.
2) Site is of good quality in terms of employment land.
3) Impact on town centres and loss of employment land should be considered.

Coventry City Council Object on the grounds of lack of a robust sequential test and that the proposal could undermine established city and district centres.

Warwickshire Investment Partnership Letter of comment stating:
1) The Makro site is the only viable option for the Leekes site, refusal may cause Leekes to relocate outside the Borough.

WCC Highways No Objection

Environment Agency No Comment

Parks & Countryside No objection – potential for better fencing between car park and adjacent open space/wildlife site to prevent vehicular access by 4x4s.

Neighbour Representations:

Letters of objection from Melville Silverstone Drive, and DPP on behalf of the owners of land at Arena Park covering the following points:

- 1) Increase the pedestrian and vehicular movements to the building, increasing traffic, and creating congestion, danger and hazard within Silverstone Drive and at the junction. Our operation requires a larger number of hgv movements as well as other vehicles. (Melville)

Continued . . .

031138 continued . . .

- 2) Existing site is in a sustainable location and it would appear to be possible to extend the premises to achieve the requirements. The potential afforded by this sequentially preferable site does not appear to have been given any consideration as advised in PPS 4 good practice guide. (DPP)
- 3) Sequential assessment does not give sufficient consideration to sites within Coventry City Council's area. Applicant alleges there is not enough space in Arena Park Phase 2, do not consider that Leekes could not reasonably separate out goods and this should be thoroughly assessed as some goods sold would be expected to be sold in a town or district centre. Arena park Phase 2 could accommodate a significant amount of floor space required by Leekes. (DPP)
- 4) Development would compete with Arena Park Phase 2 which is within 500m of the site and no assessment of the impacts has been made. Consider the development would harm the vitality and viability of the major district centre and undermine the delivery of phase 2. (DPP)
- 5) Applicants have not referred to an appeal decision for Asda where Coventry Officers considered restrictive conditions could be lifted. Restrictive conditions should not be used as a bar to fully assess the site. (DPP)
- 6) Arena park is sequentially preferable and this site therefore fails the sequential test. (DPP)
- 7) Inaccurate figure have been used to assess the turnover figure at Arena Park.
- 8) Insufficient evidence has been provided to the Council to allow it to make a lawful decision. Consider the information submitted is not consistent with the policy advice in PPS4. (DPP)

Relevant Previous History:

TP/0659/00 – Wholesale Cash and Carry – Approved – 1/2/02.

Background:

The proposal is being presented to Committee as the Head of Development Control considers that the application should be considered by the Planning Applications Committee.

As the application is a departure from the Development Plan, if Planning Applications Committee resolve to approve the application, it must be referred to the Secretary of State, who may choose to call in the application and determine it. If not the Head of Development Control can issue the decision notice.

Relevant Policies:

PPS1 – Delivering Sustainable Development, PPS4 – Planning for Sustainable Economic Growth and PPG13 – Transport. Nuneaton & Bedworth Borough Local Plan June 2006 - Saved Policies T10, ENV1, EMP14, ENV14 Supplementary Planning Guidance/Supplementary Planning Documents - Residential Design Guide 2004.

Continued . . .

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.

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.

Conditions:

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

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Coventry Site Plan	11/24/012	11th October 2011
Proposed Site Plan	11/24/010 rev a	11th October 2011
Proposed First Floor	11/24/009	11th October 2011
Existing Side Elevations	11/24/005	11th October 2011
Proposed Side Elevations	11/24/007a	11th October 2011
Proposed Front Elevations	11/24/001	11th October 2011
Proposed Front & Rear Elevations	11/24/006a	11th October 2011
Leekes/Makro Square Metre Comparison	11/24/013	11th October 2011
Proposed Ground Floor Plan	11/24/008	11th October 2011
Existing Front & Rear Elevations	11/24/004a	11th October 2011
Proposed Bulky/Non Bulky Breakdown	11/24/011	11th October 2011
Employment Land Review	JCD0180 v1	11th October 2011
Design and Access Stat.	N/A	11th October 2011
Planning and Retail Stat.	JCD0180 v1	11th October 2011
Transport Statement	JNY7178-02D	11th October 2011

3. No development shall commence until a schedule of tree, shrub and landscaping maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Council. The schedule shall include details of the arrangements for its implementation. No development shall be carried out other than in strict accordance with the approved schedule.

Continued . . .

031138 continued . . .

4. The net trading sales area of the store shall not exceed 14,064 sq m. unless otherwise agreed in writing by the Council, the sales area reserved for 'Bulky Goods' shall not take up less than 64% of the total trading floor area as shown on the approved floor plans (Drawing Nos. 11/24/008 and 11/24/009) be only used for the sale of bulky goods, defined as home improvement and DIY products, plumbing and hardware goods, kitchens, bathrooms, windows, doors and conservatories, fires and fireplaces timber and building products, paint and wallpaper, garden supplies, furniture, beds, carpets and other floor coverings, tiles, soft furnishings, home-wares, sports and fitness equipment pets and pet products, electrical goods and motor accessories.
 5. The use shall not operate other than between the hours of 0900 and 2000 Monday to Friday; 0900 and 1800 Saturdays; and 1030 and 1700 Sundays and Bank Holidays.
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3. **031180/WH: 101 Meadowside, Nuneaton**
Single and two storey side and rear extensions

Applicant: Mr Z Hussain

Consultees notified: None

Neighbours notified: 95, 99 & 103 Meadowside; 83 & 85 Golf Drive.

Consultation Representations:

None

Neighbour Representations:

Letters of objection from 95, 97, 99 Meadowside covering the following points:

- 1) Will reduce direct sunlight to the rear garden as it is to the south west. (97)
- 2) Increase in accommodation will cause problems with car parking in the area especially as the garage is being converted. (95, 97)
- 3) Will directly affect the patio area to the side of 99 and will shade half of the garden until late in the day. (97)
- 4) Owner does not live at the property and has all the appearance of a guest house not in keeping with the location. (95)
- 5) Extension will significantly affect the light and privacy of my property and will have a knock on effect on the light of others. (99)
- 6) Own extension allowed reasonable space so as not to impinge on others, these plans do not do that. (99)
- 7) Request that committee members visit my property to review the impact on my property. (99)

Relevant Previous History:

850174 – Snooker room and kitchen extension – Approved 7/5/85

870318 – Pitched roof over garage – Approved 29/6/87

880137 – Porch extension – Approved 11/4/88.

Background

This application is being reported to Planning Applications Committee at the request of Councillor K. Wilson.

Relevant Policies:

Nuneaton & Bedworth Borough Local Plan June 2006 - ENV14 Supplementary Planning Guidance/Supplementary Planning Documents - Residential Design Guide 2004.

Continued . . .

031180 continued . . .

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 response(s) 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.

Conditions:

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

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Ground floor rear & side extension (existing)	1	07/11/11
Amended Ground floor rear & side extension (proposed)	2	03/01/12

4. **031185/WE: Land rear of Church Hall, Church Lane, Nuneaton
Erection of one house (Re-submission following refusal of 030820) (Rear of 32, 34 & 36 Church Lane)**

Applicant: Wembrook Builders Ltd

Consultees notified: Severn Trent Water; WCC Highways; Housing Dept.

Neighbours notified: 114-128(even) Castle Road; 32-44(even), 45-49(odd), 49a Church Lane; St James Church PCC; 3 The Paddocks; 1, 2, 3, 4, 8, 9, 10, 11 Swinnerton Heritage.

Consultation Representations:

WCC Highways No objection subject to conditions covering (a) full details of drainage of car parking and manoeuvring area (b) measures to prevent/minimise construction debris/mud on highway.

Severn Trent Water: No objection subject to condition covering (a) drainage plans for disposal of surface water and foul sewage and a note to the applicant relating to the public sewer within application site.

Housing: No response.

Neighbour Representations:

Letters of objection to original plans from 1 (2 letters), 8, 9, 10, 11 Swinnerton Heritage; 7 (2 letters) Portreath Drive; 40 Church Lane; 3 The Paddocks; 120, 122 Castle Road; 22 Barham Close raising the following points:

- 1) Reasons for refusing previous application still remain (1, 3, 7, 8, 9, 10, 40, 122).
- 2) Would become overcrowded and intensive (1, 3, 7, 9, 11).
- 3) Additional traffic in Swinnerton Heritage (1, 3, 8).
- 4) Impact on highway safety with particular risk to children playing in road (1, 3, 7, 8, 9, 11, 22, 40).
- 5) Loss of garden land (1, 3, 7, 10, 40).
- 6) Impact on visual amenity - not in keeping with surrounding area (1, 3, 7, 10, 11, 22).
- 7) No space for construction traffic (1, 3, 9).
- 8) Disabled and housebound. Impact from construction, particularly noise, would have a negative impact on health (1).
- 9) Lack of parking spaces (7, 8, 10, 11, 22).
- 10) Potential future applications to increase house numbers (7).
- 11) Swinnerton Heritage private road and have to pay for maintenance of. New development should not use without contributing (7).
- 12) Issues with refuse vehicles entering Swinnerton Heritage (8).
- 13) Would overshadow garden and lead to loss of light and be overbearing to windows at property (122).
- 14) Would leave garden exposed and open to security issues (122).
- 15) Site would need to be fenced off properly (122).
- 16) Do not want trees cut down (122).
- 17) Loss of privacy and light to property and would be overbearing (11).

Continued . . .

031185 continued . . .

- 18) Impact from noise disturbance (122).
- 19) Query boundary treatment between plot 1 and 11 Swinnerton Heritage (11).
- 20) Housing requirement in Weddington proposed to be met elsewhere (9).
- 21) Potential damage to trees at end of properties in Castle Road (120).
- 22) Trees would overshadow proposed house and may be cut down (120).

Letters of objection to amended plans from 1 Swinnerton Heritage and 42 Church Lane raising the following points:

- 1) Minor alterations so reasons for original objection still remain (1).
- 2) Still 3 gardens away from property and would impact on outlook from this (42).

Relevant Previous History:

030820: Erection of three houses and one studio flat over carport in connection with development. Refused 12/07/2011.

Relevant Policies:

Saved Nuneaton & Bedworth Borough Local Plan June 2006: H6 Planning Obligations; ENV14 Supplementary Planning Guidance/Supplementary Planning Documents - Residential Design Guide 2004; and T10 Car Parking Standards - Car Parking Standards SPG 2004. PPS1: Delivering Sustainable Development, PPS3: Housing and PPG13: Transport.

RECOMMENDATION:

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

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.

Conditions:

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

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Site Location Plan	2679/01	10/11/2011
Proposed Site Plan	2679/10 A	22/12/2011
Proposed Plans, Elevations & Sections	2679/11 A	22/12/2011

Continued . . .

031185 continued . . .

3. No development shall commence until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.
 4. No development shall commence until full details of the boundary treatments, including new walls and fences (including a 1.80 metre close boarded fence to the boundary with adjoining properties in Castle Road) have been submitted to and approved in writing by the Council. The dwelling shall be occupied until the boundary treatment has been carried out in accordance with the approved details.
 5. Notwithstanding the plans submitted, no development shall commence until full details of the drainage of the car parking and manoeuvring areas as shown on the approved plan have been submitted to and approved in writing by the Council. The dwelling shall not be occupied until the areas have been laid out in accordance with the approved details and such areas shall be permanently retained for the 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.
 6. The development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of construction vehicles using the site and to clean the public highway of such material.
 7. No development shall commence until full details of the drainage to the site, including all surface water and foul sewers and drainage to all hardstandings, have been submitted to and approved in writing by the Council. No construction work creating surface water run off shall be carried out and no dwelling shall be occupied until the required drainage has been provided in accordance with the approved details.
-

5. **029940/HE: Rear of 78-112 Newcomen Road, Bedworth
Erection of 24 houses and 4 apartments**

Applicant: Westleigh Developments Ltd

Consultees notified: Severn Trent Water; Environmental Health; Warwickshire Museum; Environment Agency; National Grid Coleshill & Warwick; Warwickshire Fire & Rescue; WCC Highways; East Midlands Electricity; Warwickshire Police.

Neighbours notified: 1-16(inc) Dowty Avenue; 1-19(inc) Howells Close; 26-36(even), 37-67(odd) Mavor Drive; 41-75(odd), 78-132(even) Newcomen Road; 1-16(inc) Newey Avenue; 1-20(inc) Raynor Crescent.

Consultation Representations to Original Schemes:

Highways	No objection to amended plans
Environmental Health	Request conditions covering (a) contaminated land
Severn Trent Water	Request conditions covering (a) drainage details for foul and surface water
Warwickshire Police	Build to secure by design standards, some form of barrier should be installed between parking areas to help prevent anti social behaviour. Have been 382 reports of anti social behaviour/ criminal damage, 113 reports of burglary, 43 vehicle crimes reported. Development should incorporate secured by design standards. Concerned about the permeability of the site it lends itself to ASB by those using cars and motorbikes. Some form of barrier should be installed between the parking areas.
Fire and Rescue	Request condition covering (a) provision of fire hydrants
Environment Agency	Objected initially, but on submission of additional information do not object request conditions covering (a) contaminated land.
National Grid	No objections subject to maintenance of safety clearances during and after construction and development being carried out in accordance with plan 3806 24/C

Consultation Representations to Amended Scheme:

None

Neighbour Representations to Original Schemes:

Letters of objection to original plans from, 94 (2 letters one of which forwarded from Mike O'Brien former MP and the other contains many enclosures concerning the risks from the cables.) 114, 144, Newcomen Road, 12 Howells Close covering the following points

- 1) Site is directly under overhead power cables, must be concerned about the health issues affecting people living in close proximity to these cables. (94)

Continued . . .

029940 continued . . .

- 2) Potential occupiers of properties are likely to be young people just starting out and raising families do not need to add potential health problems to them. (94)
- 3) Bedworth does not need these homes so badly that the problems can be ignored. (94)
- 4) Reports recommend building no closer than 62m to power lines There is nowhere on the site that is outside of this measurement. Reports show that the incidences of leukaemia are more prevalent in the vicinity of power lines. (94)
- 5) Urge MP to intercede and stop the development going ahead. (94)
- 6) Agree something needs to be done with the land but housing is not the best option. (94)
- 7) Some residents in the area were compensated for living so close to the cables. If there is no risk why pay compensation? (94)
- 8) Bedworth is not struggling for dwellings so that people's health should be put at risk. (94)
- 9) Local Authority has a duty to health and safety of the community. Site is unsuitable for domestic dwelling. (94)
- 10) Concerned about parking and through traffic in Howells Close. Most houses own 2 cars and it is difficult to park in the street at present. (12)
- 11) With the increase in traffic and site traffic, where can we park? The road is not wide enough for double parking and not enough room for large vehicles to pass by. (12)
- 12) Would the company be prepared to provide off road parking for residents to compensate? (12)
- 13) Developers have not taken into consideration the objections to this proposal. Land could be put to better use. (144)
- 14) Area should be made into a play area for the children. There are no green areas at this end of the estate, the area is already enclosed and could be locked at night. (144)
- 15) Development will make the area more of a concrete jungle than it already is.
- 16) Wish to ensure that the tree in the rear garden will not be affected by the proposal. (144)
- 17) Bin storage area will attract rats and will smell. (144)
- 18) Proposed property adjacent to my property will still be the same height, shade my garden and have bedroom windows overlooking my garden. (114)
- 19) Have not seen any sewer plans and do not want the garden dug up to allow sewers to be laid. (114)
- 20) Apartment will be sold to young people who will bring problems of noise and additional traffic. If they are dog owners there will be the problem that they do not have a garden. (114)
- 21) Disruption during construction. (114)

Letter of Support to Original Scheme
63 Newcomen Road

- 1) Area has been a health hazard for a long time. The sooner the works starts the better for everyone.

Continued . . .

029940 continued . . .

Letter of comment to original scheme from Mike O'Brien former MP enclosing letter from 94 Newcomen Road

- 1) Forward the letter to you just in case you have not already seen it.
- 2) Would appreciate a response on the points raised about health concerns. Aware of the background to this, have a home under overhead power cables.

Neighbour Representations to Amended Scheme:

None

Previous History:

3 previous planning applications for residential development

TP/0569/94 – outline residential development – approved now expired

TP/0160/04 – 25 dwellings outline – approved subject to 106 – finally disposed of 10543 – 19 houses outline – approved subject to s106 – still to be completed.

Background:

This application is an amendment to an application previously considered by Planning Applications Committee in October last year.

Relevant Policies:

Nuneaton and Bedworth Borough Local Plan June 2006 Env14 - Supplementary Planning Guidance/Documents - Residential Design Guide 2004.

Planning Policy Statement 1 Delivering Sustainable Development, Planning Policy Statement 3 Housing.

RECOMMENDATION:

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

Reason for 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.

Conditions:

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

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Plots 1-4 plans and elevations	7538/ 003	19/12/11
Plots 5-6 plans and elevations	7538/ 004	19/12/11
Plots 7-9 plans and elevations	7538/ 005	19/12/11

Continued . . .

029940 continued . . .

Plots 10-13 plans and elevations	7538/ 006	19/12/11
Plots 14-17 plans and elevations	7538/ 007	19/12/11
Plots 18-20 and 21-23 plans and elevations	7538/ 008 A	22/12/11
Plots 24-36 plans and elevations	7538/ 009	19/12/11
Plots 27-28	7538/ 010 A	22/12/11
Site Plan	7538/ 011 C	22/12/11
Site location plan	7538/ 012	19/12/11

3. No development shall commence until full details of the drainage to the site, including all surface water and foul sewers and drainage to all hardstandings, have been submitted to and approved in writing by the Council. No construction work creating surface water run off shall be carried out and no dwelling shall be occupied until the required drainage has been provided in accordance with the approved details.
4. No dwelling shall be occupied until the internal access roads and car parking areas have been laid out and are available for use in accordance with the approved plan. Such areas shall be permanently retained for parking and manoeuvring of vehicles as the case may be.
5. The vehicular accesses 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.
6. No development shall commence until a turning area has been provided within the site to enable general site traffic and construction vehicles to leave and re-enter the public highway in a forward gear.
7. No development shall commence until full details of the construction, drainage, levels and lighting of the new turning areas and access roads have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the areas have been laid out in accordance with the agreed details.
8. Full details including type, method of operation and control of use, of suitable measures to prevent mud and debris from being deposited on the highway as a result of construction traffic leaving the site shall be submitted to and approved in writing by the Council. No development shall commence on site until the agreed measures have been installed and are available for use.
9. The existing vehicular access serving 15 Raynor Crescent shall be maintained at all times during construction of the site unless otherwise agreed in writing by the Council.
10. No development shall commence until a contaminated land assessment and associated remedial strategy with quality assurance scheme to deal with the risks associated with the contamination of the site shall be submitted to and approved in writing by the Council. This scheme shall include:
 - a. A preliminary risk assessment identifying; 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 (1) to provide for information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c. The site investigation results and detailed risk assessment (2) 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.

Continued . . .

- d. A verification plan providing of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements of contingency action. Any agreed remedial works shall be subsequently carried out on site prior to the commencement of built development on the site. If contamination is encountered which has not been previously identified the additional contamination shall be assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing prior to the agreed works being carried out on site. The agreed strategy shall be implemented in full prior to occupation of the development.
11. No development shall commence on site until a verification report demonstrating completion of works as 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 leakages, maintenance and arrangements for contingency action, as identified in the verification plan and for the reporting of this to the local planning authority.
 12. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the Council and the said scheme 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.
 13. No development shall commence until full details of the boundary treatments, including new walls and fences, have been submitted to and approved in writing by the Council.
 14. No development shall commence until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.
 15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and en-acting that Order) no extension shall be erected to the rear of plots 10, 11, 13, 14 and 28.
 16. No development shall commence until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Council. The development shall not be occupied until provision has been made in accordance with the approved details.

6. **031201/SL: Woodlands Stores, 2 Woodlands Road, Bedworth**
Change of use to part of ground floor (Existing restroom and storage room) to A5 hot food takeaway (fish and chips), ground floor extension to side to form storage area, first floor window to rear and first floor bedroom extension to side

Applicant: Mr Bharwandeep Mushiana

Consultees notified: Environmental Health; WCC Highways; Housing Dept; Severn Trent Water; EON.

Neighbours notified: 1, 3, 5 & 7 Charles Eaton Road; 18 & 20 Woodlands Road
301, 303, 305, 307 & 309 Newtown Road.

Consultation Representations:

Environmental Protection 1. Concerned about impact from odour on nearby properties and potential for attracting anti-social behaviour.
2. No objection subject to submission of acceptable extract details prior to decision and conditions covering:
a. hours of operation from 12:00-14:00 and 16:00-22:00.

WCC Highways 1. Object on the grounds of insufficient number of parking spaces resulting in vehicles parking on highway thereby obstructing road to the detriment of highway safety.
2. Use of existing dropped kerb near proposed store not suitable for vehicular access.
3. Proposed store access to front and increased use of site could encourage service vehicles to park on Woodlands Road and would thereby create a further obstruction.
4. Potential increase in on-street parking resulting from loss of existing parking space as a result of the proposed store.

STW No objection.

Housing No response.

Central Networks No response.

Neighbour Representations:

Letters of objection from 305 Woodlands Road; 307, 309 Newtown Road; 1, 3, 5 Charles Eaton Road; 8 The Laurels raising the following points:

- 1) Inadequate parking (1, 3, 5, 305, 307, 309).
- 2) Right of way access road at back of property may get blocked by cars (307, 309).
- 3) Additional litter (3, 305, 307, 309).
- 4) Noise from use (307, 309).
- 5) Smells from cooking (1, 5, 305, 309).
- 6) Impact on privacy from previously approved extension (5).
- 7) Noise from owner's dog (5).
- 8) Proposed bedroom extension would impact on privacy, light and create a sense of enclosure (5).
- 9) Traffic and parking problems with existing shop (1, 3, 5, 8, 305).

Continued . . .

031201 continued . . .

- 10) Increase in anti-social behaviour (1, 3, 5, 8, 305).
- 11) Existing chip shop very close by. No need for another (1, 3, 5).
- 12) Disruption during construction (3).
- 13) Extension would be large and intrusive (1).
- 14) Overlooking from proposed window (1).
- 15) Opening hours already intrusive and would become worse (1).
- 16) Previous fish and shop there in 1970s not relevant (1).

Relevant Previous History:

012307: Change of use of part of ground floor to retail (to increase existing retail area) use of land to side as shop car park and extension to rear store. Approved 16/05/2008.

011651: New shop front and first floor addition to create additional living accommodation. Approved 24/08/2007.

011368: Change of use of part of ground floor to retail (to increase existing retail area) new shop front and first floor addition to create additional living accommodation. Withdrawn 15/05/2007.

TP/0431/87: Single storey rear extension to form store. Approved 24/08/1987.

RECOMMENDATION: Refusal

1. Policy S7 of the Saved Nuneaton & Bedworth Borough Local Plan 2006 states: Restaurants and cafes (A3 uses), drinking establishments (A4 uses) and hot food takeaways (A5 uses) (as defined in the Town and Country Planning (Use Classes) Order 1987 and amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, and any subsequent orders) will not be permitted outside an identified Town or District Centre, unless the following criteria can be met:
 - a. It is within an existing or new local centre.
 - b. A sufficient separation gap is available and can be maintained between the proposed development and the nearest residential property (including flats above premises) having regard to the size and nature of the proposal and the nature and character of the surrounding area.
 - c. Sufficient ventilation and extraction facilities are provided (details should be submitted with any planning application).
 - d. The development would not adversely affect the free flow or safety of traffic on adjacent public highways.
 - e. Sufficient off street parking and servicing areas are available in accordance with the Council's adopted Standards.
 - f. There would be no additional disturbance to nearby residential properties.
 - g. A combination of no more than 20% of the total amount of units in the Centre are in A3, A4 and A5 uses.
2. Policy EC17 of Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4) states:
Planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date development plan should be refused planning permission where:

Continued . . .

031201 continued . . .

- a. The applicant has not demonstrated compliance with the requirements [of] the sequential approach (policy EC15); or
 - b. There is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of [the] impacts set out in policies EC10.2 and 16.1 (the impact assessment), taking account of the likely cumulative effect of recent permissions, developments under construction and completed developments'.
3. Policy ENV14 of the saved Nuneaton & Bedworth Borough Local Plan 2006 states: The design and materials of all development should be of a high standard in keeping with the scale and character of the locality. All development should comply with Supplementary Planning Guidance and/or Supplementary Planning Documents produced by the Borough and County Council, where detailed guidance is considered necessary.
- (i) The proposal is contrary to these policies in that the application site is not located within an existing or new local centre. It has not adequately been demonstrated that there are no sequentially preferable sites to the application site for the proposed use. It has also not been demonstrated that the proposal would not have a detrimental impact on the vitality and viability of existing town and local centres (contrary to criterion 'a' of policy S7 of the Local Plan and criterion 'a' of policy EC17 of PPS4).
 - (ii) The proposal is contrary to these policies in that there would not be a sufficient separation gap between the proposed A5 use and the nearest residential properties. No details of the ventilation and extraction facilities for the proposed A5 use has been provided and it has therefore not adequately been demonstrated that the proposal would not cause harm to these resident's amenity (contrary to criteria 'b' and 'c' of policy S7 of the Local Plan).
 - (iii) The proposal is contrary to these policies in that there would not be sufficient off-street parking and servicing areas for the proposed development. This has the potential to result in parking on the public highway which would have an adverse impact on highway safety and traffic flows (contrary to criteria 'd' and 'e' of policy S7 of the Local Plan, policy T10 of the Local Plan and the Car Parking Standards SPG 2003).
 - (iv) The proposal is contrary to these policies in that the massing and scale of the proposed extensions would appear overtly prominent, intrusive and incongruent within the streetscene. They would not be in harmony with the design, character and layout of the property and surrounding area. The proposed extensions would therefore have a detrimental impact on the visual amenities of this area (contrary to policy ENV14 of the Local Plan and the Residential Design Guide 2004).

USE CLASSES ORDER

Town & Country Planning (Use Classes) (Amendment) (England) Order 2010

Class	Category	Description	Permitted Change
A1	Shops	To visiting members of the public; the retail sale of goods other than hot food; post offices; travel agencies; ticket agencies; premises where cold food is to be consumed off the premises; hair dressers; funeral directors; shops; domestic hire shops; dry cleaners; and internet cafes (where the primary purpose is to provide access to the internet)	Only to a mixed use comprised of A1 and a single flat above (likewise a mixed A1 use and flat above can change to A1 alone)
A2	Financial & Professional Services	To visiting members of the public; financial services; professional services (but excluding health and medical services) and other services that it is appropriate to provide in a shopping area. Examples are banks and building societies, estate agents, solicitors and employment centres, betting offices	To A1 (where there is a ground floor display window). (Class A2 with a single flat above may change to A2 alone, A1 alone or to A1 with flat above)
A3	Food & Drink	The sale of food and drink for consumption <u>on</u> the premises, including restaurants and cafes	A1 or A2
A4	Drinking Establishments	Use as a public house, wine bar or other such drinking establishment	A1, A2 or A3
A5	Hot Food Takeaway	Use for the sale of hot food for consumption <u>off</u> the premises	A2, A2 or A3
B1	Business	Uses able to be carried out in any residential area without detriment to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit and being either the use as an office other than one falling within Class A2; use for research and development of products/processes or use for any industrial process	B8 (where area no greater than 235 sq m)
B2	General Industrial	Use for the carrying on of an industrial process other than one falling within Class B1	B1 or B8 (a change to B8 is limited to an area not greater than 235 sq m)
B8	Storage or Distribution	Use for storage or as a distribution centre	B1 (where area no greater than 235 sq m)

Class	Category	Description	Permitted Change
C1	Hotels	Use as a hotel or as a boarding or guest house, where no significant element of care is provided	No permitted changes
C2	Residential Institutions	Use for the provision of residential accommodation and care to people in need of care other than a use within Class C3. Use as a hospital or nursing home. Use as a residential school, college or training centre	No permitted changes
C2A	Secure Residential Institutions	Use for the provision of secure residential accommodation including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short-term holding centre, secure hospital, secure local authority accommodation or use as military barracks	No permitted changes
C3	Dwellings	Use as a dwelling house by a single person or by people forming a single household; or use by not more than 6 people living as a single household where care is provided for the residents; or use by not more than 6 people living as a single household where no care is provided to residents (other than a use within Class C4)	No permitted changes
C4	Houses in Multiple Occupation	Use of a dwelling house by not more than 6 residents as a “house in multiple occupation” (Note: does not include converted block of flats – s257 Housing Act 2004 but otherwise has the same meaning as in s254 Housing Act 2004)	No permitted changes
D1	Non Residential Institutions	Non-residential use for the provision of medical or health services (except premises attached to the residence of the consultant/practitioner), use as a crèche, day nursery or day centre, for provision of education, for the display of art, as a museum, as a library or reading room, as a hall or exhibition hall, or use in connection with public worship or religious instruction or use as a law court.	No permitted changes
D2	Assembly & Leisure	Use as a cinema, concert hall, bingo hall, swimming bath, skating rink, gymnasium or area for indoor or outdoor sports and recreation (but not those involving motor vehicles or firearms)	No permitted changes
	Sui-generis	Not all uses fall within one of the classes. Examples of such uses include: Theatres, amusement arcades, funfairs, launderettes, petrol/fuel station, car showrooms, taxi and vehicle hire businesses, scrap yards and breakers yards, hostels, waste disposal / incineration / chemical treatment / landfill and alkali works, retail warehouse clubs, night-clubs and casinos. This is a non-exhaustive list	No permitted changes