

Enquiries to:
Committee Services

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Date: 10th May 2024

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in
**Council Chamber of the Town Hall, Nuneaton on Tuesday, 21st May 2024 at
6.00p.m.**

Public Consultation on planning applications will commence at 6.00pm (see
Agenda Item No. 6 for clarification).

Please note that meetings may be recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: All Members of the Planning
Applications Committee

AGENDA

PART I - PUBLIC BUSINESS

1. EVACUATION PROCEDURE

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

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

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

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

The meeting will be live streamed to YouTube and will be available to view via the NBBC website.

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

3. MINUTES - To confirm the minutes of the meeting held on 16th April 2024, attached (**Page 5**).

4. DECLARATIONS OF INTEREST

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

Declaring interests at meetings

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

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**To Follow**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

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

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

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

Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

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

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

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

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

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

5. DECLARATIONS OF CONTACT

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

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control, attached (**Page 12**).

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the chair. The chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK – the report of the Head of Development Control.
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

16th April 2024

A meeting of the Planning Applications Committee was held on Tuesday, 16th April 2024, in the Council Chamber and was recorded for future publication on the Council's website.

Present

Councillor L. Cvetkovic (Chair)

Councillors: C. Cape, M. Green, B. Hammersley, J. Hartshorn, S. Markham, B. Pandher, R. Smith and K. Wilson.

Apologies: Councillor J. Sheppard (Vice-Chair), and E. Shiers

PLA45 **Minutes**

RESOLVED that the minutes of the meeting held on the 19th March 2024 be approved and signed by the Chair.

PLA46 **Declarations of Interest**

RESOLVED that the declarations of interests are as set out in the Schedule attached to these minutes, with the addition of the Declarations of Interests for:

Councillor K. Wilson in respect of application 039175 by way of him being a Portfolio Holder for Business and Regeneration and has attended meetings regarding policy surrounding the site but no meetings in respect of the planning application and has not given any indication of his voting intention.

Councillor J. Hartshorn in respect of application 039175 by way of him being a former employee at the Nuneaton Library.

PLA47 **Declarations of Contact**

Committee Members declared they had received contact from residents in relation to application 039720, but confirmed they had not discussed the application with residents, or given an indication as to how they would vote.

Councillor K. Wilson declared that he had received representation from Ward Member Councillor K. Evans in relation to the application 039720, but had given no indication as to how he would vote.

Councillors K. Wilson and R. Smith declared that they had previously attended a meeting with Mr Weaver from Arbury Estates in relation to a number of development matters, but confirmed they had not given an indication as to how they would vote in relation to application 039720.

IN PUBLIC SESSION

PLA48 **Planning Applications**

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

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

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND
RELATED MATTERS REFERRED TO IN MINUTE PLA48 OF THE
PLANNING APPLICATIONS COMMITTEE ON 16th APRIL 2024

039720 – Site 93A004 – Woodlands Farm, Woodlands Road

Applicant – Arbury Estate

Public Speakers: Mr Karl Mayer - objector
Ms Lou Parker - objector
Mr James Byrne – Transport Consultant
Mr Joseph Cramphorn - Agent
Councillor Martin Walsh – Ward Councillor

DECISION that planning permission be refused, due to the issues of prematurity, sustainability including TC3 policy and the local authority currently having a 5 year housing supply, and biodiversity offsetting.

039618 - Site 51a036 - Burgage Walk, Nuneaton, Warwickshire

Applicant - CASTLE and NEST LTD

DECISION that planning permission be granted, subject to a legal agreement and the conditions as printed in the agenda.

039175 - Site 51A025 - Vicarage Street, Nuneaton (Church Street Shops & Justice Walk Car Park)

Applicant: Warwickshire Property and Development Group

Public Speaker: Councillor K. Kondakor - objector

DECISION that planning permission be granted, subject to a legal agreement and the conditions as printed in the agenda and addendum.

038602 - Site 31A004 - Land adj to Watling Street, Weddington, Wood Farm, Nuneaton, Warwickshire

Applicant: Richborough Estates Limited

Public Speaker: Councillor K. Kondakor - objector

DECISION that 'prematurity' be added as a further reason for refusal, for the reasons as printed in the agenda and addendum.

Planning Applications Committee - Schedule of Declarations of Interests – 2023/2024

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	C. Cape	Director of Capability Coaching and Consultancy Ltd.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Armed Forces Covenant Meeting Member of Attleborough Community Matters Group Member of the Royal British Legion Member of the Adult Social care and Health Overview and Scrutiny Committee at WCC	
	L. Cvetkovic (Chair)	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group 	
	M. Green	Employed by Horiba Mira – Engineering Technician	Chair of Education Standards Committee – St Thomas More School. School Appeals Panel Member Our Lady of the Angels Church. President – St Vincent De Paul Society Nuneaton. Director – Holy Spirit Catholic Multi Academy Company. Member of the George Eliot Fellowship Member of Other Bodies:	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Friendship Project for Children. • Nuneaton Education Strategy Group 	
	B. Hammersley	County Councillor – W.C.C.	Member on the following Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	J. Hartshorn	Employed by ASDA Nuneaton	Member of Nuneaton Conservatives	
	S. Markham	County Councillor – WCC (Portfolio Holder for Children’s Services)	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee • Hammersley, Smith and Orton Charities 	
	B. Pandher		Member of Warwickshire County Council President & Trustee of Nanaksar Gurdwara Gursikh Temple Coventry; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group Member of the following Outside Bodies: <ul style="list-style-type: none"> • Foleshill Charity Trustee – Proffitt’s Charity • Conservative Party 	
	J. Sheppard (Vice-Chair)		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of Labour Party.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	E. Shiers	Employed by and Director of Cannon Enterprise Ltd. Director of The Fresh	The Labour Party Coventry East Credit Union Member of the Pride in Camp	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Dessert Company	<p>Hill Board.</p> <p>Member of the governing board for Camp Hill Primary School.</p> <p>Member of the Board of Trustees of Camp Hill Community Association.</p> <p>Volunteer for Coventry and Warwickshire District RSPCA.</p> <p>Director Community Interest Company Chill (alternative education provision for young people)</p>	
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington;</p> <p>Trustee of Bulkington Sports and Social Club;</p> <p>Director of NABCEL;</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • West Midlands Combined Authority and Land Delivery Board 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>Deputy Chairman – Nuneaton Conservative Association</p> <p>Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Warwickshire Local Enterprise Partnership Ltd (CWLEP) <ul style="list-style-type: none"> • West Midlands Combined Authority 	

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

Previously Considered Items

	Reference	Ward	Address	Page No.
1.	039975	BE	All Saints Church, High Street, Bedworth	13

Planning Applications

Item No.	Reference	Ward	Address	Page No.
1.	039975	BE	All Saints Church, High Street, Bedworth	13

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		

PLANNING APPLICATIONS COMMITTEE

Item No. 1

REFERENCE No. 039975

Site Address: All Saints Church High Street Bedworth Warwickshire CV12 8NH

Description of Development: Proposed installation of solar panels to the lower roof on the south side of the building

Applicant: Rev David Poultney

Ward: BE

RECOMMENDATION:

Planning Committee is recommended to refuse planning permission, for the reasons as printed.

INTRODUCTION:

This application seeks consent for the proposed installation of solar panels to the lower roof on the south side of the building at All Saints Church High Street in Bedworth.

All Saints Church was constructed between 1888-1890 and replaced an earlier building that had become unfit for purpose with the exception of the west tower dated circa 14-15th Century, which was retained and incorporated into the building. The majority of the church building was designed by G. F Bodley and T. Garner and is formed of red Runcorn sandstone. The tower is formed of grey Attleborough sandstone ashlar, although much of this has been restored.

All Saints is built on a classic layout with the nave running east to west, with the chancel to the east end and bell tower to the west end creating a long south-facing roof. It has a high vaulted ceiling and stone pillars to the worship area. The roofs are pitched and covered in a mix of concrete and clay tiles.

The Church was granted Grade II* listed building status in 1949 (List entry number 1365052). The architecture of the church is described in detail in the listing description.

The church is described as being significant to the local community including holding regular worship and services as well as bible study, prayer groups and other similar groups for the local community. The solar panels are stated to be required to assist with the Church of England's aim to reduce carbon footprint to net zero by 2030. The introduction of solar panels is stated to make a significant contribution to offset some of the carbon emissions the church produces. The church's annual electricity bill will also be significantly reduced as a result.

BACKGROUND:

This application is being reported to Committee as it has received a number of letters of support and the recommendation is one of refusal.

RELEVANT PLANNING HISTORY:

- 039526 - The proposed work is installation of an array of solar PV panels on the south facing roof of All Saints. This will be around 25kWp (+/- 3kW) which translates to 68 solar panels (+/- 4). This will be on both the steeper roof, and the shallower one over the South aisle. No change of use required of the building or land. The inverter for the array, and the storage battery if purchased, will be installed inside the church in the Lower Vestry, by the power supply. Withdrawn 03/04/2023
- 012223 - Listed Building Consent for signage to Church. Approved 21/02/2008.
- 012193 – Signage to Church. Approved 21/02/2008
- 006698 (TP/0549/95) - SIDE EXTENSION TO PORCH. Approved 20/11/1995

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE2 – Renewable and low carbon energy
 - BE3 – Sustainable design and construction
 - BE4 – Valuing and conserving our historic environment
 - Supplementary Planning Guidance / Supplementary Planning Documents.
- Sustainable Design and Construction SPD 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Bedworth Conservation Area Appraisal and Management Plan (2022)

CONSULTEES NOTIFIED:

Historic England

CONSULTATION RESPONSES:

Comment from:

Historic England

NEIGHBOURS NOTIFIED:

2 and 2a All Saints Square, 8, “Co operative funeral services” 10, 12, 14, 16, 16a, 16b, 16c and “Bedworth Health Centre” High Street.

Neighbouring properties were sent letters notifying them of the proposed development on 4th January 2024. A site notice was erected on street furniture on 10th January 2024 and the application was advertised in The Nuneaton News on 24th January 2024.

NEIGHBOUR RESPONSES:

There have been 10 letters of support from 10 addresses and 1 letter of support from an unknown address. The comments are summarised below:

1. The proposal should be supported for both environmental and economic reasons, allowing the church to continue providing community activities and supporting vulnerable members of the community
2. It should be accepted that solar panels are an essential part of everyday life and so they should be accepted and welcomed

3. The solar panels will reduce the devastating affect our energy consumption has had on our planet
4. It will help to reduce/ save money on electricity bills
5. The money saved as a result of lower energy bills can be spent on local reach out schemes and help the church to better support the community of Bedworth
6. The solar panels will help to add to the country's energy security
7. The installation of the panels will contribute to the Church of England's intention to work towards a net zero carbon economy. This intention is shared by the Borough and national Government
8. The solar panels will not be visually intrusive
9. The proposal would not result in the loss, concealment or affect any historic features of the church

APPRAISAL:

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

1. The Principle of the Development
2. Impact on Heritage and Visual Amenity
3. Impact on Residential Amenity
4. Conclusion

1. The Principle of the Development

The National Planning Policy Framework (NPPF) (2023) establishes the need for the planning system to achieve sustainable development. Sustainable development is in three key constituents which are economic, social and environmental.

The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise. The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

The building itself is a Grade II* listed building. Grade II* listed buildings, as defined by Historic England, are particularly important buildings of more than special interest with just 5.8% of all listed buildings being II* listed. The building is also located within the Bedworth Conservation Area.

Policy BE2 of the Borough Plan relates to renewable and low carbon energy. The policy states that schemes to introduce renewable and low carbon technologies will be approved. It goes on to refer to the guidance contained within NPPF paragraph 160 which states that in order to help increase the use and supply of renewable and low carbon energy and heat, local plans should:

- A) Provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that the adverse impacts are addressed appropriately including cumulative landscape and visual impacts;
- B) Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and
- C) Identify opportunities for development to draw its energy from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

Paragraph 164 goes on to state that in determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic. Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 (conserving and enhancing the historic environment) of this Framework.

In summary, the Council supports the principle of solar panels, however, given the listed status of the building and its location within the conservation area, the impact on the historic environment must first be considered. The impact of the development on the historic environment is discussed in full below. It is concluded that in this case, there would be a detrimental impact on the historic environment as a result of this development. Therefore, in this instance, the principle cannot be fully supported as it would conflict with the requirements of Policy BE2 and the NPPF.

2. Impact on Heritage and Visual Amenity

Policy BE4 of the Borough Plan (2019) states that development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas, scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved.

Development affecting a designated or non-designated heritage asset and its setting will be expected to make a positive contribution to its character, appearance and significance.

To conserve and enhance the borough's heritage assets, development proposals must:

1. Understand the asset

Applications affecting the significance of a heritage asset will be required to provide sufficient information and assessments (such as desk-based appraisals, field evaluations, and historic building reports) of the impacts of the proposal on the significance of the heritage assets and their setting, in order to demonstrate how the proposal would contribute to the asset's conservation. The level of detail should be proportionate to the importance of the asset.

2. Conserve the asset

Great weight should be given to the conservation of the borough's heritage assets, with greater weight being given to assets of higher importance. Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the public benefits of the proposal in the following ways:

- Whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset
- Whether the works proposed are the minimum required to secure the long-term use of the asset.

The NPPF (2023) mimics Policy BE4. Paragraph 200 states:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

As discussed, All Saints Church is a Grade II* listed building. As per the Bedworth Conservation Area Appraisal (2022), the conservation area is divided into 3 sub areas that are distinguished and defined by various attributes or characteristics. The church falls into Character Area 2: Cemetery and Civic Area. The principle features of this area are the Parish Church of All Saints and is described as the focal point of the town and is closely related to the main streets. Therefore, the Church is of very high significance by virtue of being a Grade II* listed building, as well as a focal point within the Conservation Area.

It is on the basis of the paragraph 200 of the NPPF that a heritage statement has been written and provided to the council by a member of the Register of Architects Accredited in Building Conservation (AABC). The statement summarises the following:

The listing of the building is Grade II* and refers to the tower as being C14-15 with the remainder of the listing is a general description of the Victorian rebuild (constructed between 1888-1890). The size and scale of the building, as well as the fact that it occupies the higher ground of the High Street, gives it significance within the locality. The tower, however, is barely visible from the High Street, which runs past the east side of All Saints. The high walls of the aisles obscure much of the upper roof areas and the decorative lantern over the crossing is little noticed.

The proposal is to place photovoltaic panels (solar panels) on the roof of the south aisle. The statement goes on to describe that the south aisle is covered in concrete tiles, so there would be no loss or covering of historic materials. It also states that the proposals would be reversible and cannot be seen from the street. The panels are to be set behind the castellated upstand of the south aisle roof and do not create substantial harm to the appearance of the listed building.

Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) Grade II listed buildings should be exceptional
- b) Assets of the highest significance including grade I and II* listed buildings, should be wholly exceptional.

In considering the heritage statement, the Council do not consider that the level of detail, which should be proportionate to the assets importance, has been provided.

The importance of this asset is clear given its Grade II* listed status as well as its importance within the Conservation Area. The statement has little to no reference to the historic environment record and has no reference to the impact on the Conservation Area. The statement summarises that the development would not create substantial harm, but does not confirm that the proposal would have no impact or harm to the significance of the building or its setting. It is therefore concluded that the proposal would create harm to the heritage asset.

Whether a proposal causes substantial harm, or less than substantial harm, will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the NPPF.

The heritage statement states that the PV panels cannot be seen from the street. The Council wholly disagrees with this statement. A mock up of the panels has been submitted and can be viewed within the list of plans at the end of this report. The panels would be highly visible from several view points on the High Street. The building has been granted Grade II* listed status as it marks and celebrates the buildings special architectural and historic interest and so that it can be protected for future generations. The installation of PV panels to the roof of the south aisle, which is a highly prominent location and an important element of the building as a whole, would detract from the prominence, importance and setting of the listed building by covering almost the entire section of this roof. The PV panels would also create a visual distraction to the building, by introducing a new material which would be visually harmful and an eyesore and would be considered as a poor form of development. It is on balance considered that this would lead to substantial harm. As per paragraph 206 of the NPPF, it is not considered that the substantial harm would be wholly exceptional.

Historic England has published guidance on energy efficiency for historic buildings. Within the guidance, it is clearly stated that where the installation of solar panels will harm the significance of listed buildings, alternative options should be first considered. It does not appear that any alternative options for improving energy efficiency has been considered.

Historic England go on to state that the installation of the solar panels has the potential to damage the roof covering, and consequently lead to further damage to the rest of the building. Issues such as broken tiles as a result of the installation could occur, leading to the ingress of water, thereby damaging both the roof structure itself, and the walls supporting the roof. Part of this potential for damage will be based on the structural loading of the solar panels, which will increase the risk of damage to the roof from additional wind, snow and static load imposed by the solar panels.

Furthermore, the lifespan of solar panels is typically much shorter than the life span of roofing. Therefore, their removal can cause long-term damage to the permanent structure for the sake of a relatively short-term product. This can take the form of structural and moisture issues, both during and beyond the solar panel's expect lifespan.

Solar panels also pose a fire risk, which if started, could irreparably damage the building. Fire risk would also be increased to the building in relation to direct or indirect lightning strikes which can cause fires in solar panel systems.

Paragraph 207 of the NPPF states that where a proposed development will lead to substantial harm of a designated heritage asset, local planning authorities should

refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm.

It is considered that it is on this basis that the application has been submitted with a Statement of Need and "Extra Info" document which includes information on public benefits. The Statement of Need describes the rationale behind the solar panels is to help achieve the Church of England's aim to reduce carbon footprint to net zero by 2030. The introduction of solar panels is stated to make a significant contribution to offset some of the carbon emissions the church produces. The church's annual electricity bill will also be significantly reduced as a result.

There are described as being 5 public benefits of this scheme according to the submitted information. They are:

1. Progress towards the goal for Net Zero, by both the country and the borough, is an important public benefit. The greatest impacts of climate change are on those with least money and fewest assets. This is true both within the borough and around the world. We need to do all we can to reduce our dependence on "burning stuff." This is an important next step for this church.

It is considered that the installation of solar panels for electricity generation or progress towards reaching net zero would not be a public benefit. It could be considered that the church has the ability to purchase its electricity from companies who use 100% renewable energy, and indeed, the church have set out in their statement of need that they currently purchase energy from Octopus, who are a company who's electricity comes from 100% renewable energy sources.

2. All Saints has been in the centre of Bedworth since 1300's and for most of that time it has only been used for worship. We have a central position in the town, and maintaining the historic fabric is a significant cost to the church. This could potentially lead to the church failing, and there being no one to look after the upkeep. If having this historic asset is, in itself, a public benefit, it is worth allowing us the means to maintain it, through the savings and income from solar panels.

In relation to this statement, no further evidence, such as financial statements, have been submitted to the Council which states that the church would fail financially without the solar panels. Therefore, this claim could only be considered as hypothetical at most and not based on any evidence and for this reason cannot be considered as a public benefit.

3. Following the sale of hall and internal conversion in the year 2000, the church has hugely increased in community use. Now there are over 600 people each week using the space. There isn't a day when the building isn't in use.
 - a. Youth work has currently 5 sessions per week, with more starting after Easter.
 - b. A weekly warm hub with free food, hot drinks and friendship for anyone.
 - c. A community lunch for the lonely and isolated.
 - d. Dementia café for those with memory loss, and their carers.
 - e. The local schools come for festivals three times a year, around 1000 children daily for a few days each festival.

No evidence has been submitted to the council which states that these activities could not take place without the installation of the solar panels. Most of these

activities do not appear to involve any great cost or only minimal costs. Therefore without any clear evidence which states that such activities would fail without the installation of the solar panels, this reason cannot be considered as a public benefit.

4. All Saints spent £15,000 on energy last year. This cost is going up because of increasing usage the building has, in spite of significant economies in recent years. We estimate that due to the increase in youth activities this year, that bill will rise to £18000. The installation of PV panels and batteries will see our energy bill drop by over £5000 per year. A total of over the guaranteed minimum life span of the panels of £155000, and over the anticipated useful life of over £300,000. This saving will be passed on in public benefit by the provision of more community activities and greater use of the space for youth work, as well as supporting maintenance of the historic fabric.

As previously stated, no evidence has been submitted which states that without the solar panels, that the church could not continue to support future community activities. Similarly, no evidence is provided which states that the yearly savings are needed to support the maintenance of the church building and its historic fabric. In any case, the maintenance and support of the building is considered to be vague and cannot be seen as a public benefit. Additional community activities directly related to savings on energy bills could be seen as a small public benefit, however, this could only be afforded very limited weight.

5. Finally, there is public benefit in this project being an exemplar for others to follow. Showing the technology to be worthwhile and acceptable for public buildings and churches across our Borough. Demonstrating that PV panels can be added sensitively to buildings, and that Net Zero is not only good for the environment but also good for the wellbeing of our local community.

It is not considered that setting an example, which in our opinion would be a negative and harmful example, can be considered as a public benefit.

On balance, the church is said to save £5000 per year on its energy bills as a result of this development. Although somewhat vague, it has been stated that this money *could* be put back into the church by providing further community activities. However, it has not been demonstrated that without the savings, such activities could not continue or be added to. As is clearly stated within Paragraph 207 of the NPPF, where a proposed development will lead to substantial harm of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm. This benefit can only be afforded very limited weight in the planning balance and cannot be considered as a substantial benefit.

Therefore, in assessing the statement of need and public benefits, it is not considered that there are any substantial public benefits as a result of the proposal which would outweigh the harm. The proposal therefore fails to be in accordance with the requirements of paragraph 207 of the NPPF. As such, local authorities should refuse consent.

It is also important to consider the impacts of the proposal on the Bedworth Conservation Area. The Conservation Area was originally designated in 1986, with a revised management plan for the Conservation Area published in 1996. Conservation Areas are governed under the Planning (Listed Building and Conservation Areas) Act 1990. The NPPF sets out the overarching requirement for local planning authorities

to identify and protect areas of special interest. Planning Practice Guidance provides further details on conserving and enhancing the historic environment.

Policy BE4 of the Borough Plan states that this policy will ensure that heritage assets are safeguarded or, where possible, enhanced.

The proposed solar panels would be placed on the side facing roof slope of the building, obscuring much of the roof and tiles of the south aisle of the church. As per the Bedworth Conservation Area Appraisal and Management Plan (2022), under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the local authority has suspended development rights for all development described in any Part, Class or paragraph in Schedule 2 (other than class DA of Part 4 or Class K, KA, or M in Part 17). An Article 4 Direction provides additional control by specifically revoking certain permitted development rights meaning that planning permission needs to be sought before work can be undertaken.

Part of the reasoning behind the Article 4 Direction was to retain the character and appearance of the area and Conservation Area, including the roofscapes. It is considered that the placement of solar panels on this roof slope would have a detrimental and adverse impact upon the building and conservation area, as the roof as well as the building as a whole is an important architectural building which has been granted listed status and is also a focal point of the town within the Conservation Area.

The development would result in harm to the significance of the Conservation Area as a whole, through unacceptable development within its setting. This, combined with the impact on the appearance, character and setting of the listed building would fail to conserve and enhance in a manner appropriate to its significance.

These concerns were raised with the applicant and their appointed agent during the course of the application process. It was suggested by the Council that another form of sustainable development and/ or a relocated form of development may be considered acceptable. It was therefore suggested that the application be withdrawn, and pre application discussions had to find a solution which would better conserve and not detrimentally detract from the building and its setting. However, the agent and applicant declined this request and as such, no amendments have been made to the scheme to overcome the council's concerns.

It is noted that the application has been submitted with a pre-application advice response from Historic England, although a response of no comment was received by the Council from Historic England during the course of this application. In any case, the pre app response stated that the location of the solar panels has been carefully considered to minimise the impact of the scheme. However, as the pre app response does not refer to any drawings, plans or number of solar panels, it is not apparent whether the same scheme which is currently being considered is the same as that which was considered by Historic England. In fact, the response appears to have been written based on a site visit, rather than plans themselves. Therefore, the extent and number of solar panels which is currently being considered cannot be assumed as the same which was considered as part of the pre app with Historic England and therefore, this only affords very limited weight in the planning balance.

On balance, it is considered that the installation of solar panels to the south aisle roof of the church would result in substantial harm to the Grade II* listed building, its

character and its setting. Furthermore, no substantial public benefits exist which would outweigh this harm. In addition, it is considered that the proposal would also fail to conserve or enhance the Bedworth Conservation Area. It also does not appear that any other forms of renewable energy methods have been considered, and with no justification as to why this action has not been taken. The Borough Plan clearly states that proposals must demonstrate that all reasonable efforts have been made to mitigate the extent of the harm to the significance of the asset, and that the works proposed be the minimum required to secure the long-term use of the asset. Given the significance of this building within the Conservation Area, which is one of the focal points of the town, the development would result in harm to the significance of the Bedworth Conservation Area, through unacceptable development in its setting.

It can be concluded that the proposal fails to accord with Policy BE4 of the Borough Plan as well as Part 16 of the NPPF.

3. Impact on Residential Amenity

Policy BE3 of the Borough Plan (2019) states that all development proposals must contribute to local distinctiveness and character and one of the key characteristics to review is residential amenity. The way buildings relate to each other, their orientation and separation distance must be provided and protect acceptable levels of amenity for both existing and future residents.

The location of the church building in the town centre means much of the development which surrounds it is commercial in nature. Bedworth Health Centre is located opposite south aisle, separated from it by an open paved area. To the east are a number of shops and the Civic Hall.

Given the commercial nature of the area and the proposed development being solar panels, it is not considered that there would be any impact on residential amenity.

4. Conclusion

In conclusion, The NPPF 2023 (Paragraph 11) promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

The key issues in the assessment of this application are the impact on the historic environment and visual amenity. In conclusion, it is felt that great weight should be attached to the impact of the proposed development on the listed building and its setting as well as the impact on the conservation area. The Council does not consider that the details contained within the heritage statement fully assesses or describes the significance of any heritage assets affected, including any contribution made by their setting, as required by the NPPF. The Council consider that the installation of the solar panels would result in substantial harm to the listed building and its setting. Furthermore, there are no public benefits which exist which would significantly outweigh this harm.

The development would result in harm to the significance of the Conservation Area as a whole, through unacceptable development within its setting. This, combined with the impact on the appearance, character and setting of the listed building would fail to conserve and enhance in a manner appropriate to its significance.

It is therefore recommended that the proposal is refused.

REASONS FOR REFUSAL:

1. Policy BE4 of the Borough Plan (2019) states: development proposals which sustain and enhance the borough's heritage assets including listed buildings, conservation areas, scheduled monuments, registered parks and gardens, archaeology, historic landscapes and townscapes, will be approved. Development affecting a designated or non-designated heritage asset and its setting will be expected to make a positive contribution to its character, appearance and significance.

Applications affecting the significance of a heritage asset will be required to provide sufficient information and assessments of the impacts of the proposal on the significance of the heritage assets and their setting, in order to demonstrate how the proposal would contribute to the asset's conservation. Great weight should be given to the conservation of the borough's heritage assets, with greater weight being given to assets of higher importance. Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the public benefits of the proposal. Proposals which would result in harm will also be required to demonstrate that all reasonable efforts have been made to mitigate the extent of the harm to the significance of the asset.

Policy BE4 of the Borough Plan states that this policy will ensure that heritage assets are safeguarded or, where possible, enhanced.

Paragraph 205 of the NPPF (2023) states: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

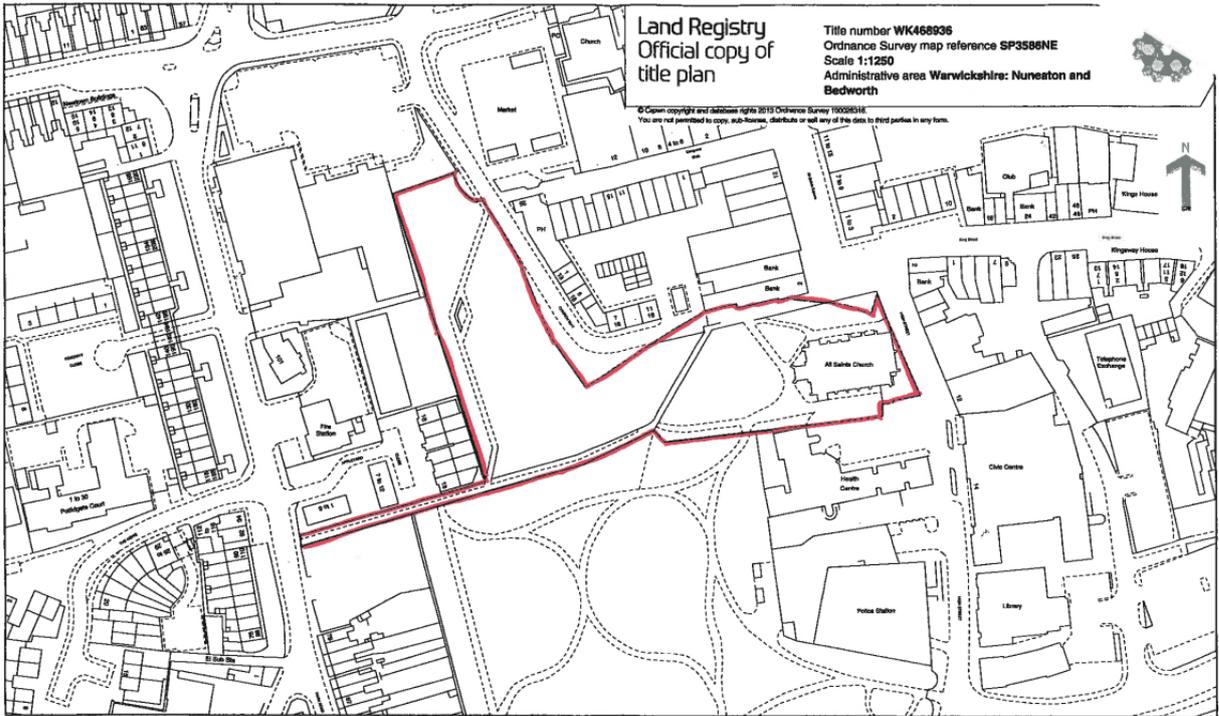
Paragraph 206 of the NPPF states: any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance including grade I and II* listed buildings, should be wholly exceptional.

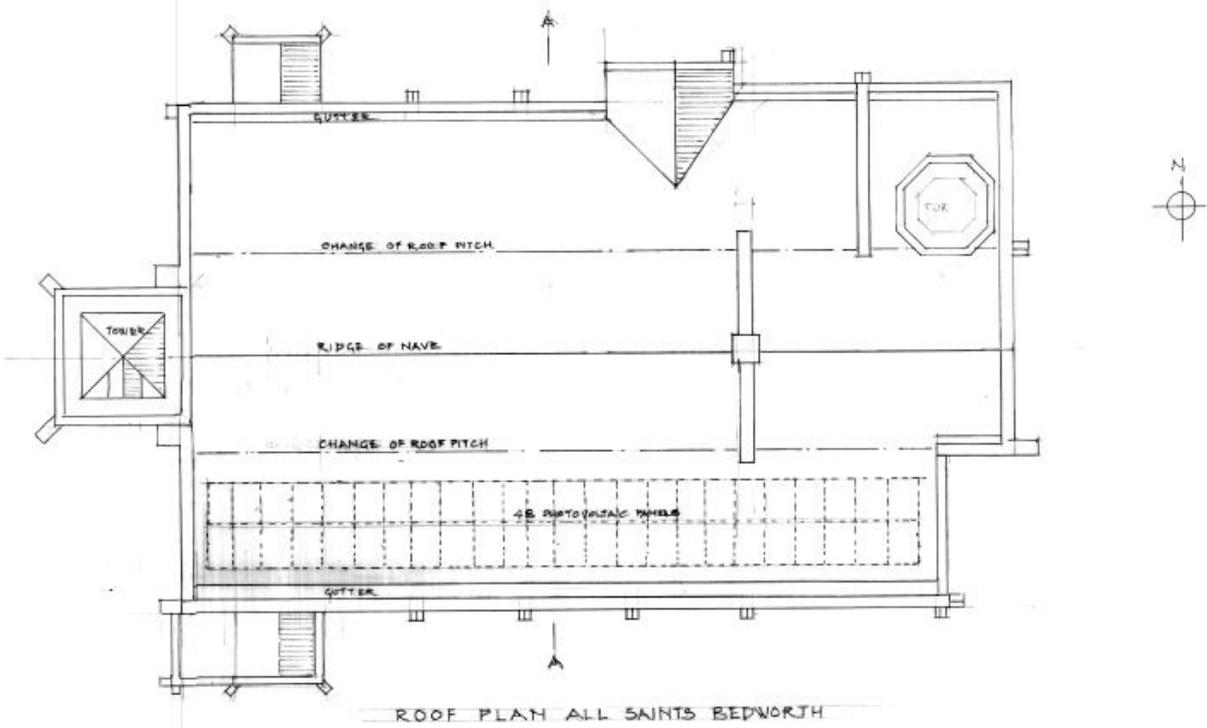
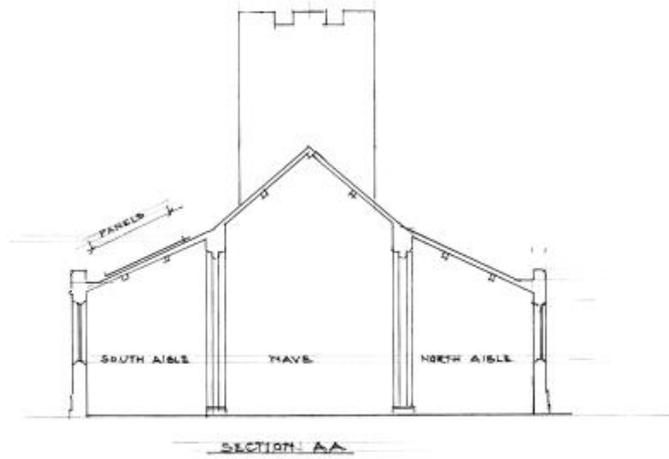
Paragraph 207 of the NPPF states: where a proposed development will lead to substantial harm of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm.

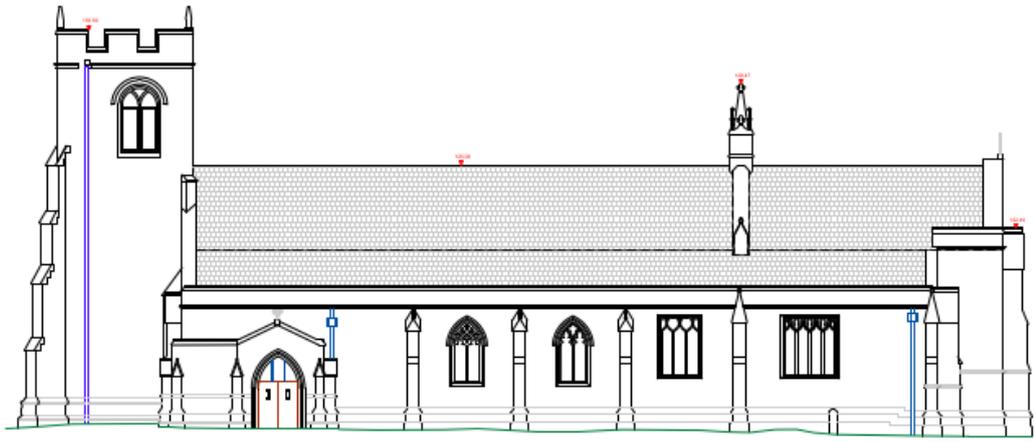
(i) The proposal is contrary to these policies in that the proposed solar panels, by reason of their prominent location, excessive coverage of the roof slope of the south aisle of the building and use of alien materials would appear visually obtrusive and detrimentally detract from the importance and significance of the listed building and its setting, as well as the Bedworth Conservation Area. It is considered that the development would result in substantial harm and that there are no public benefits which would materially outweigh this harm. The proposal would fail to preserve, safeguard or enhance the heritage assets, and it has not been demonstrated that all reasonable efforts have been made to mitigate the extent of the harm to the significance of the asset, contrary to Policy BE4 of the Borough Plan (2019) and paragraphs 205-207 of the NPPF (2023).

It is respectfully requested that this application is refused as per the officer recommendation. Nevertheless, if the members of planning committee are minded to approve the application, then the conditions as below are requested to be applied to any decision notice.

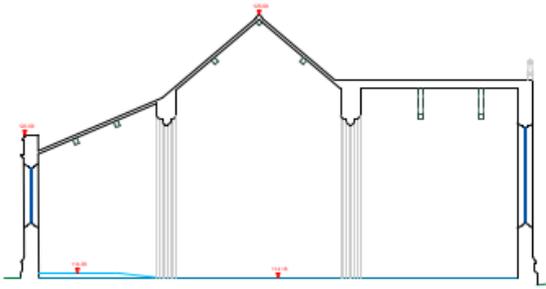
1. Notwithstanding the plans as submitted, prior to the installation of the solar panels hereby approved, details must be submitted to the Council and approved in writing showing:
 - a. Manufacturers details and reference of the solar panels to be installed.
 - b. Cross-sectional drawings of the solar panels including details of fixing arrangements and attachment mechanisms.
2. The PV panels hereby approved shall be removed from the building following their useful life and the building shall be restored to its former condition within 3 months following their removal.



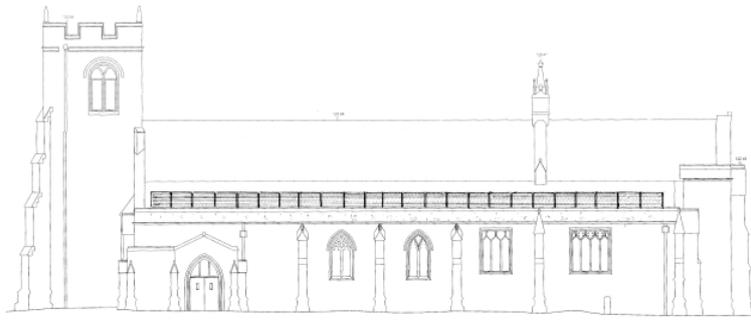




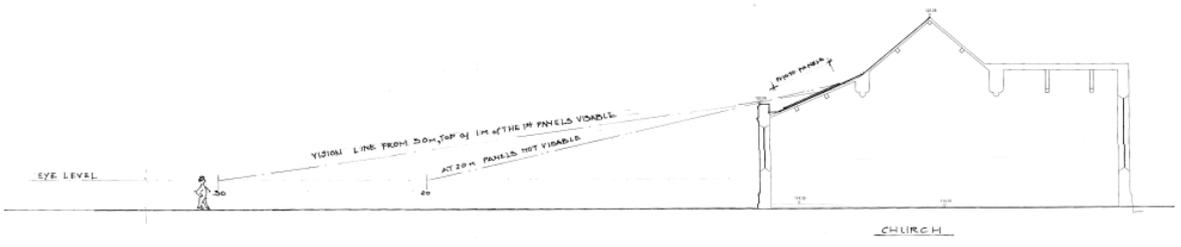
Section 1 of 2024



Section 2 of 2024



THIS IS A PURE ELEVATION OF THE SOUTH WALL & ROOF OF ALL SAINTS, IN REALITY WITH AN EYE LINE AT 1700MM THE TOP OF THE PANELS MAY BE VISIBLE ONLY FROM 35M AWAY



Glossary

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

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

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

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

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

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

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

Brownfield – Land which has had a former use.

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

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

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

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

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

Community – A group of people that hold something in common. They could share a common place (e.g. individual neighbourhood) a common interest (e.g. interest in the

environment) a common identity (e.g. age) or a common need (e.g. a particular service focus).

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

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

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

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

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

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

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

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

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

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

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

Flood plain – An area prone to flooding.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Local plan - The name for the collection of documents prepared by a local planning authority for the use and development of land and for changes to the transport system.

Can contain documents such as development plans and statements of community involvement.

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

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

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

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

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

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

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

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

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

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

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

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

Planning gain – The increase in value of land resulting from the granting of planning permission. This value mainly accrues to the owner of the land, but sometimes the local council negotiates with the developer to secure benefit to the public, either

through section 106 planning obligations or the setting of a community infrastructure levy.

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

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

Planning permission – Formal approval granted by a council allowing a proposed development to proceed. Planning Practice Guidance (PPG) The government's PPG can be read alongside the NPPF and is intended as a guidebook for planners. It is not a single document but an online resource which is kept current through regular updates. Presumption in favour of sustainable development The concept introduced in 2012 by the UK government with the National Planning Policy Framework to be the 'golden thread running through both plan making and decision taking'. The National Planning Policy Framework gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Public inquiry – See Inquiry.

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

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

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

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

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

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

Section 106 – see Planning obligation.

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

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

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

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

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

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

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

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

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

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

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

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

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

Class E (Commercial, business and service uses),

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

Class F.2 (Local community uses)