

**To: The Deputy Leader and Members of the
Planning and Development Board**

**(Councillors Simpson, Reilly, Bell, Chambers, L
Dirveiks, Hayfield, Henney, Jarvis, Jenns,
Morson, Phillips, Smitten, Sweet and
A Wright)**

For the information of other Members of the Council

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For enquiries about specific reports please contact
the officer named in the reports

PLANNING AND DEVELOPMENT BOARD AGENDA

10 JULY 2017

The Planning and Development Board will meet in
The Council Chamber, The Council House, South Street,
Atherstone, Warwickshire CV9 1DE on Monday 10 July
2017 at 6.30 pm.

AGENDA

- 1 **Evacuation Procedure.**
- 2 **Apologies for Absence / Members away on
official Council business.**
- 3 **Disclosable Pecuniary and Non-Pecuniary
Interests**

- 4 **Minutes of the meetings of the Board held on 6 March, 3 April, 15 May and 12 June 2017** – copies herewith, to be approved as a correct record and signed by the Chairman.

ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 5 **Budgetary Control Report 2017/2018 - Period Ended 30 June 2017**
- Report of the Assistant Director (Finance and Human Resources)

Summary

The report covers revenue expenditure and income for the period from 1 April 2017 to 30 June 2017. The 2017/2018 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371).

- 6 **Planning Applications** – Report of the Head of Development Control.

Summary

Town and Country Planning Act 1990 – applications presented for determination

The Contact Officer for this report is Jeff Brown (719310).

- 7 **Submission of Mancetter Neighbourhood Plan for Referendum** -
Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report informs Members of the progress of the Mancetter Neighbourhood Plan and seeks approval for a formal referendum to be carried out in accordance with section 16 of the Neighbourhood Planning (General) Regulations 2012.

The Contact Officer for this report is Dorothy Barratt (719250)

- 8 **Appeal Decisions** - Report of the Head of Development Control.

Summary

The report draws attention to recent appeal decisions.

The Contact Officer for this report is Jeff Brown (719310).

- 9 **Tree Preservation Order Blytheways Blythe Road Coleshill -**
Report of the Head of Development Control.

Summary

Representations received in respect of an Emergency Tree Preservation Order are reported to the Board for consideration in its decision whether or not to confirm the Order.

The Contact Officer for this report is Jeff Brown (719310).

- 10 **Brownfield Registers and Planning Permission in Principle -**
Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report outlines the new Brownfield register which has to be in place by 31 December 2017 and the introduction of Planning Permission in Principle.

The Contact Officers for this report are Dorothy Barratt and Jeff Brown (719250/719310).

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

6 March 2017

Present: Councillor Simpson in the Chair.

Councillors Bell, L Dirveiks, N Dirveiks, Farrell, Hayfield, Humphreys, Jarvis, Jenns, Jones, Phillips, Reilly, Smitten, and Sweet

Apologies for absence were received from Councillors Morson (substitute Councillor N Dirveiks), Moss (substitute Councillor Farrell) and A Wright (substitute Councillor Hayfield).

80 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Sweet declared a non-pecuniary interest in Minute No 82 Planning Applications (Application No 2016/0605 - Land to the rear of 6-20, Spon Lane, Grendon) took no part in the discussion and left the meeting.

Councillor Bell declared a non-pecuniary interest in Minute No 82 Planning Applications (Application No 2016/0199 - Land to the rear of 145, Coleshill Road, Hartshill, CV10 0PG) took no part in the discussion and left the meeting.

Councillor Smitten declared a non-pecuniary interest in Minute No 82 Planning Applications (Application No 2016/0213 - Land South of Gardeners Cottage, Pooley Lane, Polesworth) took no part in the discussion and left the meeting.

Councillor Reilly declared a non-pecuniary interest in Minute No 82 Planning Applications (Application No 2016/0278 - Blackgreaves Farm, Blackgreaves Lane, Lea Marston, B76 0DA) by virtue of being Chairman of Lea Marston Parish Council took no part in the discussion and left the meeting.

81 **Minutes**

The minutes of the meetings of the Board held on 12 December 2016, 16 January and 6 February 2017, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

82 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since

the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a That in respect of Application No 2016/0199 (Land to the rear of 145, Coleshill Road, Hartshill, CV10 0PG), the amended scheme be approved subject to the signing of a Section 106 Agreement and subject to the additional conditions set out in the report of the Head of Development Control in addition to those conditions already recommended in the report attached at Appendix A to the report;

[Speaker – David Onions]

- b That in respect of Application No 2016/0213 (Land South of Gardeners Cottage, Pooley Lane, Polesworth)

(i) Officers explore with the applicant changes to the application, that a further, amended scheme be submitted on this site and that the matter be reported back to an early meeting of the Board for a determination; and

(ii) Officers discuss the Board's concerns regarding Highway Safety with the Highways Authority and the applicant

- c That Application No 2016/0278 (Blackgreaves Farm, Blackgreaves Lane, Lea Marston, B76 0DA) be refused for the following reasons

“The site is in the Green Belt. The proposed extension is inappropriate development here because it is considered to be a disproportionate extension to the original building. This is therefore harmful to the Green Belt by definition. It also causes significant actual harm to the Green Belt because of its impact on the openness of the Green Belt. It is considered that the applicant's planning considerations do not amount to the very special circumstances needed to clearly outweigh the harm caused, because it has not been shown that the size of the extension is the minimum required for the efficient and safe operation of the use on the site. The proposal is thus not in accord with Policy NW3 of the Core Strategy 2014 or the National Planning Policy Framework.”

- d That Application No 2016/0572 (Clinic and Welfare Centre, Coventry Road, Kingsbury, B78 2LN) be approved subject to

the conditions set out in the report of the Head of Development Control, subject to an amended landscaping condition;

- e That in respect of Application No 2016/0605 (Land to the rear of 6-20, Spon Lane, Grendon) determination of the application be deferred for the purpose of requesting that the County Council undertake the following:**
 - A Road Safety Audit**
 - A Risk Assessment, incorporating an assessment of the proposed junction arrangements in relation to the County Council's Public Sector Equality Duty and the provisions of the Disability Discrimination Act.**
- f That consideration of Application No 2016/0719 (6, Coventry Road, Coleshill, B46 3BE) be deferred for a site visit;**
- g That the receipt of Application No 2017/0032 (Rowan Centre - Circles Network, North Street, Atherstone, CV9 1JN) be noted and a site visit be undertaken prior to determination; and**
- h That in respect of Application No 2016/0245 (Hall End Business Park, Watling Street, Dordon, B78 1SZ)**
 - i provided there are no objections received arising from the formal deposit of these Orders and that no modifications are required, the Board formally refers the Orders to the Secretary of State as unopposed Orders for his consideration; and**
 - ii if objections are received or there are representations made that warrant modification, the matter be referred to the next available Board meeting.**

83 Submission of Coleshill Neighbourhood Plan for Referendum

The Assistant Chief Executive and Solicitor to the Council reported on the progress of the Coleshill Neighbourhood Plan and sought approval for a formal referendum in accordance with section 16 of the Neighbourhood Planning (General) Regulations 2012 to be carried out.

Resolved:

That the Coleshill Neighbourhood Plan be taken forward to referendum.

84 Submission of Austrey Neighbourhood Plan for Referendum

The Assistant Chief Executive and Solicitor to the Council reported on the progress of the Austrey Neighbourhood Plan and sought approval for

a formal referendum in accordance with section 16 of the Neighbourhood Planning (General) Regulations 2012 to be carried out.

Resolved:

That the Austrey Neighbourhood Plan be taken forward to referendum.

85 Submission of Hartshill Neighbourhood Plan for Adoption

The Assistant Chief Executive and Solicitor to the Council reported on the progress of the Hartshill Neighbourhood Plan and sought approval for adoption in accordance with section 16 of the Neighbourhood Planning (General) Regulations 2012 to be carried out.

Resolved:

That the Hartshill Neighbourhood Plan be adopted and form part of the Development Plan.

86 Nuneaton and Bedworth BC - Borough Plan 2011 - 2031: Publication (2017)

The Assistant Chief Executive and Solicitor to the Council reported on the Council's proposed response to the Nuneaton and Bedworth Borough Plan publication consultation.

Resolved:

- a That the Assistant Chief Executive and Solicitor to the Council be given delegated authority, in consultation with the Chairman and Opposition Spokesman of this Board and the Leader of the Council, to send a response to Nuneaton and Bedworth Borough Council's consultation on their Borough Local Plan; and**
- b That discussions continue with Nuneaton and Bedworth Borough Council to look at possible changes that could be presented to the Local Plan Examination to overcome this Council's concerns.**

87 Appeals Update

The Head of Development Control provided a progress report in respect of outstanding appeals.

Resolved:

That the report be noted

88 Moor Farm Stables, Wall Hill Road, Corley Moor

The Head of Development Control reported on the recent appeal at Moor Farm Stables, Wall Hill Road, Corley Moor and the Board was asked to agree a suggested course of action.

Resolved:

- a That in respect of Moor Farm Stables, Wall Hill Road, Corley Moor, the Solicitor to the Council be authorised to issue an Enforcement Notice, requiring the demolition of the existing indoor riding arena; the removal of the resultant materials from the site and the re-instatement of the land for the reasons set out in the report of the Head of Development Control; and**
- b That the compliance period be six months.**

89 Tree Preservation Order – 109 Tamworth Road, Wood End

The Board was invited to consider the confirmation of a Tree Preservation Order made in respect of six mature Oak trees at 109 Tamworth Road, Wood End. No representations had been received.

Resolved:

That the Tree Preservation Order be made permanent in respect of six mature Oak trees at 109 Tamworth Road, Wood End.

90 Tree Preservation Order – Land Adjacent The Homestead, Main Road, Austrey

The Head of Development Control reported on the response that had been received to the Tree Preservation Order made in respect of Land Adjacent The Homestead, Main Road, Austrey. The Board was invited to consider the response received and decide whether or not to confirm the Order.

Resolved:

That, having considered the representation received, the Tree Preservation Order made in respect of Land Adjacent The Homestead, Main Road, Austrey, be confirmed without modification.

M Simpson
Chairman

**Planning and Development Board
6 March 2017
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/4	PAP/2016/0199	S Hutt	Objection	23/2/17
		STW	No objection	6/2/17
		NHS	Consultation	14/2/17
5/32	PAP/2016/0213	Polesworth Parish Council	Objection	6/2/17
		Note	Site Visit	25/2/17
5/47	PAP/2016/0278	Note	Site Visit	25/2/17
		Warwickshire Police	Consultation	1/2/17
5/69	PAP/2016/0572	Case Officer	E-mail	1/3/17
11/1	PAP/2016/0091	C Callington	Letter	2/3/17

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

3 April 2017

Present: Councillor Simpson in the Chair.

Councillors Bell, L Dirveiks, N Dirveiks, Humphreys, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Reilly, Smitten, Sweet and A Wright

An apology for absence was received from Councillor Henney (substitute Councillor N Dirveiks).

91 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Smitten declared a non-pecuniary interest in Minute No 93 Planning Applications (Application No 2016/0213 - Land South of Gardeners Cottage, Pooley Lane, Polesworth) left the meeting and took no part in the discussion or voting thereon.

Councillor Sweet declared a non-pecuniary interest in Minute No 93 Planning Applications (Application No 2016/0686 - Land at Delves Farm to rear of, 21a-33 Boulters Lane, Wood End, CV9 2QF) left the meeting and took no part in the discussion or voting thereon.

Councillor Simpson declared a non-pecuniary interest in Minute No 93 Planning Applications (Application No 2016/0686 - Land at Delves Farm to rear of, 21a-33 Boulters Lane, Wood End, CV9 2QF) left the meeting and took no part in the discussion or voting thereon.

Councillor Reilly declared a non-pecuniary interest in Minute No 93 Planning Applications (Application No 2016/0709 - Land East of 68, Vicarage Lane, Water Orton) left the meeting and took no part in the discussion or voting thereon.

92 **Emergency TPO – Herring Road, Atherstone**

The Head of Development Control sought confirmation of the action taken to make an emergency tree preservation order in respect of a group of trees at Herring Road, Atherstone.

Resolved:

That the action taken to make an Emergency Tree Preservation Order for the group of trees on land off Herring Road, Atherstone be confirmed for the reasons given in the report of the Head of Development Control and that all representations received are reported back to the Board for further consideration.

[Speaker Brian Storer]

93 Planning Applications

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a That in respect of Application No 2016/0004 (Heart of England, Meriden Road, Fillongley, CV7 8DX)**
- i The following conditions be discharged and that the submitted details be approved**
- Condition 7 (landscaping scheme)**
 - Condition 8 (in part) (archaeological work)**
 - Condition 9 (in part) (bricks, tiles, surface and facing materials)**
 - Condition 10 (window and door joinery)**
 - Condition 15 (drainage network and hydro-brake control)**
 - Condition 16 (access and car parking details)**
 - Condition 17 (refuse storage/disposal)**
 - Condition 18 (crime prevention measures)**
- ii That the discharge of Condition 11 (exterior lighting) be refused for the reasons set out in the report of the Head of Development Control;**
- iii That in respect of Condition 13 (tree protection) the Council recognises non-compliance with the requirements of the condition, but considers that it is not expedient to pursue formal enforcement action;**
- iv That the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the removal of the coloured lighting and flood lighting installed on the north west elevation of the conference centre building and on the existing storage building; and**
- v That consideration of Condition 14 (boundary treatment) be deferred.**

[Speaker Howard Darling]

- b That in respect of Application No 2016/0112 (Land adjacent Grimstock Hill, Lichfield Road, Coleshill) the applicant be informed that as a consequence of the report submitted under condition 8 of PAP/2015/0584 dated 8 November 2016, the Council is seeking a financial contribution of £285,314 for off-site affordable housing provision in North Warwickshire to be secured through a Section 106 Agreement. The phasing of this payment is open to negotiation but the condition will not be fully discharged until the Agreement has been signed;**
- c That consideration of Application No 2016/0060 (Great Chapel Field, Wall Hill Road, Chapel Green, Fillongley) be deferred;**

[Speaker Howard Darling]

- d That Application No 2016/0213 (Land South of Gardeners Cottage, Pooley Lane, Polesworth) be refused for the reasons set out in the report of the Head of Development Control;**
- e That consideration of Application No 2016/0642 (Redlands, New Street, Baddesley Ensor, CV9 2DL) and Application No 2016/0643 (Land Adjacent to Redlands, with access onto Jean Street, New Street, Baddesley Ensor, CV9 2DL) be deferred for site visits;**

[Speaker Elaine Whittle]

- f That in respect of Application No 2016/0686 (Land at Delves Farm to rear of, 21a-33 Boulters Lane, Wood End, CV9 2QF) the Council would have refused planning permission if it had determined the case for the reasons set out in the report of the Head of Development Control;**

[For the consideration of this Application Councillor Simpson vacated the Chair. Councillor Reilly in the Chair]

- g That consideration of Application No 2016/0709 (Land East of 68, Vicarage Lane, Water Orton) be deferred for a site visit;**

[Speakers John Warren, Peter Grace, Colin Turner and Julian Harradence]

- h That Application No 2016/0719 (6, Coventry Road, Coleshill, B46 3BE) be refused for the following reasons**

“It is considered that the proposal will have a detrimental impact on the vitality of the town of Coleshill given the

number of food outlets already existing throughout the town. The proposal is thus not considered to accord with Policy NW20 of the North Warwickshire Core Strategy 2014 or to paragraph 23 of the National Planning Policy Framework 2012.”

[Speaker Hugh Gore]

- i That Applications No 2017/0053 and 2017/0054 (Land North of Manor Barns, Newton Lane, Austrey) be approved subject to the conditions set out in the report of the Head of Development Control; and**
- j That Application No 2017/0092 (Block 01-07 & Block 08-14 Chancery Court, Chancery Lane, Chapel End, CV10 0PA) be approved subject to the conditions set out in the report of the Head of Development Control.**

94 Draft Local Plan – consultation and next steps

The Assistant Chief Executive and Solicitor to the Council updated Members on the Draft Local Plan consultation and outlined the next steps.

Resolved:

- a That the report be noted;**
- b That a further report be submitted to the Board on the representations received following the consultation exercise; and**
- c That comments made by the Board be taken in to consideration by the Local Development Framework Sub-Committee when it looks at any changes that may be made to the emerging Local Plan.**

95 Tree Preservation Order 109 Tamworth Road Wood End

The Board was informed that following the confirmation of the Tree Preservation Order made in respect of 109 Tamworth Road, Wood End, a further representation has been received from the owner of the site indicating that trees T2 and T3 had been incorrectly positioned on the reference plan and that the large oaks should be sited further north along the boundary hedge. The Board was invited to confirm the revised plan.

Resolved:

That the Tree Preservation Order be confirmed (with modifications) in respect of six mature Oak trees.

96 Tree Preservation Order Father Hudson's Coventry Road Coleshill

The Board was invited to consider the representations received and decide whether or not to confirm the Tree Preservation Order made in respect of trees at Father Hudson's, Coventry Road, Coleshill.

Resolved:

That the Tree Preservation Order be confirmed in respect of one Deodar Cedar, one small leafed Lime, two Lawson Cypress and two Sycamore at Father Hudson's, Coventry Road, Coleshill.

97 Exclusion of the Public and Press

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

98 Breaches of Planning Control

The Head of Development Control reported on an alleged breach of planning control on land at Whitegate Stables, Kingsbury Road, Lea Marston and the Board was asked to agree a suggested course of action.

Resolved:

That in respect of land at Whitegate Stables, Kingsbury Road, Lea Marston, the Solicitor to the Council be authorised to issue an enforcement notice in relation to the unauthorised change of use of the land from agricultural and equestrian use; to B8 (storage and distribution use) also including the siting of storage containers and mobile site offices, together with the construction of unauthorised bunding and hardstanding. The notice to require:

- **Cease the unauthorised use of the land for B8 (storage and distribution use) also including the siting of storage containers and mobile site offices and remove the storage containers, mobile site offices and any other associated items from the land.**

- **Break up and dig up of the unauthorised hardstanding area, excluding the area of the original track and yard area as shown on the notice plan, remove of the resulting materials from the site, and then level the bunds by scraping the material back on to the area formally occupied by the hardstanding.**
- **That the compliance period be six months.**

M Simpson
Chairman

**Planning and Development Board
3 April 2017
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/1	DOC/2016/0004	Note	Site Visit	28/3/17
4/3	PAP/2016/0060	Warwickshire County Council	Consultation	6/2/17
4/4	PAP/2016/0213	K Bradford	Support	27/3/17
4/9	PAP/2016/0709	Agent	E-mail	28/3/17
		J Warren	Objection	21/3/17
		Agent	E-mail	27/3/17
		S Gallagher	Representation	3/4/17
		R Wild	Objection	29/3/17
8		FHS	Letter	28/3/17

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

15 May 2017

Present: Councillor Simpson in the Chair.

Councillors Bell, Chambers, Clews, Davey, L Dirveiks, Hayfield, Jarvis, Jenns, Jones, Morson, Phillips, Reilly and Sweet

Apologies for absence were received from Councillor Smitten (substitute Councillor Clews) and Councillor A Wright (substitute Councillor Davey).

1 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Davey declared a non-pecuniary interest in Planning Application number 4 (Application Nos 2016/0642 and 0643) – by virtue of a close association with the applicant, left the meeting and took no part in the discussion or voting thereon.

Councillors Hayfield and Reilly declared non-pecuniary interests in Planning Application number 7 (Application No 2016/0709) – by virtue of a close association with the applicant, left the meeting and took no part in the discussion or voting thereon.

Councillors Bell, Hayfield, Jenns and Reilly declared non-pecuniary interests in Planning Application number 10 (Application No 2017/0032) – by virtue of being Members of Warwickshire County Council. Councillor Hayfield took no part in the discussion or voting thereon.

2 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a **That Application No 2016/0004 (Heart of England, Meriden Road, Fillongley, CV7 8DX) be approved subject to the conditions set out in the report of the Head of Development Control;**

Speaker Robert Pargetter

- b **That Application No 2016/0060 (Great Chapel Field, Wall Hill Road, Chapel Green, Fillongley) be refused for the following reasons:**

"It is not considered that this use accords with Policy NW10 (9) of the North Warwickshire Core Strategy 2014 in that this proposal will result in an unacceptable impact on the residential amenity of the nearest property by virtue of increased traffic, noise from activity at the site and the general appearance of the use introducing new development to an open field in the Green Belt."

Speaker Howard Darling

- c That Application No 2016/0214 (Land North Of Moorwood House, Moorwood Lane, Hartshill) be deferred for a site visit;**
- d That Application No 2016/0642 (Redlands, New Street, Baddesley Ensor, CV9 2DL) and Application No 2016/0643 (Land Adjacent to Redlands, with access onto Jean Street, New Street, Baddesley Ensor, CV9 2DL) be refused for the following reasons:**

" It is not considered that the proposal accords with Policy Nw10 (6) of the North Warwickshire Core Strategy 2014 in that the proposal will introduce a new access and further traffic to the existing highway network resulting in adverse impacts. This is a consequence of the proximity of the access points to the junction of Jean Street and New Street; the limited viability at this junction, the existing on-street parking situation in both roads and the car parking arrangements resulting in the reversing of cars into both roads."

Speaker Elaine Whittle

- e That Application No 2016/0645 (Land North Of Fircone, Farthing Lane, Curdworth, B76 9HE) be deferred for a site visit;**

Speaker Steve Doolan and James Holmes

- f That Applications No 2016/0659 and 2017/0660 (St Andrews Home, 37 Blythe Road, Coleshill) be deferred for the Chairman, Opposition Spokesman, Local Members and Officers to meet with the applicant to discuss improvement to the proposed development;**
- g That Application No 2016/0709 (Land East of 68, Vicarage Lane, Water Orton) be approved subject to the conditions as set out in Appendix A to the report of the Head of Development Control, together with the following amendments and additional condition;**

- change the hours in condition 28 to 2100 hours;**

- refer to colour of the fencing in condition 15; and
- the following additional condition - "No development whatsoever shall take place until the applicant, or their agents or successors un title, has secured and completed the implementation of archaeological trial trenching in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. Should archaeological assets be identified as a consequence, a Scheme of Mitigation shall be submitted and approved in writing by the Local Planning Authority in advance of any development commencing".

Speaker Julian Harradence

- h** That Application No 2016/0738 (Land rear of Ansley United Reform Church, Birmingham Road, Ansley) be deferred for Officers to seek improvements to the proposed scheme, particularly with regard to Plots 37 and 38, and the landscaping between the proposed new housing and existing houses;

Speaker Christopher White

- i** That Application No 2017/0005 (Tarmac Bagging Yard, Nuneaton Road, Hartshill, CV10 0RT) be refused for the following reasons:

"It is considered that the proposal does not accord with policy NW10(9) of the North Warwickshire Core Strategy 2014 in that the extended hours will result in unacceptable noise impacts for residential properties given their proximity and the hours proposed in the early morning and late evening"

Speaker Susan Ritchie

- j** That Application No 2017/0032 (Rowan Centre - Circles Network, North Street, Atherstone, CV9 1JN) be approved subject to the conditions set out in the report of the Head of Development Control;

Speakers Matt Harrison and Tim Willis

- k** That the receipt of Application No 2017/0156 (Land South of Dairy House Farm (Phase 2), Spon Lane, Grendon) be noted; and
- l** That in respect of Application No 2017/0157 (Blythways, Blythe Road, Coleshill, B46 1AH)

- the application is noted.
- the Board undertakes a site visit prior to determination; and
- the Design Champions and local Coleshill Ward Members meet the applicant at the earliest opportunity.

3 The Lake House, Bakehouse Lane, Whitacre Heath

The Head of Development Control reported on the receipt of the appeal decision in respect of the property at The Lake House, Bakehouse Lane, Whitacre Heath and Members were asked to agree a suggested way forward with regard to the outstanding enforcement proceedings.

Resolved:

That the decision of the Assistant of Chief Executive and Solicitor to the Council, in consultation with Chairman of the Board, to withdraw the Enforcement Notice relating to this case be confirmed.

4 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2016 – March 2017

The Chief Executive and the Deputy Chief Executive reported on the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April 2016 to March 2017.

Resolved:

That the report be noted.

5 Corporate Plan Targets 2016/17

The Head of Development Control reported on the action taken on a number of targets as set out in the 2016/17 Corporate Plan.

Resolved:

That the report be noted.

6 Tree Preservation Order – Herring Road, Atherstone

The Board was invited to consider the representations submitted in response to an Emergency Tree Preservation Order made in respect of a group of trees at Herring Road, Atherstone.

Resolved:

That the matter be deferred to allow the land owner and Officers to seek to agree a schedule of trees to be retained.

7 Tree Preservation Order Birchmoor Road, Polesworth

The Head of Development Control sought confirmation of the action taken to make an Emergency Tree Preservation Order at Birchmoor Road, Polesworth.

Resolved:

That the action taken by the Assistant Chief Executive and Solicitor to the Council, in consultation with the Chairman of the Board, to make an Emergency Tree Preservation Order in respect of trees at Birchmoor Road, Polesworth as outlined in the report of the Head of Development Control be confirmed and that subsequent representations received be reported to the Board in due course.

8 Annual Performance Report

The Head of Development Control submitted his annual performance report outlining how the service had managed both planning applications and breaches of planning control during 2016/17 enabling comparisons with previous years.

Resolved:

That the report be noted.

M Simpson
Chairman

**Planning and Development Board
15 May 2017
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/53	PAP/2016/0642	Note	Site Visit	15/5/17
	PAP/2016/0643	Note	Site Visit	15/5/17
4/137	PAP/2016/0709	Warwickshire Museum	Letter	15/5/17
		A J Associates	Letter	12/5/17
4/177	PAP/2016/0738	Agent	Revised plan	15/5/17

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

12 June 2017

Present: Councillor Reilly in the Chair.

Councillors Bell, Chambers, L Dirveiks, N Dirveiks, Hayfield, Humphreys, Jarvis, Phillips, Smitten, M Stanley, Sweet, Waters and A Wright

Apologies for absence were received from Councillor Simpson (substitute Councillor Humphreys), Councillor Jenns (substitute Councillor Waters), Councillor Morson (substitute Councillor M Stanley) and Councillor Henney (substitute Councillor N Dirveiks)

9 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

10 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes. In respect of Applications No 2016/0645 and 2017/0048 (Land North of Fircone, Farthing Lane, Curdworth) the Head of Development Control circulated a supplementary report in order to provide updated information.

Resolved:

- a **That Application No 2016/0214 (Land North of Moorwood House, Moorwood Lane, Hartshill) be approved subject to the conditions set out in the report of the Head of Development Control;**
- b **That Applications No 2016/0645 and 2017/0048 (Land North of Fircone, Farthing Lane, Curdworth) be approved subject to the conditions set out in the report of the Head of Development Control and to the recommendations as set out in the Supplementary Report, subject to agreement with the Highway Authority in respect of delivery hours and details of reducing the likelihood of materials being deposited onto the road in respect of condition 8 of Application 2017/0048;**

[Speakers Penny Johnson and Alison Holmes]

- c **That Application No 2016/0679 (Land South of 1 to 7 The Beeches, Laurel Avenue, Polesworth) be deferred for a site visit;**

[Speakers Basil Pointon and Christopher Timothy]

- d **That Application No 2016/0734 (Land 180 Metres North East of Ambleside, Hill Top, Arley) be deferred for a site visit:**

[Speaker Hugh Moreton]

- e **That Application No 2017/0201 (7 Oakfield Gardens, Atherstone) be approved subject to the conditions set out in the report of the Head of Development Control;**

- f **That Application No 2017/0257 (Land Opposite Woodhouse Farm, Robeys Lane, Alvecote) be noted, that a site visit be arranged and meetings with Tamworth and Staffordshire Councils be arranged.**

11 PAP/2016/0060 – Great Chapel Field, Wall Hill Road, Fillongley

The Head of Development Control reported on whether it was expedient to issue an enforcement notice given that this application was refused at a previous meeting of the Board.

Resolved:

That the Solicitor to the Council be given authority to issue an enforcement notice in the terms as set out in the report of the Head of Development Control and for the reasons as outlined.

12 Submission of Coleshill and Austrey Neighbourhood Plans for adoption

The Assistant Chief Executive and Solicitor to the Council reported on the outcome of recent referenda on the Coleshill and Austrey Neighbourhood Plans

Resolved:

That the Coleshill and Austrey Neighbourhood Plans be adopted and form part of the Development Plan.

13 Car Boot Sales

The Head of Development Control reported on the action taken with regard to car boot sales

Resolved:

That the report be noted and that officers are requested to continue discussions with operators.

14 Tree Preservation Order – Blytheways, Blythe Road, Coleshill

The Head of Development Control reported on the making of an Emergency Tree Preservation Order.

Resolved:

That the Board confirms the action taken in the making of an Emergency Tree Preservation Order for Blytheways, Blythe Road, Coleshill, in respect of two oak trees and a group of seven Sliver birch trees, for the reasons given in the report of the Head of Development Control.

15 Tree Preservation Order – Herring Road, Atherstone

The Head of Development Control sought confirmation an Emergency Tree Preservation Order at Herring Road, Atherstone.

Resolved:

That the Emergency Order made on the 17 March 2017 in respect of land off Herring Road, Atherstone be confirmed subject to the removal of alder trees from the schedule of trees and that the correct address is added to the citation in the Order.

16 Emergency Tree Preservation Order – 57 Birmingham Road, Nether Whitacre

The Head of Development Control reported on the making of an Emergency Tree Preservation Order.

Resolved:

That the Board confirms the action taken in the making of an Emergency Tree Preservation Order at 57 Birmingham Road, Nether Whitacre, in respect an oak tree for the reasons given in the report.

17 Exclusion of the Public and Press

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely

disclosure of exempt information as defined by Schedule 12A to the Act.

18 Breaches of Planning Control

The Head of Development Control reported on a possible breach of planning control in respect of land at Holly Bush Farm, Nuthurst Lane, Astley and the Board was asked to agree a suggested course of action.

Resolved:

That the Solicitor to the Council be authorised to issue an Enforcement Notice as set out in the report of the Head of Development Control.

D Reilly
Chairman

**Planning and Development Board
12 June 2017
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/4	PAP/2016/0214	Note	Site Visit	6/6/17
4/26	PAP/2016/0645	Note	Site Visit	7/6/17
		Applicant	E-mail	9/6/17
		Head of Development Control	E-mail	9/6/17
		Resident	Objection	9/6/17
		Supplementary Report	Report	9/6/17
		A Watkins	E-mail	8/6/17
		P Johnson	Objection	9/6/17
4/54	PAP/2016/0679	P Pointon	Objection	8/6/17
		Warwickshire County Council	Consultation	8/6/17
		Applicant	E-mail	5/6/17
4/79	PAP/2017/0201	Warwickshire County Council	Consultation	12/5/17

Agenda Item No 5

Planning and Development Board

10 July 2017

**Report of the Assistant Director
(Finance and Human Resources)**

**Budgetary Control Report 2017/2018
Period Ended 30 June 2017**

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2017 to 30 June 2017. The 2017/2018 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

Recommendation to the Board

That the report be noted and that the Board requests any further information it feels would assist it in monitoring the budgets under the Board's control.

2 Introduction

- 2.1 Under the Service Reporting Code of Practice (SeRCOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but, also support costs relating to such areas as finance, office accommodation, telephone costs and IT services. The figures contained within this report are calculated on this basis.

3 Overall Position

- 3.1 Net expenditure for those services that report to the Planning and Development Board as at 30 June 2017 is £44,786 compared with a profiled budgetary position of £75,246; an under spend of £30,460 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period. Where possible, the year-to-date budget figures have been calculated with some allowance for seasonal variations in order to give a better comparison with actual figures. Reasons for the variations are given, where appropriate, in more detail below.

3.2 Planning Control

- 3.2.1 Income is currently ahead of forecast by £39,155 which is attributable to three large planning applications received. This has been partially offset by addition spend on the professional fees budget due mainly to the Daw Mill planning inquiry costs.

3.3 Local Land Charges

3.3.1 Income from Local Land Charges is currently ahead of profile due to a change in the mix of high and low valued searches.

4 Performance Indicators

4.1 In addition to the financial information provided to this Board when the budgets were set in February, performance indicators were included as a means of putting the financial position into context. These are shown at Appendix B.

4.2 *Planning Control* - The gross cost of planning applications has increased due to the additional inquiry costs as detailed in 3.2.1. The net cost of planning applications has reduced due to additional planning fees received from 3 large applications even though the total number of planning applications is behind budget.

4.3 The gross cost per Land Charge is higher than expected due to the number of searches undertaken being lower than the profiled level by 25%. The net cost per Land Charge has improved due to a change in the mix of searches between full searches and Official Register searches.

5 Risks to the Budget

5.1 The key risks to the budgetary position of the Council from services under the control of this Board are:

- The need to hold Public Inquiries into Planning Developments. Inquiries can cost the council around £50,000 each.
- A change in the level of planning applications received. A fall in applications would lead to a reduction in planning income, whilst an increase in applications increases the pressure on staff to deal with applications in the required timescales.
- The Government requires all planning applications to be dealt with within 26 weeks. If this is not achieved, the costs of the application must be borne by the authority. Whilst the Planning team deal with almost 100% of current applications within this time, there is a potential that some may slip, leading to a decline in the Planning income level.

5.2 A risk analysis of the likelihood and impact of the risks identified above are included in Appendix B.

6 Estimated Out-turn

6.1 If planning income continues at the current level, the original estimate of £252,880 for net Board expenditure will decrease. However, if the income pattern of last year is repeated, income will reduce later in the year. Given the potential for variation, no changes have been made to the estimated out-turn.

6.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this board, and may change as the financial year progresses. Members will be updated in future reports of any further changes to the forecast out turn.

7 Building Control

7.1 The figures provided by the Building Control Partnership indicate that this Council's share of the costs up to 31 May 2017 show a favourable variance.

7.2 The approved budget provision for Building Control is £20,000, which should be more than sufficient to cover the full year costs currently estimated by the Partnership. We will continue to liaise with Nuneaton and Bedworth Borough Council to monitor this over the course of the year.

8 Report Implications

8.1 Finance and Value for Money Implications

8.1.1 The Council's budgeted contribution from General Fund balances for the 2017/18 financial year of £589,740 is not currently expected to change. Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board at future meetings.

8.2 Environment and Sustainability Implications

8.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

APPENDIX A**Planning and Development Board****Budgetary Control Report 2017/2018 as at 30 June 2017**

Description	Approved Budget 2017/2018	Profiled Budget June 2017	Actual June 2017	Variance	Comments
Planning Control	160,060	50,263	26,767	(23,496)	Comment 3.2
Building Control Non fee-earning	38,800	9,700	5,093	(4,607)	Comment 7.1
Conservation and Built Heritage	46,800	14,663	14,650	(13)	
Local Land Charges	(2,090)	(1,708)	(4,626)	(2,918)	Comment 3.3
Street Naming & Numbering	9,310	2,328	2,901	573	
TOTALS	252,880	75,246	44,786	(30,460)	

Performance Indicators for Budgets Reporting to the Planning and Development Board

	Budgeted Performance	Profiled Budgeted Performance	Actual Performance to Date
Planning Control			
No of Planning Applications	900	225	202
Gross cost per Application	£788.94	£786.37	£969.63
Net cost per Application	£177.84	£223.39	£132.51
Caseload per Planning Officer			
All applications	167	41.7	39.2
Local Land Charges			
No of Searches	530	133	99
Gross cost per Search	£91.00	£82.06	£104.71
Net cost per Search	-£3.94	-£12.89	-£46.72

Risk Analysis

	Likelihood	Potential impact on Budget
Need for public enquiries into planning developments	Medium	High
Decline in planning applications leading to a reduction in Planning Income.	Low	Medium
Applications not dealt with within 26 weeks, resulting in full refund to applicant.	Low	Medium

Agenda Item No 7

Planning and Development Board

10 July 2017

Report of the Assistant Chief Executive and Solicitor to the Council

Submission of Mancetter Neighbourhood Plan for Referendum

1 Summary

- 1.1 This report informs Members of the progress of the Mancetter Neighbourhood Plan and seeks approval for a formal referendum to be carried out in accordance with section 16 of the Neighbourhood Planning (General) Regulations 2012.

Recommendation to the Board

That the Mancetter Neighbourhood Plan be taken forward to referendum.

2 Consultation

- 2.1 Councillors Clews and Davis have been sent a copy of this report for comments. Any comments received will be reported verbally at the meeting.

3 Background

- 3.1 The Localism Act 2011 introduced a mechanism for local communities to produce neighbourhood plans. Once a neighbourhood plan is 'made' it becomes part of the statutory development plan for that area and will be used, alongside local and national planning policy and guidance, to determine planning applications. There are now 9 designated Neighbourhood Plan areas within the Borough.

4 Mancetter

- 4.1 Mancetter Parish Council had their designation approved at full council on 25 September 2013. The Parish Council undertook the statutory minimum 6 week consultation/publicity period associated with their draft Neighbourhood Plan in February 2015. North Warwickshire Borough Council formally consulted on the plan for 6 weeks until 3 November 2016. All comments from the NWBC consultation were then passed to the Independent Examiner.
- 4.2 Mancetter is the 5th Neighbourhood Plan that has been formally examined by an Independent Examiner. Mary O'Rourke was appointed by North

Warwickshire Borough Council in 2017 with the approval of Mancetter Parish Council. The examiner produced a report with recommendations for changes to be made to the submitted Mancetter Neighbourhood Plan and its associated documents. If these changes were made then the Mancetter Neighbourhood Plan could go forward to referendum.

- 4.2 It is recommended that the Council is satisfied, in light of the modifications that the Mancetter Neighbourhood Plan, as revised, now complies with the legal requirements and basic conditions set out in the Localism Act 2011, and can therefore proceed to referendum.

5 Finance and Value for Money Implications

- 5.1 The Borough Council is able to claim up to £30,000 for this Neighbourhood Plan – the first payment of £5,000 was made following designation of the neighbourhood area. This recognises the amount of officer time supporting and advising the community in taking forward a Neighbourhood Plan. A second payment of £5,000 will be made when the local authority publicises the Neighbourhood Plan prior to examination. The third payment of £20,000 is made on successful completion of an independent examination. For future Neighbourhood Plans the total amount the Borough Council will be able to claim is £25,000 as we will no longer be able to make a claim on designation.

5.2 Legal and Human Rights Implications

- 5.2.1 The process conforms to the legal requirements for Neighbourhood Plans.

5.3 Human Resources Implications

- 5.3.1 Staff time is expected to be provided by the Borough Council to support and advise the Parish Council and community in taking forward a Neighbourhood Development Plan. However the amount of staff time will be limited, essentially to an advisory role, due to the other work priorities of the Forward Planning Team and that this role must be provided to the other Parishes who are also considering undertaking Neighbourhood Plans.

5.4 Environmental and Sustainability Implications

- 5.4.1 Each Neighbour Plan will need to consider the effects of the Plans contents in terms of environmental and sustainability issues in accordance with the relevant regulations.

5.5 Links to Council's Priorities

- 5.5.1 The designation of the Neighbourhood Plan Designation Area will have links to the following priorities;
1. Enhancing community involvement and access to services
 2. Protecting and improving our environment
 3. Defending and improving our countryside and rural heritage

The Contact Officer for this report is Dorothy Barratt (719250).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Mancetter NP Steering Group	Mancetter Neighbourhood Plan	June 2017
2	Mancetter NP Steering Group	Consultation Statement	2016
3	Mancetter NP Steering Group	Basic Conditions Statement	2016

**Mancetter
Neighbourhood
Plan 2016 - 2029**

**Referendum
Version**

**Mancetter Parish
Council**



Foreword

Whether we like it or not our neighbourhood is going to change over the next 15 or so years, linked to the Core Strategy and other Local Plan documents prepared by North Warwickshire Borough Council. As we are all aware there are also substantial pressures on our Parish through speculative planning applications. We therefore had two options:

- To sit on our hands and do nothing and risk having little say in what actually happens; or
- To be proactive and shape and influence future development.

We believe that the latter is the right way forward and committed to a Neighbourhood Plan.

This is the Referendum version of the Mancetter Neighbourhood Plan. It reflects the hard work of the Neighbourhood Plan Steering Group over the last two years and the commitment of Mancetter Parish Council to the principles and practice of “Localism”. However, it is your involvement and support that has been most valuable. Following a successful outcome from the independent examination this is the last, critical, stage for the Neighbourhood Plan. The Borough Council will now organise a referendum and if the Plan is supported by over 50% of those who vote, it will become part of the legal planning framework for Mancetter.

The Plan came through the independent examination with its intent and purpose intact. The Steering Group has consulted and listened to the community throughout the process with the well-being, sustainability and long-term preservation of our rural community as a focus. Every effort has been made to ensure that the policies in this document reflect the views of the majority of residents. Our plan not only sets out the vision and objectives of the community, which will ensure Mancetter is protected and enhanced for the enjoyment of future generations, but it also reflects the importance of retaining our heritage and sense of place.

Therefore, we need your involvement and support on one more occasion to get the Plan “Made” such that it has legal weight. I, my colleagues on the Steering Group and the Parish Council look forward to a good turnout and a positive outcome in the referendum.

I would like to thank everyone who attended the numerous Steering Group meetings during the Plan preparation, without whose help, input and support, this Plan could not have been finalised. The Neighbourhood Plan has also required funding during the preparation process and thanks must also go to Awards for All and Locality for the grants provided.

For those of you who want to know a little more about Neighbourhood Plans and how they fit into the planning system, the following summary may be helpful:

- 1 They were introduced in 2011 to give people a greater say about the location and appearance of development and to help to protect valued local heritage, landscape and community assets.
 - 2 They can establish general planning policies for the development and use of land.
 - 3 They are part of the Development Plan, used to consider planning applications.
- However, whilst they can influence the choice of sites, design and layout of new housing, Neighbourhood Plans should reflect national guidance and conform with the Local Plan

Mancetter Parish Council June 2017

Clive Keble Consulting Ltd. of Derby provided planning advice on the preparation of the Plan

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Appendix 1 - Listed buildings, non-designated local heritage assets and key views.

Appendix 2 - Designated Sites for Nature Conservation in Mancetter (as of July 2016)

Glossary

1. Introduction

What is a neighbourhood development plan?

- 1.1 Communities now have new powers to shape development through neighbourhood planning, which is a new right introduced through the Localism Act 2011.
- 1.2 A Neighbourhood Development Plan can set out a vision for an area and planning policies for the use and development of land. It will form part of the statutory planning framework for the area, and the policies and proposals contained within the neighbourhood plan will be used in the determination of planning applications.

Mancetter Parish

- 1.3 Mancetter has been affected by primary land uses (farming, quarrying, mining and transport) for 2000 years since its' origins as a Roman settlement on Watling Street. The economy has changed, but there are development pressures which local people want to influence so that they benefit from investment but retain local character.
- 1.4 Mancetter Parish Council accepts the strategic direction of the North Warwickshire Core Strategy but feels that it does not give the locally focussed planning detail and control wanted by the local community. Initial consultation and research has shown that there is a strong desire to:
 1. Accommodate limited new housing, primarily through infill development but ensuring that it reflects local needs in terms of house size, affordability and design to fit in with the character of the area.
 2. Protect the parish from inappropriate development in the countryside.
 3. Involve as many people as possible in the plan.
 4. Protect the valuable landscape, natural environment and heritage assets including archaeological sites.
 5. Manage pressure from residential and commercial development in nearby areas, setting policies so that Mancetter benefits from and is not harmed by it.
- 1.5 The Index of Multiple Deprivation shows a higher than average level of need in Mancetter, which is a former coalfield community. Targeted consultation has identified the needs and aspirations of residents to be addressed through the Neighbourhood Plan.

Background to the Neighbourhood Plan

- 1.6 As the appropriate 'Qualifying Body', Mancetter Parish Council applied to North Warwickshire Borough Council (NWBC) on 5 February 2015 to designate a Neighbourhood Area. The Borough Council subsequently publicised the application for a six-week period and invited any representations and formally approved the Neighbourhood Area for Mancetter on 23 April 2015. The boundary of the Mancetter Neighbourhood Area corresponds to the Parish boundary. This is shown overleaf.

Mancetter Parish and Neighbourhood Plan Area



(Crown copyright and database rights 2014 Ordnance Survey 1000117910)

The Plan Period

- 1.7 The Neighbourhood Plan will cover the period from 2016 to 2029 which complements the plan period for the adopted North Warwickshire Core Strategy (2014 - 2029)

Next steps

- 1.8 This Referendum version of the Plan reflects modifications suggested by the Independent Examiner.
- 1.9 The examiner suggested a number of modifications to the Plan, to meet the basic conditions, including conformity with national and local planning policy. The examiner recommended, subject to modifications, that the Plan can proceed to Referendum. A majority of people voting must then support the plan if it is to be eventually 'Made' by the Borough Council. The plan will then become part of the development plan for the area and will become a major consideration when determining planning applications.

2 National and Local Planning Context

The Basic Conditions

- 2.1 The Localism Act 2011 stipulates that a Neighbourhood Development Plan should meet certain basic conditions before it can come into force. After being submitted to NWBC an independent examiner will be appointed to assess whether the plan has met these basic conditions. If the examiner concludes the basic conditions have not been met, the plan will not go forward to referendum.
- 2.2 The basic conditions state that the plan:
- should have regard to national policies and advice, such as the National Planning Policy Framework;
 - should be in general conformity with the strategic policies in the development plan for the area, which includes any adopted local plans;
 - should contribute to the achievement of sustainable development;
 - should be compatible with European obligations and human rights requirements.

National Planning Policies

- 2.3 The Mancetter Neighbourhood Plan should thereby be developed with regard to national policy, especially the National Planning Policy Framework. The Framework set out the Government's planning policies for England and came into effect in March 2012. It contains core planning principles which should underpin all plan-making. It provides the basis for local planning authorities to prepare their Local Plans and for communities producing Neighbourhood Plans.
- 2.4 The Framework states that Neighbourhood Plans should support the strategic development needs of the wider area set out in the Local Plan. They should not promote less development or undermine its strategic policies. It adds that Neighbourhood Plans should plan positively to shape and direct development that is outside the strategic elements of the Local Plan.
- 2.5 The Mancetter Neighbourhood Plan should also be mindful of Planning Practice Guidance, which was published by the Government in 2014. The Guidance explains how national policy should be applied.

The Development Plan

- 2.6 The Mancetter Neighbourhood Plan should also be in general conformity with the strategic policies of the development plan for the area.
- 2.7 The current Development Plan comprises:
- The Adopted North Warwickshire Core Strategy (2014 - 2029)
 - Warwickshire Minerals Local Plan 1995 the emerging Plan for 2017 – 2032, and the Warwickshire Waste Local Plan 2013 (both by Warwickshire County Council).

- 2.8 The Steering Group has worked closely with North Warwickshire Borough Council (NWBC) in the preparation of the Neighbourhood Plan and care has been taken to ensure that it is in general conformity with the 2014 Core strategy. In addition, it is acknowledged that NWBC are currently merging the Core Strategy, Site Allocations and Development Management documents into one single plan – The New Local Plan 2016. Efforts have been made to align the content of the Neighbourhood Plan with this document. However, it is recognised that in legal terms conformity must be achieved with the adopted Core Strategy. Past advice from NWBC on the policy context for this Neighbourhood Plan is set out below.

“The Borough Council’s Adopted Core Strategy is the principal document that contains the NWBC Strategic Policies that the Mancetter Neighbourhood Plan (NP) will need to conform with. The main policies that will be relevant to, or affect the Neighbourhood Plan (i.e. the Neighbourhood Plan will need to ensure it conforms with these policies) are Policies NW1 to NW6 and NW9 in terms of Employment land supply. The remaining policies NW10 to 17 deal primarily with addressing the needs, control of and impacts of development on the Borough and any new Neighbourhood Plan policies that deal with detailed planning application considerations need to conform with these policies. Of the remaining policies, Policy NW18; development in Atherstone & Mancetter, Policy NW20; on development impact on loss of services and facilities and Policy NW21, looking at opportunities for Improvements to the A5, are also relevant. Currently other Policies from the emerging Site Allocations Plan (2014) and Development Management Policies Document (2015) will carry limited weight and have yet to progress through Inquiry to adoption. These two documents will be merged to produce the New Local Plan, 2016,”

- 2.9 In consultation on the Draft Neighbourhood Plan, NWBC commented that there may be a potential non-conformity with the current adopted Core Strategy concerning the Neighbourhood Plan Policy SB1 and in particular the proposed new village settlement boundary for Ridge Lane. NWBC commented that The Core Strategy Settlement Hierarchy does not identify Ridge Lane as a settlement for development and does not provide for a development boundary there. However, it was acknowledged that if the emerging new Local Plan reflects these changes, particularly in relation to the new development boundary for Ridge Lane, then a revised Core Strategy settlement hierarchy policy could be included in the new Local Plan, which would reduce or address the non-conformity problem.
- 2.10 NWBC has recently stated, in an email sent on 18/10/16, that “Although putting a development boundary around Ridge Land is not in conformity with the adopted Core Strategy, we are happy to support it and pass on those comments to the appointed Examiner when the plan is submitted for examination.” There was, therefore, no need for any further amendment to policy (SB1) and supporting text prior to Submission.
- 2.11 It is acknowledged that the completion of Mancetter Neighbourhood Plan may precede the adoption of the new Local Plan by only a short period and, therefore, efforts have been made to anticipate the content of that document and to ensure both documents are aligned. However, it is recognised that once the Neighbourhood Plan is examined and adopted following referendum it may only be wholly applicable as part of the development plan for a limited period up to the date of adoption of the new Borough Local Plan, as new planning policies take precedence.

Possible future housing development

- 2.12 The uncertainty created through the timing of the preparation of the new Local Plan is a challenge in the preparation of the Mancetter Neighbourhood Plan. The issue of any proposed future residential development in and around Mancetter Village is particularly critical. The strong feeling of the local community, reinforced by the evidence concerning the already very built up nature of Mancetter and the importance of landscape and archaeological considerations, is that there is little, if any scope, for any future large scale new housing.
- 2.13 However, should the Local Plan process result in a conclusion that it is absolutely necessary and justifiable that there is some larger scale housing development around Mancetter, the Parish Council considers that the only practical location would be on land to the south-east of the settlement between Nuneaton Road and the railway line. This option was supported in consultations on the Draft Plan (Summer 2016) and on Issues & Options (Mar. 2016). The responses are detailed in the Consultation Statement.
- 2.14 The Parish Council and the local community are of the strong opinion that, in the meantime, development should not be permitted in this area which would compromise any future choices on strategic housing locations. In particular, this concern represents a further substantive objection to the proposal to develop a 40,000 capacity broiler chicken rearing unit on land at Crown Stables, off Nuneaton Road. A planning application for this development was refused by NWBC in March 2016, but an appeal was lodged in September 2016 and the application was approved in April 2017. Based on the above, an informal Community Proposal (SBCP 1) is included in the Settlement Boundary Policy section. In addition to promoting the safeguarding of this land, measures are also set out to take account of issues concerning archaeology, the West Coast Mainline, landscape, sustainability, accessibility and connections to Mancetter. However, for the avoidance of doubt, the Community Proposal **is not intended to promote residential development in this location** unless it is demonstrably proven by NWBC that no other viable alternatives exist.

Sustainable Development and EU Obligations

- 2.15 The National Planning Policy Framework sets out the Government's approach to sustainable development which essentially is about enabling development to cater for the needs of current generations, but ensuring that development does not mean worse lives for future generations. The Mancetter Neighbourhood Plan should be aware of the economic, social and environmental consequences of its policies and proposals.
- 2.16 A number of EU obligations may be relevant to the Mancetter Neighbourhood Plan. In particular, the Borough Council will consider the Screening Report which has been produced to plan and ascertain whether the policies and proposals give rise to significant environmental effects and trigger the need to undertake a Strategic Environmental Assessment (SEA). However, on 19th September 2016, the Borough Council confirmed that *“With regards to whether the plan needs an SEA or not, we feel that if you remove the **H** from the inset plan and the text from the KEY, then there will be no allocation of any sorts and **therefore the plan will not need an SEA**”*. The **H** symbol has subsequently been removed from the Proposals Map (Ridge Lane Inset).

3 The Neighbourhood Area

Key Statistics (Source - 2011 Census and Rural Place Profile prepared by ACRE)

Population and Housing

3.1 The Parish has a population of 2335 living in 990 households. The population structure is: 1177 females (50.4%) and 1158 males (49.6%). In general, the population structure is comparable to the Borough and national averages, but there are 435 people (18.7%) aged over 65, **higher** than national average (16.3%). There are no significant ethnic minority communities.

3.1 There seems to have been a **higher rate of people moving away** from the Parish between 2001 and 2011 compared to those moving in. The population in 2001 was 2449 (114 higher than in 2011). This fall may be related to the effects of the closure of the North Warwickshire Coalfield. However, figures from 2008/09 for North Warwickshire show a higher than average level of satisfaction for living in the area and a feeling of belonging to the local area.

3.3 The 2011 household composition is as follows:

- 49 one person households (over 65) – **lower** than NWBC average
- 48 one person households (other) – **lower** than NWBC average
- 66 two person households (over 65) – **higher** than NWBC average
- 98 households with dependent children – average
- 104 households no dependent children – average
- 21 lone parent households – **lower** than NWBC average

3.4 Housing Stock

- 250 Detached houses - 24.6% of dwellings **similar** to the England average (22.3%)
- 451 Semi-detached houses - 44.4% of dwellings higher than the England average (30.7%)
- 202 Terraced houses - 19.9% of dwellings **lower** than the England average (24.5%)
- 103 Flats - 10.2% of dwellings **lower** than the England average (22.2%)

3.5 Housing Tenure

- Owner occupied 574 (58.0%): **lower** than the England average (64.1%)
- Social rented 338 (34.2%): **higher** than the England average (17.7%)
- Private rented 51 (5.2%): **lower** than the England average (15.4%)
- Other rented 26 (2.6%): **similar** to the England average (2.8%)

3.6 **House prices** Property values are generally lower than county and national averages, which means that even taking into account lower household incomes, affordability is not a general issue. However, there will be some lower income households in Mancetter in housing need.

3.7 **Car ownership & commuting** Influenced by the proximity of Atherstone, car ownership is comparable to national averages as are commuting distances and access to local services.

3.8 **Economic aspects** 1102 (64.9%) residents are economically active, which is lower than the national average of 69.9%. A total of 36.4% are in full time employment, less than national average of 30.1%. The key figures are set out below (NB rounded/do not sum to 100%):

- 605 in full time employment (36.4%) – **lower** than national average (30.1%)
- 221 in part time employment (12.9%) – **close to** the national average (13.7%)

- 139 people are self-employed (8.1%) – **lower** than national average (9.8%)
- 60 people work from home (3.4%) – **close to** the national average (3.5%)

3.9 In terms of skills, for those with qualifications, levels are similar to national average except for a **lower** percentage (14.2%) with **degree/equivalent** (compared to a national rate of 27.4%). In addition, there is a **lower** rate of people (715 or 37.9%) with no qualifications, compared with the national average of 22.5%. Rates of professional or associated occupations (19.4%) are consequently **lower** than average (30.3%). Mancetter Quarry means that the rate of employment in elementary occupations (19.2%) is **higher** than the national average (11.1%).

3.10 **Deprivation** The 2010 Index of Multiple Deprivation (IMD) showed that there is a higher than average level of deprivation in Mancetter. 1434 people (59.9%) classed as living in the most deprived 20% of areas in England compared with a national average of 19.8% and 269 (18.5%) working-age benefit claimants compared with a national average of 13.9%.

3.11 The IMD has been updated in 2015 and this shows at a county level that Warwickshire is ranked 124th out of 152 upper tier authorities in England meaning that it is amongst the 20% least deprived areas in England. **However**, there are **eight** local super output areas in Warwickshire ranked within the **top 10% most deprived LSOAs nationally** on the overall IMD 2015. Six of these eight are located with Nuneaton & Bedworth, one in Warwick District **and the other is Mancetter south and Ridge Lane** in North Warwickshire. It has a score/rank of 3,225. This is lower (worse) than in the 2010 IMB and Mancetter South & Ridge Lane has seen the greatest deterioration in the rankings, relative to other LSOAs.

3.12 The most problematic area is Education, Skills and Training Development. This domain looks at the lack of attainment and skills within the local population. The indicators are composed of two sub-domains: one relating to education deprivation for children/young people in the area, and one relating to lack of skills and qualifications in a sub-set of working age adults. Mancetter South & Ridge Lane, ranked 267 within the top 2% most deprived nationally. Crime (1,847) and Barriers to Housing & Services (1,718) are the other two indicators which show a higher degree of deprivation than the average (3,225).

3.13 Weekly household incomes in Mancetter (£560) are lower than those for Warwickshire (£678) and England (£673) and there is a correspondingly greater reliance on benefits.

3.14 Related figures from 2010 show a higher number/percentage (139 or 31.2%) of children living in poverty compared to the national average of 21%

3.15 The 2011 census shows that the numbers/percentage (275 or 18.8%) of people aged 16 - 64 with life limiting illness are higher than the national average of 12.8%.

3.16 In addition to the above, the evidence base for the Neighbourhood Plan includes:

- A description and analysis of the NWBC Policy context;
- A report summarising the findings of the (community based) Local Character Study (including a summary of the archaeological Scheduled Monuments in Mancetter).

Each of these documents is available as a separate report.

4 Community Engagement and Consultation

- 4.1 The outcomes of community engagement forms part of the evidence base. This short section summarises what activities have been undertaken.
- 4.2 The Steering Group placed a considerable emphasis on consultation and the designation of the Neighbourhood Plan Area was followed by three stages of consultation and engagement, as summarised below:
- 1 Summer 2015** – Initial questionnaire and display for local residents.
 - 2 March 2016** – A three-week consultation on issues and options, with exhibitions and a newsletter/questionnaire, distributed across the Parish. In addition, statutory consultees and other interested parties were notified and invited to comment.
 - 3 July and August 2016** – Consultation on the draft Neighbourhood Plan, including local residents, businesses, statutory consultees and other interested parties, in accordance with Regulation 14.
- 4.3 Full details of the consultation events and outcomes are given in the separate Consultation Statement which gives details of:
- The people and organisations consulted.
 - How they were consulted.
 - The main issues and concerns which were raised.
 - The ways in which the concerns raised have been addressed.

5 Key Issues

5.1 Taking in to account the outcomes of consultation, evidence gathering and the policy context the Neighbourhood Plan is intended to address the following **Issues**:

1 Housing Design There is a need for future new housing to reflect the character of the local area better.

2 New housing locations There is no need to allocate new housing land at present, but there will be pressure in the future and it is considered that it may be helpful to identify the area to south-east of Mancetter as a potential general location.

3 Business & Employment It is recognized that local employment is important to the economy and the life opportunities for residents and that the Manor Road industrial estate should be protected and it is also considered that small units and working from home encouraged?

4 Local Facilities There is a need to protect the community buildings, local shops and other facilities, which people have told us that they value.

5 Open Space & Recreation There is a need to protect the open spaces and recreation areas, which people have told us that they value.

6 Countryside & Landscape There is a need to protect and enhance the countryside and landscape of the Parish, which people have told us that they value.

7 Local Character Mancetter has a Conservation Area, which will be protected, but it is thought that an up to date Conservation Area Appraisal is needed and that across the parish there are other important non-listed buildings, structures, spaces and views which need to be identified and protected.

8 Outside influences The impact upon Mancetter of developments in nearby areas, especially in terms of HGV's and traffic generation, needs greater consideration.

5.2 In addition, reflecting discussion at the Steering Group meeting in April 2016 and the context of the decision by NWBC (also in April 2016) to refuse planning permission for the proposed broiler chicken rearing unit on land to the south east of Mancetter village, the following supplementary issues were identified:

1 - The need to require a full understanding of the impact of development on the full range of archaeological and heritage assets (pre-historic, Roman, Romano British, Medieval and Industrial Revolution) as part of development proposals;

2 - The need to recognise how transport infrastructure (over 2000 years) which meets wider regional and national needs, has influenced (and will continue to influence) Mancetter, including the A5 (Watling Street), the Coventry Canal and the West Coast Main Line (railway).

6 Vision and Objectives

6.1 The overall **Vision** for the Neighbourhood Plan, supported by the local community, is:

“By 2029 we intend that the Parish of Mancetter will continue to be a good place to live, with a strong sense of community, good quality housing and access to employment. The Parish will strive to improve local services, whilst protecting and enhancing the character, quality and heritage value of the landscape.”

6.2 **Objectives** - Based on the preferred options (see section 4) for addressing the issues, nine objectives have been set. These form the basis for the Planning Policies and Community Proposals which follow in the next section of the Plan.

1 Development Principles - To ensure that new development meets sustainable development standards and takes full account of the particular character and needs of Mancetter Parish.

2 Settlement Boundaries – To confirm the settlement boundary for Mancetter village and establish a new settlement boundary around Ridge Lane in order to enable appropriate infill development and to prevent the encroachment of built development into open countryside and avoid the coalescence of Mancetter village and Atherstone.

3 Housing - To ensure that any new residential infill development is designed to reflect local housing market preferences and to complement the character of the surrounding area and to encourage a design approach to house extensions which reflects local character.

4 Business - To retain and encourage local employment, including the Manor Road industrial estate, and to enable other small business development to address local employment, skills and income issues.

5 Local facilities - To identify and protect local shops, community buildings and other facilities to support sustainable development and to maintain the strength of the local community.

6 Open Space & Recreation - To identify and protect open spaces and playing fields, including where it is appropriate, the designation of new Local Green Spaces.

7 Countryside & the Natural Environment etc. A – To identify the landscape features, (including key views and geology) and the nature conservation assets which are special to Mancetter and Ridge Lane, to protect them and as opportunities arise to extend and increase connectivity landscape features and habitats.

8 Heritage & Local Character - To confirm the protection of the Conservation Area, Listed Buildings and Scheduled Monuments and to identify and protect local (non-designated) heritage features and to recognize the varied character of the local landscape.

9 Transport Infrastructure & Traffic - To set criteria in order to ensure that the impact of investment in transport infrastructure on the residents of Mancetter Parish is fully taken into account and that other development does not prejudice the operation of:

- The West Coast Main (Railway) Line
- The A5 (Trunk) Road
- The Coventry Canal.

7 Planning Policies and Community Proposals

7.1 The Policies reflect the Issues, Vision and Objectives of the Neighbourhood Plan and they are presented under the following themes:

- Sustainable development principles;
- Settlement boundaries for Mancetter and Ridge Lane;
- Area based policies;
- General housing policies;
- Built environment and heritage;
- Natural environment;
- Transport and access;
- Community facilities and open spaces;
- Local employment;
- Renewable energy and telecommunications.

7.2 Reflecting the NPPF, there is overall policy on sustainable development setting out development principles, to ensure that all development achieve high design and environmental standards, reflecting local character. The importance of the setting of Mancetter in the Anker Valley, the great importance of the Roman archaeological sites in and around the village and the high quality of the open countryside in the Parish are also recognised in this policy and in other specific sections.

7.3 Each policy (*in bold italics*) is followed by a justification and there is a cross reference to the relevant Objective (in brackets).

7.4 There are other important *Community Aspirations* which, although not planning policies, are linked to development in and around Mancetter and are important to demonstrate how the Neighbourhood Plan meets the needs of local people. These are included the separate Community Aspirations Section.

Policy DP1 Sustainable Development Principles (all objectives)

All proposals for development should:

- ***Be appropriately located;***
- ***Be of an appropriate scale and demonstrate a high standard of design;***
- ***Have regard to their setting and the character of the local area;***
- ***Take account of the key landscape views identified in policy BE2;***
- ***Not adversely affect the amenity of nearby residents;***
- ***Where appropriate, provide for the use of sustainable transport modes, including walking and cycling; and***
- ***Respect the local built, social, cultural, historic and natural heritage assets.***

Justification

This policy provides a positive framework for decision making, as required in the National Planning Policy Framework (see paras 14). Development will only be encouraged where it can be shown that the scheme will help to achieve the Vision and Objectives outlined in Section 6. Locally, the concept of sustainability relates particularly to the need for sensitive design such that development reflects the character of the surroundings; meeting environmental, social and economic objectives and better facilities for pedestrians and cyclists, all of which contribute to the quality of life for residents in Mancetter Parish.

In addition to the formal planning requirements of this policy, there is a wider intention to support the creation and maintenance of healthy and sustainable communities. In commenting on the Draft Plan, the County Council requested the inclusion of health and wellbeing Policies in the Neighbourhood Plan. It is not considered that this would constitute a formal planning policy, but the aim is supported and where it is appropriate, development proposals should indicate how the achievement of health and well-being objectives would be supported.

Settlement Boundary Policies

Policy SB1 Development within the Mancetter Village and Ridge Lane Settlement Boundaries (Objectives 2 & 3)

A. Within the defined settlement boundaries of (i) Mancetter village, development will be permitted and (ii) Ridge Lane, small scale housing development of up to 10 dwellings will be permitted.

B. Proposals for development at Ridge Lane will be required to meet the following criteria:

(a) be wholly contained within the settlement boundary shown on the Ridge Lane Inset to the Proposals Map;

(b) provide for a mix of size and type of dwelling units, including bungalows, to accommodate young families and older people;

(c) reflect the character of the surrounding development in Ridge Lane and its rural location;

(d) provide for a new vehicular access from Ridge Lane;

(e) retain the existing frontage hedge, so far as that is possible whilst complying with (d) above, and existing trees on the site;

(f) strengthen the boundaries of the site with new hedgerow planting; and

(g) provide for a new footpath/cycle link to the adjoining Arden Forest estate.

Justification

The overall purpose of Policy SB1 is to limit any new housing development to sites wholly within the defined Settlement Boundaries for Mancetter village and Ridge Lane. Locations outside the Settlement Boundaries will be assessed against criteria defined in Policy SB2 and the policies in the North Warwickshire Core Strategy.

The adopted North Warwickshire Core Strategy does not require a specific number of new dwelling to be accommodated in Mancetter village and there has been a significant new development at Church Walk (Laurel Gardens) in the form of an extra care retirement complex, comprising 70 flats and 10 bungalows, all of which are two bedroomed, completed in 2016.

The built up nature of Mancetter village, the need to protect the Roman archaeological sites, the lack of open spaces and green space and the need to protect and enhance the Conservation Area, all mean that there is very little scope for new development. However, the policy is intended to enable small scale infill to take place. The rural setting of the village is also important. The need to take account of the landscape importance of the Anker Valley, the extent of scheduled archaeological sites, the impact of the A5, the West Coast mainline and the canal corridor and the attractive rising open countryside to the south west all mean that built development should not extend beyond the existing settlement.

Ridge Lane is currently defined in the adopted NWBC Core Strategy as a Category 5 settlement, where development will be limited to that necessary for agriculture, forestry or other uses that can be shown to require a rural location. The Core Strategy states that development for affordable housing outside of development boundaries will only be permitted where there is a proven local need. it is small in scale and is located adjacent to a village.

However, based on evidence gathering and the consultation undertaken to date, it is felt that Ridge Lane is a definable settlement. Although there is no desire or justification to extend the built up area into open countryside, it is considered that the definition of a settlement boundary would recognise the built form of the village and help to direct development opportunities within the existing built up area and enable the adjoining important open spaces to be defined and protected. It is also considered that there may not be a need for more affordable housing in Ridge Lane. The provision of small scale market housing, with a focus on smaller units (including bungalows) suitable for young families or older people, could add further to local housing choice. This approach reflects, but develops further (respecting the particular circumstances of Ridge Lane) the approach in the Core Strategy (in Policy NW1) to enable a small-scale housing development to help regenerate and support the rural economy.

The criteria on dwelling size and a preference for bungalows, will mean that the housing needs and aspirations of all sections of the community, can be met. This will help to maintain housing choice and may result in the greater availability of housing for young and families. It reflects the bias in the population structure towards older people and links to evidence in the Parish Profile showing a higher than average level of older, 1 and 2 person households and the wishes expressed by people in the early public consultation on the Plan.

Policy SB2

Residential Development outside the Settlement Boundaries (Objectives 2 & 3)

Proposals for small scale new housing development outside the Settlement Boundaries will only be permitted if it is demonstrated that, the criteria set out below can be met:

(a) The development is limited to that necessary for agriculture, forestry or other uses that can be shown to require a rural location or;

(b) The development is to provide affordable housing, where there is a proven local need and it is small in scale and is located adjacent to a village; and

1 - The development preserves or enhances the character & appearance of the area; and

2 - If relevant, the development brings redundant or vacant historic buildings back into use.

Justification

In general, development outside the Settlement Boundaries will not be permitted, with the exception of that which relates to accepted rural land uses and activity or meets a specifically defined local housing need, based on an up to date local housing needs assessment. This approach reflects that in the Core Strategy, Policy NW1, but adds specific criteria based on the needs and character of Mancetter Parish.

General housing policies

Policy H1 Smaller infill sites – general criteria (objective 3)

Development will be supported on sites on previously developed land inside the settlement boundaries of Mancetter and Ridge lane, subject to the following criteria being met:

- (a) There is no unacceptable adverse impact on the amenity of neighbouring properties through loss of privacy or daylight; visual intrusion by a building or structure; car parking; removal of mature vegetation/landscaping or additional traffic arising from a development;***
- (b) Tandem development should have direct highway frontage access;***
- (c) There are no unacceptable effects on any listed building and/or the Conservation Area;***
- (d) There is no unacceptable adverse impact on local character (with reference to Policy BE1);***
- (e) The provision of natural landscaping, including native trees, hedgerows, wetland areas and the retention or incorporation of habitats for small mammals, birds and insects.***

Justification

7.21 Infill development has created challenges in the past and the Parish Council has previously tended to resist back-land development. This policy aims to clarify what types of development will be supported in future, accepting that there may be some windfall developments on smaller previously developed 'brownfield' (See Glossary) or unallocated sites with direct highways access. However, this excludes land in built up areas such as private residential gardens, parks, recreation grounds and allotments. Small, well designed residential sites, usually comprising up to 10 dwellings, which do not have a detrimental effect on the character of the surrounding area and neighbouring properties will, therefore, be supported. However, the effect of the policy will be monitored to ensure that it does not lead to excessive cumulative development.

Policy H2 The design of residential conversions and extensions (objective 2)

Residential conversions and extensions will be permitted where the design considers neighbouring houses and reflects the character the area. This will require attention to:

- (a) The choice of materials.***
- (b) The scale of development including roof heights.***
- (c) Layout within the plot.***
- (d) Parking provision in accordance with the standards adopted by the Borough Council.***
- (e) The relationship with adjoining and nearby properties in terms of the amenity enjoyed by occupiers and the character of the area.***
- (f) Sustainable design features (e.g. sustainable drainage, porous/permeable surfacing for drives and domestic scale renewable energy) are included, where practicable.***

Justification

7.22 The conversion of buildings into houses and, in particular, extensions to existing houses are the most common forms of development that occur in the plan area. This policy, in addition to the Core Strategy, will encourage detailed design that is appropriate to the setting and character of Mancetter at the same time as enabling energy efficiency and water management features and provision for wildlife to be incorporated into detailed design. Where it is acceptable in terms of overall design, parking standards may be applied flexibly.

Built Environment Policies

Policy BE1 Mancetter Conservation Area and its setting (objective 8)

Development in the Conservation Area and its setting should achieve high quality design, set in a clear context in terms of materials, scale, setting and layout. The following criteria apply:

(a) Any new build houses or residential conversions should have active frontages and be orientated to face the roadways and other routes;

(b) Development, including extensions and back land plots, should ensure that the spaciousness of the area is retained;

(c) Development should be of an appropriate scale and mass for the immediate area;

(d) Development should deliver locally distinctive details responsible for the area's character, including materials, openings/access arrangements and boundary treatment;

(e) All new development should use the traditional vernacular materials for the area, including; sandstone, red brick, painted brickwork, timber framing and blue roofing tiles;

(f) The impact of development on views in to and out from the Conservation Area;

(g) Design and construction should consider the relationship between the Conservation Area and the Scheduled Monuments, in accordance with the requirements of Historic England.

This policy will apply to all buildings, structures and spaces in and around the Conservation Area, including listed buildings (Appendix 1).

Applicants should explain, in a Design and Access Statement and/or Heritage Statement, where one is required, how the proposal will address these criteria.

Justification

7.23 This policy is intended to add more detailed consideration to proposals affecting the Conservation Area than is currently provided by the original designation document and the higher level policy in the adopted Core Strategy. Attention will also be paid to the repair and improvement of properties (Listed, locally significant and unlisted) and to the condition of open spaces, highway land and street furniture. In addition, the importance of the relationship between the Conservation Area and the Scheduled Monuments of Roman origin, is stressed.

Policy BE2 Protecting and enhancing local character (objective 8)

A - Development should recognise and complement the local character of the areas identified and described in the Mancetter Character Study.

B - The key views described in Appendix 1 and shown on the Proposals maps, should be respected and should not be compromised by the location or scale of new development.

C - The existing open spaces and countryside which help to separate Mancetter village from Atherstone and Witherley should be retained. Built development which has an adverse impact on this openness because of scale or location should not be permitted.

Justification

The NPPF confirms that good design is an integral part of successful development. It recognises that well-designed buildings and places improve the quality of people's lives. It is reasonable, therefore, that this Neighbourhood Plan has well evidenced policies that set out the quality of development that will be expected for the area. The Character Study undertaken by the Steering Group identified the following key characteristics which need to be addressed:

- The importance of the buildings and spaces of Mancetter Village Conservation area and the need for a more detailed appraisal of the designated area and its setting;
- The importance of the Roman heritage sites;
- The importance of views of key buildings in Mancetter village, longer views in the Anker Valley, the Coventry Canal and from Ridge Lane and across to/from the higher countryside in the south west of the Parish;
- It is important to maintain whatever existing physical separation there is between Mancetter and Atherstone;
- The importance of large areas of woodland in the rural part of the Parish;
- There are local design and layout features, in Mancetter and Ridge Lane which should be reflected in new development. There is a feeling that the scale and design of recent development (e.g. The Laurels) does not always fit that well with the local surroundings.

In addition to buildings and structures, the Character Study noted the importance of views out into the countryside from Mancetter and Ridge Lane as part of the character and identity of these settlements. Views were identified using desk based and field surveys, taking account of key public locations, including public footpaths, roads/lanes, and gathering places. The identified views will help to define locations where care will be needed with the design of new development, or where large scale development will not be acceptable. The key views are:

1. The open quality of the Anker Valley, with views across to Witherley and from the valley up to the higher land which comprises the uplands from Baddesley to Hartshill.
2. The setting of the Roman archaeological remains and sites in Mancetter village.
3. From the Canal towpath to the higher land from Baddesley to Hartshill.
4. From the public footpath which runs along the ridge from Oldbury from Mancetter Hill Farm.
5. Views outwards from Ridge Lane, across open fields towards larger woodlands.

The adjoining local planning authority, Hinckley & Bosworth Borough Council supports the aim to protect open spaces and countryside, with specific reference to Witherley and also the clear statement that any built development that will have an adverse impact on this openness will not be permitted. This is in accordance with HBBC policy also, as the north of Hinckley and Bosworth Borough is predominantly rural.

Policy BE3 Protecting and enhancing archaeological sites (objective 8)

Development proposals in the vicinity of the Scheduled Monuments shown on the Mancetter Inset should demonstrate that they have taken into account the potential impact on above and below ground archaeological deposits and identify mitigation strategies to ensure that evidence which could contribute to the understanding of human activity and past environments is not lost. In addition, measures should be taken to minimise impacts of development upon the historic landscape character of the area.

Justification

The NPPF identifies the historic environment as a Core Planning Principle. The extent of Roman archaeology is a key element of the historic environment and this policy will ensure that development in Mancetter takes account of archaeological considerations. It will apply, in particular to the two Scheduled Monuments: Roman Camp which is defined within three areas of Mancetter village and Manduessedum Roman villa and settlement which occupies an extensive area to the south east of Mancetter village. These Scheduled Monuments are shown on the Proposals Map (Mancetter) inset.

Natural Environment and Landscape Policies

Policy NE & L 1 Protecting the Countryside and Landscape (objective 7)

Any proposals for development in the rural areas should recognise and seek to protect and enhance the landscape and local character of the Parish. Field patterns and elements of the landscape heritage of the area, including ridge and furrow, field ponds, woodlands, mature trees and historic hedgerows and geological exposures should be protected and incorporated into any landscape design schemes and their long term maintenance ensured.

In addition, development proposals should respect the longer views of the Anker Valley from Mancetter village and across higher open countryside around Ridge Lane and Purley Park as shown on the Proposals Maps and described in Appendix 1.

Where appropriate, proposals should include consideration of the above factors in a landscape analysis, either as a freestanding report or as part of a design and access statement.

Justification

The evidence base highlights the value of the countryside in Mancetter in terms of landscape, heritage and biodiversity. Consultation has shown the value that local people place on the landscape and the approach is supported by the County Council. The NE National Character Areas) 72 (Mease/Sence Lowlands) & 97 (Arden), the North Warwickshire Landscape Character Assessment 2010 and the Character Report all demonstrate the intrinsic value and importance of the high quality landscape of Mancetter, where characteristic features are well represented and in good condition and there is a wide and long history. This supports the policy emphasis on unobtrusive development, avoiding loss of characteristic features and (where possible) strengthening and enhancing the structure of the landscapes and linkages between them. Some landscape change is outside planning control, but where planning permission is required, the policy sets parameters for the consideration of landscape features in a systematic way.

Policy NE & L2 Nature Conservation (objective 7)

A. Proposals should demonstrate how the design of the development has taken into account potential impacts on habitats, species and connectivity. (Proposals should meet British Standard BS 42020:2013 Biodiversity Code of Practice for Planning and Development or any subsequent revision or replacement).

B. Proposals will be required to demonstrate net changes to biodiversity using the Coventry/Solihull/Warwickshire Biodiversity Offsetting methodology. Where there would be a negative impact, despite avoidance/mitigation measures, compensatory measures will be required to avoid any net loss of biodiversity.

C. Opportunities should also be taken by developers and landowners to link sustainable drainage solutions in new development to complement nature conservation objectives.

Justification

This approach, which highlights the importance of considering the impact of any development on nature conservation interests through cross boundary working on connectivity and green

infrastructure and a pro-active approach to land management, reflects the guidance set out in the National Planning Policy Framework. The intention is to protect the character of the landscape and nature conservation interest in Mancetter, as described in the Character Report and evidenced in the Warwickshire, Coventry and Solihull Green Infrastructure Strategy. The intent of the policy is supported by Warwickshire County Council and Warwickshire Wildlife Trust. The UK commitment to halt overall loss of biodiversity by 2020 in line with the European Biodiversity Strategy and UN Aichi targets, is passed down to local authorities to implement, mainly through planning policy. To assist organizations affected by these commitments, British Standards Institute has published BS 42020: 2013 Biodiversity in planning and development, a Code of practice which offers a coherent methodology for biodiversity management.

The policy coverage extends to wildlife corridors and “stepping stones” (discontinuous patches of habitat and natural features that enable wildlife to disperse and migrate). A wildlife corridor connects populations separated by human activities/structures (e.g. roads and built development). In addition, this policy will support landowners and businesses considering agricultural and land management options. The Green Infrastructure mapping shows that the area is well connected for woodland habitat and contributes significantly to national woodland species flows, for grasslands, however, Mancetter is on a small bottle neck indicating that grassland protection, creation and enhancement is important.

The Environment Agency encourages the adoption of sustainable drainage to complement nature conservation objectives. The Anker catchment, with specific water quality and flooding issues, is potentially suited for (RSuDS) Rural Sustainable Drainage Systems, (Measures to slow down or prevent the transport of pollutants into watercourses, by intercepting run-off and trapping soil before it leaves fields. They may consist of a single structure or a succession of measures, including: wetlands, ponds, sediment traps, buffer strips and ‘in ditch’ options. Other benefits include slowing down or temporarily storing water to reduce localised flooding.

Transport and Access

Policy T & A1 Development related traffic requirements (Objective 9)

Mancetter Parish Council will work with the County & Borough Councils and Highways England to ensure that the transport needs and traffic issues present in Mancetter, especially in the vicinity of the A5 Trunk Road, are considered as part of large scale development proposals. The issues that needs to be considered are:

- ***The level and routing of HGV traffic;***
- ***The level of commuter traffic;***
- ***The need for safe walking and cycling routes for use by Mancetter residents.***

Development should not result in any worsening of the current highway safety and traffic related problems and where appropriate, proposals should be supported by a Transport Statement or Assessment which sets out details of the transport issues relating to the development, including the measures to be taken to deal with the traffic impacts of the scheme and opportunities for improving the pedestrian and cycle connectivity.

Justification

It is acknowledged that transport is the responsibility of the highway authority (Warwickshire County Council) and Highways England, working with NWBC and that the policy context is provided mainly in the Local Plan and the Local Transport Plan. However, there are local issues which it is correct to address in this Neighbourhood Plan. Traffic flows in and around Mancetter village are influenced by the presence of large scale commercial and logistics parks nearby and by the increase scale of housebuilding in and around Atherstone. The externally focused elements of this policy highlight the need for a partnership approach. The intention is that Mancetter will benefit from agreed measures so that the adverse impacts of the nearby residential and commercial development in Atherstone and at the 350 Ha. MIRA Technology Park on the A5 are minimised. Highways England has endorsed this policy and commented that where development proposals impact the A5, they would expect to be consulted.

The implementation of the policy will require cross boundary working on investment using Section 106 Agreements, Community Infrastructure Levy and subject to funding priorities given reduced budgets, Local Transport Plan funding.

This policy also applies to proposals for larger scale development in Mancetter, including the proposal for a large-scale chicken rearing unit and within the wider A5 development corridor.

Policy T & A2 The West Coast Mainline (Objective 9)

Any development proposals within 10 metres of the operational railway boundary should take account of the following requirements as defined by Network Rail:

- (a) The Local Planning Authority, in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 will arrange for appropriate publicity for planning applications within 10 metres of relevant railway land;***
- (b) Development should not result in any adverse impact on the operation of the railway and should not increase the liabilities of Network Rail;***
- (c) All development proposals should include a risk assessment and a method statement.***

Justification

It is acknowledged that transport is the responsibility of the highway authority (Warwickshire County Council) and policies directly dealing with transportation are mainly provided in the Local Plan and the Local Transport Plan. However, the presence of the West Coast Mainline and comments made by Network Rail during consultation justify the requirements for any development within the vicinity of the line to take account of the continued safe operation of rail services and safety for nearby residents and businesses. Developers are advised that any measurements should be taken from the operational railway and Network Rail boundary and not from the railway tracks themselves. Network Rail land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc.) and boundary treatments which could be adversely impacted by third party proposals unless necessary asset protection measures are undertaken. The Network Rail land and operational railway is defined by Network Rail as a corridor from eastings 431176/northings 297032 (ref: LEC2 101m, 0971yds) in the north, to eastings 433074/northings 295474 (ref LEC2 100m, 0019yds) in the south.

Policy T & A3 The Coventry Canal (Objective 9)

Development will be supported which enhances the Coventry Canal (and associated buildings and structures) as a cruising waterway, a linear walking/cycling route, a wildlife habitat and corridor and as an important historic feature and location for designated and non-designated heritage assets. In order to protect the environmental quality of the Canal, development on or adjoining the waterway should demonstrate that it fulfils these criteria:

(a) The protection and enhancement of historic character and interest of the canal, including the listed buildings, structures and local heritage assets associated with it;

(b) The protection of the existing nature conservation interest of the canal and the wildlife supported by it, and enhancement of this interest, if possible;

(c) The maintenance of existing rights of way and their enhancement, if possible, including improved access to the canal towpath or improvements to it, if appropriate and feasible;

(d) There is no adverse impact on the residential amenity of adjoining properties.

Justification

The Coventry Canal, which runs east west through open countryside across the parish, is an important landscape, heritage and nature conservation asset. Use of the canal by visitors and local people is welcomed and it is accepted that from time to time investment will be required by the Canals and Rivers Trust in order to maintain and enhance this waterway. Subject to criteria to protect the character and environment of the canal, this policy provides a positive context for such investment. The policy is supported by the Canals and Rivers Trust and the wording has been informed by comments made by that organisation in consultation on the Draft Plan.

In addition, the policy wording takes into account the importance of ensuring that development adjoining the canal has no adverse impact on it, following the identification of this need by the Steering Group when the comments on the Draft Plan were considered.

Community Facilities and Open Spaces

Policy CFOS1 Community buildings, shops and public houses (Objective 5)

Community facilities in Mancetter Parish will be protected. Where planning consent is required, the loss of such facilities will be resisted unless:

- a) The proposal includes alternative provision, on a nearby site of equivalent or enhanced facilities which is accessible by walking and cycling and has adequate car parking; or***
- b) It can be demonstrated to the satisfaction of the Local Planning Authority that there is no longer a need for the facility or the premises are unsuitable or not viable for the continued provision of the service, or there is a sufficient alternative facility within reasonable accessible distance.***

This policy covers the facilities listed below.

The Memorial Hall, Mancetter

St Peter's Church Schoolroom, Mancetter

St Peter's Church, Mancetter

The Blue Boar Public House, Mancetter

The White Hart Public House, Ridge Lane

Methodist Chapel and Community Hall, Ridge Lane

Justification

Mancetter and Ridge Lane have a range of local community facilities which serve the needs of the local community and play a vital role in supporting the Parish's sense of identity. The Parish Council recognises the importance of these facilities and therefore seeks to protect them from inappropriate changes of use. It is recognised that in some circumstances replacement may provide benefits to the community, but this will need to be demonstrated before the Parish Council will support proposals for redevelopment or alternative uses. Where the loss of a facility, e.g. a public house, is being justified on market based grounds, the Parish Council will consider requesting designation of buildings as Assets of Community Value.

Policy CFOS2 Existing Open Spaces (Objective 6)

Existing open spaces and recreation facilities should be protected from development. Proposals which would reduce the quality or quantity of these facilities shall only be permitted where existing facilities are replaced to a better quality or quantity in a location agreed by the Parish Council.

Justification

Existing open spaces and recreation facilities spaces are protected in line with NPPF. They contribute to the quality of life for local residents and to the physical character of the village. The Parish Council will support proposals to enhance and improve the local open space and recreation facilities in the Parish as and when opportunities emerge. Highways England has commented that they would expect to consult the Parish Council on any improvement scheme for the Mancetter junction, including impact on existing landscaping. Any formal and informal open spaces which are created through the restoration of former quarry working will also fall under the coverage of this policy

Policy CFOS3 Designation of Local Green Spaces (Objectives 6 & 7)

The Local Green Spaces listed below and shown on the Inset Maps will be protected from inappropriate development. Development of these spaces will only be permitted in very special circumstances where harm to the local green space, and any other harm, is clearly outweighed by other considerations.

A. Informal open space at the junction of Harpers Lane and the B4111 in Mancetter Village

B. The Roman Scheduled Monuments in Mancetter village

C. The recreation ground and allotments at Ridge Lane.

Justification

Consultation has indicated that local residents place a high value on the relationship between landscape value of the Harpers Lane (informal) open space in Mancetter village. It enables important longer views from the village to the north across the Anker Valley to Witherley village and Church. It is a particularly important landscape feature and wildlife habitat in the area, given the recent loss of the school playing field to accommodate the extra care housing development at The Laurels.

The two Roman scheduled monuments in Mancetter are of obvious heritage significance and are much valued by the local community. Public access is limited in terms of footpaths, but there is good educational use of the sites and an annual Mancetter Roman Heritage Day is held. In addition, the sites are of landscape value and are an important element in the landscape quality character and setting of Mancetter, as evidenced by published records and reinforced by the local character survey.

The recreation ground and allotments in Ridge Lane are well used and valued community assets which support social and recreational activity and help to define the landscape and character of the area. The allotments are also covered by a legal covenant.

The indication of the forms of development which may be acceptable is drawn from the NPPF (Para. 89) and established Green Belt policy. The inclusion of this proposal in the draft Neighbourhood Plan will enable further (formal) engagement with the land owners and with the local community, in accordance with legal requirements. It is recognised that the designation of Local Green Spaces (LGS) should not be used simply to block development. In the NPPF (Para. 76) it is stated that in Neighbourhood Plans, “*local communities can identify green areas of particular importance to them for special protection and to rule out new development, other than in very special circumstances*” The proposed designations are in accordance with the requirement set out in Para. 77 of the NPPF:

- The green space is in reasonably close proximity to the community it serves;
- The area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;
- The area concerned is local in character and is not an extensive tract of land.

The proposed Local Green Spaces are in close proximity to Mancetter Village and Ridge lane respectively and are used and valued by local residents and are not extensive tracts of land.

Local Employment

Policy LE1 Manor Road Industrial Estate (Objective 4)

On the Manor Road Industrial Estate development for employment uses and changes of use between Use Class B1 (light industrial) and Use Class B2 (general industrial) shall be permitted subject to:

- A. No unacceptable increase in traffic beyond the capacity of local roads***
- B. No unacceptable adverse impact on nearby residents.***

Where necessary operating hours and other planning conditions shall be applied to limit any adverse impact.

Justification

The Manor Road Industrial Estate provides accessible local employment opportunities for people in Mancetter and as such it helps to address some of the economic issues which were identified in the Parish Profile. It is important, therefore, that the employment uses of the land and buildings remains and that investment can occur in the estate. However, it is adjacent to and accessed through a residential area and the issues of HGV traffic and noise on needs to be considered carefully when development proposals come forward. It is for this reason that further large scale storage and distribution are not favoured.

Policy LE2 Local Employment (Objective 4)

Proposals for the development of new small business units, the expansion or diversification of existing small units and tourism related development should be permitted, providing that:

- a) it can be demonstrated that there will be no significant adverse impact resulting from increased traffic, noise, smell, lighting, vibration or other emissions or activities generated by the proposed development;***
- b) it would not have an unacceptable impact on the character and scale of the site and/or buildings, by virtue of its scale or design, or on the local landscape;***
- c) where relevant, opportunities are taken to secure the re-use of vacant or redundant historic buildings (designated and non-designated).***

Justification

The Neighbourhood Plan needs to accommodate appropriate proposals for business development in other parts of the Parish. The conversion of former agricultural buildings has enabled farm diversification, led to the sustainable re-use of vacant buildings and provided opportunities for the establishment and development of small businesses which generate wealth and employment opportunities for local people. This is a trend which the Parish Council would like to continue as part of the maintenance of Mancetter as a vibrant and balanced community, subject to the proper consideration of residential amenity for nearby houses, visual impact on the countryside and highway safety issues.

Local jobs can reduce the reliance on commuting and support more sustainable living. Whilst this Neighbourhood Plan does not allocate sites for employment development, it seeks to support the viability of existing local businesses and their expansion where this is proportionate and appropriate in the individual circumstances. It also encourages appropriate diversification of existing economic activities, as this will make the local economy more robust and more sustainable as well as providing new job opportunities for local people. The adopted Core Strategy and the National Planning Policy Framework encourage and promote sustainable economic growth. The aim is to facilitate economic development within Mancetter which is appropriate in scale, supports existing local businesses, and where appropriate brings vacant historic buildings back into beneficial use. The provision of good telecommunications is important in rural areas to support the viability and sustainability of rural enterprise, including home-working.

Renewable Energy & Telecommunications

Policy RE1 Renewable Energy Installations (Objectives 7 and 8)

Proposals for renewable/low carbon energy generation facilities shall be approved if their impacts are (or can be made) acceptable. The following considerations will be taken into account in assessing proposals:

- (a) Visual impact in the immediate locality and the wider area, including longer views across the Anker Valley and around higher ground at Purley, Ridge Lane and Hartshill;***
- (b) The amenity of nearby residential occupiers;***
- (c) Highway safety and traffic generation;***
- (d) Sites of local nature conservation and heritage assets.***

Proposals for installations will need to include specific assessments related to these criteria and to consider the cumulative impacts where there are existing installations.

Justification

Whilst recognising the benefits that can arise to the wider community from renewable energy installations and providing a positive context for development in appropriate locations, this policy takes account of the high quality of the countryside and landscape of Mancetter Parish. Particular value is placed on the local and longer views in and beyond the Parish, as described and shown on the Proposals Map and described in Appendix 1 and the Character Study. It is considered that there is a need to prevent the urbanisation of the area which could result from solar farms and wind farms. In some instances, planning applications for solar parks have been followed by proposals for standby generation using diesel fuel. In order to be acceptable, such proposals would need to be demonstrated to be genuinely ancillary to the renewable solar generation and not to be operated as a separate generation source from the same site. In addition, the impact of the built development and engineering works, noise, traffic and air pollution would all need to meet the criteria of this policy.

Policy RE2 Telecommunications Installations (Objectives 7 and 8)

The Parish Council recognises the need for improved telecommunication and broadband services and supports sensitively designed and located installations where the proposal is designed to minimise any adverse effect on the landscape or on designated and local heritage features. Proposals will need to consider cumulative impact with existing installations.

Justification

Benefits arise to the economic and social life of the local community from improved telecommunication and IT infrastructure, especially given the larger than average number of small businesses and the self-employed people. This policy provides a positive context for telecommunications development in appropriate locations, taking account of the landscape character and heritage. The "Code of Best Practice on Mobile Network Development in England 2013" has advice on siting and design.

8 Community Aspirations

8.1 In this section those other important aspirations which, although they are not formal planning policies, are linked to development in and around Mancetter and are important to demonstrate how the Neighbourhood Plan meets the needs of local people. They are, local aspirations and do not constitute or suggest agreement with NWBC or other bodies to fund or act on them, however, the Parish Council will consider ways of the fulfilling them in an ongoing manner as part of the implementation of the Neighbourhood Plan.

Community Aspiration 1 - Land South- East of Mancetter Village - Possible Future Local Plan (large scale housing) allocations.

Should the emerging North Warwickshire Local Plan indicate an increased new dwelling requirement for Atherstone with Mancetter, which cannot be met (in part) without new housing on land to the west of Mancetter, the Parish Council would reluctantly accept some new housing on greenfield land to the south-east of Mancetter village. Subject to the other policies set out in this Neighbourhood Plan and the following strict criteria, that development:

- (a) Should not adversely affect and should protect & enhance the Roman archaeological site;*
- (b) Should provide a high quality pedestrian and cycle link to Mancetter village;*
- (c) Should meet the requirements of Network Rail for development adjoining railway lines;*
- (d) Should provide a number/mix (size, tenure & cost) of houses reflecting local market needs;*
- (e) Should meet the access and highway requirements of Warwickshire County Council and provide any necessary improvements to surrounding roads, related to development;*
- (f) Should reflect the character and landscape of the local area in terms of layout and design.*

In the meantime, development (including intensive farming and poultry rearing), should not be permitted around Crown Stables which would prejudice the choice of this location for any future strategic housing requirements.

Justification

The uncertainty created by the timing of the preparation of the new Local Plan is a challenge. The issue of any proposed future housing development in/around Mancetter Village is critical. The strong feeling of the local community, reinforced by evidence concerning the already very built up nature of Mancetter and the importance of landscape and archaeological considerations, is that there is little if any scope or any future large scale new housing.

However, should the Local Plan process result in a conclusion that it is absolutely necessary and justifiable that there is some larger scale housing development around Mancetter, the Parish Council considers that the only practical location would be on land to the south- east of the settlement between Nuneaton Road and the railway line. This option was supported, in the consultation on the Draft Plan and on Issues & Options. The Parish Council and the local community are of the strong opinion that, in the meantime, development should not be permitted in this area which would compromise any future choices. This concern represented a further substantive objection to the proposal to develop a 40,000 capacity broiler chicken rearing unit on land at Crown Stables, off Nuneaton Road.

In addition to promoting the safeguarding of this land, the criteria set out are intended take account of issues concerning archaeology, including the proximity of the Scheduled Monument and potential, as yet unknown, associated archaeological remains from all periods of history

and settlement in the locality. In addition, other criteria relate to the stated requirements of Network Rail, landscape, sustainability, accessibility and connections to Mancetter.

The County Council has commented that, if housing proposals comes forward, they would require off site mitigation measures to maintain safety on the B4111 for residents, e.g. new pedestrian footways, cycleways and proposals for speed limit changes (to comply with County Council criteria on setting speed limits, see - DFT circular: 01/2013). Improvements would need to be funded from S106 agreement and/or CIL, whichever is the most appropriate at the time. **For the avoidance of doubt**, this proposal is not intended to promote new housing in this location unless it is demonstrably proven by NWBC that no other viable alternatives exist.

Community Aspiration 2 - Local (non-designated) heritage assets

The Parish council will work with the Borough and County Councils to consider the local (non-designated) heritage assets identified as part of the Neighbourhood Plan process (see Appendix 1), for inclusion in the Historic environment record. As far as possible, the Parish Council will to encourage the protection and enhancement of these buildings.

Justification

The list of potential non-designated heritage assets was compiled alongside the completion of the Character Study. It is desirable that the location and design of new development has regard to the character of the local area. The buildings and features identified, although they are not of sufficient architectural or historic merit to justify listing, are an important part of the character of Mancetter Parish and were highlighted as such through consultation on the Neighbourhood Plan. Enhancements to the local features will be sought through funding bids to support their management. Works affecting these local heritage assets should be designed sensitively, with careful regard to the historical and architectural interest and setting. This aspiration complements the approach that is taken in Policy LP15 of the emerging Local Plan

Community Aspiration 3 - Mancetter Conservation Area Assessment.

Mancetter Parish Council, will encourage the Borough and County Councils and Historic England, to prepare a Conservation Area Assessment and an updated Management Plan for Mancetter Conservation Area.

Justification

It is recognised that a Neighbourhood Plan cannot formally propose actions which fall under Conservation Area legislation, however, it is felt that the extent and quality of information held about the Mancetter Conservation Area and its setting is limited and would benefit from updating. This would underpin the implementation of the development management Conservation Area policy, (BE1, set out above) and complement an approach to encouraging repair and infrastructure provision that reflects the character of the Conservation Area.

Community Aspiration 4 - Partnership working on nature conservation.

Nature conservation sites and features will be protected and enhanced through:

- (a) Working with the Warwickshire Wildlife Trust, the County and Borough Councils and the quarry owners to increase landscape and habitat connectivity in and beyond the Parish.*
- (b) Taking opportunities to add to the local conservation records from other studies and the assessments in planning applications. If possible, the Parish Council will undertake species and habitats surveys as part of implementing the Neighbourhood Plan.*
- (c) Working with farmers and other landowners to encourage the take up of government environmental stewardship schemes and other locally based support.*
- (d) Supporting projects which enable the management of the landscape and enable and/or improve access to the countryside for walkers, cyclists and horse riders.*

Justification

This is a proactive partnership based approach which is to be adopted by the Parish Council in pursuit of the wider implementation of Policy NE2. They are based, in part, on comments made at the various consultation stages by organisations including the Warwickshire Wildlife Trust, Natural England and the Environment Agency. Appendix 2 lists those locations which have been identified as (existing and potential) locally important wildlife sites by Warwickshire Wildlife Trust and the Parish Council. More detailed surveys of these locations will be encouraged.

Community Aspiration 5 - Improving pedestrian and cycle accessibility

In conjunction with the Borough and County Council's and developers, the Parish Council will investigate opportunities for extending and improving routes to increase pedestrian and cycle connectivity to and from Atherstone and into surrounding countryside.

Justification

Roads provide connectivity but there is a lack of dedicated and safe routes for pedestrians and cyclists from Mancetter and Atherstone. In addition, links into the countryside are limited by the A5 and the railway. Action will support sustainable development and community cohesion.

The County Council has commented that providing funds are available to the Parish Council the Neighbourhood Plan could consider schemes to make better access to local and nearby schools; amenities and areas of employment, and improving access to Atherstone town centre. These would help to improve safety and sustainability of the locality. Other enhancement could also include improvement of access to the railway station through new and improved cycleways and footpaths. Any scheme arising from these ambitions will have to be funded from S106 agreements, CIL or other external funding.

8 Implementation

8.1 This section outlines the approach to the implementation of the Mancetter Neighbourhood Plan, including working in partnership, funding mechanisms, priority projects and monitoring/review. The approach will be that new development should be supported by the timely delivery of infrastructure, services and facilities necessary to provide a balanced, self-sufficient community.

8.2 Mancetter Parish Council is committed to Localism and locally informed influence over planning decisions and it will be the key organisation in the implementation, monitoring and review of the Neighbourhood Plan. The Council will build upon its track record in engaging in planning decisions (reactively through consultation and proactively through promoting the policies of this plan) and by delivering related projects for the local community. However, it is recognised that partnership working is needed for the potential of the Plan to be realised.

Working in Partnership

8.3 Partnership and joint working will be key elements in the successful implementation of the plan. The main organisations and the roles that they can play are summarised below:

North Warwickshire Borough Council. Forward Planning & Economic Strategy, Development Control, Housing, Open Spaces, Recreation and Community Facilities

Warwickshire County Council. Highways & Transport, Education, Landscape and Social Services. The County has stated that it cannot commit to the financial implications of proposals in Neighbourhood Plans. This plan should not identify capital/revenue schemes relying on County funding. However, it will assist communities to deliver infrastructure providing they receive funding from S106 Agreements/Community Infrastructure Levy or other sources.

Adjoining Parish Councils. Assessing impact of large scale planning applications.

Natural England. Natural England should be consulted on proposals affecting stated interests. The views of **Warwickshire Wildlife Trust** should also be sought where appropriate.

Sport England. On assessments and strategies for indoor and outdoor sports delivery, including design in accordance with their design guidance notes

Environment Agency. Reflecting a key principle to achieve sustainable development, the EA will be involved as a consultee on the following: flood risk management, water quality/resources, waste management, contamination and permits & other regulation.

Larger businesses & landowners. The Parish Council will seek early engagement on proposals in Mancetter or affecting the Parish. Particular attention will be focused on Mancetter Quarry.

The Coal Authority - The Neighbourhood Plan area lies within the current defined coalfield. Development High Risk Area Plans show recorded risks from past coal mining activity in the form of 10 mine entries, past surface mining, shallow coal workings, unrecorded shallow coal workings, thick coal outcrops and two surface hazards, located in the east of the plan area.

Funding and Implementation Mechanisms

8.4 Financial contributions will be sought from developers, through either S106 Agreements or, if it is introduced in North Warwickshire, the Community Infrastructure Levy (CIL) contributions

to a level that adequately mitigates any impact on existing infrastructure and contributes towards new local facilities, where additional need will be generated. Contributions for local community facilities gained through S106 Agreements or available CIL money will be focused on assisting the delivery of the specified projects as a priority.

8.5 In addition, the Parish Council will seek to influence annual and other budget decisions by the Borough and County Council's on housing, open space and recreation, economic development, community facilities and transport, through the County Council Local Transport Plan, but subject to reduced budgets is acknowledged.

8.6 The Parish Council will also work with the appropriate agencies and organisations to develop funding bids to help to achieve Neighbourhood Plan policies and objectives. This might include: The Lottery; UK Government programmes; EU Funds and LEP programmes.

Priority Projects

8.7 The list of infrastructure projects below reflects local priorities. This should inform the spending of the Neighbourhood Portion of CIL, the negotiation of Section 106 agreements and priorities attached to relevant spending programmes and external funding bids. For example:

- Environmental improvements.
- Countryside management and access to the countryside.
- Managing traffic associated with larger scale development in adjoining areas.

8.8 Consideration will also be given to projects from other plans, strategies and projects prepared by the Parish Council or other partners which relate to local aspirations.

Monitoring and Review

8.9 Mancetter Parish Council, supported by the Borough Council, will produce an annual monitoring report on the Neighbourhood Plan using a table listing each of the Neighbourhood Plan Policies, Proposal and Projects, as indicated below:

Policy	Times used	In accordance	Against policy	Commentary
Proposal	Completed	In progress	Not yet started	Commentary
Project	Completed	In progress	Not yet started	Commentary

8.10 The reports will also include a listing of all planning applications in Mancetter and the decisions made on them and a schedule of approved development for new housing from conversions and single plots to larger sites. A narrative section will describe the extent to which the Neighbourhood Plan has been successful influencing planning and development decisions.

8.11 A more comprehensive review, including an assessment of how the Neighbourhood Plan objectives are being achieved, an update on the statistics contained in the Parish Profile and review of the Policy context, will be undertaken at five year intervals. In conjunction with the cumulative annual reports, this will inform any decision on whether a formal review of the Plan is necessary. It is expected that the Borough and County Council's will support the monitoring of the Neighbourhood Plan by providing dedicated data for the plan area.

Appendix 1. Listed buildings, non-designated local heritage assets and key views

Listed Buildings

Church of St Peter, Manor Road, Mancetter. **Grade I**

2 Chest Tombs (15m S of Porch of Church of St Peter, Quarry Lane, Mancetter. **Grade II**

2 Chest Tombs (2m S of SE Corner of Church of St Peter, B4111, Mancetter. **Grade II**

Arbour Cottages, Mancetter. **Grade II**

Bridge 33 (at SP 3257 9529) Coventry Canal. **Grade II**

Bridge 37 Rawnhill Bridge (at SP 3120 9692) Coventry Canal. **Grade II**

Steps (2m East of Forecourt Gates of Mancetter Manor) Quarry Lane, Mancetter. **Grade II**

Former Crossing Keeper's Cottage at (SP 317965), Quarry Lane, Mancetter. **Grade II**

Gatepier and Wall (2m N of Mancetter Manor Quarry Lane, Mancetter. **Grade II**

Gramer Cottages, B4111, Mancetter. **Grade II**

Gramer's Almhouses, Quarry Lane, Mancetter. **Grade II**

Left Forecourt Wall, Gatepier and Garden Pavilion at Mancetter Manor. **Grade II**

Mancetter Manor and Attached Gatepier, 1 Quarry Lane, Mancetter. **Grade II***

Manor Farmhouse, Quarry Lane, Mancetter. **Grade II**

Milestone Between Bridges 34 and 35 at Sp 3197 9572 Coventry Canal. **Grade II**

Right Forecourt Wall, pier & Garden Pavilion at Mancetter Manor, Quarry Lane. **Grade II**

Local (Non-Designated) Heritage Assets

Additional work, carried out during May and June 2016 has enabled a number of local (non-designated) heritage assets to be identified. This underpins a policy aimed at protecting and enhancing the heritage assets. Non-designated heritage assets may be buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated

1 Wathen Grange School Building, Church Walk, Mancetter, A Victorian school building (red brick with some stone lintels and slate roofed). All that is left of the attractive and local historically/culturally significant Wathen Grange School, following development of school grounds for The Laurels extra care housing scheme. Currently used as a (independent) special school, but may be subject to future change of use and development pressure.

2 The Blue Boar Public House, Watling Street, Mancetter. This prominent typical "inter-war" purpose built public house with art deco and modernist influences, was completed during the early years of WW2.

3 Purley Chase Centre (Original Victorian house). The Purley Chase Centre is a retreat and conference centre. The original Victorian building has been considerably extended, but it retains the character of this period, with red brick wall, stone mullioned windows, tall ornate chimneys and decorative timber work.

4 Mancetter Quarry Jubilee Seat. The six stones that make up this sculpture were carved by artist Ant Beetlestone and each stone represents Mancetter's Roman history and the story of Queen Boudicca. It uses the volcanic rock diorite, mined at Mancetter Quarry, known as 'salt and pepper' because of its colouring. It was donated by the quarry owners, Tarmac.

5 The Original Quarry Farm farmhouse, Quarry Lane/Steppey Lane (near Ridge lane). A typical 2.5 storey red brick wall and blue tile roofed, early Victorian farmhouse.

6 The White Hart Public House, Ridge Lane. A Victorian/Edwardian purpose built public house which was subsequently extended into an adjoining cottage. This brick building (painted white, with a blue tiled roof) with large attractive bay windows (with smoked and etched glass) under a tiled porch is a significant building in the village.

7 Ridge Lane Methodist Church. This is a simple, original church building of brick and tile construction with arched windows and a blue tiled roof, which provides a place of worship and a Community Hall.

8 Coventry Canal. In addition to the listed canal bridges, there are other small scale features along the length of the canal in Mancetter which add to the character of the area. These include; mooring posts, notice boards, distance makers and walls.

Key Views

In addition to surveying the built environment, the Character Study identified the importance of open spaces, the countryside and key longer views which should be addressed by policies for the Neighbourhood Plan, including general design criteria, local open spaces, criteria for considering other development and renewable energy. Views have been identified using desk based and field surveys, taking account of key public locations, including public footpaths, roads/lanes, and gathering places. The views identified help to define locations, where great care will be need with the design of new development or where large scale development will not be acceptable. The views are described below and shown on the Proposals Maps.

- 1 - The open quality of the Anker Valley, with views across to Witherley and from the valley up to the higher land which comprises the uplands from Baddesley to Hartshill. (Views D, E, F).
- 2 - The setting of the Roman archaeological remains and sites in Mancetter village. (Views E, F).
- 3 - Views from the Canal towpath to the higher land which comprises the uplands from Baddesley to Hartshill. (Views A,C)
- 4 - Views from the (higher level) public footpath which runs along the ridge from Oldbury from Mancetter Hill Farm. (View B)
- 5 - Views out from Ridge Lane, across open fields towards larger woodlands. (Views G,H, I, J)

Description of views

Proposals Map

- A. View from Quarry Lane looking S from bridge over the canal.
- B. View looking NE from PROW between Purley Chase Lane and Oldbury Road.
- C. View from Canal towpath looking SW towards higher ground to the south.

Mancetter Inset

- D. View from Harpers Lane NE towards Witherley
- E. View from footpath south of Watling Street looking SW over the Anker valley towards Mancetter church.
- F. View looking west from River Anker across the Roman fields towards Nuneaton Road.

Ridge Lane Inset

- G. View of fields and woodland looking N from Arden Forest Estate.
- H. View from footpath looking W from Purley Chase Lane.
- I. View from Ridge Lane looking NE across open fields towards Purley Chase Lane.
- J. View from footpath north of sewage works looking SE across open fields.

Appendix 2 - Designated Sites for Nature Conservation in Mancetter (as of July 2016).

Bentley Park Wood – SSSI - Adjacent to the Parish boundary but a material consideration for development applications nearby.

Ridge Lane Grassland – LWS - To the north of Wakeford Close.

Selected due to its neutral grassland habitat on ridge and furrow.

Monks Path Wood and Bratts Waste – pLWS

Purley Chase Golf Course – pLWS

Upper Coal Spinney – pLWS

Purley & Mancetter Quarries – LWS - Geological Interest with surrounding mosaic of wildlife habitats including acid grassland, heathland and wet woodland. pLWS areas adjoining.

Rawn Hill – LWS - Ancient woodland and acid grassland.

Brooklands Farm Meadow – pLWS

Coventry Canal – pLWS

River Anker – pLWS - Otter recorded along this stretch.

Notes

LWS = Local Wildlife Site = An area which is locally important for the conservation of wildlife. They are identified and selected for the significant habitats and species that they contain.

pLWS = potential Local Wildlife Site = An area that is thought may qualify for designation as a Local Wildlife Site, but for which formal survey and/or designation has not yet taken place.

Glossary

Affordable housing Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the housing 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.

Amenity A positive element or elements that contribute to the positive character of an area, such as lack of noise and disturbance, openness, landscape, townscape, opportunities for recreation etc.

Backland Development - one or more dwellings on a parcel of land which lies generally behind the line of existing frontage development, has little or no frontage to existing public highway and is piecemeal development in that it does not form part of a larger area allocated for development

Basic Conditions Statement (BCS) A qualifying body has to consider how it will demonstrate that its neighbourhood plan will meet the Basic Conditions that should be met if the plan is to be successful at independent examination. The BCS is a report to demonstrate to the independent examiner that its draft neighbourhood plan meets the basic conditions.

Biodiversity The whole variety of life encompassing all genetics, species and ecosystem variations, including plants and animals.

'Brownfield' See Previously Developed Land

Community Infrastructure Levy A tariff charged on development to secure funding towards infrastructure that is essential to meet the needs of the development. The CIL may be set by the Borough Council once an Infrastructure Delivery Plan and Charging Schedule have been examined and adopted. If there is a CIL in place, and a neighbourhood Plan is made, 25% of CIL funds raised in the Neighbourhood Plan Area will be made available to be spent on infrastructure projects in the plan area.

Conservation Area Areas of special architectural or historic interest, the character, appearance or setting of which it is desirable to preserve or enhance.

Demographic patterns / changes The make-up of the population of a particular area in terms of birth-rates, the age profile, new migrants etc. and how this changes over time.

Density (of development) The amount of building within an area of land. For housing it is expressed as the number of dwellings per hectare.

Designated area An area defined by a line on a map which, by virtue of statute, enjoys a degree of protection from development that would impact adversely on the wildlife, landscape or other natural asset within its boundary. There are also built heritage designations such as Conservation Areas.

Development Defined under the 1990 Town and Country Planning Act as "the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land." Most forms of development require planning permission (see also "permitted development").

Development Management *The process through which a local planning authority considers a planning application and whether it should be given permission*

Development Plan *This includes adopted council development plan documents such as core strategies and any future adopted neighbourhood plans setting out the authority's policies for the development and use of land.*

Development Plan Documents (DPDs) *DPDs are adopted plans and documents that form part of the development plan. Once adopted, planning decisions should be made in accordance with them unless material considerations indicate otherwise. DPDs can include core strategy, land allocation plans, area action plans, and neighbourhood plans.*

Employment land *Land allocated / reserved for industrial and business use.*

Evidence base *The information and data gathered by local authorities and used to inform policy development. It includes a wide range of numerical data and other information, including, surveys, studies, discussions and consultations.*

Five Year Housing Land Supply *An identified supply of specific deliverable sites sufficient to meet housing requirements over a specified five year period, collated annually.*

Floorspace *The floor area (on all floors) of a building or set of buildings. Gross floorspace includes areas ancillary to the main use. Net floorspace excludes ancillary areas.*

Green Infrastructure (GI) *Green spaces in towns, villages or elsewhere, serving different purposes, which together form a network that can provide local communities with a better environment and quality of life and help wildlife.*

Greenfield Land or Site *Land (or a defined site) which has never been built on before or where the remains of any structure or activity have blended into the landscape over time.*

Gypsy, Roma and Traveller Communities (for planning purposes) Communities *consisting of persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.*

Habitat *An area or natural environment in which an organism, species or population normally lives. Habitats take many forms and should not be considered in isolation as they are linked and overlap with each other.*

Habitats Regulations *A set of government regulations (currently the Habitats and Species Regulations 2010), which sets out requirements within England regarding the protection and enhancement of important natural assets, giving expression to various European Directives, International Conventions and national statutes.*

Heritage Statements *are required as part of the information submitted with planning related applications¹ when the proposed development might affect an archaeological site or historic building. The requirement for Heritage Statements is included in the National Planning Policy Framework.*

Hinterland *A term used to describe the area which falls within the influence of a town – especially the area from which the town draws most of the people who work there or use it.*

Household A person living alone or a group of people living together at the same address and with common housekeeping.

Housing Needs Survey A survey of households which assesses affordable housing needs across a defined area, looking at criteria such as housing conditions, overcrowding and household incomes and comparing these with housing costs and availability.

Housing requirement The amount of housing that has to be built in a given period to meet needs and demands. This is now calculated separately for East Warwickshire, based on evidence, although the Council should cooperate with neighbouring authorities and other relevant bodies in arriving at the final requirement figure(s).

Independent Examination The process by which an Independent Examiner examines a Neighbourhood Plan to ensure it meets the basic conditions.

Infill development Building on a relatively small site between existing buildings.

Information and Communication Technologies (ICT) Telecommunications networks such as telephone lines, mobile phone masts and broadband infrastructure.

Infrastructure The physical entities (e.g. roads, railways, sewers, pipes, telecommunications lines) necessary for communities to function and move around.

Localism The Localism Bill was published in 2010. It set out a series of proposals to shift power from central government towards local people, including: flexibilities for local government; rights and powers for communities and individuals; reforming the planning system (including Neighbourhood Planning and more local decisions about new housing).

Limited infilling Infill development which is particularly small in scale, occupying small gaps between buildings comprising one or two, rather than several dwellings.

Local Plan The documents and maps that make up the plan for the future development of a local area such as North Warwickshire. In this case the adopted North Warwickshire Core Strategy (2014-2029)

Local Planning Authority The council which is charged with plan making and determining planning applications for an area. In the case of the Neighbourhood Plan it is North Warwickshire Borough Council (NWBC).

Low Cost Market Housing Usually refers to new build dwellings that are sold for 100% owner occupation but at a price that is discounted from the price than they could be sold for on the open market. These are not part of the definition of affordable housing.

Mancetter Parish Council (MPC) The responsible body for the Neighbourhood Plan, albeit that it has been prepared through a Steering Group (SG) of local people and Parish Councillors

Masterplan A detailed plan setting out how a particular area is developed, mapping the phasing of the development, (i.e. the order in which different parts are to be built) and setting out an action plan on how, when and by whom different requirements are triggered/funded.

National Planning Policy Framework (NPPF) A Government document that sets out the Government's planning policies for England and how these are expected to be applied.

Natural and semi-natural greenspace Places where human control and activities are not intensive so that a feeling of naturalness is allowed to predominate. Natural and semi-natural

greenspace exists as a distinct typology but also as discrete areas within the majority of other greenspace typologies. (Natural England) In the Neighbourhood Plan it is intended that these areas should also be publicly accessible.

Neighbourhood Plan A plan prepared for a defined area by a Parish or Town Council – the “qualifying body”. Once accepted by the local community through a Referendum, the neighbourhood plan will form part of the Development Plan.

Local Economic Partnership (LEP) Business led strategic organisations responsible for promoting and developing economic growth funded by local authorities and Central Government. In the case of this plan this is the Warwickshire LEP.

Open market residential development Housing for sale or rent on the open market, without restrictions regarding occupation or price.

Open Space Usually used in relation to built-up areas. Refers to all open areas of public value, which can offer opportunities for sport, and recreation, as well as a visual amenity and haven for wildlife. Public open space is where public access may or may not be formally established.

Permitted Development Certain limited or minor forms of development that may proceed without the need to make an application for planning permission, as detailed in the General Permitted Development Order (GPDO). You can make certain types of minor changes to your house without needing to apply for planning permission. They derive from a general planning permission granted by Parliament. NB permitted development rights for many projects on houses do not apply to flats, maisonettes or other buildings

Phasing (housing) How the building of housing is spread over time within a defined area or on a large housing site. The orderly development of housing can be achieved through a phasing plan – hence ‘Phase 1’ or ‘Phase 2’ of a development.

Planning Obligation A planning obligation is a binding legal agreement under Section 106 of the Town and Country Planning Act 1990. It binds one or more parties to an agreement to deliver either actions or financial contributions required in association with development.

Presumption (in favour of sustainable development) The key principle of the NPPF (S. 14) for plan making and decision taking. Planning policies should follow the approach so that it is clear that development which is sustainable is approved without delay. Local authorities have been positive in seeking opportunities to meet the development needs of their area. This means that Local and Neighbourhood Plan policies should be worded positively.

Previously Developed Land or ‘Brownfield’ Land Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape over time.

Qualifying Body The Neighbourhood Planning Regulations 2012 require a Qualifying Body to be appointed to be responsible for preparing the neighbourhood plan and taking decisions relating to it. Mancetter Parish Council is the Qualifying Body for this plan.

Renewable energy Energy produced using renewable sources such wind, water or biomass. Off shore renewable energy generation projects such as offshore wind or wave power are dealt with by the Marine Management Organisation and the Government's Infrastructure Planning Unit rather than local planning authorities.

Resilient communities This term is sometimes applied to communities' ability to help themselves in the face of an emergency. However, in this document it refers more to the degree to which communities can be self-sustaining through the retention of a working population, workplaces, services etc.

Safeguarding The protection of valuable areas of land from disturbance and/or development, due to natural assets, mineral resource or possible future proposals (e.g. a bypass).

Scenarios Different possible outcomes – in this case regarding the growth and health of communities – depending on different 'inputs' – in this case the amount of land allocated for housing and employment and the ability for those houses and workplaces to be delivered.

Sequential approach A planning principle that seeks to identify, allocate or develop certain types or locations of land before the consideration of others. For example, town centre type uses (Retail, Leisure, Commercial) being accommodated in the town centre before considering edge of centre or out of centre locations in relation to various levels of flood risk.

Social rented housing This is (affordable) housing owned by local authorities or other registered providers for which guideline target rents are determined nationally or locally.

Statement of Community Involvement (SCI) The Parish Council's approach to involving the community in the neighbourhood planning process

Statutory Weight Policies and plans prepared under the Town and Country Planning Acts once adopted have statutory weight under Section 38. In other words, planning decisions should be made in accordance with these plans once they have been adopted.

Strategic Environmental Assessment (SEA) This is a systematic decision support process, aiming to ensure that environmental and other sustainability aspects are considered effectively in policy, plan and programme making. The form and content of SEAs is determined by UK government and EU legislation and guidance.

Strategic Housing Land Availability Assessment (SHLAA) Identifies sites with potential for housing, and assesses their housing potential and when they are likely to be developed, with a view to achieving a five year supply of deliverable housing land.

Strategic Housing Market Assessment (SHMA) An assessment of the scale and mix of housing and the range of tenures that an area (in this case East Warwickshire) is likely to need over the plan period in order to meet household and population projections, taking account of migration and demographic change.

Sustainability Appraisal (SA) The process of weighing and assessing policies for their global, national and local sustainability implications for the environment, the economy & society to incorporate a Strategic Environmental Assessment (SEA) to comply with EU Directives.

Sustainable development Defined by the World Commission on Environment and Development in 1987 as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. The Government makes clear that sustainable development has economic, social and environmental dimensions (explained in the NPPF).

Sustainable Urban Drainage Systems (SUDS) and Rural SuDS. Sustainable urban drainage systems are a sequence of water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach than what has been the conventional practice of routing run-off through a pipe to a watercourse. Rural Sustainable Drainage Systems are a collection of physical structures used to mimic natural processes. In rural environments, it is an approach for managing the detrimental impact of rainfall on fields where run-off is a major threat to the flora, fauna and chemical status of our surface waters.

Tandem Development – This consists of a dwelling or dwellings immediately behind an existing residential frontage which are served by a shared access.

Tenure (housing) The ownership or rental status of dwellings – i.e. whether they are owner-occupied (owned outright / being bought with a mortgage), privately rented, rented from housing associations or rented from local authorities.

Townscape Character Townscape is the combination of buildings and the spaces between them and how they relate to one another to form the familiar and cherished local places within the town and its wider context. A Townscape Character Assessment is a tool that provides an objective, structured approach to identifying and classifying the distinctive character and context of a settlement. This helps understanding of the key features and characteristics that combine to give a particular area local distinctiveness and identity.

Use Classes Order The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. The following list gives an indication of the types of use which may fall within each use class.

A1 Shops - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.

A2 Financial and professional services - Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies and betting offices.

A3 Restaurants and cafés - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.

A4 Drinking establishments - Pubs, wine bars & other king establishments (not night clubs).

A5 Hot food takeaways - For the sale of hot food for consumption off the premises.

B1 Business - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.

B2 General Industrial - Use for industrial process other than one within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

B8 Storage or distribution - This class includes open air storage.

C1 Hotels - Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).

C2 Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

C2(a) Secure Residential Institution - Use for a 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 a military barracks.

C3 Dwelling houses - this class is formed of 3 parts:

C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

C3(b) up to six people living together as a single household and receiving care e.g. supported housing schemes e.g. those for people with learning disabilities or mental health problems.

C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

C4 Houses in multiple occupation - small shared houses (3-6 unrelated individual occupants) as the only or main residence, sharing basic amenities such as a kitchen or bathroom.

D1 Non-residential institutions - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non-residential education and training centres.

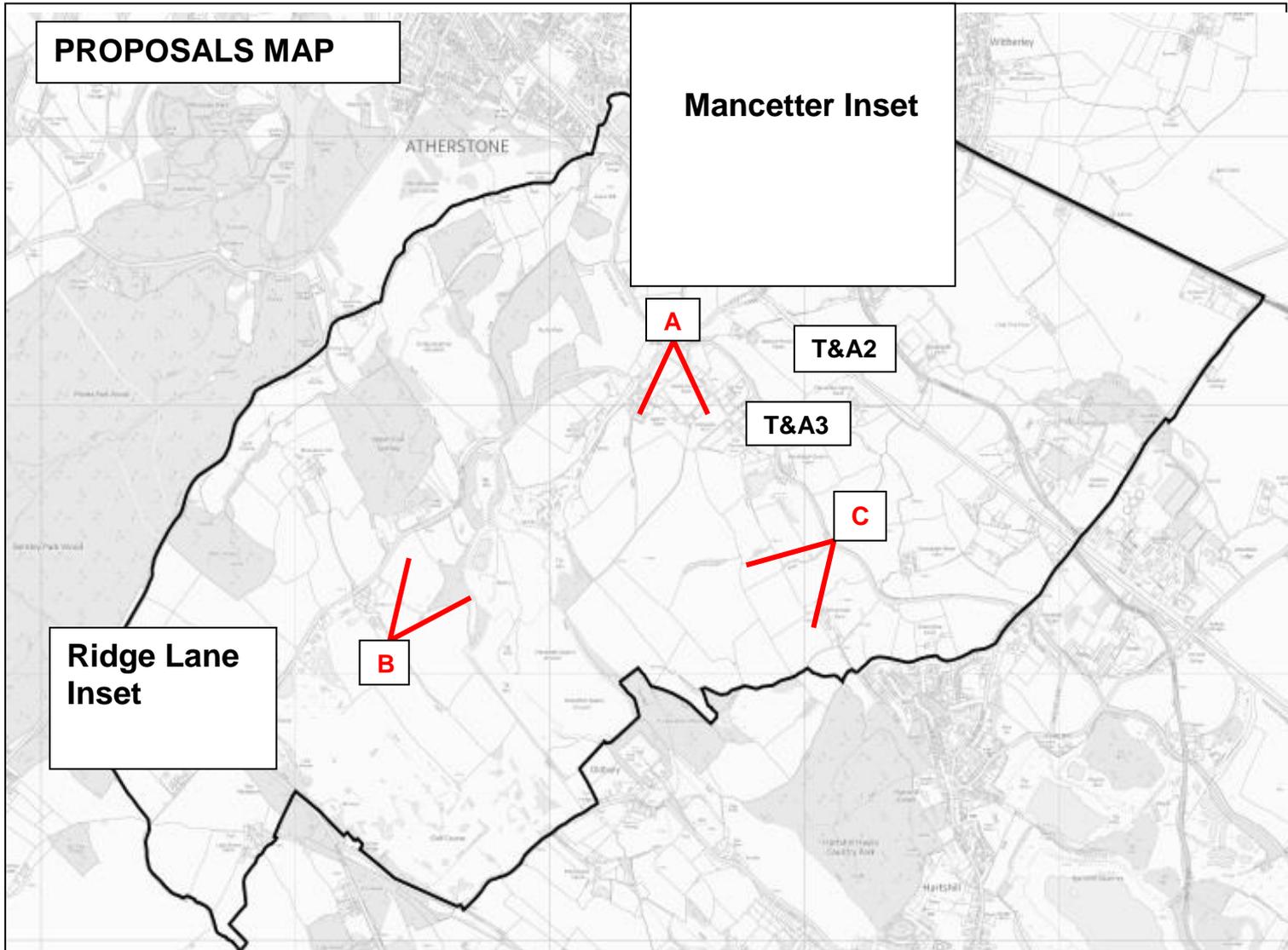
D2 Assembly and leisure - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

Sui Generis - Uses not falling in any use class and are considered 'sui generis', including: theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.

Viability Assessment Compares the likely broad value of planned development likely to come forward over the plan period with the likely costs and constraints, in order to understand the deliverability of the plan and provide certainty and sustainability.

Windfall Development - Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.

Mancetter Neighbourhood Plan – Referendum Version



KEY

Site/Location Based Policies: **T&A2** West Coast Mainline; **T&A3** Coventry Canal. **SB1** Village Settlement Boundaries; **BE1** Mancetter Conservation Area; **BE3** Archaeological Sites; **CFOS 1** Community buildings, shops & public houses; **CFOS 2** Existing Open Spaces; **CFOS 3** Proposed Designation of Local Green Spaces; **LE1** Manor Road Industrial Estate, (also see Inset Maps).

Plan Wide Policies:

DP1 Sustainable Development Principles,

SB2 Residential Development Outside the Settlement Boundary

H1 Smaller infill sites criteria H2 (design of residential conversions and extensions).

BE2 Protect and enhance local character; including the Key Views 

A View from Quarry Lane looking South from bridge over the canal

B View looking NE from PROW between Purley Chase Lane and Oldbury Road, and

C View from Canal towpath looking SW towards higher ground to the south

NE1 Protecting the countryside and landscape; **NE2** Nature Conservation

T&A1 Highway Safety and Traffic Management

LE 2 Local Employment

RE 1 Renewable Energy and **RE 2** Telecommunications

Mancetter Neighbourhood Plan – Referendum Version 2017

KEY

PLAN BOUNDARY 

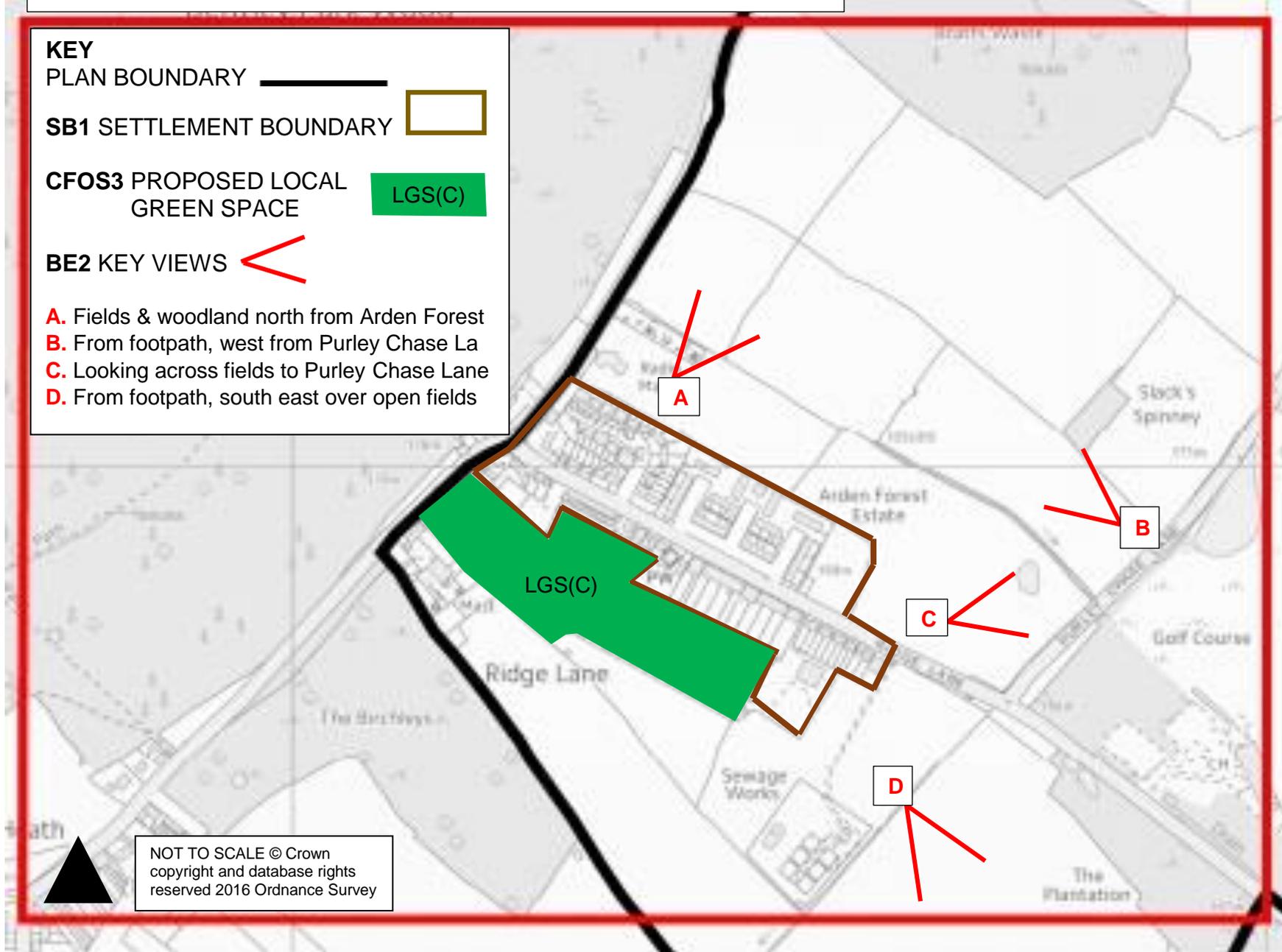
SB1 SETTLEMENT BOUNDARY 

CFOS3 PROPOSED LOCAL GREEN SPACE 

LGS(C)

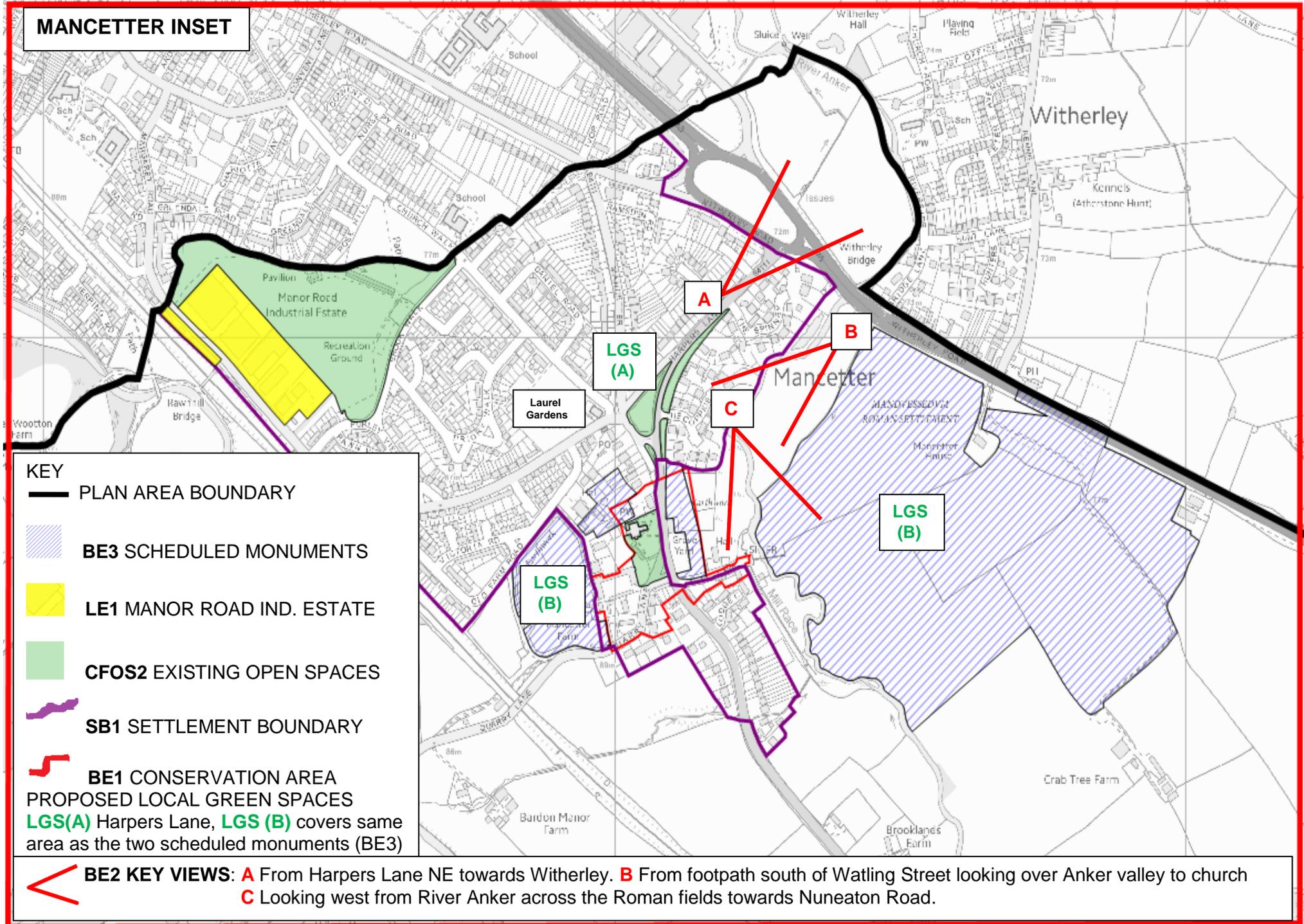
BE2 KEY VIEWS 

- A. Fields & woodland north from Arden Forest
- B. From footpath, west from Purley Chase La
- C. Looking across fields to Purley Chase Lane
- D. From footpath, south east over open fields



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MANCETTER INSET



KEY

-  **PLAN AREA BOUNDARY**
-  **BE3 SCHEDULED MONUMENTS**
-  **LE1 MANOR ROAD IND. ESTATE**
-  **CFOS2 EXISTING OPEN SPACES**
-  **SB1 SETTLEMENT BOUNDARY**
-  **BE1 CONSERVATION AREA**
-  **PROPOSED LOCAL GREEN SPACES**
- LGS(A)** Harpers Lane, **LGS (B)** covers same area as the two scheduled monuments (BE3)

 **BE2 KEY VIEWS:** **A** From Harpers Lane NE towards Witherley. **B** From footpath south of Watling Street looking over Anker valley to church
C Looking west from River Anker across the Roman fields towards Nuneaton Road.

Agenda Item No 8

Planning and Development Board

10 July 2017

Report of the Head of Development Control

Appeal Decisions

1 Summary

- 1.1 The report draws attention to recent appeal decisions.

Recommendation to the Board

That the report be noted.

2 Background

- 2.1 Members have been receiving regular reports on appeal decisions. This report brings Members up to date.

3 41 and 43 Stanley Road, Atherstone

- 3.1 Members will recall that these two applications for single houses were refused because the proposals were considered to be out of keeping and would create highway problems. Both appeals have been allowed. The letters explain why the developments would not be “materially harmful” and that as the Highway Authority had no objection, there was no evidence to suggest that highway concerns would be “severe” as set out in the NPPF. The decision letters are attached at Appendix A for convenience.

...

4 Outstanding Appeals

- 4.1 Apart from the Daw Mill case, there are other outstanding appeal decisions awaited – 14 houses at Boulters Lane, Wood End; St Andrews House in Coleshill, the change of use at 6 Coventry Road, Coleshill and the bridge and lights at the Heart of England site in Fillongley.

The Contact Officer for this report is Jeff Brown (719310).



Appeal Decision

Site visit made on 3 April 2017

by **B Bowker Mplan MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 May 2017

Appeal Ref: APP/R3705/W/16/3166321

43 Stanley Road, Atherstone, Warwickshire CV9 2AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Nikki Styles against the decision of North Warwickshire Borough Council.
 - The application Ref PAP/2016/0375, dated 20 June 2016, was refused by notice dated 11 October 2016.
 - The development proposed is bungalow to rear accessed from Ambien Road.
-

Decision

1. The appeal is allowed and planning permission is granted for a bungalow to rear accessed from Ambien Road, at 43 Stanley Road, Atherstone, Warwickshire CV9 2AS, in accordance with the terms of the application Ref PAP/2016/0375, dated 20 June 2016, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application submitted was for outline planning permission with matters of access, layout and scale included for approval. Appearance and landscaping are reserved for later consideration and the appeal has been determined on this basis.
3. I am also determining an appeal¹ submitted for a similar development at 41 Stanley Road. The appeal at No 41 is subject of a separate decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

5. The appeal site comprises the rear garden of No 43 which slopes upwards towards Ambien Road. The dwelling would be sited amongst two storey terraced and semi-detached dwellings at Ambien Road. Properties at Ambien Road are at an elevated position in relation to the appeal site. The site presents a verdant frontage onto Ambien Road which forms part of a wider band of vegetation and trees. Despite the open and verdant character at the appeal site and adjoining rear gardens, a residential character prevails at Ambien Road.

¹ APP/R3705/W/16/3166248

6. As Ambien Road has an established residential character, the proposal would not have an urbanising effect. In conjunction with the dwelling proposed at No 41, the proposal would result in a loss of vegetation. However, taking into account the remaining extent of trees and vegetation beyond the site, the wider area would retain its verdant and open character. Also, the slope of the site and the design proposed would retain an element of openness at the site.
7. During my site visit, I saw that off street vehicular parking was a visible feature in the street scene. In this context, views of the level parking platform would not be an incongruous feature in the street scene. Nor would the sight of refuse and recycling containers be unusual in an established residential area. The setback detached form of the dwelling would be in keeping with the general layout of surrounding properties.
8. The dwelling would differ in appearance to its surroundings as it would be partly obscured by a retaining wall at ground floor level. But this would be a minor difference in appearance and would not result in the dwelling being a prominent feature in the street scene. Moreover, as outlined in the appeal decision at land adjacent to 19-21 Southfields Close², change does not necessarily equate to material harm. In this context, I cannot agree with the Council that harm would arise because of a relatively minor difference in appearance. As appearance is a reserved matter, the Council could ensure satisfactory elevation details at a later date.
9. The dwelling would reduce in height to its rear and thus have a limited visual effect when viewed from properties at Stanley Road. This factor, alongside satisfactory boundary and landscape details, would further reduce the proposal's visual effect from this vantage point.
10. Paragraphs 56, 58 and 60 of the National Planning Policy Framework highlight the importance of good design and local distinctiveness. Based on my reasoning above, the proposal would accord with these requirements.
11. Therefore the proposal would not have a harmful effect on the character and appearance of the surrounding area. Consequently, the proposal would meet the requirements of Core Strategy Policy NW12. This policy requires development to demonstrate a high quality of sustainable design that positively improve the character, appearance and environmental quality of an area.

Other Matters

12. Concern is raised regarding highway and pedestrian safety, including references to parking in the vicinity and emergency and refuse vehicle access. However, the Highway Authority raises no objection to the proposal and the on-site parking proposed is in line with Council requirements. Consequently, dismissing the appeal on highway safety grounds would be unjustified.
13. Based on the evidence before me, delaying or dismissing the appeal on wildlife grounds would also be unjustified. Nor does the evidence before me justify dismissing the appeal on grounds of land stability, flooding and drainage.
14. Concerns regarding precedent have been expressed, particularly as adjacent rear gardens have frontages onto Ambien Road. However, each application and appeal must be determined on its individual merits and the characteristics

² APP/R3705/W/16/3148101

of the appeal site are not easily replicated on a large and wide scale. Moreover, this decision would not prevent the Council resisting proposals that lead to material planning harm.

15. Concern has been raised regarding the effect of the proposal on the privacy, light and living conditions of neighbours. However, I agree with the Council's assessment which identifies the separation distances involved, the boundary fences proposed and the absence of proposed rear windows as factors that would ensure no harm in these respects. Concerns have been made regarding covenants at adjoining properties. However this is a legal matter separate from the planning system.

Conditions

16. The conditions in the attached schedules are based on those suggested by the Council. Where necessary, the conditions have been amended in the interests of clarity and precision as required by Planning Practice Guidance.
17. A condition requiring the submission of reserved matters is required in view of the outline nature of the application and a condition specifying the relevant plans is necessary in the interests of certainty. A condition restricting permitted development rights relating to household extensions, roof alterations and outbuildings is necessary to ensure the privacy of surrounding neighbours.
18. As no substantive reasoning is before me to justify removing permitted development rights relating to hard surfacing and porches, these rights are not restricted. As appearance is a reserved matter, the Council will be able to prevent openings to the rear of the dwelling at a later stage.
19. Condition 5 is necessary to ensure that the site is adequately drained. Conditions 6 and 8 are necessary to ensure adequate living conditions for surrounding neighbours. However, it is necessary to alter the timings for construction works in condition 8 to reflect the residential character of the area.
20. Although not a reason for refusal, the Council briefly raise concern regarding the maintenance, convenience and noise associated with the shared elevator. However, no substantive evidence is before me to doubt the suitability of the elevator. Therefore, I am satisfied that the Council's condition would ensure acceptable details in this respect. This condition also requires approval of refuse storage details to ensure adequate living conditions for adjoining and future occupants.
21. Conditions 9 - 11 are necessary in the interests of highway safety. However, as the incidents of extraneous material onto a public highway can be addressed through other legislation, this condition is unnecessary.

Conclusion

22. For the reasons given above, and having taken all matters raised into account, I conclude that the appeal should be allowed subject to the attached schedule of conditions.

B Bowker
INSPECTOR

Schedule of conditions

- 1) Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Sections, Floor & Location Plan; Proposed Block Plan; Proposed and Existing Parking Plan; Topographical Survey, but only in respect of those matters not reserved for later approval.
- 5) Before the development commences, a scheme for the construction of the foul and surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6) Prior to the commencement of development, details of the position and design of an electric lift and platform and details of bin storage arrangements shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be provided prior to the first occupation of the dwelling hereby permitted and thereafter maintained as such at all times.
- 7) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of screen walls and fences to be erected. The approved screen walls/fences shall be erected before the dwelling hereby approved is first occupied and shall subsequently be maintained. For the avoidance of doubt the boundary separating the new dwelling and the existing dwelling on Stanley Road shall take the form of a close boarded fence or wall of a height not less than 2 metres.
- 8) Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, and E) shall be carried out at the site without the prior written consent of the Local Planning Authority.
- 9) Demolition or construction works shall take place only between 08.00 – 18.00 hours on Mondays to Fridays and 08.00 – 13.00 hours Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 10) The access to the site for vehicles shall not be used unless a public highway verge crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. Gates / barriers

erected at the entrance to the site for vehicles shall not be hung so as to open over the public highway extent.

- 11) The unit shall not be occupied until the parking and manoeuvring 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.
- 12) The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 25.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

- End of schedule -

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support informed decision-making.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and reporting, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that data is used responsibly and ethically.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that data management practices remain effective and aligned with the organization's goals.

Appeal Decision

Site visit made on 3 April 2017

by **B Bowker Mplan MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 May 2017

Appeal Ref: APP/R3705/W/16/3166248

41 Stanley Road, Atherstone, Warwickshire CV9 2AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Adam Smith against the decision of North Warwickshire Borough Council.
 - The application Ref PAP/2016/0376, dated 20 June 2016, was refused by notice dated 11 October 2016.
 - The development proposed is bungalow to rear accessed from Ambien Road.
-

Decision

1. The appeal is allowed and planning permission is granted for a bungalow to rear accessed from Ambien Road, at 41 Stanley Road, Atherstone, Warwickshire CV9 2AS, in accordance with the terms of the application Ref PAP/2016/0376, dated 20 June 2016, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application submitted was for outline planning permission with matters of access, layout and scale included for approval. Appearance and landscaping are reserved for later consideration and the appeal has been determined on this basis.
3. I am also determining an appeal¹ submitted for a similar development at 43 Stanley Road. The appeal at No 43 is subject of a separate decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

5. The appeal site comprises the rear garden of No 41 which slopes upwards towards Ambien Road. The dwelling would be sited amongst two storey terraced and semi-detached dwellings at Ambien Road. Properties at Ambien Road are at an elevated position in relation to the appeal site. The site presents a verdant frontage onto Ambien Road which forms part of a wider band of vegetation and trees. Despite the open and verdant character at the appeal site and adjoining rear gardens, a residential character prevails at Ambien Road.

¹ APP/R3705/W/16/3166321

6. As Ambien Road has an established residential character, the proposal would not have an urbanising effect. In conjunction with the dwelling proposed at No 43, the proposal would result in a loss of vegetation. However, taking into account the remaining extent of trees and vegetation beyond the site, the wider area would retain its verdant and open character. Also, the slope of the site and the design proposed would retain an element of openness at the site.
7. During my site visit, I saw that off street vehicular parking was a visible feature in the street scene. In this context, views of the level parking platform would not be an incongruous feature in the street scene. Nor would the sight of refuse and recycling containers be unusual in an established residential area. The setback detached form of the dwelling would be in keeping with the general layout of surrounding properties.
8. The dwelling would differ in appearance to its surroundings as it would be partly obscured by a retaining wall at ground floor level. But this would be a minor difference in appearance and would not result in the dwelling being a prominent feature in the street scene. Moreover, as outlined in the appeal decision at land adjacent to 19-21 Southfields Close², change does not necessarily equate to material harm. In this context, I cannot agree with the Council that harm would arise because of a relatively minor difference in appearance. As appearance is a reserved matter, the Council could ensure satisfactory elevation details at a later date.
9. The dwelling would reduce in height to its rear and thus have a limited visual effect when viewed from properties at Stanley Road. This factor, alongside satisfactory boundary and landscape details, would further reduce the proposal's visual effect from this vantage point.
10. Paragraphs 56, 58 and 60 of the National Planning Policy Framework highlight the importance of good design and local distinctiveness. Based on my reasoning above, the proposal would accord with these requirements.
11. Therefore the proposal would not have a harmful effect on the character and appearance of the surrounding area. Consequently, the proposal would meet the requirements of Core Strategy Policy NW12. This policy requires development to demonstrate a high quality of sustainable design that positively improve the character, appearance and environmental quality of an area.

Other Matters

12. Concern is raised regarding highway and pedestrian safety, including references to parking in the vicinity and emergency and refuse vehicle access. However, the Highway Authority raises no objection to the proposal and the on-site parking proposed is in line with Council requirements. Consequently, dismissing the appeal on highway safety grounds would be unjustified.
13. Based on the evidence before me, delaying or dismissing the appeal on wildlife grounds would also be unjustified. Nor does the evidence before me justify dismissing the appeal on grounds of land stability, flooding and drainage.
14. Concerns regarding precedent have been expressed, particularly as adjacent rear gardens have frontages onto Ambien Road. However, each application and appeal must be determined on its individual merits and the characteristics

² APP/R3705/W/16/3148101

of the appeal site are not easily replicated on a large and wide scale. Moreover, this decision would not prevent the Council resisting proposals that lead to material planning harm.

15. Concern has been raised regarding the effect of the proposal on the privacy, light and living conditions of neighbours. However, I agree with the Council's assessment which identifies the separation distances involved, the boundary fences proposed and the absence of proposed rear windows as factors that would ensure no harm in these respects. Concerns have been made regarding ownership and covenants. However these are private legal matters and a grant of planning permission would not negate or supersede any private legal rights relating to land ownership.

Conditions

16. The conditions in the attached schedules are based on those suggested by the Council. Where necessary, the conditions have been amended in the interests of clarity and precision as required by Planning Practice Guidance.
17. A condition requiring the submission of reserved matters is required in view of the outline nature of the application and a condition specifying the relevant plans is necessary in the interests of certainty. A condition restricting permitted development rights relating to household extensions, roof alterations and outbuildings is necessary to ensure the privacy of surrounding neighbours.
18. As no substantive reasoning is before me to justify removing permitted development rights relating to hard surfacing and porches, these rights are not restricted. As appearance is a reserved matter, the Council will be able to prevent openings to the rear of the dwelling at a later stage.
19. Condition 5 is necessary to ensure that the site is adequately drained. Conditions 6 and 8 are necessary to ensure adequate living conditions for surrounding neighbours. However, it is necessary to alter the timings for construction works in condition 8 to reflect the residential character of the area.
20. Although not a reason for refusal, the Council briefly raise concern regarding the maintenance, convenience and noise associated with the shared elevator. However, no substantive evidence is before me to doubt the suitability of the elevator. Therefore, I am satisfied that the Council's condition would ensure acceptable details in this respect. This condition also requires approval of refuse storage details to ensure adequate living conditions for adjoining and future occupants.
21. Conditions 9 – 11 are necessary in the interests of highway safety. However, as the incidents of extraneous material onto a public highway can be addressed through other legislation, this condition is unnecessary.

Conclusion

22. For the reasons given above, and having taken all matters raised into account, I conclude that the appeal should be allowed subject to the attached schedule of conditions.

B Bowker
INSPECTOR

Schedule of conditions

- 1) Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Sections, Floor & Location Plan; Proposed Block Plan; Proposed and Existing Parking Plan, but only in respect of those matters not reserved for later approval.
- 5) Before the development commences, a scheme for the construction of the foul and surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6) Prior to the commencement of development, details of the position and design of an electric lift and platform and details of bin storage arrangements shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be provided prior to the first occupation of the dwelling hereby permitted and thereafter maintained as such at all times.
- 7) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of screen walls and fences to be erected. The approved screen walls/fences shall be erected before the dwelling hereby approved is first occupied and shall subsequently be maintained. For the avoidance of doubt the boundary separating the new dwelling and the existing dwelling on Stanley Road shall take the form of a close boarded fence or wall of a height not less than 2 metres.
- 8) Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, and E) shall be carried out at the site without the prior written consent of the Local Planning Authority.
- 9) Demolition or construction works shall take place only between 08.00 – 18.00 hours on Mondays to Fridays and 08.00 – 13.00 hours Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 10) The access to the site for vehicles shall not be used unless a public highway verge crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. Gates / barriers

erected at the entrance to the site for vehicles shall not be hung so as to open over the public highway extent.

- 11) The unit shall not be occupied until the parking and manoeuvring 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.
- 12) The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 25.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

- End of schedule -

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both primary and secondary data collection techniques. The analysis focuses on identifying trends and patterns over time, which is crucial for making informed decisions.

The third part of the report details the results of the study. It shows that there has been a significant increase in sales volume over the past year, particularly in the online market. This is attributed to several factors, including improved marketing strategies and a more user-friendly website.

Finally, the document concludes with a series of recommendations for future actions. It suggests continuing to invest in digital marketing and exploring new product lines to further expand the business. Regular monitoring of market trends and customer feedback is also advised to stay ahead of the competition.

Agenda Item No 9

Planning and Development Board

10 July 2017

**Report of the
Head of Development Control**

**Tree Preservation Order
Blytheways Blythe Road Coleshill**

1 Summary

- 1.1 Representations received in respect of an Emergency Tree Preservation Order are reported to the Board for consideration in its decision whether or not to confirm the Order.

Recommendation to the Board

That the Tree Preservation Order in respect of Blytheways, Blythe Road, Coleshill be confirmed as a permanent Order.

2 Background

- 2.1 Members are aware of the planning application that has been submitted for the residential redevelopment of this site in Coleshill. As a consequence an Emergency Tree Preservation Order was made in order to protect a number of significant trees on the site so that they could be retained within that development if approved.
- 2.2 A period of consultation followed the making of that Order, and one representation has been received. This is attached at Appendix A.
- 2.3 Members are now asked to consider this in their assessment as to whether the Emergency Order should be made permanent or not.

3 Observations

- 3.1 As can be seen the letter comes from the occupiers of the adjoining property to the north of the site. The letter refers to several matters
- 3.2 The first point to say in respect of the introductory paragraph is that any Order does not and will not prevent general maintenance measures being consented. All proposed works to trees covered by Orders need Consent. Applications are submitted and considered by the Tree Officer. General maintenance and management of trees is essential and Consent for such works is only denied infrequently and only for good arboricultural reasons.

... 3.3 The Council's Tree Officer has seen the letter and his comments are attached at Appendix B.

3.4 As a consequence of the outstanding planning application and the public amenity value of these trees, it is recommended that the Order be made permanent.

4 **Report Implications**

4.1 **Finance and Value for Money Implications**

4.1.1 There are no implications in making the Order. In some circumstances compensation may be considered following a refusal for works to trees covered by an Order.

4.2 **Environment and Sustainability Implications**

4.2.1 Orders can only be made in interests of public amenity. These trees fulfil that criterion.

The Contact Officer for this report is Jeff Brown (719310).

Background Papers

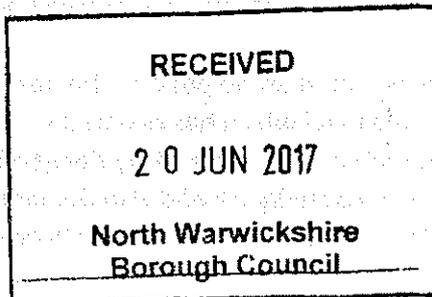
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Mr and Mrs Peachey	Letter	17.6.17
2	Tree Officer	Report	27.6.17

The Hawthorns
Blythe Road
Coleshill
Warwickshire
B46 1AH

Solicitor to the Council
North Warwickshire Borough Council
The Council House
South Street
Atherstone
North Warwickshire
CV9 1DE

17th June 2017



Dear Sir

Blythways, Blythe Road, Coleshill – Tree Preservation Order 2017 - 15th May 2017
Ref: AR/TPO-713.019/22

We own the property immediately adjacent to Blythways.

There is a long-established beech hedge that runs the full length of the boundary of the two properties. All of the 9 trees specified in Schedule 1 of the Order are within a few feet of this hedge and all have an impact on both the hedge and our garden.

We have lived in our house since April 2000. We cannot recall that during this period the former occupant of Blythways carried out any maintenance on either of the oak trees T1 and T9 and if any maintenance of the silver birches T1 to T8 was carried out (which we are unsure about) it was minimal. There is work that needs to be carried out which has at various times since April 2000 been pointed out to us by qualified tree-surgeons who have carried out work on our property. We discussed these with the former occupant (recently deceased) but he declined to carry out any of the work. He was an extremely nice man and a good neighbour and we did not wish to have any disharmony. However, if preservation orders are to be implemented then we hope that maintenance work that is clearly necessary will not be opposed by the Council.

T1 Oak

This is located very close to the boundary hedge and has a number of branches so low they are difficult to walk beneath and also extend over the boundary hedge cutting out light and inhibiting good growth. It is also very close to the public footpath that runs along Blythe Rod.

The Hawthorns
Blythe Road
Coleshill
Warwickshire
B46 1AH

T2 to T8 Silver Birch

We do not understand the merit of these trees and why preservation orders have been proposed. They are grouped close together and, again, close to the established boundary hedge resulting in the same effect on hedge welfare.

However, our main concern is that at some point in the past there was an attempt to reduce the height of those trees and which has resulted in die-back of the main trunks. We consider that this situation is potentially dangerous and should the decayed timber fall away could cause injury and also damage to our buildings and our cars that are parked close to the detached garage shown on the plan.

We consider that the rotten timber should be removed immediately and that the number of trees should be reduced by at least half and ideally remove all.

T9 Oak

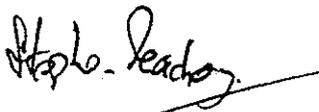
This is a very substantial tree and is extremely close to the boundary hedge.

The most recent maintenance on this tree was carried out at our expense (with the owner's agreement) in approximately 2003 when a lot of dead wood was cut out and the branches that overhang the hedge into our garden were cut back. No work at all has been carried out since then.

After some 14 years since any maintenance has been carried out there is again a significant amount of dead wood that drops from time to time particularly during stormy weather.

This tree needs a full assessment by a qualified tree surgeon and remedial work carried out without delay and hopefully with consultation with us regarding overhanging branches at all heights but particularly to maintain the welfare of the boundary beech hedge.

Regards



Stephen and Catherine Peachey

07515 407088

01675 464269

steve.peachey52@gmail.com

ARBORICULTURAL APPRAISAL/INSPECTION/TREE REPORT

- NWBC Ref No : AR/TPO-713.019/22
- Site Address: Blythways, Blythe Road, Coleshill.
- Prepared by : Andrew Watkins
- Prepared for : Jeff Brown (Board Report)
- Date of Inspection : 15/05/2017
- Date of Report : 27/06/2017

Response to representation in regards to placement of a TPO:

- A representation has been received from the residents, Mr and Mrs Beachey, The Hawthorns, Blythe Road, Coleshill, Warwickshire, CV9 1DE in relation to the placement of the Tree Preservation Order (TPO) 713.019/22 (15/05/2017).

Mr and Mrs Beachey have been resident at the property for 17 years and state that very little maintenance has been performed to the trees mentioned within the 1st Schedule of the TPO which are owned by and situated upon the site address, Blythways, noted above. It is also stated that concerns have been raised by tree surgeons that have visited Mr and Mrs Beachey in relation to the health of the trees, these concerns were passed to the owner of the trees (now deceased) but works were not performed to remedy the issues noted.

It is mentioned that the trees recently protected by the TPO are close to the boundary line between the two properties and that there is also a mature Beech Hedge in this location, concerns are reported that the trees if allowed to remain on site then this will be detrimental to the health of the hedge. This fear is unfounded, the hedge is currently in a good condition with the trees in position and there is no reason why this state of good health should not continue.

It is also stated that deadwood is noted within several of the trees upon the Blythways site address and that it is requested that this material is removed immediately, it is also requested that maintenance work of this nature will not be opposed by the Council. Deadwood can be removed from a protected tree without the requirement of an application to North Warwickshire Borough Council (NWBC). Any supposed maintenance work will require a full application to be presented to NWBC with proven Arboricultural Justification included to allow works to be undertaken.

Mr Beachey does make reference as to why NWBC have placed the TPOs upon the trees and questions the merits of such. The author of this report did meet with Mr Beachey at the time of the placement of the TPO and did explain the reasons for the placement due to the potential development upon the Blythways site and the requirement to protect trees in relation to the amenity value of the area and the associated benefit of such. At

Andrew Watkins Tech Cert (Arbor A) Cert Arb (RFS) Green Spaces Officer (Trees)

North Warwickshire Borough Council Tel: 01827 719212 Mob: 07875700111

this that time Mr Peachey did agree with the benefit of trees but only ones in the correct positions.

Mr Peachey does request that T9 upon the Blythways site needs a full assessment by a qualified tree surgeon with immediate remedial works to be performed. It must be noted that due to the trees upon the site being of private ownership it is not the duty of NWBC to perform this inspection or to perform the works requested.

When determining if trees are worthy of protection by TPO an initial assessment is undertaken by way of a Tree Evaluation Method For Preservation Orders (TEMPO). This method used includes several factors to assist with the decision making process; Amenity value, Retention span, Relative public visibility and suitability for TPO, Other factors i.e. Arboricultural features and importance. The form also requires an Expediency assessment to determine the type and level of threat to the trees. It must be noted that the trees mentioned within the 1st Schedule of the TPO order scored as below;

T1 – Oak, score 16 (defensible)

T2 to T8 – Silver Birches, score 14 (defensible)

T9 – Oak, score 17 (defensible)

The scoring above was used to determine the validity of the TPO, as such it was deemed that the trees merited protection.

Andrew Watkins Tech Cert (Arbor A) Cert Arb (RFS) Green Spaces Officer (Trees)

North Warwickshire Borough Council Tel: 01827 719212 Mob: 07875700111

Agenda Item No 10

Planning and Development Board

11 July 2017

Report of the Assistant Chief Executive and Solicitor to the Council

Brownfield Registers and Planning Permission in Principle

1 Summary

- 1.1 This report outlines the new Brownfield register which has to be in place by 31 December 2017 and the introduction of Planning Permission in Principle.

Recommendation to the Board

That the report be noted.

2 Brownfield Register

- 2.1 Following a pilot with 73 local authorities Brownfield Registers were introduced through the **Housing and Planning Act 2016** with secondary legislation coming into force in April 2017:

- **Town and Country Planning (Brownfield Land Registers) Regulations 2017:** These Regulations require local planning authorities to prepare, maintain and publish registers of brownfield land suitable for residential development
- **Town and Country Planning (Permission in Principle) Order 2017:** The Order enables local authorities to grant permission in principle on suitable sites within their brownfield registers

- 2.2 The purpose of the register is to provide up to date, consistent, publicly available information on all brownfield sites that are suitable for housing – irrespective of planning status. It will be prepared by the local authority and will ultimately be a vehicle for granting permission in principle.

Requirement to keep a register

- 2.3 Each authority must prepare and maintain a register of brownfield land that is suitable for housing within their area. The first register is to be published by 31 December 2017. Registers will then need to be reviewed at least once annually.

2.4 Registers must be kept in two parts:

- **Part 1** - all brownfield sites that are suitable for housing
- **Part 2** – sites within Part 1 that are granted permission in principle

2.5 Consultation is discretionary when authorities enter sites in Part 1 of registers, but mandatory for sites where authorities intend to grant permission in principle and enter them on Part 2

Preparation of the register

2.6 Registers are to be prepared using evidence within the SHLAA (Strategic Housing Land Availability Assessment) and any other relevant sources of information, including the “call for sites” process. Criteria for identifying sites are set out in Regulations and reflect the SHLAA process:

- Land must have an area of 0.25ha, or be capable of supporting 5 dwellings (authorities may enter land below the threshold where it fulfils the other criteria). It must also be
- Suitable
- Available
- Achievable

2.7 Land that no longer meets these criteria must be removed from Part 1.

... 2.8 An outline of the process is provided in Appendix A.

3 **Planning in Principle (PiP)**

3.1 Following the production of the register, any site which is available for housing or housing-led development appearing in Part 1 of the register can go through a process of getting planning permission. It is basically a new and alternative route to getting planning permission. It is a two stage process. The Permission in Principle (PiP) stage is where the authority settles the question of whether the site is suitable for development in principle and how much development the site is capable of delivering. The second stage is for technical details consent (TDC). This stage is where the local planning authority assesses the detailed scheme. Once TDC has been granted there is permission to build which lasts for five years. The scope of a “Permission in Principle” is limited to location, land use and amount of development (usually by identifying a range, say between 10 and 15 units). Conditions cannot be attached. Both a PiP and a TDC are required before there is a formal planning permission.

Permission in Principle (PiP) + Technical Details Consent (TDC) = Permission to Build

3.2 Permission in principle specifically excludes sites covered by the Environmental Impact Assessments and development that would be prohibited under Habitats Protection legislation.

Granting permission in principle to sites on brownfield registers

3.3 When granting permission in principle, the local planning authority:

- must have regard to the Development Plan, the National Planning Policy Framework and any other material considerations - these are not set aside;
- must carry out mandatory publicity requirements,
- unlike part 1 of the register must carry out mandatory consultation requirements for any site being considered for planning in principle; and,
- must provide the amount of housing approved as a range i.e. between 5 to 10 dwellings.

In addition there is an option for the local planning authority to set out expectations relating to the detailed scheme similar to an advisory note on a normal planning consent.

Granting technical details consent (TDC)

- 3.4 Technical detail consents are decided in accordance with terms of the PiP; the Development Plan, the National Planning Policy Framework and any other material considerations. The determination period is 5 weeks for minor developments or 10 weeks for major developments. This is shorter than the normal planning application route as it is thought that many of the issues should have already been considered. Again there are mandatory consultation and mandatory publicity requirements. Information can be required as part of this process. Conditions may also be attached to the permission and planning obligations may be agreed. Similar to other applications, there is also a right of appeal.

4 Observations

- 4.1 It is welcomed that decisions to enter sites on brownfield registers and grant permission in principle must still have regard to the national policy and the Development Plan. Other existing legal requirements will also continue to apply.
- 4.2 Although existing processes are utilised as much as possible, e.g. the SHLAA to identify sites, the Government recognises that preparing the register, both parts 1 and 2, will place an additional burden on Local Planning Authorities. As a consequence a payment of just over £14k has been received.
- 4.3 It is important to note that by entering a site on the register does NOT automatically grant permission in principle. PiP can only be granted for suitable sites on registers once specific requirements have been met. It is important to note too that even when a site has a PiP and is on part 2 of the Brownfield Register, this is NOT the grant of a planning permission. Technical

Details Consent is required for development to proceed. All other routes for obtaining planning permission remain.

- 4.4 As sites eligible for PiP status will need to be in conformity with the Development Plan. It is proposed that such sites can be dealt with as other planning applications – in other words through the Council’s adopted Scheme of Delegation which will enable Member referral to the Planning Board.

5 Next Steps

- 5.1 Further guidance is awaited and this is expected by the Autumn. Part 1 of the register will be prepared by the Forward Planning team using the SHLAA as the basis for this section of the register. This will be prepared by 31st December 2017. It is proposed that no consultation will take place on this first version of the document. Part 1 of the register will then be kept up to date on an annual basis. At the present time it is considered that the number of entries on Part 1 will be small.
- 5.2 It is expected that work on Part 2 of the register will be considered during 2018 following the adoption of the Local Plan as this would add weight and particularly transparency to the whole process.

6 Report Implications

6.1 Finance and Value for Money Implications

- 6.1.1 The Government has recognised there are additional burdens from the introduction of this register and so a financial payment of just over £14k has been received.

6.2 Legal and Human Rights Implications

- 6.2.1 It is a requirement of the new regulations that the Borough Council prepares Part 1 of the Brownfield Register by 31 December 2017. There are mandatory consultations necessary in the process of the consideration of Planning Permission in Principle and Technical Details Consent including the right of appeal.

6.3 Environment and Sustainability Implications

- 6.3.1 As stated above permission in principle specifically excludes sites covered by the Environmental Impact Assessment and development that would be prohibited under Habitats Protection legislation. This may mean that sites to the east of the Borough may be affected by Ensor’s Pool located to the west of Nuneaton. Further guidance is awaited.

6.4 Human Resources Implications

- 6.4.1 This will be an additional work stream on the Forward Planning team.

The Contact Officers for this report are Dorothy Barratt and Jeff Brown (719250/719310).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	DCLG	The Town and Country Planning (Brownfield Land Register) Regulations 2017 http://legislation.data.gov.uk/uksi/2017/403/made/data.pdf	April 2017
2	DCLG	The Town and Country Planning (Permission in Principle) Order 2017 http://legislation.data.gov.uk/uksi/2017/402/made/data.pdf	April 2017



Entry of land in the register

