

(5) Application No: PAP/2016/0645

Land North Of Fircone, Farthing Lane, Curdworth, B76 9HE

Erection of a dwelling, for

Mr J Holmes

Introduction

The application is reported to Board at the discretion of the Head of Development Control

The Site

This is a former paddock/orchard at the rear (the north side) of a small row of three cottages on the west side of Farthing Lane. There is other residential property to the north of the site at Ashleigh Lodge. The context of the site is illustrated at Appendix A.

The cottages in the row all have rear windows at both ground and first floor levels. There is no rear garden to Fircone Cottage, there only being a small rear area. The site's boundary to the east and alongside the lane gives access to the properties to the north and is marked by a hedge and a Weeping Ash. The arrangement for one dwelling within the site is illustrated below:



The Proposal

This is for one cottage style detached house located at the far northern end of the former paddock and facing Farthing Lane. This is 7.4 metres to its main ridge and 14.5 metres in length and 15 metres away from the rear elevation of Fircone Cottage and 10.2 metres away from the southern elevation to Ashleigh Lodge.

It would have two lower gable elements to the design at a height of not more than 6 metres to the northernmost gable and 6.4 metres to the southernmost gable. Both of these side gables (that facing Fircone Cottage and the one facing north adjacent to Ashleigh lodge) - have no openings proposed. The side gables have been re-designed during the application process to reflect a one and a half storey tall building.

An acoustic fence is in situ along the whole of the southern boundary and along that part of the boundary with the rear garden of Damson Cottage. This is approximately 2 metres tall and on the revised plan is set in 1 metre from the rear boundary of Fircone Cottage. Vehicular access would be via Farthing Lane with car parking allocated within the site.

Photographs of the existing site are at appendix B.

Background

Planning permission was granted for a similar proposal in 2015. This latest application is thus in effect a re-submission seeking a re-design of the dwelling. There is thus a fall-back position here as the 2015 consent can still be implemented. Members are thus advised that the issues involved here relate solely to the proposed changes in design and appearance and not with the principle of a planning permission being granted.

The weeping ash referred to is covered by a Protection Order. Recently an application to carry out minor works on the tree was given consent under application PAP/2016/0615.

Representations

Curdworth Parish Council – No representations received

Five letters of objection have been received from local residents. The following matters are raised:

a) Amenity

- There will be loss of amenity; overlooking and loss of privacy
- The design is “imposing” overlooking and very close to existing ground floor windows
- The ground levels are higher and thus affect neighbouring property
- It is too close to neighbouring property

b) Design

- A wooden building is not a “good” finish
- The height has been increased and the building is now too large

- It will not be screened by existing hedgerows

c) Drainage

- There is no indication given in respect of foul water disposal
- There is no permission to connect to “joint” drains

d) Other Works

- Work is proceeding at weekends
- The acoustic fence should be one metre inside the boundary
- It is too tall

e) Trees

- There is no indication given of the root protection area for the weeping ash
- Significant root damage has been done
- The weeping ash is under threat
- The tree survey is not accurate

f) Access

- The traffic survey might not be accurate

g) Archaeology

- The archaeology trench was dug in the wrong place affecting the roots of the weeping ash

h) Biodiversity

- There are bats in the area.

Consultations

Environmental Health Officer – No comments received

Warwickshire County Council as Highway Authority – No objection subject to conditions

Warwick Museum – No objection subject to conditions.

NWBC (Tree Officer) – Minor works around the weeping ash are acceptable including a “no-dig” approach for services and construction of the driveway. A standard foundation would cause no concern to the root system of the tree. Recommend conditions for retention of root protection area and if any roots above 50mm are exposed on the construction of the foundations then further details should be provided to the Council.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW6 (Affordable Housing Provision), NW10 (Development Considerations) and NW12 (Quality of Development)

Saved Policies of the North Warwickshire Local Plan 2006 - ENV4 (Trees and Hedgerows); ENV12 (Urban Design), ENV13 (Building Design) and ENV14 (Access Design)

Other Relevant Material Considerations

The National Planning Policy Framework - (the "NPPF").

The draft Local Plan for North Warwickshire 2016

The Nuthurst Crescent Ansley Appeal decision 2016 – reference APP/R3705/W/16/3149572

Observations

a) Introduction

The site is inside the settlement boundary of Curdworth as defined by the Development Plan and additionally the Core Strategy adopted in late 2014 allocates a minimum of 15 new dwellings for Curdworth up to 2029. As such there is no objection in principle to the erection of one new house here. The land is not designated as an open space in the Development Plan and it is not within any Conservation Area. It is important to note that the principle of a dwelling has already been established at this site. This 2015 approval can be implemented with the appropriate discharge of conditions. Material changes in circumstances since 2015 are the publication of the draft Local Plan for North Warwickshire in 2016 and the recent 2016 Ansley appeal decision. Neither of these suggest any change in approach to the principle of the grant of a planning permission here. The presumption here is thus that planning permission should be granted in principle.

The issues with the current application are thus to consider whether the proposed changes to the 2015 approved design and appearance cause significant and demonstrable harm. Members will see from the plans that this is not so much about the layout as the dwelling as it proposed to be orientated the same as the approved scheme facing Farthing Lane with no change in the location of the access.

The highest part of the ridge of the 2015 house is 7.4 metres. That now proposed is 7.4 metres. The overall length of the house in the 2015 scheme is 14.5 with a width of 5.6 metres. The equivalent measurements on the current scheme are 14.5 and 5.6 metres respectively, increasing to 6.4 metres which included the projection of the porch. The distance of the southernmost part of the elevation to Fircone Cottage in the 2015 scheme is 15 metres and that is 15 metres in the current proposal. The distance from the northern most part of the elevation to Ashleigh Lodge is 10 metres in the 2015 plans and approximately 10.2 in the current.

The main differences between the two schemes are the proposed one and a half storey additions forming gable ends at either end of the dwelling in place of the single storey "lean-to" at its southern end and the single storey extension at the northern end, together with the overall appearance. The proposed design compared with the approved design can be compared at appendix C.

The remainder of the report will consider these matters before returning to other matters raised by the representations.

b) Design

In terms of design then the main differences to the previous approved scheme are the introduction of the one and a half storey gables; all first floor windows set at eaves height and with dormer windows/roof lights together with the use of timber cladding and render as facing materials on some parts of the house. There are no windows included on the new side gables.

The design is still essentially a “cottage” style with first floor windows being at eaves height but without the detail of the approved scheme. Materials to be used will be a red, “Ivanhoe cottage blend”. This is entirely appropriate in this area. The use of render and timber cladding is also acceptable as these materials are not to be used throughout and offer contrast. They are not out of place.

The site is not within a Conservation Area. There is neither a nearby Listed Building whose setting might be affected nor adopted Design Codes or Planning Guidance for the area.

Members too will be aware that there is a variety of different house types in the area ranging from barn conversions; older cottages and more modern detached houses.

In these circumstances it is considered that in terms of the overall design and appearance of the proposal that there would be very little in the way of evidence to demonstrate significant harm.

c) Amenity

Neighbours have commented that the property is “obscenely large” as a result of the proposed increase to the gables, resulting in an overbearing impact because of their proximity to existing property. The overall footprint of the proposal as has been pointed out above is essentially the same as that already approved and thus there is sufficient proportionate amenity and parking space retained within the plot.

Looking more closely at the impacts then Ashleigh Lodge has ground floor windows facing the application site. These face south, the favoured aspect, but the shading from the gable would of course extend towards these windows. With this issue in mind the proposal has been modified as indicated above such that northern end gable of the new build has been reduced to 6 metres. The distance from this gable to Ashleigh is approximately 10.2 metres. The distance from the main ridge of the new build – at 7.4 metres – is 13.6 metres. The separation distances to Ashleigh lodge are recorded at Appendix D.

The neighbours do point out the metre difference in ground levels to that of Ashleigh, as this would result in the new dwelling appearing taller, akin to a height of 7 metres at the gable and 8.4 metres to the main ridge. This dimension would be comparable to a standard height dwelling. Members will be aware from above that the 2015 approval had a height on 7.4 metres which because of the ground levels would be 8.4 from Ashleigh. The current proposal is the same and the separation distance also remains the same. The introduction of the six metre tall gable does not affect this situation. This gable is not as tall as the main ridge nor is it as wide as the main gable. The two dormers do not extend above the dormers in the main building nor extend further forward or back. As a consequence the new gable sits “within” the main “envelope” of the main gable end. Given these features together with the separation distance, the

intervening hedgerow boundary and the driveway at Ashleigh, it is considered that the new gable would not have a material adverse domineering impact. The most prominent difference is the new chimney stack, but this is a narrow and a minor change without significant over shadowing impact.

In terms of potential shading and loss of light at Ashleigh then given the matters raised above and the southern aspect of the Ashleigh windows, the situation would not be materially adverse to warrant a refusal. The representation here also refers to the 25 degree line. Members will be familiar with the 45- degree line which acts as a guide for extensions impeding within a horizontal dimension. The 25- degree line deals with new build in the vertical dimension. It is agreed that this line will be affected - the 25 degree is affected by the gable roof, though would already be impacted by the main ridge height as already approved. In the circumstances, bearing in mind that this is only guidance, it is not considered to be material given the narrow width of the proposed house and the proportion of Ashleigh that would be affected by the extant planning permission. The 25 -degree line is illustrated at Appendix D.

The impact on the three small cottages to the south is only altered by the southern gable arrangement, beyond that of the previous permission. This has an increased height of approximately 6.4 metres to the ridge, with a separation distance of 15 metres to Fircone Cottage, 14 metres separation distance to Damson Cottage and 16 metres distance to Honeysuckle Cottage. These separation distances are considered to be satisfactory in that there would be no loss of light from this orientation as the new build is north of these dwellings.

Overall therefore it is not considered that there would be material loss of amenity through overlooking; loss of privacy, over-shadowing, or over-powering due to the size, sufficient to warrant a refusal. It is agreed that there will be an impact at Ashleigh, but this is not considered to be so adverse to cause significant harm.

The acoustic fence is in situ as shown in the photographs at Appendix B. This is along the boundary with the row of three cottages; it should therefore be positioned 1 metre into the site from the rear of the boundary with Fircone Cottage. The height and design of the fence is considered to be acceptable and could otherwise be carried out within the limits of permitted development in any case.

d) Trees and Ecology

The weeping ash tree is protected by an Order. It is necessary that the root protection area is retained during the course of development as specified below by the dashed perimeter circle.



The only aspect of the works that would be within the root protection area is the proposed driveway. This is therefore proposed to be constructed with a cellular design to prevent ground compaction to the surface of the driveway by vehicles, thus protecting tree roots below ground. The cellular design is illustrated at Appendix E. This will be conditioned in the event of an approval.

The dwelling itself has less than a 20% impact on the root protection area and as such there is no requirement to provide a raft foundation. A root barrier however should be designed into the foundation of the dwelling, or the foundations set considerably lower, to avoid the impact of roots on the new build.

It is significant that the Council's own tree officer has visited the site and his advice reflects the situation set out above. He advises that the development can be undertaken without detriment to the longevity of the weeping ash tree provided that the protection measures are retained in place at all times during the build and it is acceptable that standard foundations can be laid provided that any roots exposed during foundation construction with a diameter of 50mm are assessed by the Council's tree officer. A condition to this effect would be necessary.

The weeping ash tree is referred to as a common ash in the tree condition report, however it is noted that this is an error and should refer to the tree as a weeping ash. This does not affect the outcome of the assessment made to the tree, as under a separate application for minor tree works have been granted under application PAP/2016/0615.

In terms of impact on ecology then a bat survey has been provided with the application suggesting that the site is capable of attracting roosting bats. A further bat survey is proposed for September 2017. This will therefore be conditioned as well as provision for bat roosts within the design of the dwelling as a precautionary mitigation measure.

e) Highway Safety

In respect of highway matters then the Highway Authority has advised no objection given that there is space available for two cars to be parked on-site and suitable space for the provision of a tuning area. This is unsurprising given there was neither an objection to the scheme that was approved in 2015. It is necessary to ensure that the surface to the driveway is permeable to help with drainage and to continue to protect the root system of the weeping ash tree. A resin bound surface could be proposed provided as a surface of the cellular system as it would be permeable and allow for water to penetrate the ground conditions. No details of the driveway surface have been provided to date. Details of this would be reserved by condition.

f) Archaeology

The site has been identified as having archaeological potential under the previous application. An archaeology assessment was carried out but had to be curtailed because of the potential impact on the root system of the weeping ash. Further archaeological work has instead focused on the area in the vicinity of the proposed foundations to the house. The outcome from this now has to be finalised and an appropriate condition can be provided on a decision notice. Otherwise archaeological issues are thus satisfied.

g) Drainage

Drainage for the house will be addressed at Building Regulations stage. If there are issues with perceived inappropriate connections to joint or private sewers then these are civil matters to be taken up privately.

h) Other Matters

The reason for referral to the Board of this item was two-fold. Firstly this is because of the details involved in this proposal as outlined above. Notwithstanding the 2015 approval, the changes now proposed are not straight forward. The second reason is because of the history of the case which has given rise to much of the content of the representations. An explanation is required.

Planning permission for the single house was granted here in 2015 under delegated powers. Objections were received to that proposal and in light of the recommendation of approval the case was referred as is necessary under the Council's adopted Scheme of Delegation to the then Chair and Vice-Chairman of this Board together with the local Members. There was no request for referral to the full Board and thus the matter was dealt with as set out in the Scheme, with the permission being granted.

There were several pre-commencement conditions attached to that permission including the undertaking of archaeological work. The brief for that work was agreed with the Warwick Museum but the work commenced prior to full discharge under the terms of the planning condition. That work involved a trench in part under the protected tree. As indicated above this work was curtailed as a consequence and the trench back-filled. The tree officer confirms that damage to the root system was not fatal. There was no breach of the planning condition here as the trench did not constitute a "start" under planning legislation.

Work then commenced on the implementation of the 2015 planning permission but without regard to other pre-commencement conditions. Contact with the applicant revealed that he wished to vary the design of the approved house and this current application was submitted and this also seeks to address the conditions of the development. Members are fully aware that retrospective applications are legitimate remedies to breaches of planning control including where there have been breaches of conditions. The outcome is thus that the present “variation” application can bring all matters together dealing with the revised scheme and conditions, therefore no separate application has been provided for the discharge of conditions.

It is as a consequence of this background, that it was considered appropriate to refer this case to the Board for determination.

Recommendation

That the application be **GRANTED** subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the revised plan numberered HGD16-92-5.1 G received by the Local Planning Authority on 28 March 2017 and the following supporting documents; Construction management plan received by the Local Planning Authority on 17 January 2017, a ‘written scheme of investigation for strip, plan and sample’, received by the Local Planning Authority on 24 February 2017, a Bat Survey – ‘preliminary roost assessment’ received by the Local Planning Authority on 27 February 2017, a Tree Condition Report received by the Local Planning Authority on 28 February 2017, a specification for ‘Geoweb’ Tree Root Protection System received by the Local Planning Authority on 6 April 2017.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. Notwithstanding the requirements of Condition 2, the reference to the Common Ash in the Tree Condition Report should be referred to as the Weeping Ash and for the avoidance of doubt only minor works to the tree are recommended as per the requirements of application PAP/2016/0615.

REASON

To define the limitations of the work to the protected tree.

4. The dwelling shall be constructed in facing bricks - Ivanhoe multi blend with render in light sand and timber cladding and windows in chartwell green colour finish to the elevations specified by Condition 2 and roofing tiles Redland Heathland Plain Tile - wealden red. The finish to the materials shall remain in the specified colour scheme at all times.

REASON

In the interests of the amenities of the area.

5. A programme of archaeological work shall be undertaken in accordance with the Written Scheme of Investigation by University of Leicester Archaeological Services called 'Written Scheme of Investigation for Strip, plan and Sample, Location: Land North of Fircone, Farthing Lane Curdworth B76 9HE, Planning Ref PAP/2016/0645' received by the Local Planning Authority on 24 February 2017.

REASON

In view of the potential archaeological interest of the site.

6. The tree protection measures in the form of fencing in the specified location as approved by Condition 2 shall be retained in situ during the construction phase of the development and there shall be no storage of plant, machinery, materials or any other construction works associated with the build store within the root protection area and the ground levels within those areas shall not be altered. The tree protection measures shall remain in place until the written agreement of the Authority has been received.

REASON

To protect the health and stability of the tree to be retained on the site in the interests of amenity

7. The foundations to the dwelling shall be a standard construction and during the construction of the foundations the presence of any substantial roots over 50mm in diameter located within the tree protection area shall be reported to the Local Planning Authority prior to removal of tree roots to the satisfaction of the Local Planning Authority.

REASON

To protect the health and stability of the tree to be retained on the site in the interests of amenity.

8. No development shall commence on the driveway until details of a specification and methodology for installing 'cell web' and a no dig solution near tree roots (in proximity to the weeping ash tree) has been submitted to and approved by the Local Planning Authority in writing. The drive shall be constructed on the existing site levels with careful hand digging for the installation of a cellular confinement system used to the satisfaction of the Local Planning Authority.

REASON

To ensure that root systems are protected by the development in the interest of the amenities of the area.

9. No development within Classes A, B or C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 shall take place.

REASON

In the interests of the residential amenity of neighbouring property.

10. The level of the land shall not be made higher than the existing site levels and the height of the main ridge of the dwelling shall not exceed 7.4 metres from the natural ground level, with the north gable range not in excess of 6 metres to the ridge and the south gable not in excess of 6.4 metres to the ridge from the natural ground level.

REASON

In the interests of the amenities of the area.

11. Within twelve months of the commencement of development, a landscaping scheme shall be submitted to the Local Planning Authority for approval.

REASON

In the interests of the amenities of the area.

12. The scheme referred to in Condition No. 10 shall be implemented within six calendar months of the date of occupation of dwelling, and in the event of any tree or plant failing to become established within five years thereafter, each individual tree or plant shall be replaced within the next available planting season to the satisfaction of the Local Planning Authority.

REASON

In the interests of the amenities of the area.

13. Access for vehicles to the site from the public highway (Farthing Lane D384) shall not be made other than at the position identified on the approved drawing, number HGD16-92-5.1 Rev G.

REASON

In the interests of highway safety.

14. 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.

REASON

In the interests of highway safety.

15. No development shall commence until full details of the provision of the access, car parking and service areas, including surfacing details, drainage and levels have been submitted to and approved in writing by the Council. No building shall be occupied until the areas have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles. The vehicular access to the site shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

REASON

In the interests of highway safety.

16. The development shall not be commenced until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with an 'x' distance of 2.0 metres and 'y' distances of 79.0 metres looking left (north-easterly) and 41 metres looking right (southerly) 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. For the avoidance of doubt the visibility splays must not affect the weeping ash tree.

REASON

In the interests of highway safety.

17. The development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.

REASON

In the interests of highway safety.

18. Deliveries and collections associated with the construction of the proposed development shall not occur during peak periods on the highway network (08:00 – 09:00 and 17:00 – 18:00).

REASON

In the interests of highway safety for all users.

19. Prior to the approved minor works to the weeping ash tree required by Condition 2 and required under application PAP/2016/0615 a further bat survey shall be carried out during September 2017 and the results submitted to the Local Planning Authority. The recommendations required by this bat survey shall then be implemented on site to the written satisfaction of the Local Planning Authority.

REASON

In the interests of protecting the local bat population.

20. Prior to the completion of the dwelling bat boxes shall be installed on the north gable to the main house to the satisfaction of the Local Planning Authority.

REASON

As a mitigation measure and to support the local bat population

Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
3. There may be bats present on site that would be disturbed by the proposed development. You are advised that bats are deemed to be European Protected species. Should bats be found during the carrying out of the approved works, you should stop work immediately and seek further advice from the Ecology Section of Museum Field Services, The Butts, Warwick, CV34 4SS (Contact Ecological Services on 01926 418060).
4. The applicant is advised that to comply with the condition relating to the protection of trees, the measures should be in accordance with British Standard BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".
5. Wildlife and Countryside Act 1981 - Birds. Please note that works to trees must be undertaken outside of the nesting season as required by the Wildlife and Countryside Act 1981. All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions. It is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment. You are advised that the official UK nesting season is February until August.

6. Condition numbers 13, 14 and 15 require works to be carried out within the limits of the public highway. Before commencing such works the applicant/ developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team. This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice.

7. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

b. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow – so far as is reasonably practicable – from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

c. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

8. The applicant/developer must ensure that the access is no closer than 500mm to any highway structure (telegraph pole or warning sign). If not, they may be responsible for all costs involved in moving the structures.
9. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues and suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0645

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	14.11.16
2	NWBC EHO	Consultation reply	23.12.16
3	WCC Museum	Consultation reply	5.1.17
4	WCC Museum	Consultation reply	2.3.17
5	WCC Museum	Consultation reply	3.5.17
6	WCC Highways	Consultation reply	11.4.17
7	WCC Highways	Consultation reply	22.3.17
8	WCC Highways	Consultation reply	26.1.17
9	WCC Highways	Consultation reply	3.1.17
10	Mr Belgeonne	Representation	14.12.16
11	Mr Doolan	Representation	19.12.16
12	Ms Oliynike	Representation	3.1.17
13	Ms Johnson	Representation	3.1.17
14	Ms Johnson	Representation	3.1.17
15	Ms Johnson	Representation	3.1.17
16	Mr Doolan	Representation	11.1.17
17	Mr Doolan	Representation	16.1.17
18	Mr Doolan	Representation	7.2.17
19	Mr Doolan	Representation	7.3.17
20	Mr Belgeonne	Representation	25.1.17
21	Ms Johnson	Representation	6.2.17
22	Mr Doolan	Representation	6.2.17
23	Mr Belgeonne	Representation	7.3.17
24	Ms Johnson	Representation	7.3.17
25	Ms Johnson	Representation	13.3.17
26	Mr Doolan	Representation	31.3.17
27	Mr Doolan	Representation	31.3.17
28	Ms Johnson	Representation	4.4.17
29	Mr Belgeonne	Representation	4.4.17
30	NWBC Green Space Officer	Consultation reply	31.1.17
31	NWBC Green Space Officer	Consultation reply	16.2.17
32	NWBC Green Space Officer	Consultation reply	27.2.17
33	NWBC Green Space Officer	Consultation reply	3.5.17
34	Agent/Applicant to Case Officer	E-mail	5.12.16
35	Agent/Applicant to Case Officer	Supporting information	17.1.17
36	Agent/Applicant to Case Officer	E-mail	22.1.17
37	Agent/Applicant to Case	E-mail	23.1.17

	Officer		
38	Agent/Applicant to Case Officer	E-mail	26.1.17
39	Agent/Applicant to Case Officer	E-mail	30.1.17
40	Agent/Applicant to Case Officer	E-mail	31.1.17
41	Agent/Applicant to Case Officer	E-mail	8.2.17
42	Agent/Applicant to Case Officer	E-mail	16.2.17
43	Agent/Applicant to Case Officer	E-mail	21.2.17
44	Agent/Applicant to Case Officer	Archaeology Survey	24.2.17
45	Agent/Applicant to Case Officer	Revised plan and bat survey	27.2.17
46	Agent/Applicant to Case Officer	Tree Condition Report	28.2.17
47	Agent/Applicant to Case Officer	E-mail	6.3.17
48	Agent/Applicant to Case Officer	E-mail	20.3.17
49	Agent/Applicant to Case Officer	E-mail	22.3.17
50	Agent/Applicant to Case Officer	Revised plan	28.3.17
51	Agent/Applicant to Case Officer	Root Protection Method	6.4.17
52	Agent/Applicant to Case Officer	Archaeology report	19.4.17
53	Agent/Applicant to Case Officer	E-mail	23.1.17
54	Case Officer to Applicant/Agent	E-mail	31.1.17
55	Case Officer to Applicant/Agent	E-mail	8.2.17
56	Case Officer to Applicant/Agent	E-mail	9.2.17
57	Case Officer to Applicant/Agent	E-mail	16.2.17
58	Case Officer to Applicant/Agent	E-mail	20.2.17
59	Case Officer to Applicant/Agent	E-mail	21.2.17
60	Case Officer to Applicant/Agent	E-mail	27.2.17
61	Case Officer to Applicant/Agent	E-mail	6.3.17
62	Case Officer to Applicant/Agent	E-mail	20.3.17

63	Case Officer to Applicant/Agent	E-mail	21.3.17
64	Case Officer to Applicant/Agent	E-mail	23.3.17
65	Case Officer to Applicant/Agent	E-mail	31.3.17
66	Case Officer to Applicant/Agent	E-mail	19.4.17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

Appendix A



Appendix B

Photographs of the site and aerial view:

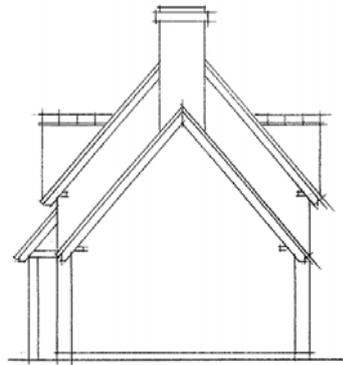




Aerial view of the site outlined in red in relation to the surroundings

Appendix C

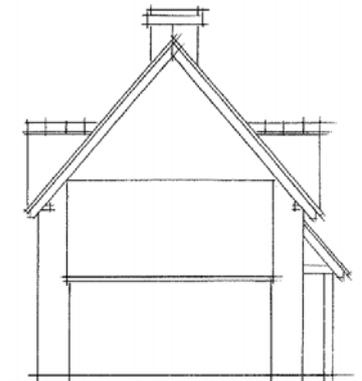
An application in 2015 has already approved a dwelling at this site as per the layout and elevation below:



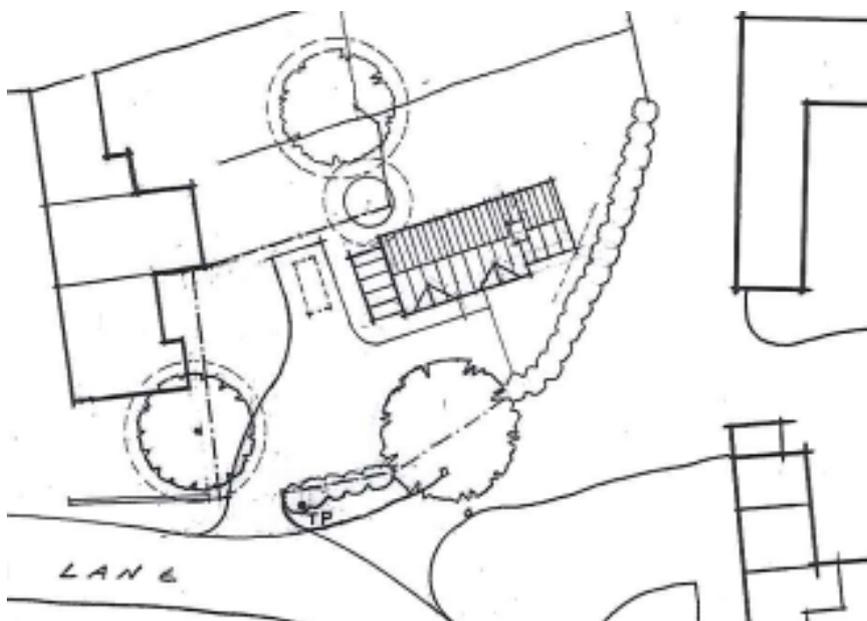
North.



West.



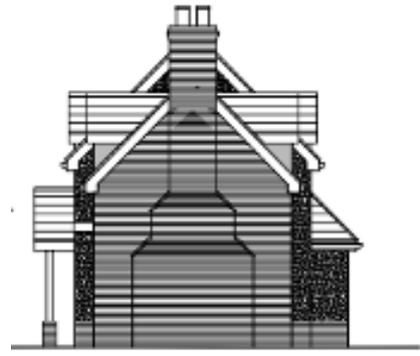
South.



The proposal is compared as below:



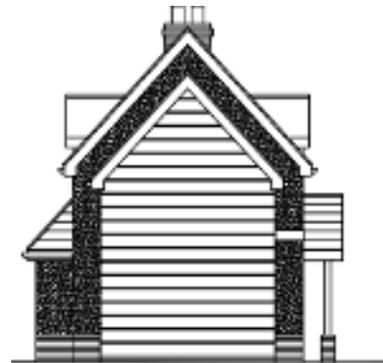
Proposed Front Elevation



Proposed Side Elevation



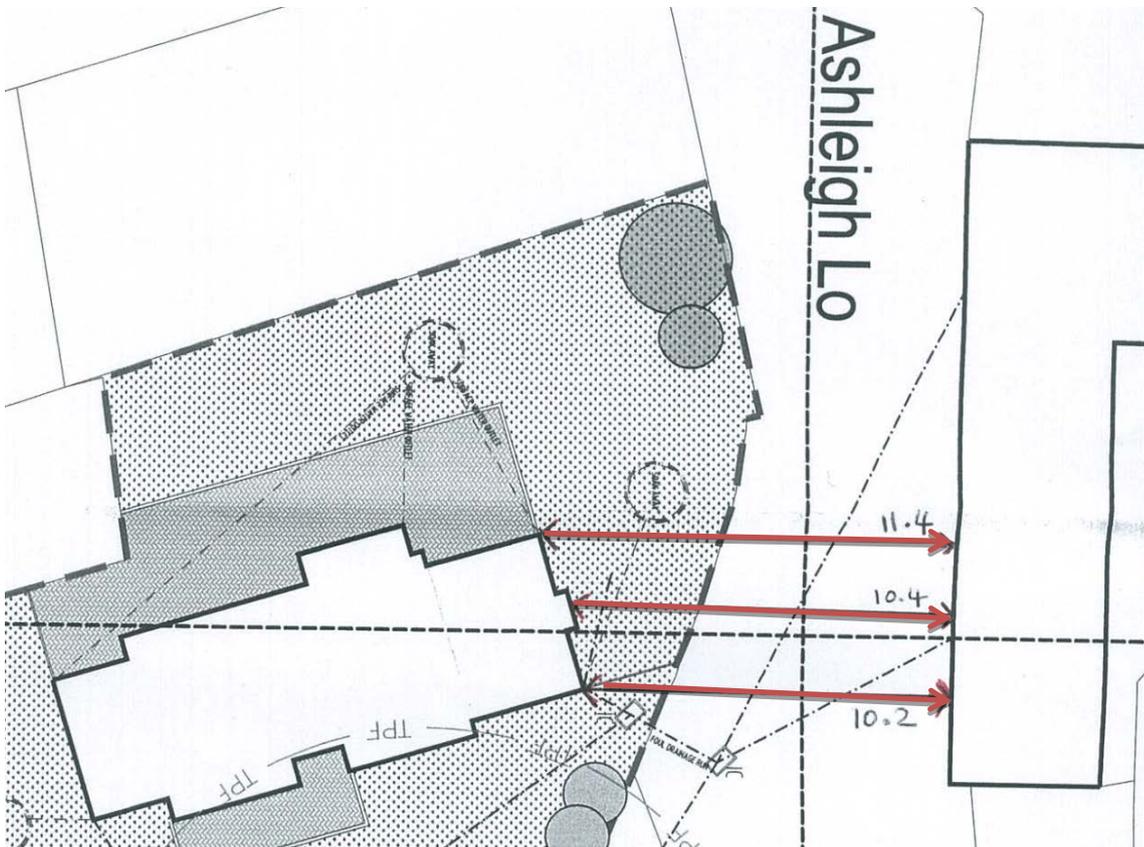
Proposed Rear Elevation



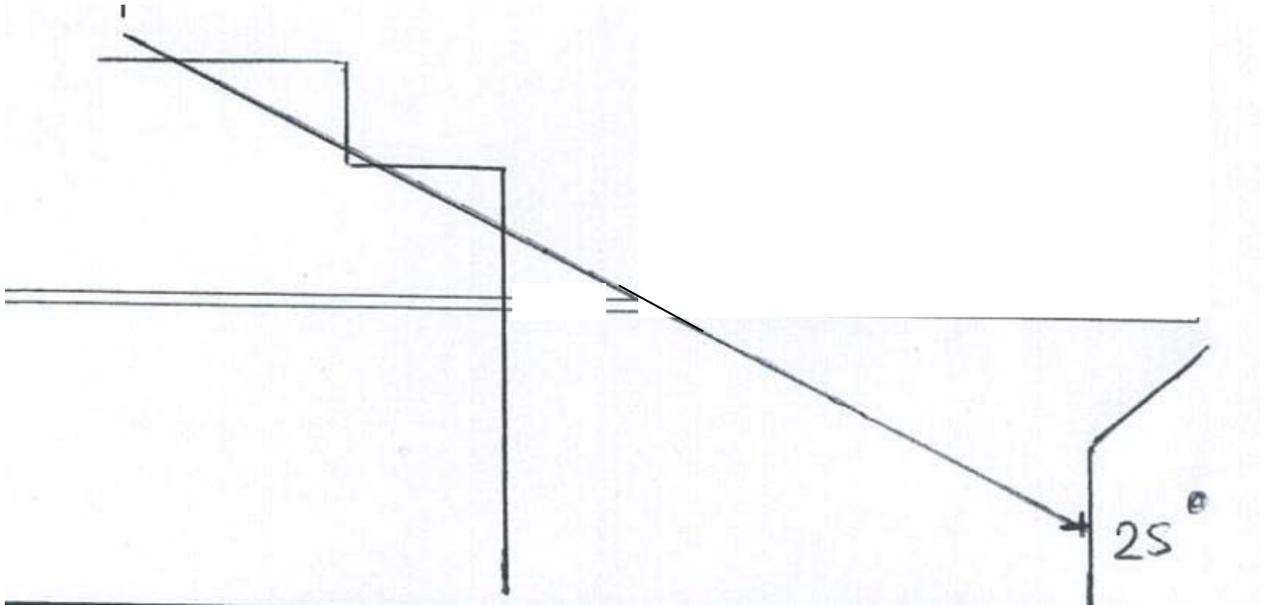
Proposed Side Elevation



Appendix D

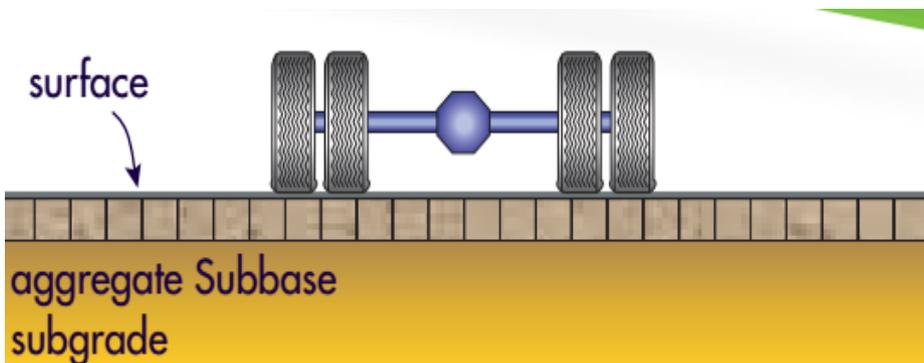


Separation distances from Ashleigh Lodge



Approx 25- degree line as vertical from Ashleigh Lodge

Appendix E



the GEOWEB® Granular Pavement System

(6) Application No: PAP/2016/0659 and PAP/2017/0660

Planning and Listed Building Applications for the re-instatement of St Andrews to a single dwelling with a residential annex and the construction of ten two bedroom dwellings comprising a building replacing the original coach house as two dwellings and eight dormer bungalows with associated parking and landscaping and a new access point off Chestnut Grove for

The Father Hudson's Society

Introduction

The receipt of this application was reported to the December Board meeting but determination was deferred to enable a site visit. That took place in February and the matter is now reported back to the Board.

The previous report is attached for convenience at Appendix A and the site visit note is at Appendix B.

Amended Plans

Although the scale and nature of the proposal here has not altered since the December Board, the applicant has amended the design of the new buildings – the Coach House and the rear bungalows. Additionally the number of parking spaces for the eight bungalows has increased to 16.

A copy of the overall layout is attached at Appendix C and the latest elevations are at Appendix D.

It can be seen that the bungalows reflect a more traditional appearance whereas the Coach House attempts to reflect the appearance of St Andrews itself, but this has led to the introduction of a rear flat roof feature.

Additionally the applicant has submitted a letter concluding that the proposed new building would not be likely to have a negative impact on the marketing of St Andrews as a large single dwelling – see Appendix E.

Representations

A letter of support has been received welcoming the plan to secure the future of the building and to provide new houses in Coleshill. It adds that there needs to be a pedestrian access from the bungalows to Blythe Road.

Six letters of objection have been received referring to the following matters:

- Increased traffic will arise on Blythe Road where there are already long peak hour tailbacks.
- Lack of capacity on the local facilities
- On-street car parking will spill over into Chestnut Grove.

- Details of boundary treatments need to be agreed.

Coleshill Civic Society – No objections

Coleshill Town Council – No response received

Consultations

Warwickshire County Council as Flood Authority – It originally objected requiring additional detail. This has been submitted and the objection has been withdrawn subject to conditions.

Warwickshire Police (Architectural Liaison) – No objection

Environmental Health Officer – No objection

Warwickshire Museum – No objection

Warwickshire County Council as Highway Authority – It originally objected to the proposal seeking more information which has since been provided. It had not responded to this at the time of preparation of the report. The recommendation below recognises this situation.

Heritage Consultant – Following the amended plans there is no objection from a heritage point of view to the overall development or to the design of the new bungalows. However there are issues with the design of the new Coach House because the rear roof design lacks integrity as a development within the setting of a listed building.

Observations

As indicated in the previous report there is no objection to these proposals in principle as the site is within the development boundary of Coleshill as defined by the Development Plan. The town is also one where new housing is supported. The proposal is thus located within a sustainable location. The issues to look at in this case are therefore the detailed considerations of the likely impacts – particularly the highway and heritage impacts.

a) Heritage Impacts

There are two matters to address – the impact on St Andrews as a Listed Building and its setting and secondly the impact on the town's Conservation Area.

In respect of the first then St Andrews is a Grade 2 Listed Building dating from around 1820 but built in the Regency style thus exhibiting both internal and external design characteristics of that period. There is a separate service/servants quarters extension and there used to be a detached coach house to the west. It was occupied as a single dwelling by different owners up to 1949 when the Father Hudson's Society acquired it for use as a boys home as an annex to the Society's main campus at the southern end of the town. This use ended in the 1980's when the building was converted to self-contained flats occupied by other of the Society's residents. The historical record shows that its principal elevation faced towards the east away from Blythe Road and that its related garden and curtilage ran west/east along this frontage. The former orchard at the rear and now vacant land was not part of the original curtilage as it was acquired at a later date and included within the Society's land holding. The significance

of this heritage asset lies in the retention of a relatively unaltered mid -19th Century single dwelling house detailed in the Regency revivalist style.

In terms of the impact of the proposal on this significance then the Council's Consultant agrees with the applicant that it would be beneficial. Not only will the house be put back into its original use as a single dwelling but the changes will remove inappropriate partitions and alterations that would not affect the original built form, internal layout or the contemporaneous fittings and fixtures. External changes would re-instate original openings and window design. As such the scheme would be entirely beneficial in this respect rather than harmful. The re-instatement of the Coach House too would be appropriate historically and thus no harm in principle would be caused as the location would match that of the original siting.

The main issues are therefore around the impact of the proposals on the setting of the Listed Building. As indicated above there is no issue in principle with the reinstatement of the Coach House. In principle there is neither an objection to the introduction of new development in the former orchard at the rear. This is because this land was not part of the historic curtilage of St Andrews and it therefore had no direct association with the building apart from a recent ownership connection. There is thus no objection in principle to its development. In this case that development is neither considered to be harmful to the building. This is because of the low height of the proposed buildings; them being at a lower ground level, they have an alternative access not breaching the curtilage of St Andrews and the pronounced break of slope between the two parts of the site being retained. As a consequence the proposal is considered to have less than substantial harm on the setting of the listed building.

It is neither considered that the proposed appearance of the new buildings here would alter these conclusions. The bungalows to the rear have a different style to that of St Andrews and because of that and their simple design there would be no direct harm caused. The Coach House has been designed so as best to reflect the style of St Andrews without causing harm, but this has introduced a rear flat roof feature which doesn't sit well within the setting of the Listed Building. However this feature would not be visible and the weight of the dissatisfaction with this feature would thus be lessened.

In all of these respects therefore it is considered that the proposals in their entirety would have less than substantial harm to the setting of the Listed Building and that they would have benefits in respect of the building itself.

In terms of the Conservation Area then its significance can be described as reflecting the evolution of the town with the range retaining the variety of different architectural styles and the growth of the town along a pronounced ridgeline. The application site is not in the Conservation Area and neither does it adjoin it. It is considered that the proposals here have no impact on the significance of the Area as set out above.

The Council has a statutory duty to have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest. It also has to have special regard to the preservation or enhancement of the character and appearance of a Conservation Area. In this case in overall terms the proposals have less than substantial harm on the setting of St Andrews and no harm on the significance of the Conservation Area. This conclusion will have to be placed in the final planning balance. That will have to assess whether the less than substantial harm is outweighed by the public benefits of the overall scheme.

b) Highway Impacts

The Highway Authority originally objected but not in terms of highway capacity or the adequacy of the off-site junctions. It was concerned with the detailed geometry of the internal layout. This has now been resolved through the submission of amended plans. The County Council is fully aware of the highway concerns expressed by the objectors as it has had to deal with other applications that lead to increased traffic using Blythe Road. However it has not objected to the principle of the development and this carries substantial weight. Members will be aware that the NPPF advises a highway refusal reason only if the impacts are severe. That is not the case here.

c) Other Matters

There are no other matters that would cause adverse harm and the details submitted are acceptable subject to final clearance through conditions.

There has been some concern expressed about the long term future of St Andrews in that whilst this proposal represents the best outcome for the property, the market may well not respond to this project either initially or in the future. In this regard there may be proposals in the future to sub-divide the property again should no future purchasers be found for the large single dwelling. Members will, be aware that speculation is not a material planning consideration and that commercial and market considerations are not planning considerations. Future proposals will need to be considered on their merits dependant on the planning considerations at the time of determination. In order to assist however two planning conditions are recommended. One is to ensure that the refurbishment works to St Andrews are completed first such that the heritage asset is fully realised and thus available for occupation as a single dwelling. The second would restrict sub-division in order to show intent, but as indicated this may not prevent the submission of future applications to vary the condition.

d) Conclusions

There is no objection in principle to this proposal as a whole and it carries significant benefits. It is located in a sustainable location and has the benefit of increasing housing supply in that respect, thus assisting with the Council's five year housing supply. There is also a significant benefit in enabling the refurbishment of a Listed Building in a way that is preferred, as it re-establishes the original single dwelling with separate annexe accommodation without any internal or external adverse heritage impact. Members will have to assess whether there is any harm caused that is sufficient to outweigh these benefits in a final planning balance.

In this respect there is no harm other than the less than substantial harm caused to the setting of the Listed Building and the less than substantial harm caused by the design of the rear element of the new Coach House building. Individually or taken together it is not considered that this level of harm is sufficient to clearly outweigh the benefits arising here within the final planning balance.

Recommendations

a) PAP/2016/0659

That planning permission be **GRANTED** subject to there be no objection from the Highway Authority and to the following conditions together with other that might be required by that Authority:

1. Standard Three year condition
2. Standard Plan numbers –

Defining Conditions

3. There shall be no occupation of any of the eight bungalows hereby approved until such time as the whole of the proposed refurbishment works to St Andrews House hereby approved, have been fully completed to the written satisfaction of the Local Planning Authority.

REASON

In order to ensure that the works to the heritage asset are prioritised.

4. There shall be no internal sub-division of St Andrews House once the refurbishment works hereby approved have been fully completed and neither shall there be any sub-division of the whole of its curtilage.

REASON

In order to retain the heritage asset

Pre-commencement Conditions

5. No development shall commence on site until a full landscaping scheme for the whole site has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site.

REASON

In the interests of the visual amenities of the area

6. No development shall commence on site until full details of all facing, roofing and surface materials to be used throughout the site and details of all boundary treatments including the dividing retaining wall between St Andrews and the bungalows have first been submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall then be used on site.

REASON

In the interests of the visual amenities of the area.

7. No development shall commence on site until full details of the surface water and foul water disposal from the site have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

In order to reduce the risks of flooding and pollution.

8. No development shall commence on site until full details of the measures to be implemented on site to protect trees to be retained have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall be implemented on site and these shall remain on site until construction is completed

REASON

In the interests of the visual amenities of the area and to protect bio-diversity.

9. No development shall commence on site until a Construction Management Plan has first been submitted to and approved in writing by the Local Planning Authority. This Plan shall remain in force throughout the construction period. It shall include details of:

- a) The parking of vehicles for site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials
- d) The erection of security hoarding/fencing
- e) Wheel washing facilities
- f) Dust emission measures
- g) A waste recycling scheme
- h) Working and delivery hours
- i) Contact details for the site manager

REASON

In the interests of the residential amenities of the area and to reduce the risk of pollution.

Notes

The Local Planning Authority has met the requirements of the National Planning Policy Framework in this case through pre-application discussion and no-going negotiation in order to address planning and heritage issues.

b) PAP/2016/0660

That Listed Building Consent be **GRANTED** subject to the following conditions:

1. Standard three year condition.
2. Standard Plan numbers condition – plans per condition (i2) in PAP/2016/0659

Defining Conditions

3. There shall be no occupation of any of the eight bungalows hereby approved until such time as the whole of the proposed refurbishment works to St Andrews House hereby approved, have been fully completed to the written satisfaction of the Local Planning Authority.

REASON

In order to ensure that the works to the heritage asset are prioritised.

4. There shall be no internal sub-division of St Andrews House once the refurbishment works hereby approved have been fully completed and neither shall there be any sub-division of the whole of its curtilage.

REASON

In order to retain the heritage asset

Pre-Commencement Conditions

5. No development shall commence on site until a full landscaping scheme for the whole site has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site.

REASON

In the interests of the visual amenities of the area.

6. No development shall commence on site until full details of all facing, roofing and surface materials to be used throughout the site and details of all boundary treatments including the dividing retaining wall between St Andrews and the bungalows have first been submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall then be used on site.

REASON

In the interests of the visual amenities of the area.

7. No development shall commence on site until full details including scaled elevations and cross sections of all windows and external doors throughout the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site

REASON

In the interests of the historic and heritage value of the site and its setting.

Other Conditions

8. All windows and doors throughout the development hereby approved shall be recessed back into their openings by a minimum of 75mm

REASON

In the interests of the historic and heritage value of the site and its setting.

- 9 All new doors and windows throughout the development hereby approved shall be constructed in wood and maintained as such thereafter.

REASON

In the interests of the historic and heritage value of the site and its setting.

Notes

The Local planning Authority has met the requirements of the National Planning Policy Framework in this case through pre-application discussion and on-going negotiation to resolve the heritage issues arising from the proposal.

BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0659

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	23/11/16
2	Mr and Mrs Axe	Support	24/11/16
3	WCC Flooding	Consultation	29/11/16
4	Mr and Mrs Gascoigne	Objection	29/11/16
5	Mr Briody	Representation	30/11/16
6	Warwickshire Police	Consultation	2/12/16
7	Mr and Mrs Gainsley	Objection	4/12/16
8	Environmental Health Officer	Consultation	6/12/16
9	Warwickshire Museum	Consultation 9/12/16	9/12/16
10	T Bond	Representation	11/12/16
11	D Griffiths	Objection	13/12/16
12	S Peachey	Objection	13/12/16
13	Coleshill Civic Society	Support	23/12/16
14	Heritage Consultant	Consultation	Dec 2016
15	WCC Highways	Objection	18/1/17
16	Site Visit	Note	4/2/17
17	Agent	Letter	16/2/17
18	WCC Highways	Consultation	6/4/17
19	Heritage Consultant	E-mail	5/4/17
20	Agent	E-mail	28/4/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

(9) Application No: PAP/2016/0659 and PAP/2016/0660

St Andrews Home, 37 Blythe Road, Coleshill, B46 1AF

Planning and Listed Building Applications for the re-instatement of St Andrews to a single dwelling with a residential annex and the construction of ten two bedroom dwellings comprising a building replacing the original coach house as two dwellings and eight dormer bungalows with associated parking and landscaping and a new access point off Chestnut Grove for

The Father Hudson's Society

Introduction

This application is reported to the Board for determination at the discretion of the Head of Development Control. This however is an introductory report which will describe the site; outline the proposals and identify the relevant Development Plan background.

The recommendation is that the Board visits the site prior to determination.

The Site

This comprises just under a half hectare of land on the north side of Blythe Road to the east of the town centre. It is essentially made up of two sections. The front half lies behind a heavily landscaped road frontage which is marked by a brick wall. Several of these trees are protected by Order. The House sits behind, with an area of car parking space and it has its own access onto the road. The rear half is divided from the front by an obvious bank which runs the whole width of the site. This lower half is best described as a paddock and runs down to the northern boundary. There is a gated access in the far north-eastern corner linking to the cul-de-sac head of Chestnut Grove.

The site is surrounded by other traditional two storey residential property. That on the western boundary however is a three storey terrace with a blank gable facing the site.

The site is not in nor does it adjoin the Coleshill Conservation Area but the boundary is close by. The site is on higher ground with extensive open views to the north

The site's location is illustrated in Appendix A.

St Andrews House is a Grade 2 Listed Building dating from around 1820, built in the Regency style thus exhibiting both internal and external design characteristics of that period. There is a service/servants quarters extension and there used to be a detached coach house to the west. It was occupied as a single dwelling by different owners up until 1949 when the Fathers Hudson's Society acquired it for use as a boys home as an annex to the Society's main campus at the southern end of the town. This use ended in the 1980's when the building was converted to self-contained flats occupied by other of the Society's residents. It has however been vacant since 2013.

The Proposals

It is proposed to return the main house to a single dwelling with six bedrooms and to convert the servant's quarters to a residential annex associated with the main house. Very little in the way of change is involved internally apart from the removal of the partitioning that was installed when the Society converted it to apartments. External alterations are minor comprising new windows. All access would be from the existing Blythe Road access and six car parking spaces are proposed.

Appendix B illustrates the internal layout as proposed and Appendices C and D illustrate the external changes.

The remainder of the proposals involve the erection of ten additional two storey dormer bungalows. Two of these would be semi-detached and would be located roughly in the location of the former coach house to the west of the main building and would be 7 metres to their ridge. Materials would be a mixture of render; facing brickwork and cement fibre slate roofing tiles. The front elevation replicates coach doors. Four car parking spaces are to be provided. The remaining eight bungalows would be in two blocks - one of five and the other of three - comprising linked dormer units set around a communal area on the lower ground to the north with its own parking area providing 12 spaces. They would be 7 metres to their ridge and use the same materials as before. Vehicular access to these eight bungalows would be from the gate onto Chestnut Grove. The existing break in slope would remain across the site marked by an iron field railing set onto a brick retaining wall.

No affordable housing is being proposed either on-site or by way of an off-site contribution as the applicant considers that as there are ten new units being proposed, the development comprises a small development thus exempt from such provision following recent case-law.

The overall site layout is illustrated at Appendix E and illustrations of the new dwellings are at F and G.

Supporting documentation includes the following reports.

An Ecology Study concludes that the site as a whole has poor bio-diversity but that the tree frontage and perimeter hedgerows provide some ecological value. Further surveys are needed to establish the presence of bats in the trees.

A Day Time Bat survey suggests that the construction of the present House would preclude the presence of bats and that there were no signs of bat roosts in the trees.

A Transport Assessment concludes that the development would not cause adverse highway impacts that would amount to "severe", so as in the terms of the NPPF to warrant refusal.

A Preliminary Drainage Assessment recommends that sustainable drainage arrangements on site would ensue that surface water was contained and that discharge would not be greater than green field run-off.

A Tree Survey describes the trees and hedgerows around the perimeter of the site. The most significant are those along the Blythe Road frontage comprising a mature Cedar, acacia, maple, holly and sycamore. The Survey shows that all of these are worthy of retention as are others along this frontage. Some management is needed and those trees to be removed are those of poor quality and in poor condition. The works in and around the house would not affect the trees to be retained provided appropriate root protection measures are introduced. The remainder of the site would be enhanced through new planting.

A Design and Access Statement explains the setting of the site and how the design, layout and appearance of the new buildings have been arrived at.

A Heritage Impact Assessment has been submitted and this describes the history of the site and provides a detailed architectural description of each of the rooms. The report confirms that there were service quarters in the south west corner of the site. The House stood in grounds that extended parallel to the road extending further to the east with its access further to the east – hence explaining why the main front elevation of the house now faces away from the road. The land to the north of the application site was an orchard but was physically distinct and separate from the House and its gardens. Much of the orchard has now been developed but the remainder of the site is now the paddock land as seen today. However the Report makes it clear that historically there was no connection between the House and the land – it only becoming linked probably when the Society acquired the site and the remaining orchard land. The Assessment concludes that the works to the House itself are not harmful and actually enhance the heritage significance by bringing the property back into use as a single dwelling – the preferred use. In respect of the new range to the south west then this would not significantly affect the setting of the house and also enable a re-instatement of the historic built form. The bungalow development to the north however will impact on the setting of the Listed Building. But the assessment points out that the setting has already been “severely compromised” with original gardens to the House lost and redeveloped such that the linear form running parallel to the road has been lost; the former orchard and gardens being historically distinct and physically separated and because the north elevation of the House is in fact not the principal elevation. The impact of the development on the present setting is thus limited. In terms of the impact on the Conservation Area then again harm is considered to be limited.

A Planning Statement brings all of these matters together arguing that there should be no objection in principle because of the sites location inside the town's development boundary and it being sustainable development. With no harm arising from highway, ecological or drainage impacts the main consideration revolves around heritage impacts. The Statement draws on the Heritage Assessment to conclude that any impacts would be outweighed by the greater public benefit in bringing the house back into its preferred and original use as a single dwelling.

The applicant also draws attention to a public exhibition which was held in September.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW5 (Split of Housing Numbers), NW6 (Affordable Housing Provision), NW10 (Development Considerations), NW12 (Quality of Development) and NW14 (Historic Environment)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV4 (Trees and Hedgerows); ENV12 (urban Design), ENV13 (Building Design), ENV14 (Access Design), ENV15 (Conservation), ENV16 (Listed Buildings) and TPT6 (Vehicle Parking)

Other Material Planning Considerations

The National Planning Policy Framework 2012 – (the “NPPF”)

The National Planning Practice Guidance 2014

The Coleshill Conservation Area Designation Report 1969

Observations

The site is wholly inside the development boundary for Coleshill as defined by the Core Strategy and thus there is no objection in principle here. The town is allocated for a minimum of 275 new dwellings in the plan period and the emerging Local Plan does not alter the significance of the town as a location for new housing. The development is thus sustainable development and the presumption is therefore one of support unless material planning considerations indicate otherwise.

Members will be aware that such considerations revolve around looking at the impact of the proposals on a range of matters. The next report will explore these – highway, drainage, arboricultural and ecological impacts. The effect on the residential amenity of the adjoining householders will also need to be examined. However as Members are aware from this report it is likely that the two most significant issues that they should look at are the impact on the heritage assets (the Listed Building and the Conservation Area) as well the quality of the design and appearance of the proposed new dwellings.

In this regard the recommendation below is that the Board visits the site in order to better understand its setting prior to making a determination.

Recommendation

That the Board visits the site

BACKGROUND PAPERS

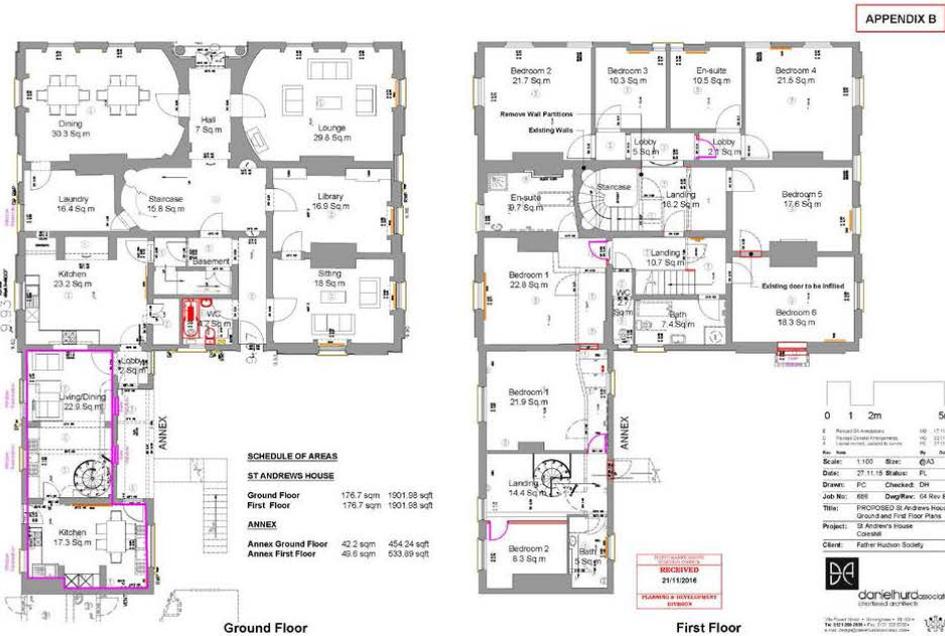
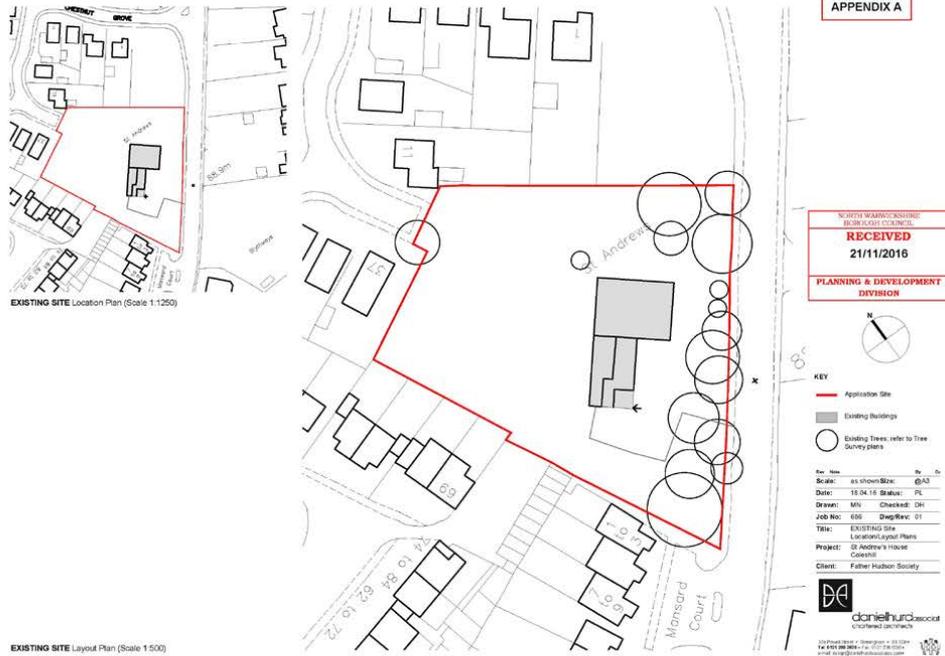
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2016/0659

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	21/11/16

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A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



5/233

4/130



South Elevation



West Elevation

RECORDED
20110810
PLANS & ARCHITECTURAL
SECTION

NO.	DATE	BY	REVISION
1	11/11/2010	DC	ISSUED FOR PERMITS
2	01/11/2011	DC	REVISIONS



North Elevation

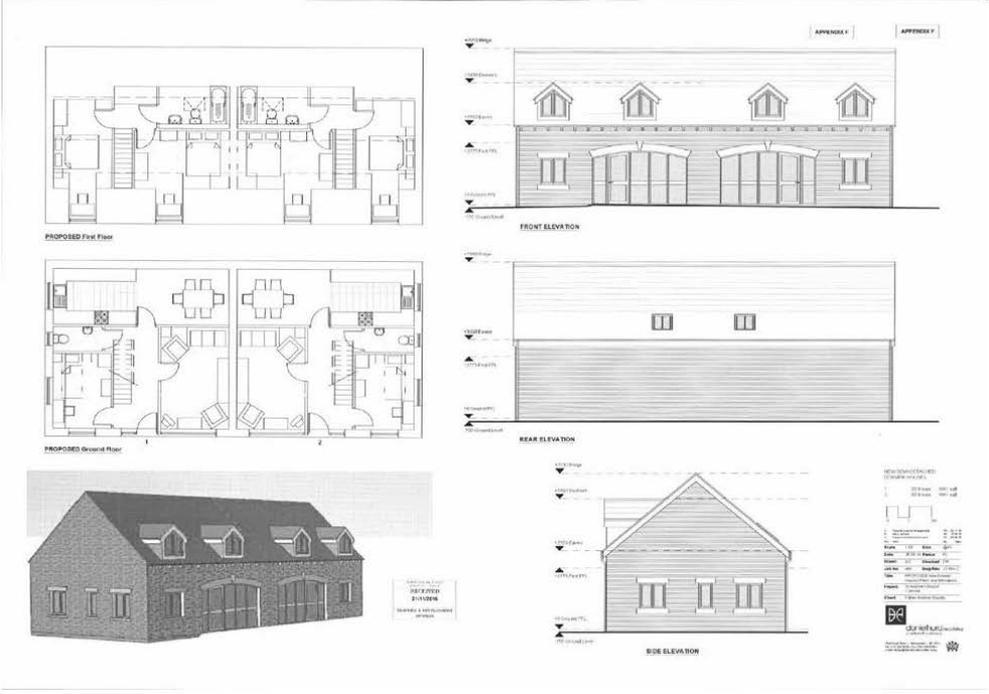


East Elevation

RECORDED
20110810
PLANS & ARCHITECTURAL
SECTION

NO.	DATE	BY	REVISION
1	11/11/2010	DC	ISSUED FOR PERMITS
2	01/11/2011	DC	REVISIONS





5/235

4/132



RECORDED
 21/11/2016
 PLANNING & DEVELOPMENT
 SERVICES

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 Job No: 056 Drawn/Rev: 1/0
 Title: PROPOSED Contort Gardens
 Project: St Andrew's House
 Council:
 Client: Father Hudson Society



PAP/2016/0659

St Andrews House, Coleshill

Member Site Visit – Saturday 4th February 2017 at 1045

Present: Councillors Bell, L and N Dirveiks, Hayfield, Henney, Humphries, Jenns, Jones, Reilly, and Simpson with J Jowitt (Agent for the applicant) and J Brown

1. Members were shown the proposed plans and layout. The main house and its “wing” were noted as well as the buildings to be demolished.
2. Members were shown a historic plan outlining the position of the house and its original curtilage. The position of the former coach house was seen on the plan.
3. Whilst at the front of the house Members noted the access; the tree lined frontage, the location of the proposed two semi detached houses and the side gable of the properties to the west.
4. They then proceeded to walk around St Andrews House. They saw the main front elevation noting its aspect. The position of new windows was outlined in the northern elevation.
5. Whilst here Members saw the open land to the north noting the position of surrounding houses and their rear gardens. The position of the new access off Chestnut Grove was noted. The position of the new boundary feature dividing the house from the new build area was noted. In particular Members noted the slope towards the north and the nature of the proposed layout.
6. Members then went inside the house and were able to look at the main ground floor circulation space as well as the original kitchen. The room layout was explained as well as the position of the cellar and the staircases.
7. Members left the site at around 1110.

(7) Application No: PAP/2016/0709

Land East of 68, Vicarage Lane, Water Orton,

Relocation of Rugby club, new clubhouse with clubroom and changing facilities, playing pitches for Senior and Junior Rugby with flood lighting to one pitch and associated parking for cars and coaches with access road, for

Old Saltleians Rugby Football Club

Introduction

This application was reported to the March Board but a determination was deferred in order to enable Members to visit both the existing club premises as well as the proposed new site. This visit has now taken place and a note of this is attached at Appendix A.

A copy of the previous report is at Appendix B.

Additional Information

At the March meeting it was reported that further archaeological work had been requested by the Warwick Museum prior to a decision being taken on the application.

The deferment has enabled arrangements for this work to be discussed. However due to getting agreement of land owners and that of HS2 to the additional work, there has been a delay in commencing this work. It is unlikely to be completed before the end of May.

There was some concern expressed at the last meeting that Gypsy Lane should be widened over its entire length rather than having just three passing places as proposed.

This was discussed again with the Highway Authority who says that traffic generation from the proposed use does not warrant such work and thus it is not proportionate to the proposal. In light of this conclusion it is not recommended that this issue be pursued further.

Additionally it is confirmed on the proposed layout plan that the existing gated access into the site from Vicarage Lane will be closed but that the area in front will be left as an informal passing place on that lane.

Observations

The overall "planning" approach to this proposal remains as set out the previous report. It is considered that in order to provide some clarity for the applicant, the Board should consider this application in principle and the recommendation set out below is thus made.

Recommendation

That, subject to there being no objection from the Warwick Museum arising from the additional archaeological work to be undertaken, planning permission be **GRANTED** subject to the conditions as set out in Appendix A together with others that might be recommended by the Museum.

In the event of an objection from the Museum, then the matter is referred back to the Board.

BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0709

Background Paper No	Author	Nature of Background Paper	Date
1	Head of Development Control	Letter	4/4/17
2	Head of Development Control	Letter	5/4/17
3	Applicant	E-mail	19/4/17
4	Applicant	E-mail	19/4/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

PAP/2016/0709

Old Salteians FRC

Site Visit – 27th April 2017 at 1730

Present: Councillors L and N Dirveiks, Jenns, Lea, Simpson and Sweet together with two representatives from the Club and J Brown

1. Members met at the existing club premises off Gilson Road. Here they were shown the existing club house (both external and internal); the layout of the pitches and how they are used, the flood lit pitch and the lighting columns.
2. Whilst inside the building the proposed plans were displayed.
3. Cllr Lea left at this point.
4. Members then drove to the proposed site for the re-location. The group went along Gypsy Lane where the location of the passing places was identified together with looking at the site of pitch number 3. The general setting of the site was seen together with the location of the housing in Coleshill Road.
5. Members then went to the junction of Gypsy Lane and the Coleshill Road where they could see the proposed access arrangement with the benefit of the plans. The reasons for the arrangement as proposed were explained. Members then were able to look over the site. The position of existing trees was noted and the general location of the club house; the car parking areas and the line of the HS2 embankment were pointed out. Members were shown the location of the pitch running alongside the road; the nature of the hedgerow here, the location of the ball fence and the location of the houses on the other side of the road.
6. From here the Members walked up to the junction with Vicarage Lane. Here they were shown the proposed road improvements. Members entered the site and were shown the location of the proposed flood lit pitch; the general layout including the location of the clubhouse and the ecological reserved area. The line of the HS2 embankment was also pointed out.
7. Members left the site at around 1830.

(8) Application No: PAP/2016/0709

Land East of 68, Vicarage Lane, Water Orton,

Relocation of Rugby club, new clubhouse with clubroom and changing facilities, playing pitches for Senior and Junior Rugby with flood lighting to one pitch and associated parking for cars and coaches with access road, for

Old Saltleians Rugby Football Club

Introduction

This application is reported to the Board at the discretion of the Head of Development Control as the reason for the proposal is directly related to the HS2 project.

The Site

This is almost 12 hectares of agricultural, rough pasture and scrub land to the south of Vicarage Lane in Water Orton extending from number 68 to the west up to the Coleshill Road to the east. It also includes land to the east of Gypsy Lane between that lane and the M42 Motorway to the east. There is presently open land to the south before the M42/M6 link is reached.

There are strong hedgerows with individual hedgerow trees surrounding the site at present along the northern boundary with Vicarage Lane; the western boundary of the Coleshill Road and to the east of Gypsy Lane. There is residential property on the other side of the Coleshill Road and around the junction with Vicarage Lane. There is open agricultural land to the west of Gypsy Lane. To the north of Vicarage Lane there is the Water Orton Tennis Club.

Vicarage Lane is a narrow single carriageway road here with no footpaths. Coleshill Road is effectively a cul-de-sac following completion of the motorway works.

The site is illustrated at Appendix A

The Proposals

The line of the HS2 rail line will pass through the existing playing fields and facilities of this Rugby Club at its present location between the M42 Motorway and the A446 Lichfield Road just north of Gilson. The proposal is to effectively re-locate the club's premises to the site at Vicarage Lane.

The line of HS2 also affects the application site as its southern boundary would become the embankment for the railway line.

The proposed access into the site would be from an improved arrangement at the southern end of the Coleshill Road. The geometry of the junction with Gypsy Lane would also need to be adjusted as a consequence. Two passing places are to be provided within the highway limits of Gypsy Lane. From the new junction there would be access to the new clubhouse on the main portion of the application site set at its southern end quite close to the rail embankment. The main car park would be around the club house and along the access road where there would be coach parking

available. Two senior pitches would be located on the main section of the site – one between the clubhouse and the Coleshill Road and the second to the north between the clubhouse and Vicarage Lane. Three junior pitches would be located towards the western end of the site. A third senior pitch would be provided in the salient of the application site between Gypsy Lane and the M42 embankments.

Extensive wildlife and landscaping is proposed. In particular much of the land to the south of the site and to the west of the proposed club house, which is currently scrub land, is to specifically set aside as a nature area in which great crested newts are to re-located. Additionally the excess land in the salient off Gypsy Lane is to be planted and set aside as a nature area, as it effectively cannot be used in connection with the proposed facilities.

An eight metre tall ball fence is to be located inside the southern hedgerow along part of the Vicarage Lane boundary and this would extend along the western side of the Coleshill Road.

The pitch south of Vicarage Lane would be flood lit - eight 16 metre tall columns with four lights on each side of the pitch.

There would be occasional team shelters dotted alongside the pitches.

The clubhouse would amount to some 960 square metres in footprint. It would be single storey with heating and water equipment in the roof space. Because of the width of the building however it would appear as a two storey building - 8 metres to its ridge line. It would face Coleshill Road. Accommodation includes a number of changing rooms; storage areas, first aid room, a club room and kitchen/bar. Around two thirds of the floor area would be used for changing/player facilities. It would be constructed in red facing brickwork with lighter brick string courses and dark grey interlocking tiles. The car parking areas around the clubhouse would also be lit.

Surface water drainage would be connected via existing and proposed ponds to drain to the south where HS2 will be providing a large balancing pond as part of its own engineering works. Foul drainage will require a pumping station to connect to existing sewers to the north of the site.

In total some 170 car parking spaces are provided with three coach spaces.

The proposed site layout is illustrated at Appendix B.

Members will be aware that the area covered by the proposed pitch 3 is required as part of the HS2 works and thus in terms of phasing this will only come into use at a much later date than the main site.

A significant amount of supporting documentation is also submitted with the application.

A Design and Access Statement provides the applicant's description of the site; its setting and how this has influenced the layout of the site and the appearance of the club house.

A Transport Statement indicates that trip generation figures have been taken from the existing facility at Gilson and factors included to increase this if several matches are taking place. It concludes that access arrangements can be proposed that would enable use of the site whilst having very limited impact on the overall local highway network.

Thus there would not be any “severe” impacts in terms of the NPPF.

A Ground Investigation Survey indicates that there would be a low risk from contamination apart from one area which would require specific treatment.

An Ecology survey concludes that the site is of low ecological value. However there are a number of ponds across the site and Great Crested Newts are present. Bats also were found to be roosting in hedgerow trees. Enhancements across the site would be valuable.

An External Lighting Statement and associated plans assess the impacts of the proposed lighting schemes.

A Sustainability and Ventilation and Heating report explains how energy is to be conserved in the building.

Representations

Water Orton Parish Council – No response has been received

Six letters of objection have been received referring to:

- The Club should not use any consent in order to gain further development on the site
- The loss of view from houses
- The site is inappropriate being in a residential area
- It is not “like-for-like” being for a leisure centre
- Not a local community facility
- Foul drainage details are missing
- The fence is too high and intrusive close to residential property
- The fence will require removal of trees
- The fence will “trap” bats
- The access arrangements may attract Travellers
- Gypsy Lane is single carriageway only unsuitable for extra traffic
- Gypsy Lane should be the main point of access not Coleshill Road
- Noise from the club house due to late night drinking and activity
- Flood lights will cause unneeded light pollution
- The main pitch is closest to residential property creating noise
- Pedestrian access from Vicarage Lane is not included
- Construction traffic difficulties
- Not enough car parking provision thus leading to on-street parking
- Little information has been submitted about other functions in the club house
- Little information about other uses of the site – e.g. caravan rallies

- Traffic impacts have not been thoroughly thought through.
- The development is over-bearing and too large
- The design is not in keeping

Coleshill Civic Society – Unequivocal support for the proposal.

One letter of support has been received but queries the access location.

One letter of representation expresses concern about construction traffic which should use Gypsy Lane.

The Applicant's Response

The applicant's attention was drawn to the detail of the representations received and a response was received. This is at Appendix C.

In particular this:

- Amends the length of ball-netting around the site's perimeter, removing its length from the junior pitches along Vicarage Lane; adjacent to 68 Vicarage Lane and from the mini-pitch alongside Vicarage Lane.
- Confirms that the fencing facing Coleshill Road will be located inside the site behind the existing hedgerow
- Confirms closure of the gated access adjacent to 68 Vicarage Lane.

Consultations

Warwickshire County Council as Highway Authority – Originally submitted an objection on a number of detailed matters but amended plans and additional detail has led to the withdrawal of that objection and a response of no objection subject to conditions.

Warwickshire County Council as Lead Local Flood Authority – Originally submitted an objection due to lack of detail, but since the receipt of further information there is now no objection subject to a condition.

Warwickshire County Council (Footpaths) – No objection.

Warwickshire Fire Services – No objection.

Warwickshire Police - No objection.

Severn Trent Water Ltd – No objection.

Environmental Health Officer – No objection.

HS2 Ltd – No objection.

Natural England – No objection.

Warwickshire Wildlife Trust – No objection.

Highways England – No objection.

Warwickshire Museum – It originally objected due to the lack of information but further archaeological survey work has been undertaken resulting in archaeological features being found. The Museum's response will be reported at the meeting.

Sport England - No objection.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW3 (Green Belt), NW10 (Development Considerations), NW12 (Quality of Development), NW13 (Natural Environment), NW15 (Nature Conservation) and NW16 (Green Infrastructure).

Other Material Planning Considerations

The National Planning Policy Framework 2012 – (the "NPPF")

The High Speed Rail (London – West Midlands) Act 2017

Observations

a) Appropriate or Not Appropriate Development in the Green Belt

The site is in the Green Belt. The change of use of land here is not appropriate development and thus there is a presumption of refusal because inappropriate development is harmful to the Green Belt by definition. The construction of new buildings too is not appropriate development in the Green Belt, but in this case, the NPPF defines six exceptions to this. One of these is relevant here and that is where the buildings are considered to be "appropriate provision for outdoor sport and recreation".

As such the proposed buildings and structures here may well be appropriate development. However this is subject to two conditions – firstly whether the development preserves the openness of the Green Belt and secondly whether there is any conflict with the purposes of including land within the Green Belt.

In this case the site is open with no buildings. The proposal would introduce a new building; several flood lights, netting, posts and car parking. Openness would thus be lost. This would have a substantial impact on openness because of the scale of the building; its location within the site and the additional associated structures throughout the whole site. However the site itself is surrounded by existing development and the HS2 embankment would be significant in its height to the south. It is therefore to some degree self-contained. This is considered to mitigate the proposed impact of the development on openness from substantial to significant. In terms of the five purposes of including land within the Green Belt then there would be encroachment into countryside as the present site is open countryside and so there would be significant conflict.

Overall therefore the proposed change of use here is not appropriate development in the Green Belt and this is also the case in respect of the construction of buildings. As a consequence there is "de facto" harm here. It is also considered that the use and the buildings together cause actual significant harm to the openness of the Green Belt and to the purpose of safeguarding the countryside as one of the five purposes of including land within the Green Belt. There is thus significant Green Belt harm caused here.

b) Other Harm

In terms of assessing other harm then there are a number of potential impacts to look at.

It is considered that there would be limited harm to the character of the landscape here given the setting of the site at present with the Motorway embankments, the edge of settlement location and indeed when the HS2 embankment is constructed. It was concluded above that in these circumstances the site is self-contained and thus any change to the general character of the landscape here is considered to be limited.

However there would be harm to visual amenity. This is because the site and the proposals would be directly visible from a number of surrounding property occupiers as well as by drivers and pedestrians. This impact is considered to be significant because of the change in the character of the outlook and because of the nature of the built development – not only the club house but also the peripheral ball netting; the playing structures and the lighting columns and actual lighting of part of the site. Whilst it is understood that the lighting would not be a permanent feature it still is part of a larger proposal that affects visual amenity.

There are no on-site or nearby heritage assets that would be harmed.

The proposals are considered to enhance the ecological and bio-diversity value of the whole site. This is because of the substantial area of land specifically set aside for the re-location of newts – both from the existing site and as a consequence of the construction of the HS2 line in the vicinity – and additionally because the land around the periphery of the site that cannot be reasonably used for playing is to be planted and enhanced. The HS2 balancing pond too could be seen as an enhancement.

There is no objection from the Highway Authority subject to conditions. This results from the involvement of that Authority from the start of the process in the design of the access arrangements and it seeking further detail and in the provision of mitigation measures. Because of the comments made by local residents on this matter the full response from the Highway Authority is attached at Appendix D. It can be seen here that amended plans now include improvements to the existing footway in Coleshill Road and a link to the footpath on the opposite side of Vicarage Lane, and retention of the pedestrian gate at the north-west side. Significantly there is no objection in principle to the site being used; to highway capacity issues or for the need of off-site highway mitigation measures. The issue of car parking has been raised, but here there are more spaces available than at the existing site and there is space available on-site for overflow car parking. As a consequence of all of these matters, any adverse highway impacts would not cause “severe” harm, which Members will know is the test set out in the NPPF for development proposals to be refused planning permission on highway grounds. Highway harm is thus considered overall to be limited in impact.

The County Council as Lead Local Flood Authority also raises no objection subject to conditions.

The Environmental Health Officer is satisfied that any contamination issues can be properly dealt with. There is thus no harm here.

There are two impacts that need to be considered further – noise and lighting.

In respect of the former the noise is most likely from two sources – the pitches themselves and from activity associated with the club house. In respect of the former it is noteworthy that the Environmental Health Officer has not raised a concern or indeed requested further detailed study by an outside noise specialist. This is largely due to the nature of the noise; its temporary and irregular occurrence outside of what is normally considered to be “quiet” periods and the higher than normal ambient noise levels. Mitigation measures can be introduced through planning conditions restricting periods of play to certain hours; a restriction on public address systems and forward notification of any large tournaments or events. Again the Environmental Health Officer has raised no objection to the second matter. Members will be aware that the Licensing legislation will govern some of the matters here and that the Council acting as Local Planning Authority can only deal with amenity issues. These can be dealt with by planning condition - hours of use of the club house; acoustic glazing and ventilation fitted and controls over the use of outside spaces. It is agreed that the site of this replacement site is different in character to the Club's existing location being much closer to residential property. The Club too has to recognise this different setting and this should expect a greater degree of control over activity in and around the club house. In all of these respects, given the nature of the noise sources and the mitigation measures that can be introduced, it is concluded that adverse harm arising from noise would be moderate in this instance.

In respect of lighting, then this will cause harm. The issue is what degree of harm is to be caused. It has to be at least moderate harm because of the introduction of artificial lighting into the current setting; its location where there are residential properties overlooking the site and where the level of lighting is going to be greater than that normally associated with a residential area. However there is general sky glow here as a consequence of the nearby urban area and Motorways. In all of these respects the Environmental Health Officer has not objected and mitigation measures should be put in place. These measures will be to limit the extent of the lighting on site in terms of location; intensity and hours of use. These control measures would retain the level of harm here to moderate harm.

c) The Harm Side of the Planning Balance

In terms of the “harm” side of the planning balance then it is concluded that there would be significant Green Belt harm; significant visual harm, moderate noise and lighting harm with limited highway harm and no drainage, heritage or contamination harm. There would be bio-diversity benefits.

d) The Applicant's Planning Considerations

The applicant has put forward a number of planning considerations which he considers are of sufficient weight together to constitute the very special circumstances necessary to clearly outweigh the total harm caused by the proposals.

The first of these is that the application is a direct consequence of the HS2 proposals. These have been clearly outside of the applicant's control but they will now directly force a re-location of the club's facilities as a consequence of the recent Royal Assent.

This is a national infrastructure project and thus should be given substantial weight in the planning process.

The second is that the Club has undertaken a full search of alternative sites. Eleven were selected but nine were the subject of further detailed analysis- these are shown at Appendix E. Several of these are in the Green Belt too. A significant consideration in the selection process was the proximity to the existing “player” base and the local connections particularly with schools.

The third consideration is that the present site is already in a Green Belt location and the whole of its existing premises are lawfully there through the grant of planning permissions. The applicant argues that the Authority has thus accepted that the use and associated buildings are appropriate in principle within a Green Belt location.

The fourth consideration is that the replacement facility is “like-for-like”. Whilst the opportunity has been taken to upgrade facilities in terms of appropriate and relevant legislation and the need to meet the sport’s own Governing Body specifications, there has been no enhancement of non-playing facilities or activities. In this respect the proposed development is “appropriate provision for outdoor sport”. The scale and scope of that provision is directly related to the club and its present level of activity.

The fifth consideration is that the NPPF clearly makes it explicit, that one of the beneficial uses of the Green Belt is the provision of opportunities for outdoor sport and recreation. This proposal would satisfy that opportunity.

The sixth consideration is the NPPF guidance to increase access to and opportunities for promoting healthier communities through high quality provision.

It is considered that together, these considerations carry significant weight.

e) The Planning Balance

The central issue in this balance is to assess whether the weight of the applicant’s case clearly outweighs the total harm caused by his proposals such that they would amount to the very special circumstances necessary to support the development. It can be seen from the outline above that the cumulative degree of harm here is significant and also that the considerations put forward by the applicant also carry significant weight. In these circumstances there is not the “clear” gap between harm and benefit to conclude that the harm caused here clearly outweighs the benefit to warrant refusal. In these circumstances the recommendation below is one of support.

Recommendation

That subject to there being No Objection from the Warwickshire Museum, planning permission be **GRANTED** subject to the following conditions and any others that might be recommended by the Museum.

- 1) Standard Three Year condition
- 2) Standard Plan numbers – plan numbers 1569/04F; 2016/071/101C, 104, 105, 106, 107, 108, 5974/021C, 025A, 024A, 022A, 023A, 16128/E/1000/P3 and 1001/P2.

Defining Conditions

- 3) The application site shall not be used for any purpose whatsoever other than for the playing of Rugby Union Football including its coaching and training. For the avoidance of doubt this shall not include any activity, use or function that is not ancillary to the Club's purpose such as weddings, auctions, sales and hospitality events.

REASON

In recognition of the residential setting of the site.

- 4) Notwithstanding the provisions of Class B of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, there shall be no temporary use of the land within the application site whatsoever. For the avoidance of doubt this includes car boot sales and caravan rallies.

REASON

In recognition of the residential setting of the site.

Pre-commencement conditions

- 5) No development shall commence on site until full details of the provision of the access; car parking, manoeuvring and service areas and the emergency access for pitch number 3 and the tractor track between the main site and pitch 3, including surfacing, drainage and levels have first been submitted to and approved in writing by the Local Planning Authority. The site shall then only be laid out and constructed in full accordance with the approved details.

REASON

In the interests of highway safety

- 6) No development shall commence on site until a Construction Traffic Management Plan has first been submitted to and approved in writing by the Local Planning Authority. It shall include matters covering all construction traffic movements including abnormal loads and concrete pours and specifically cover:
 - a) Routing of construction traffic movements including the nature and numbers of all vehicles
 - b) Scheduling and timing of movements
 - c) The management of junctions and crossings of the public highway and other rights of way
 - d) Details of escorts for abnormal loads
 - e) Temporary Warning Signs
 - f) Temporary Removal and replacement of highway infrastructure

- g) Reinstatement of any signs, verges and other displaced items
- h) Details of site access and banksmen/escorts
- i) Details of the contacts for the site manager

The approved plan shall remain in force at all times until withdrawn by the Local Planning Authority in writing.

REASON

In the interests of highway safety.

- 7. No development shall commence on site until full details of a Construction Management Plan have first been submitted to and approved in writing by the Local Planning Authority. This shall include:
 - a) Details of dust suppression measures both on and off-site
 - b) Details of measures to clean the adjoining highways of mud and other extraneous material and deposits
 - c) Hours of working
 - d) Details of the location and any subsequent movement of the site compound together with the necessary turning areas
 - e) Details of the phasing of the development
 - f) Contact details of a site manager

The approved plan shall remain in force at all times until withdrawn in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the local residential population.

- 8. No development shall commence until full landscaping details have been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site

REASON

In the interests of the visual amenities of the area

9. No development shall commence on site until full details of all of the facing, roofing and surfacing materials to be used have first been submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall then be used on site.

REASON

In the interests of the visual amenities of the area

10. No development shall commence on site until detailed surface and foul water drainage schemes for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site.

REASON

In the interests of reducing the risk of flooding and pollution.

11. No development shall commence on site until a detailed flood modelling exercise has been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of reducing the risk of flooding

12. No development shall commence on the construction of the clubhouse hereby approved until full details of acoustically treated glazing to be incorporated into all windows and doors have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be installed

REASON

In the interests of reducing noise pollution.

13. No development shall commence on site until full details of a scheme for the provision of adequate water supplies and fire hydrants necessary for fire-fighting purposes on site have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be implemented on site.

REASON

In the interests of public safety

14.No development shall commence on site until full details of the lighting specification for all onsite external lighting has first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be installed on site.

REASON

In the interests of the residential amenities of the area

15.No development shall commence on site until full details of the ball netting specification has first been submitted to and approved in writing by the Local Planning Authority. Only the approved specification shall then be installed on site.

REASON

In the interests of the residential amenities of the area.

16.No development shall commence on site until full details of the location and construction of on-site overflow car parking areas have first been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of highway safety

17.No development shall commence on site until full details of the measures to protect existing trees and hedgerows during construction have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be installed on site and these shall remain until their removal is authorised in writing by the Local Planning Authority.

REASON

In the interests of the visual and natural amenity of the area.

Pre-occupation Conditions

18.The development hereby approved shall not be used for any purpose whatsoever until three passing places along Gypsy Lane have been laid out, constructed and completed to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety

19. The development hereby approved shall not be used for any purpose whatsoever until the footway extension between the existing footways on the western side of Coleshill Road either side of Vicarage Lane has been constructed and completed to the written satisfaction of the Local Planning Authority

REASON

In the interests of highway safety

20. The development hereby approved shall not be used for any purpose whatsoever until the existing footway fronting the site along Coleshill Road has been upgraded, resurfaced and completed to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety

21. The development hereby approved shall not be used for any purpose whatsoever until the junction improvements at Coleshill Road/Gypsy Lane as shown on the approved plan have first been completed in full to the written satisfaction of the Local Planning Authority

REASON

In the interests of highway safety

22. The development hereby approved shall not be used for any purpose whatsoever until the existing access to the site from Vicarage Lane located in the north-west corner of the site, has been altered to a pedestrian only access and hard surfaced in front of the gate .

REASON

In the interests of highway safety.

23. The development hereby approved shall not be used for any purpose whatsoever until visibility splays have been provided to the vehicular and pedestrian accesses to the site measuring 2.4 metres by 43 metres as measured from the near edge of the public highway carriageway. These splays shall be maintained free of any obstruction at all times.

REASON

In the interests of highway safety

24. There shall be no use whatsoever of the development hereby approved until the whole of the car parking, access and turning areas for all of the car and coach parks including the overflow car park have first been completed and made available to the written satisfaction of the Local Planning Authority

REASON

In the interests of highway safety.

25. There shall be no use whatsoever made of the development hereby approved until the whole of the ecology area in the south-west corner of the site has been completed to the written satisfaction of the Local Planning Authority.

REASON

In the interests of enhancing bio-diversity in the area

Controlling Conditions

26. No gates located within any vehicular access into the site shall be hung so as to open into the road

REASON

In the interests of highway safety

27. There shall be no use of any of the playing and training pitches before 0900 hours and after 2200 hours on any day.

REASON

In recognition of the residential setting of the site and to reduce the risk of noise emissions

28. The lights around pitch 2 shall only be used on Tuesday, Wednesday, Thursday and Fridays evenings between 1800 and 2200 hours during the period commencing 1 September and ending on 30 April.

REASON

In recognition of the residential setting of the site and in the interests of the residential amenity of neighbouring occupiers.

29. The clubhouse hereby approved shall only be open between 0600 and 2300 hours on Mondays to Fridays inclusive; 1100 and 2300 hours on Saturdays and between 1000 and 1500 hours on Sundays.

REASON

In recognition of the residential setting of the site.

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Notes

1. The Local Planning Authority has met the requirements of the National Planning Policy Framework in this case through a series of pre-application meetings; seeking amended plans as a direct consequence of consultation responses in order to overcome technical issues and seeking additional assessment reports as a consequence of representations received.
2. The details required under condition (10) above shall include the findings from infiltration testing in accordance with BRE 365 guidance and demonstration of the suitability of the use of infiltration SUDS; demonstration of compliance with CIRIA C753, evidence that the discharge rate generated by rainfall events up to and including the 100 year plus 40% critical rain storm has been limited to the QBAR runoff rates for all return periods, demonstration through design in support of any surface water drainage scheme including any attenuation and outfall arrangements including calculations, evidence from STW for approval to discharge foul water to its assets, demonstration of the proposed allowance for exceedance flow and associated overland flow routing and a Maintenance Plan giving details on how the entire surface water and foul water systems are to be maintained and managed after completion in perpetuity.
3. The details required under condition (11) shall include an assessment of the 1 in 5, 20, 30, 75, 100 and 1000 year return period events including for depth and hazard ratings; an assessment of the impact of blockage on the downstream culvert and proposed SUDS drainage outfalls and climate change assessments in line with EA guidance.
4. The lighting specification details required by condition (14) shall include details of all lighting sources; their design and location together with full details of the levels of lighting for the playing field, the car park areas and external lighting fixed to the walls or roof of the club house. This shall include details of the specification of the light sources, the angle that light sources are set and luminance contours showing the light levels at ground level.
5. Condition (15) shall include details of design, height, colour and location of the netting and its supporting structure.
6. The playing fields shall be constructed in line with IOG pitch standards and RFU Guidance Note 2.
7. The changing rooms shall only be constructed in accordance with RFU guidance Note 5.

8. The applicant is advised that the site falls within land that may be required to construct and/or operate Phase One of a high speed rail line between London and the West Midlands, known as High Speed Two. Powers to construct and operate HS2 are to be sought by promoting a hybrid Bill which was deposited in Parliament on 25th November 2013 and which received Royal Assent in February 2017.
9. The use or reuse of sewer connections either direct or indirect to the public sewerage system will require formal application to Severn Trent Water Ltd under Section 106 of the Water Industry Act 1991.
10. Severn Trent Water advise that there may be sewers that have not been formally adopted within the area. Public sewers have statutory protection and may not be built close to or over without consent. STW can advise.
11. Attention is drawn to Sections 149, 151, 163, 184 and 278 of the Highways Act 1980; the Traffic Management Act 2004, the New Roads and Street Works Act 1991 and all relevant Codes of Practice. Advice can be sought from the highway authority – the Warwickshire County Council

BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0709

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	12/12/16
2	D Cheslin	Objection	17/12/16
3	WCC Rights of Way	Consultation	21/12/16
4	Warwickshire Museum	Consultation	23/12/16
5	Natural England	Consultation	21/12/16
6	R Wild	Objection	22/12/16
7	Environmental Health Officer	Consultation	23/12/16
8	M Shrimpton	Objection	19/12/16
9	S Gallagher	Objection	3/1/17
10	Warwickshire Fire Services	Consultation	22/12/16
11	Severn Trent Water Ltd	Consultation	29/12/16
12	WCC Flooding	Consultation	30/12/16
13	Mr & Mrs Terry	Objection	
14	E Watts	Support	4/1/17
15	Warwickshire Police	Consultation	3/1/17
16	R Bailey	Objection	5/1/17
17	Highways England	Consultation	11/1/17
18	Case Officer	Letter	12/1/17
19	Coleshill Civic Society	Consultation	13/1/17
20	Environmental Health Officer	Consultation	16/1/17
21	HS2 Ltd	Consultation	4/1/17
22	J Warren	Objection	10/1/17
23	L Davies	Representation	13/1/17
24	WCC Highways	Consultation	17/1/17
25	Warwickshire Museum	Consultation	27/1/17
26	Sport England	Consultation	30/1/17
27	Applicant	E-mail	11/1/17
28	Applicant	E-mail	20/2/17
29	Environmental Health Officer	Consultation	20/2017
30	Applicant	E-mail	20 and 21/2/17
31	Applicant	E-mail	27/2/17

32	Applicant	E-mail	28/2/17
33	WCC Highways	Consultation	2/3/17
34	WCC Flooding	Consultation	16/3/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

Proposed Relocation of the Old Salteians Rugby Football Club – Response to queries, issues and concerns raised following the Club's planning application Rev A (14.03.2017)

Traffic and Highways

Referring to WCC Transport and Economy response 02 March 2017:

1. *Road Safety Audit – audit teams responses have been received.*
2. Pedestrian access at the north-west corner of the site adjacent to the junction of Coleshill Road and Vicarage Lane. A satisfactory design has been submitted.
3. Land Ownership Plan 5974 – 026 Rev A has been amended to omit the Highways Transfer. There is no proposal to pursue stopping-up the existing highway. The highway will remain undisturbed. The Club will provide controlled gates, with dropped kerbs, to the individual north and south accesses to the separate parcels of land (lying on each side of the carriageway).
4. The site of the gas regulator station cannot be confirmed. National Grid has not confirmed ownership or an access requirement. The station has been deleted from the revised Land Ownership and Site Layout Plans.

Referring to NWBC's letter of 12th January, 2017, item a). Traffic and Highways:

- The initial six unnumbered points. WCC Transport and Economy letter, referred to above, addresses these issues. The community's concerns are not supported. There is no evidence to support the contention that traffic will increase noise and pollution.
- The bridle way is indicated to meet HS2's requirement to provide public access to an isolated triangle of land, south of the proposed railway embankment and adjacent to the motorway corridor. The bridle way lies outside the Club's proposed boundary and planting screen. No access to the Club's car park is provided.
- No 'Stop' road sign is proposed at the south end of Gypsy Lane. WCC Highways require 'Give way' marking and hatching at this junction.
- WCC confirm the Club's proposed parking provision exceeds what is currently required, on-street parking should not be an issue. The requirement for 'yellow lines' is not supported.
- The gated access adjacent of no. 68 Vicarage Lane will be removed, the access closed with a fence and hedge planting.
- It is acknowledged that there is no pedestrian facility in Vicarage Lane, the Club's relocation proposals do not include work in Vicarage Lane. WCC require the Club to provide a pedestrian access into the relocation site on the north-west corner, at the junction of Vicarage Lane and Coleshill Road, in order to provide a safe crossing point of Vicarage Lane for pedestrians in Coleshill Road. Detail proposals to address WCC Highways objections are the subject of a particular plan: Phil Jones Associates, plan no. 1569 – 04 Rev. E.

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- Fly tipping is a countrywide problem, WCC have recommended the provision of passing places in Gypsy Lane to assist traffic flows. It is not accepted they will increase the risks of fly tipping.
- There are no proposals to remove the passing place in Vicarage Lane.

Car Parking

The amount of car parking is addressed in Warwickshire County Council Transport and Economy letter of 17th January, 2017, page 2, relevant comments are made in paragraphs 5 – 8, which conclude the additional parking provision at the relocation site exceeds that at the existing premises, therefore 'on-street parking should not be an issue'. Provision for coach parking is also approved. The objector's comment that there is an additional pitch at the relocation site is not correct; pitches on the relocation site replace those that will be lost at the current site.

Ball Catch Fencing

The ball fence line in Vicarage Lane has been amended to omit fencing to junior pitches 2 and 3; fencing to junior pitches 1 and 2 along the eastern boundary of no. 68 Vicarage Lane is also omitted; fencing will also be omitted between the recreation ground entrance gate and the junction of Vicarage Lane with Coleshill Road. There is no evidence that the ball fence will trap bats.

Fencing to Coleshill Road, opposite the dwellings will be erected inside the site boundary and be partially obscured by the existing boundary hedge and new tree planting.

A photograph of the proposed ball fencing is attached. It is proposed that ball fencing will be 8 metres high, mounted on steel posts, 8 metres high at 5 metre centres carrying 10 cm x 10 cm polyethylene mesh netting, colour green.

Floodlighting

As demonstrated in the supplementary information from CPW submitted 20.02.2017, floodlighting is proposed to pitch 2 and the adjacent practice area, south of pitch 2. The proposed column heights are confirmed at 16m. The lighting units will utilise the latest high technology luminaires to prevent upward or side pollution (restricted back scatter). The lighting plots illustrate there will be no light overspill or pollution to the neighbouring properties.

Floodlighting hours: during the winter months - Tuesday, Wednesday, Thursday and Friday evenings from 1800 until 2200 hours.

Conventional street lighting is proposed to the site entrance road and carpark.

An illuminated Club signboard is proposed adjacent to the site entrance gates.

Drainage

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Drainage proposals are as indicated on the Nolan Associates Drg No 2016-071-108 Rev P1 submitted 27.02.2017 which indicate a pumped foul drain connection to the sewer at the junction of Coleshill Road and Vicarage Lane.

Ecology

Refer to Ramm Sanderson comments attached. The Club will have an interim responsibility to maintain the ecological habitat for an unspecified short term until HS2 move into the area and take responsibility for maintenance of the wider habitat extending westwards along the north side of the HS2 rail embankment. The habitat is identified on the Site Plan, ref., 5974-021 Rev B.

Noise

The Club maintain there will be no significant increase in traffic noise or pollution after relocation. There will be some noise during match play (80 minutes). Visiting teams, supporters and spectators will generate some additional traffic on Saturday afternoons, between midday and late afternoon. The majority of visitors will access and depart the new site via Lichfield Road A446, Watton Lane, Gilson Road, Gypsy Lane and M42. On Sunday mornings Mini and Youth Rugby will generate more local traffic between 9.00 am and 2.00 pm. It is not possible to calculate potential noise levels.

Design, Appearance and Noise

The schedule of accommodation for the new clubhouse is generally "like-for-like" with the existing premises, but the floor areas of some of the facilities, i.e., changing rooms, toilet accommodation have increased to comply with current legislation and RFU guidelines.

It is not necessary to illustrate the fit-out on the planning application drawings, this level of information will included in the detail development.

The building is purposefully designed to be domestic in scale, the 8m ridge height is similar to that of a 2 storey dwelling and will be well below the horizon of the railway embankment that will be behind it.

The eaves height of the building is single storey and the ridge height is approximately 8m which is little more than a typical 7.5m height of the neighbouring two storey housing. The roof plan illustrates the area within the roof void to be used for the M&E plant which includes heating and ventilation equipment for the building and hot water storage for the changing rooms. There is a comprehensive set of cross sections through the building which illustrate the usable volume is to the centre of the building.

As is normal for planning drawings they are not dimensioned, however they are accurately drawn to a scale 1:100.

As shown on the elevations the gablets to the ends of the gambrel roofs and the eyebrow gablets over the toilets adjacent to the main entrance include louvres in association with the air intake and extraction for the ventilation systems. The stable vents to the ridge are a traditional feature used to disguise modern flue terminals and the like.

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Traditional brick walls and roof tiles have been selected to be in keeping and scale with the neighbouring housing. The brick banding is used to help break down the visual impact of the mass and this will be supplemented with climbing and shrub planting to break up the visual length of the building. The elevations have been coloured to provide an impression whereas the actual selection of material colours will be subject to planning approval.

The noise levels will be designed to the limits laid down in the Building Regulations.

Other matters

Site Security: The majority of visiting players and spectators arrive and depart club premises by car. For general site security access will be restricted to the main site road entrance at the junction of Coleshill Road and Gypsy Lane. The site will have secure post and rail fencing and mature hedge boundaries. Vehicle access through the main site entrance will be securely controlled out of hours; additional secure protection measures will prevent access by unauthorised travellers.

Licensing hours: 10.00 am until 1.00 am the following day, 7 days/week; 365 days/year.

Club opening hours: will remain as for the existing Club premises – Mondays to Fridays 6.00 until 11.00 pm; Saturdays 11.00 am until 11.00 pm; Sundays 10.00 am until 3.00 pm.

Noise by Club Members and Visitors: Currently there is little or no disturbance in late evenings when the Club closes; the Club foresee no difference when the new premises close.

The Events Lawn will be used for players' warm-up sessions, summer barbeques, fetes, childrens' play and as a site for and special events including weddings, etc., operating within strict rules with regard to character and numbers. The Club is currently limited by its licence to a maximum of twelve private hire events in a year.

The Club host members of the Autotrail Club, who visit annually and stay for 4 nights, in late November (to coincide with German Christmas Market in Birmingham). The Autotrail Club party comprises approximately 20 caravans; they park for the duration of their stay, with no movements until they leave. The Club have previously experienced good behaviour with no noise problems. The Club do not privately rent their ground to owners of caravans or camper vans.

The Old Saltleians operate strict rules relating to the management and control of dogs; they must be kept on a lead at all times; the Club operates a clean-up site policy.

There will be no significant changes between proposed and existing ground levels. Floor levels in the Clubhouse will be approximately 150/250 mm above proposed ground levels.

The Club have no proposals with regard to the stables at the rear of 66/68 Vicarage Lane, this site lies outside the boundary of the relocation site.

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Refer to the Nolan Associates Dgr No 2016-071-101 Rev P5 for a preliminary layout of the existing/proposed levels.

The Construction Phasing Programme quoted in the planning application included incorrect dates, the amended programme follows:

Construction Phasing Programme:

- | | |
|----------------------------------|-------------------------|
| 1. Planning Approval Target | May, 2017 |
| 2. Apply for licence to trap GCN | May, 2017 |
| 3. Trapping GCN | July, 2017 |
| 4. Construction start | August, 2017 |
| 5. Construction completion | November/December, 2018 |

An archaeological survey has now been completed and the results will be submitted shortly. These indicate the site to be clear.

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Your ref: PAP/2016/0709
My ref: 160709
Further Information Received: 20 February 2017



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02 March 2017

Dear Mr Brown

PROPOSAL: Relocation of Rugby club, new clubhouse with clubroom and changing facilities, playing pitches for Senior and Junior Rugby with flood lighting to one pitch and associated parking for cars and coaches with access road

LOCATION: Land East of 68 Vicarage Lane, Water Orton

APPLICANT: Mr Julian Harradence

The Highway Authority had the following comments to make in regard to your consultation dated 14 December 2016:

A Road Safety Audit Stage 1 was carried out by TMS. The audit highlighted 3 issues: Pedestrian access, the proposed access junction and the emergency access. A design response has been included in the details, but the response of the audit team to the design team has not. The audit team need to look at the responses of the designer and respond accordingly.

In regard to pedestrian access, another access is available on the north-western side of the site, but does not appear to be shown on the plan looked at by the road safety audit team. The access is currently a field gate access. Visibility looking right (easterly) from the access is obstructed by the existing hedge. If this access is to be used then the audit team should have looked at the access.

The Land Ownership Plan, drawing no. 5974-026 Rev A, shows an area in red highlighted as Highways Transfer. According to our records no application to

*Working for
Warwickshire*

stop-up the highway has been received, but in order to stop-up the highway other issues will need to be addressed as well:

- Only a section of the highway extent is to be stopped up. The highway extent continues eastwards beyond the red area shown. Highway cannot be isolated, so all the highway land east of the red area would need to be stopped up.
- It has not been shown that the land highlighted in red is in the control of the applicant. The ownership of land when stopped-up goes back to the original title holder. That may not be the applicant or the owner of the land around the application site. It needs to be shown that the land can be used by the applicant.
- Stopping-up the highway will require consultation with the Highway Authority and the public. It has not been shown that the Highway Authority will agree to stopping-up the area, and there appears to be local opposition to the relocation of the rugby club, which may slow down or even prevent any stopping-up.

Other concerns have been raised with the planning authority including traffic flows, coaches, tight turns at junctions, dangerous junction, parking, Gypsy Lane is too narrow and no access to the pumping station.

In regard to traffic flows the highways surrounding the site are not heavily trafficked. When games are being played flows will increase by as much as 120 vehicles per hour. There is capacity on the existing highway network to accommodate the extra demand.

A parking survey has been carried out which shows that the proposed parking provision should exceed what is currently required at the existing rugby ground. So, on-street parking should not be an issue.

Three coach parking spaces are to be provided. The applicant does not anticipate the need for any more provision. There will be 3 full sized pitches, so even if all the pitches were being utilised, with 3 different away teams scheduled to play at the site, and all travelling by coach, only 3 coach parking spaces would be required. A standard coach could accommodate 2 rugby teams and a large coach 3 rugby teams. So, it is unlikely that more coach parking will be required.

Obviously coaches are large vehicles which need more room to manoeuvre and to get through junctions. But it has to be remembered that the highway around the site is not heavily trafficked and that large vehicles already use the junctions without known detriment. Refuse vehicles use the surrounding highway every

week and other large vehicles are used to deliver goods in the area, and to maintain the highway. In addition agricultural vehicles are used in the area.

It has also been demonstrated that the junctions around the site will not exceed capacity as a result of the proposed development. In addition, accident history shows that there have been no recorded accidents around the junction of Vicarage Lane and Coleshill Road in over 10 years. And since 1990, when our records began, there have been 3 recorded slight accidents. The junction is not therefore considered dangerous.

Passing points are proposed along Gypsy Lane to increase flow and hopefully prevent the need for reversing when meeting a vehicle travelling in the opposite direction.

A pumping station has been mentioned. Apologies for not knowing the location of a pumping station, but the operator of the pumping station should raise any concerns about access if there are any concerns.

Therefore, the Highway Authority's response to your consultation is one of OBJECTION for the following reasons:

- 1. The Road Safety Audit Team need to respond accordingly to the comments of the design team.*
- 2. The pedestrian access on the north-western side of the site should be reviewed in order to determine the suitability of the access.*
- 3. It has not been shown that the proposed area for stopping-up can be reasonably achieved.*

The Highway Authority has the following comments to make in regard to further information received up until 20 February 2017:

Drawing No. 1569-04 Rev F has been submitted for consideration.

In order to overcome the concerns of the Stage 1 Road Safety Audit further information has been received.

The existing footway alongside the site in Coleshill Road will be improved and a link constructed to the footway on the opposite side of Vicarage Lane, with the necessary visibility splays.

The swept paths of vehicles shown on drawing No. 1569-05 Rev D are considered a suitable spectrum of vehicles likely to visit the site on a regular basis. The drawing shows that the wheels of such vehicles should not need to overrun the footways.

Visibility splays of 43 metres are proposed to the new emergency access, which are suitable for approach speeds of 30mph. No speed data has been submitted with the application, but in mitigation the visibility splays will be improved over what is currently available, the access will be formalised, so vehicles can enter the public highway quicker so there will be less of an obstruction, and the access will be used less than currently. As such, the proposed risk of conflict should be lower than currently.

The applicant has agreed to retain a pedestrian gate to the north-western side of the site to improve pedestrian connectivity. The gate will only be open on game days and for events at the site, but will improve pedestrian connectivity with the site.

The other vehicle access along Vicarage Lane should be closed-off permanently.

The application to stop-up the public highway in the area south-easterly of the vehicular access to the site has been withdrawn. The intention is to leave the land as highway maintainable at public expense.

The proposed passing places may not be able to be constructed as shown because the width of the highway extent may not extend 1.5 metres as shown. However, the space that will be available will allow two vehicles to pass, which is the intention of the passing places.

Therefore, the reasons for objection have been overcome, so the Highway Authority's response is one of no objection subject to the following conditions:

1. Access for vehicles to the site from the public highway (Coleshill Road D417) shall not be made other than at the position identified on the approved drawing, number 1569-04 Revision F, and shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority.
2. Notwithstanding the plans submitted the development shall not be occupied until three passing places along Gypsy Lane have been laid out and constructed within the public highway in accordance with the specification of the Highway Authority.
3. The development shall not be occupied until the proposed footway extension scheme between the existing footways on western side of Coleshill Road either side Vicarage Lane (D406) has been constructed to the satisfaction of the Highway Authority including the necessary visibility splays.
4. The development shall not be occupied until the existing footway fronting the site on Coleshill Road has been upgraded and resurfaced to the satisfaction of the Highway Authority.
5. The development shall not be occupied until the junction improvement works have been completed in accordance with the approved plan and to the satisfaction of the Highway Authority at the junction of Gypsy Lane with Coleshill Road.

6. No development shall commence until full details of the provision of the access, car parking, manoeuvring, service areas, emergency access for Pitch 3 and tractor track between the site and Pitch 3, including surfacing, drainage and levels have been submitted to and approved in writing by the Council. The site shall not be occupied until the areas have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.
7. The emergency access for Pitch 3 and the track between the main site and Pitch 3 shall not be used unless public highway verge crossings have been laid out and constructed in accordance with the standard specification of the Highway Authority.
8. The existing vehicular accesses to the site shall be closed off and the public highway footway and verges reinstated to the satisfaction of the Highway Authority within 1 month of the new access being formed.
9. The development shall not be occupied until the existing access to the site from Vicarage Lane, located in the north-western corner of the site, has been altered to a pedestrian access only including surfacing the access fronting the gate with a bound material within the land Highway Maintainable at Public Expense. The access shall not be closed when games are being played on site or when events are being held at the site.
10. The vehicular accesses to the site shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.
11. Gates located within the accesses to the site shall be hung so as to open into the site only.
12. The development shall not be occupied until visibility splays have been provided to the vehicular accesses to the site, passing through the limits of the site fronting the public highway, with 'x' distances of 2.4 metres and 'y' distances of 43.0 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.
13. The development shall not be occupied until visibility splays have been provided to the pedestrian accesses to the site, passing through the limits of the site fronting the public highway, with 'x' distances of 2.0 metres and 'y' distances of 43.0 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.
14. Glare shall not be created upon the public highway by the lighting sources within the site.

15. The development shall not be commenced until a turning area has been provided within the site so as to enable general site traffic and construction vehicles to leave and re-enter the public highway in a forward gear.

16. The development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.

17. No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Traffic Management Plan (CTMP) shall include all construction traffic including concrete pours and abnormal loads and shall include proposals for the :

- i. Routing of construction traffic (including swept path details where appropriate),
- ii. Scheduling and timing of movements including nature and number of vehicles,
- iii. The management of junctions to and crossings of the public highway and other public rights of way,
- iv. Details of escorts for abnormal loads,
- v. Temporary warning signs,
- vi. Temporary removal and replacement of highway infrastructure/street furniture,
- vii. Reinstatement of any signs, verges or other items displaced by construction traffic,
- viii. Details of the site access and banksman/escort details. The approved Construction Traffic Management Plan including any agreed improvements or works to accommodate construction traffic where required along the route, shall be carried out as approved

Notes:

- a. Condition numbers 1 to 5 require works to be carried out within the limits of the public highway. The applicant / developer must enter into a [Minor] Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should *not* be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

An application to enter into a Section 278 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution.

Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

- b. Condition numbers 7 to 9 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team.

This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice.

Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

- c. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow – so far as is reasonably practicable – from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

- d. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

Yours sincerely

Tony Burrows
Highway Control Engineer

Copy to: Councillor Mrs J Lea, - Water Orton, for information only.

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Old Saltleians Rugby Football Club – Relocation Site Selection Statement

Soon after the publication of the route for the HS2 High Speed Rail Link between London and the West Midlands in 2010, it became obvious that if the project were to be approved and proceed, the Old Saltleians Rugby Club would be forced to consider relocation to a new site.

Plans for the north chord of the HS2 railway link to and from Birmingham and the HS2 main route passing north and south were confirmed to pass through the Club's current site, situated between the A446 Lichfield Road, the B4117 Gilson Road and the B4118 Watton Lane, near to the junction known locally as Jack O' Watton, Water Orton. It was clear that continuing use of the existing clubhouse, car park and playing fields would not be possible.

With due consideration to the published programme for the HS2 Project, the Club recognised the need to quickly identify and locate a suitable site for relocation. The search began in December, 2012 seeking possible sites of approximately 20 acres, located in the wider area covering Castle Bromwich, Coleshill, Curdworth and Water Orton.

The criteria for selecting a suitable site were that it should be situated as specified above, the site should be reasonably close to one of these communities; the area would be of a generally level profile with good vehicular access and available mains services and drainage.

Over a period of four months, between December, 2012 and March, 2013, 11 no. possible sites were identified, visited and inspected with regard to meeting the aforementioned criteria. The sites are listed in the attached schedule.

The sites identified were subsequently visited and inspected, independently by senior club members and rated for suitability. Simultaneously, a senior club member, former player, active within the Club's Mini & Youth section Club, undertook a demographic survey of the identified sites. The survey took account of the significant level of junior membership within the Club. This factor was confirmed to warrant overriding importance. The Club also determined it must maintain access and links with the local community when deciding between the potential relocation sites. In addition partnerships with local schools have been established and needed to be honoured. Importantly, the Club were currently active and complemented other local sports activities in the Village community.

The Club concluded it would be difficult to justify a move beyond Water Orton; it would take time to build new community contacts and school partnerships etc. Inevitably, such a move would have an adverse effect on membership and existing community links. For these reasons the remaining outlying sites were rejected.

Further consideration of the aforementioned factors reduced the possible relocation options to Coleshill Road/Vicarage Lane and Plank Lane/Birmingham Road, both sites are situated in Water Orton.

Continued . . .

relocationsiteselection

The Birmingham Road site physically slopes significantly and would require pitches to be terraced to provide level playing surfaces; floodlighting would require careful consideration due to the proximity of the M6 motorway, the disposition of the site would be more restrictive for development of clubhouse and parking. Finally, following enquiries with the land owner, the site was found to be not for sale.

The Coleshill Road/Vicarage Lane site lies within the HS2 Safeguarding Area, it provides easy access to the Village centre and community, with good transport links to Coleshill and Castle Bromwich. Subsequent discussions and negotiations with HS2 confirmed the site to be viable for relocation.

Julian Harradence

Old Sattleians RFC Development Team

27th February, 2017

relocationsiteselection

Street	OS Grid Ref	Locations		Access Distance to / from the centre of...					Access Distance to School Partners			Bus Route	Notes
		Brief Description	Water Orton	Coleshill	Castle Bromwich	Curdworth	Park Hall	Coleshill	Local Junior				
0	SP189509	Walton Lane, present ground	0.75 miles	1.55 miles	2.47 miles	1.77 miles	1.71 miles	2.57 miles	0.76 miles	150m	95% of youth & 85% adult players live within these 34 three listed communities		
1	SP183906	Coleshill rd / Vicarage Lane / HS2	0.58	1.85	2.43	1.98	1.67	2.91	0.33	360m	Within Water Orton Community, fallow land and water meadow		
2	SP179908	Plank Lane / B'ham Road / Open field	0.37	3.28	1.42	2.39	1.02	4.64	0.58	30m	Between Water Orton and Castle Bromwich Communities		
3	SP178897	Attleborough Lane / Coleshill Manor / M6 / M42 / feeder	2.41	1.79	3.75	2.31	3.57	2.75	2.41	1600m	Water Orton Footpath 104 miles via Attleborough Lane deemed unsafe in darkness, no lighting, uneven ground.		
4	SP179951	Wibhaw Lane, West side, and Kingsbury Canal	2.52	3.75	3.95	0.45	3.52	4.6	0.52	420m	assume access from Wibhaw Lane, commercial agricultural land		
5	SP178935	Wibhaw Lane, East side / Curdworth Tunnel / Baylis's Bridge	2.52	3.75	3.95	0.45	3.52	4.6	0.52	420m	assume access from Wibhaw Lane, commercial agricultural land		
6	SP186925	Marsh Lane Curdworth	1.81	3.04	3.37	0.71	2.49	3.89	0.88	620m	Gas Main runs directly across N/S and High voltage power line across the SE corner		
7	SP208870	Packington Lane Coleshill	3.18	1.63	5.62	5.11	5.48	0.57	0.44	800m	assume access from Packington Lane, commercial grazing land		
8	SP210871	Hawkeswell Lane Coleshill	3.18	1.63	5.62	5.11	5.48	0.52	0.49	800m	access from Hawkeswell Lane, commercial agricultural land		
8A	SP202873	Hawkeswell Lane Coleshill	3.18	1.63	5.62	5.11	5.48	0.45	0.3	460m	access from Hawkeswell Lane, behind Coleshill FC		
9	SP204871	Packington Lane Coleshill	2.78	1.23	5.11	3.6	5.09	0.31	0.15	320m	opposite Coleshill FC, grazing land adjacent to school		
10	SP190921	Newlands Farm Lichfield Road									Not assessed		
11	SP175925	Kingsbury Road Curdworth									Not Assessed		
KEY			>3 miles								Greater than 3 miles is 10+ minutes car travel. Considered by most parents to be too far for club travel distance (4 trips a session)		
			<2 miles								Less than 2 miles is bicycle range for the age group and parents are OK with this or car drop off		
			<1 mile								Less than 1 miles is walking range for the age group and parents are OK with this.		

4/215

4/176

(8) Application No: PAP/2016/0738

Land rear of Ansley United Reform Church, Birmingham Road, Ansley,

Phase 2 development, erection of 15 dwellings, for

Mr A Cartwright - Cartwright Homes

Introduction

This application is reported to the Board for determination at the discretion of the Head of Development Control in view of the recent appeal decision in Ansley and its impact on the considerations affecting this proposal.

The Site

This is a half hectare of pasture land at the northern end of Ansley on the east side of the Birmingham Road behind numbers 53 to 35. There are hedgerows around the boundaries to the north and east where there is open agricultural land. The site is relatively flat.

The site is illustrated at Appendix A.

The Proposals

Planning permission was granted in late 2016 for the erection of 34 houses on land immediately to the south of this site. Access to this estate is from a new point between the Village Hall and the former URC building directly onto Birmingham Road. The current application is described as Phase 2 as it would be an extension of this estate onto the land to the north. Fifteen houses are proposed with all access through the newly permitted site by way of an extension of two proposed cul- de-sacs.

All detached houses are proposed with their appearance matching that of the 2016 permitted site. 200% car parking is proposed with all surface water draining to the approved arrangements and the balancing pond in phase one. The peripheral hedgerows would be retained.

Eight affordable homes were approved under phase one and a further three are proposed in phase 2 to make a total of eleven - 25 % of the combined site's houses.

The application is accompanied by several documents.

A Tree Schedule looks at all of the hedgerow trees around the site concluding that all are in a poor or indifferent state of health.

A Flood Risk Assessment concludes that finished floor levels should be 150mm above adjacent hard standings and that surface water is to be attenuated through the proposed arrangements for the recently consented estate immediately to the south.

An Ecological Study concludes that the site has no statutory or non-statutory designations affecting it or its setting. The site itself has low to moderate existing ecological interest being semi-improved grassland with some stable buildings. The hedgerows and a pond have some higher value. The buildings have low potential for bat roosting and the hedgerows similarly have low potential for foraging. No badgers have

been found and the pond is of low value as a habitat for newts. Some survey work should be carried out.

An Archaeology desk based assessment shows low potential but that survey work should be undertaken at pre-commencement stage and appropriately targeted on the site.

A Design and Access Statement describes how the layout and house design has been arrived at.

A Planning Statement draws everything together in both national and local planning policy terms.

The proposed layout is at Appendix B.

Representations

Ansley Parish Council – The Parish Council objects because the site is outside of the current development boundary and with recent planning permissions the size of the village has grown with no infrastructure provided or planned. The proposal does not accord with Development Plan policy. Additionally access is not considered to be safe due to parked cars in Birmingham Road impeding the visibility at the new junction.

There is historic flooding too in the area of Birmingham Road.

Four objections have been received referring to the following matters:

- The proposals do not accord with Development Plan policy NW6 on affordable housing provision
- More cars and more houses in the village will exacerbate existing traffic and highway problems
- The village has poor services and facilities.
- The proposal does not accord with Development Plan policies NW2 and NW5 as too many houses are being proposed beyond those already approved outside of the development boundary.
- Specific details need to be made known – boundary treatments etc.

Consultations

Warwickshire County Council as Highway Authority – Originally submitted an objection based on the geometry of the internal layout but this has been overcome with the submission of amended plans.

Warwickshire County Council as Flood Authority – No objection subject to conditions.

Environmental Health Officer – No comments to make.

Warwickshire Museum- No comments to make.

Warwickshire Fire Services – No objection subject to a standard condition.

Severn Trent Water Ltd – No objection.

Warwickshire Police (Architectural Liaison) – No objections.

Development Plan

The Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW5 (Split of Housing Numbers), NW6 (Affordable Housing Provision), NW10 (Development Considerations) and NW13 (Natural Environment)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV12 (Urban Design) and ENV13 (Building Design)

Other Material Planning Considerations

The National Planning Policy Framework 2012 – (the “NPPF”)

The National Planning Practice Guidance 2014

The Draft North Warwickshire Local Plan 2016

The Appeal decision APP/R3705/W/16/3149572 dated 6/1/17

Observations

The site is not in the Green Belt but it is neither in the development boundary of Ansley as defined in the Development Plan. It does however adjoin that boundary along its western edge at the rear of the Birmingham Road frontage.

The Core Strategy sets out how the future housing requirements for the Borough is to be dealt with in a sustainable way. Policy NW1 sets out the general principle. In order to meet the strategic objectives of the Strategy, policy NW2 sets out that growth will be accommodated in line with a settlement hierarchy. In short, the larger the existing settlements have the widest range of local services and facilities and thus are more likely to be able to accommodate a greater proportion of the growth. This provides a sustainable approach to new development – endorsed by the NPPF.

Ansley is required to provide a minimum of 30 dwellings in the plan period through policy NW5.

In order to supplement NW5, the Council published its preferred options for draft site allocations throughout the Borough. In the case of Ansley two sites were identified. One of these is at Village Farm which lies on the opposite side of the Birmingham Road to the application site. The second site is that covered by the 2016 planning permission for 34 houses immediately to the south of the application site. Together these two sites were estimated to deliver around 57 houses. Planning permissions on part of the Village Farm site and the site to the south of the current site have now been granted for 43 houses.

The Council however has had to review its Core Strategy in the light of recent new evidence of housing growth particularly emerging from its surrounding urban neighbours. This is substantial. As a consequence, the Council has published a draft Local Plan which has recently completed a period of consultation. It increases the housing requirement from 3650 to 5280 by the year 2031. The draft Plan has also

subsumed the draft Preferred Site Allocations referred to above and has responded to the new housing target by reviewing those preferred sites and now allocates additional land in order to deliver this additional growth. These are illustrated in the draft Local Plan. No change is made therein to the position in Ansley.

The draft Local Plan is however at the beginning of its progress towards adoption. It carries limited weight.

Because of this new evidence, speculative planning proposals are coming forward for land which is not allocated in either the Core Strategy or the draft Local Plan. The applicants' argument is that these sites are in sustainable locations and would not cause harm. As such they should be approved without delay (such as waiting for the draft Local Plan to be adopted) in order to "significantly boost" housing supply as required by the NPPF and to meet the new North Warwickshire evidence based growth agenda. This approach has recently been effective in Ansley with the grant of an outline planning permission at appeal for 79 houses off Tunnel Road to the south of the village in January 2017. This is now a material planning consideration of substantial weight. It will have a material impact on the determination of this current proposal for a further fifteen houses. The Inspector found no significant adverse harm, but that because the land was adjacent to existing built development and because he was not convinced that there was a five year housing supply that the weight should be in favour of granting the permission. This decision confirms that the Council's housing policies in the Core Strategy are out of date.

This decision is therefore of substantial weight in this current case. This is because the Council has been found not to have a five year land supply – the appeal decision outlines this conclusion. The Council's Development Plan housing policies are thus considered to be "out of date" because of the wording of the NPPF. If a housing development is now submitted and it is considered to be in a sustainable location and does not cause significant or demonstrable harm, then the NPPF presumption is that it should be approved. This therefore is the approach that should be taken with the current application for 15 houses.

The site is adjacent to both existing and permitted development. The consultation responses indicate that there is no heritage harm; no drainage harm, no environmental health harm and no landscape harm. There is neither any highway harm. Whilst there are highway concerns the County Council has not objected and the NPPF makes it very clear that highway refusals should only be considered when the impacts are "severe" and cannot be mitigated in an appropriate way. In all of these considerations it is concluded that there is not the substantive technical evidence available to show demonstrable or significant harm. Given the appeal conclusion that the housing policies of the Core Strategy are out of date, this lack of significant and demonstrable harm does not weigh in support of a refusal. A recommendation of approval is made below because of these changed circumstances.

Whilst the planning policy objections from the local community are understood, the situation has materially changed in respect of all housing applications throughout the Borough, following the recent Ansley appeal decision –i.e. the Core Strategy housing policies are considered to be out-of-date.

Recommendation

That subject to the completion of a Section 106 Agreement in respect of the provision of on-site affordable housing, planning permission be **GRANTED** subject to the following conditions:

1. Standard Three year condition
2. Standard Plan numbers – the Nightingale, Lapwing 2, Swallow, Redwing 2 and Woodlark house types received on 23/12/16 and the Waxwing 2 house type received on 23/1/17; the location plan 12/22/14A received on 23/1/17 and the layout plan 12/22/13C received on 7/4/17

Pre- commencement conditions

3. No development shall commence on site until a detailed surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and geo-hydrological context of the development has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site.

REASON

In order to reduce the risk of flooding.

4. No development shall commence on site until details of a scheme for the provision of adequate water supplies and before hydrants necessary for fire-fighting purposes at the site has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site.

REASON

In the interests of public safety

5. No development shall commence on site until a drainage scheme for the disposal; of foul water from the site has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site.

REASON

In the interests of reducing the risks of flooding and pollution.

6. No development shall commence on site until details of a landscaping scheme have first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented on site.

REASON

In the interests of the visual amenities of the area.

7. No development shall commence on site until details of all facing and roofing materials together with boundary treatments to be used have first been submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall then be used on site.

REASON

In the interests of the visual amenities of the area.

8. No development shall commence on site until a Construction Method Statement has first been submitted to and approved in writing by the Local Planning Authority. The measures agreed shall be adhered to throughout the construction. It will provide for:
 - a) The parking of vehicles for site operatives and visitors
 - b) Loading and unloading of plant and materials,
 - c) Storage of plant and materials.
 - d) Wheel washing facilities
 - e) Dust emission measures
 - f) A waste recycling scheme
 - g) Working and delivery hours
 - h) Contact details of a site manager

REASON

In the interests of the residential amenities of the area and to reduce the risk of pollution.

Other Conditions

9. The internal finished floor levels shall be set at least 150mm above the adjacent external ground levels.

REASON

To reduce the risk of flooding.

Notes

1. The Local Planning Authority has met the requirements of the NPPF in this case through seeking resolution of technical issues via the receipt of amended plans.
2. Condition (3) above will require evidence whether or not infiltration type drainage is appropriate in accordance with BRE 365 guidance; demonstration of compliance with CIRIA Reports C753,C697,C687 and National Suds guidance; that discharge rates generated by all rainfall events will be limited to greenfield runoff rates, compliance with attenuation in accordance with Science Report SC030219, detailed designs and calculations of the scheme and outfall

arrangements together with confirmation of how the scheme will be managed in perpetuity.

3. Severn Trent Water advises that there may be sewers in the area and advice and guidance should be sought.
4. Attention is drawn to Sections 149, 151, 163 and 184 of the Highways Act 1980; the Traffic Management Act 2004, the New Roads and Street Works Act 1991 and all relevant Codes of Conduct.

BACKGROUND PAPERS

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

Planning Application No: PAP/2016/0738

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	23/12/16
2	Mr Spence	Objection	12/1/17
3	Mrs Spence	Objection	12/1/17
4	Environmental Health Officer	Consultation	10/1/17
5	Warwickshire Police	Consultation	10/1/17
6	Agent	E-mail	16/1/17
7	Warwickshire Fire Services	Consultation	17/1/17
8	Warwickshire Flooding	Consultation	19/1/17
9	R Harrison	Objection	19/1/17
10	Warwickshire Museum	Consultation	23/1/17
11	Ansley Parish Council	Objection	23/1/17
12	Environmental Health Officer	Consultation	25/1/17
13	Mr and Mrs Vardy	Objection	26/1/17

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

APPENDIX A

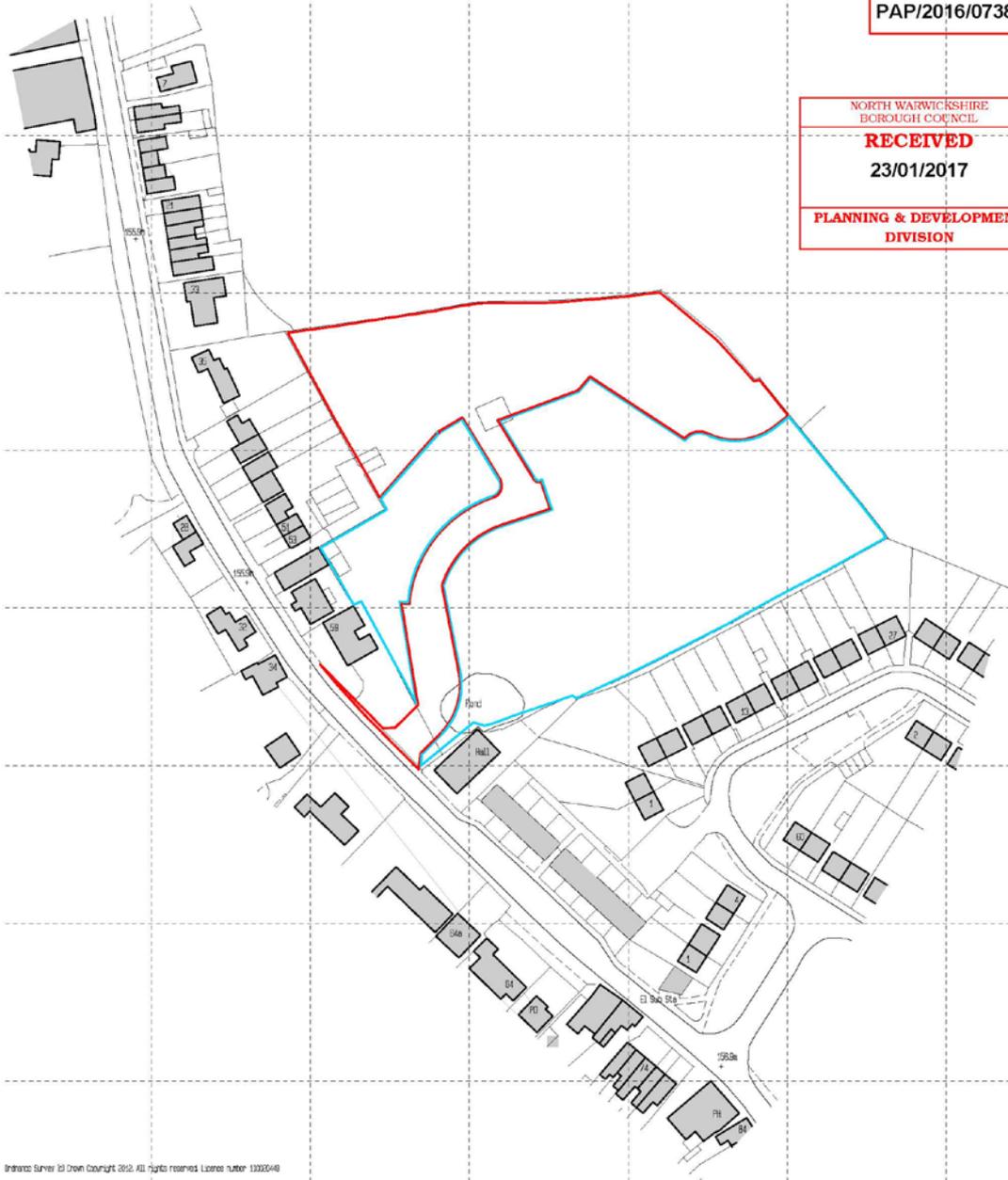
PAP/2016/0738

NORTH WARWICKSHIRE
BOROUGH COUNCIL

RECEIVED

23/01/2017

PLANNING & DEVELOPMENT
DIVISION



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REVISIONS
A - boundary behind No.33 added Jan 2017



Client Cartwright Homes Ltd		Project proposed residential development Birmingham Road Anasley, Nuneaton		Scale 1 : 1250	Job No. 12/22
Drawn by location plan - Ph2	Author JRH	Sheet A3	Date Dec 2016	Drawing No. 14A	Project No. 14A

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